

**APPROVED MINUTES
NYSDEC JOINT STATEWIDE HEALTH & SAFETY
COMMITTEE MEETING
February 17, 2005**

Joe Lattanzio	(Co-Chair) DEC Director of Employee Relations - Albany
Jim Kersten	(Co-Chair) PEF/EnCon - Buffalo
Mark Malinoski	Division of Operations - Albany
Les Wilson	Division of Law Enforcement - Albany
Andy Jacob	Division of Forest Protection & Fire Management - Albany
Everett Chamberlain	Division of Operations - Albany
Bernie Rivers	Council 82 - Law Enforcement - Region 3
Karen Glesmann	Council 82 - Forest Rangers - Region 4
Jonathan Rosen	PEF Health & Safety Director
Jean Edouard	Health & Safety Unit
Mark Cadrette	Health & Safety Unit
Ed Kucskar	Health & Safety Unit
Holly Clark	PEF - Central Office
Mike Kanuk	PEF - SUNY East
Wayne Bayer	PEF - Central Office
Jack Marsch	PEF - Region 6
Marie Furlong	Employee Relations - Albany
Glenn Milstrey	Division of Solid & Hazardous Materials - Albany [Guest]
Laverne French	CSEA - Warrensburg [Guest]
Debra Banks	Division of Water [Guest]
Mary Wynne	Cardiac Science [Guest]

Minutes

The minutes of the September 2004 meeting were distributed via GroupWise on 1/31/05.

Automated External Defibrillators (AEDs)

J. Lattanzio provided a brief overview of the new AED legislation. This legislation may be published as a consensus rulemaking meaning it could generate hearings. The legislation will be phased in over a five year period to minimize the anticipated expense. OGS is expected to develop and distribute guidelines by April 1, 2005. The new legislation may apply to any location (leased or owned) where there are 100 or more employees. The Department anticipates a need to purchase a sizeable number of units. The latest reports indicate the Department may be responsible for the cost. This to be further researched. J. Rosen informed the Committee that the Governor's budget has allowed \$250,000 for AED purchases.

J. Lattanzio mentioned that the new program will be a sizeable effort (scheduling of training, record keeping, etc). The Department expects EHS will be involved in the required training.

Mary Wynne, the manufacturer's rep for Cardiac Science (our current supplier), provided an AED demonstration. The purchase price for one of their AEDs is currently \$2,000. Cardiac Science will be offering a program to manage the inputting of data with software, the training of staff, check batteries, etc. She will be invited to attend a Regional/Division Directors meeting in the near future to demo the unit for them.

Homeland Security/WMD/Incident Command

J. Lattanzio discussed J. Tuffey's past participation at Committee meetings for the purpose of addressing this issue. G. Milstrey, who has been part of this initiative along with H. Hamilton, will now periodically attend the meetings to provide updates.

G. Milstrey told the Committee the Department is working with the Department of Health to develop an

environmental assessment group to coordinate technical and scientific support. In the case of an event, Department staff such as chemists and biologists will provide scientific and technical support for the incident. The assessment group could assist with the development of sampling plans to define the level and extent of contamination. J. Rosen felt, to do this properly, staff would need to be on-site. G. Milstrey told the Committee, if staff are in the field, they will be a safe distance away providing advisement only. From a perspective of who will go into the hot zone, DEC has no jurisdiction over the Federal and local haz mat teams. As for DEC, we will put a system in place to account for our staff to ensure staff are not performing tasks for which they are not authorized or trained. The National Response Plan describes the types of federal support which can be provided and National Incident Management System defines an organizational structure for a response in generic terms. This structure will be standardized down to the local level. It will up to each individual agency to determine what their personnel will be doing. In addition, the Department continues to work on a multi-agency task force whose purpose it is to integrate State resources during a crisis.

Regarding emergency training, there is no formalized training curriculum for DEC employees. DEC employees will not be required to do anything they have not been trained to do or without the appropriate equipment, nor beyond their job description. No staff have been identified as responders beyond their traditional designation (e.g., Spill Response staff, Law Enforcement, Rangers).

PEF asked the status of the Level B Team and the Spills Response employees. G. Milstrey reported it was at the Division level; he didn't know the status. Regarding the Spills employees, he reported that, other than using respirators for purposes of escape, their Division Respirator Protection Plan excludes them from wearing a respirator and working in a contaminated area where a respirator would be necessary for personal health and safety.

J. Kersten of PEF reported that the State Police (side mounted) respirators have been recalled and asked if DEC has the same type. DEC respirators issued to law enforcement personnel for escape purposes are the same manufacturer, but a different model. G. Milstrey told the Committee our respirators meet the NIOSH standards but are not CBNR approved.

Referencing a draft copy of the Emergency Response Plan he received from J. Tuffey some time ago, J. Kersten requested a copy of the latest draft of this document. G. Milstrey reported that, aside from correcting typos, there have no content changes made to the draft in the past three years. The 3/03/03 draft remains in review. PEF expressed their interest in maintaining a level of involvement/role in the development of the plan so that they can have input on issues which would effect PEF employee working conditions. G. Milstrey said he would welcome PEF's comments. J. Lattanzio suggested that, once PEF compiled their ideas and recommendations, he will arrange a meeting of H. Hamilton, G. Milstrey and the Health & Safety Unit staff.

G. Milstrey told the Committee this draft plan is really not a response plan but a Commissioner's Policy. It has been implemented only from the aspect that there are Regional and Division Response Coordinators. There has been limited trailer equipment awareness training. The trailers we have access to are the same as those assigned to State Police, many counties, etc. Because the trailer contents are standardized, DEC is not authorized/prepared/trained to use all the equipment on these trailers.

Mentioning that DLE staff are only the custodians of the trailers, B. Rivers asked who will be responsible for getting the trailers to a safe location. G. Milstrey responded that, while no one has been assigned this task to date, any State agency can move the trailers. L. Wilson said DLE is in the process of evaluating trailer response and duties. Our Hazardous Substance Unit has taken responsibility for making sure the equipment is calibrated and operationally ready. The Office of Military and Naval Affairs has the capability to decon the equipment when necessary.

At J. Kersten's request, G. Milstrey will send PEF a listing of the trailer contents. PEF also requested a listing of the Coordinators and which ones have received awareness training. G. Milstrey told the Committee that he is not tracking the training and that the agency has not yet developed training guidelines.

G. Milstrey explained that, other than what has been going on for years at the divisional level, there has been no incident command training. For informational purposes, Executive did receive an overview of the incident command training. J. Rosen offered to share with DEC the incident response training module

that PEF developed.

J. Kersten asked about the building modifications that were done at SUNYE. G. Milstrey reported that the S&HM's Bureau of Pesticides installed a piece of equipment that is being used for forensic analysis of pesticides. Currently, there are no plans to use the equipment for emergency response. Our lab is not certified to work on nerve agents.

J. Rosen mentioned that PEF has small grants available for safety and health projects: small grants of \$5,000 or less and large grants of \$15,000 or less. He urged DEC to take advantage of this offer. He also informed the Committee of the GOER/PEF Health and Safety Conference to be held on May 12-14, 2005, and encouraged DEC to participate.

Emergency Lights on Patrol Vehicles (Marked and Unmarked Units) [ECO Issue]

B. Rivers expressed his continued concern over the emergency lights on the patrol vehicles. The ECOs would like their vehicles to have lighting similar to that on the snowmobiles. The problem vehicles in R-2 are the unmarked Blazers. The light is mounted on the sun visor. The single strobe in the rear is only 2-3' long, and the amber LED is not obvious enough. L. Wilson explained that we want and need higher visibility on the snowmobiles. Our unmarked cars need only be roadside appropriate; they are not used as pursuit vehicles. L. Wilson said he will review the in-service vehicles and see what can be done to improve them.

Radios/Radio License for Region 1 Not Being Renewed [ECO Issue]

Most radios over 15 years old; towers not working in some parts of the State.

Over 10 years ago, a separate frequency (from Regions 2 & 3) was initiated for R-1.

B. Rivers commented that Department radios are technically outdated. The average life span of a radio should be no more than 10 years and DEC radios are over 15 years old. L. Wilson reported that, by law, there is a deadline to have narrowband by 2018. The Department anticipates having the capability long before that time. The Department just took delivery of 22 repeater change-outs this month to start compliance, and they have been distributed to the radio technicians. They will operate on wideband but will be programmed for narrowband after all remaining older mobile and portable radios are replaced. DLE is purchasing 80 new radios to start replacing the older models. The new radios will have lots of flexibility and be compatible for both bands.

K. Glesmann reported that pool vehicles with no lights or radios are a problem for the Rangers. A. Jacob reported that, with the delivery of 22 new vehicles in 2005, FP&FM will have 142 patrol vehicles for 134 members. Statewide, there will be ten spare Division patrol vehicles with radios and emergency lighting. They will be assigned based on need. In warm weather, Division fire engines will be available for use.

A Jacob reported they have received 33 radios for all the new (2004) vehicles and they are field testing them now. FP&FM plans to order radios for the balance of their vehicles this winter. All old radios will be replaced by new radios by this summer. They will be narrowband/wideband compliant. In the field, we have lowband width radio capacity. The goal is that every ranger will be able to talk to a County Fire Service.

M. Malinoski explained that currently we operate on the Federal frequency because of the conflict with R-3. The new repeaters (6 going to LI) will have the capability of operating on Federal or State frequency. DEC will continue using the Federal frequency; we will not reprogram at this time.

Regarding the problem in Region 3, we have the prospect of acquiring a used tower. Although it is not a priority now, we hope to resolve this issue in the near future.

Firearms Qualifying: Additional Qualifying with Long Guns

Division Management is committed to accommodating the Rangers on this issue. Any Ranger who wants long gun training should contact their captain. This item will be dropped from the agenda.

Local Committee Formation

J. Kersten expressed frustration over the lack of well functioning local Health & Safety Committees in the regions. Only half of our regions have health and safety committees. J. Kersten made the suggestion that PEF approach the stewards at the local level to encourage participation. J. Lattanzio confirmed that he has discussed this issue with the Regional Directors, and they have agreed to provide the necessary Management representation when meetings are scheduled. He felt the AED issue could jump start health and safety-related activity in the regions. The suggestion was made that the Committee invite the unrepresented regions to attend the Statewide Committee meetings and the PEF/GOER Health & Safety Conference in May.

Divisional Standard Operating Procedures (SOPs)

PEF expressed dissatisfaction regarding not being given the opportunity to review the Division of Water SOPs before they were approved. Health & Safety staff explained that, although the H&S staff do approve the SOPs, the Committee does not have input into division policy issues. The Committee was told these SOPs are on the intranet site and training is currently being conducted. The H&S Unit will check on how divisions' SOPs are circulated to the employees. J. Lattanzio to consider notification to all employees suggesting they familiarize themselves with the content of their individual SOPs.

Fire Drills

Status report: R-1, which falls under SUNY guidelines, conducted one (1) drill. Region 2 had 2 drills. R-3 had 2 drills. R-4 and Stamford each had 3 drills. Region 5 had 2 drills. Region 6 had one (1) drill. Region 7 had 3 drills. Regions 8 and 9 had one (1) drill each. SUNYE, which is also under SUNY guidelines, had one (1) drill. There have been 2 drills in the Central Office; a new emergency evacuation plan for the Central Office has recently been approved by OGS. W. Bayer expressed concern regarding the safety of employees crossing the street during a Central Office drill. It has not yet been determined who will be responsible for this task.

Supervisors' Health & Safety Training

We expect Information on Bid (IFB) approval within two months. Once the contract is approved, the curriculum will be shared with PEF. Until we work with the contractor chosen, we have only a framework curriculum. The detail of the curriculum will be developed with the contractor. The Health & Safety Unit expects the program to begin in the Fall.

Medical Monitoring

J. Kersten mentioned there is confusion in the regions regarding the scheduling of medical monitoring exams and defining who qualifies to participate. The Health & Safety Unit will develop an informational memo to all employees covered by medical monitoring explaining the risk categories.

Health Fair

The Health Fair is scheduled for **October 6, 2005**.

Next Meeting

The next meeting will be held on **May 19, 2005 at 9:30 a.m. in Room 1022 at 625 Broadway**.

Issues Placed on Inactive Status

Health & Safety Website

Department Health & Safety Budget Initiative/Staffing

Smoking Policy/Rules at DEC

Right to Know Training

Safety Incentive Differential (SID)

Workplace Violence/Security (J. Rosen)

Exposure to Toxic Substances: Amendment to Law/Record Maintenance