

# DEPARTMENT OF PLANNING AND LAND MANAGEMENT

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## MINUTES

**The Garrett County Planning Commission** held its regular monthly meeting on Wednesday, February 4, 2015, at 1:30 p.m., in the County Commissioners Meeting Room. Members and guests in attendance at the meeting included:

Troy Ellington	Jeff Conner	John Quilty
Rick Schiff	John Frank	Annie Bristow
Tim Schwinabart	Paul Durham	Deborah Carpenter -staff
Jeff Messenger	Eric Robison	William DeVore -staff
William Weissgerber		

1. Call to Order - by Chairman Ellington at 1:30 pm.
2. The January minutes were unanimously approved, by a vote of 6 to 0.
3. Report of Officers – None
4. Unfinished Business – Deborah Carpenter notes that the Director’s Report was circulated in the packets. The report noted that there will be legislation introduced by the Maryland Municipal League (MML) clarifying the preparation process for the Comprehensive Plan. Also included is information concerning a grant that Garrett County has received for the storm water assessment of North Glade Run.
5. New Business –Carpenter noted that new web maps have been launched and are available on the website; [maps.garrettcountry.org](http://maps.garrettcountry.org).

### A. Miscellaneous

1. Deep Creek Watershed Zoning Appeals Cases-None
2. Major Subdivisions- None
3. Action on Planned Residential Developments (PRD’s)- None
4. Waiver Requests – None

**B. Discussion Item –Shale Gas Drilling-Continuation of Educational Aspect-**

Chairman Ellington introduced John Frank, the Director of the Garrett County Department of Emergency Management, who would be making a presentation concerning the public safety aspect of gas drilling.

Mr. Frank explained that emergency management is usually coping with the most important emergency of the day, but he would explain his department's role concerning gas drilling in the county, as he now sees it.

Mr. Frank's department, local police, State Police and local fire departments use the 2012 Emergency Response Guidebook as a guide for almost all emergencies. The book, along with "apps" on the responders' phone, are used by first responders during the initial phase of a dangerous goods, hazardous materials or transportation incident. The book is used to determine the extent of the problem encountered and the best response to that emergency.

The director will be making a presentation at a public work session on February 23, before the County Commissioners, concerning the development of Garrett County's hazardous material plan and its possible adoption. The plan has a wealth of information that is specific to Garrett County, including populations of the towns and physical descriptions at many of the business sites throughout the county.

Garrett County currently has 22 trained hazardous material technicians, but volunteer fire department personnel numbers are down, which may be the result of strict training and qualification requirements. New training should be scheduled during reasonable times, in consideration of volunteers' other obligations. "Go kits" for hazardous material technicians would be needed to identify hazardous materials at a cost of five to seven thousand dollars each. Also, these technicians will need additional training, equipment and other resources in response to a significant increase in gas production.

Mr. Frank stated that in the event of a truck accident carrying hazardous materials, first responders will first determine scene safety, the nature and extent of any injuries, determine standoff requirements and identify the amount of hazardous product. The responder will then use the Emergency Response Guidebook to identify potential health hazards, the threat of fire or the possibility of an explosion. Mr. Frank notes that the first responders will decide the appropriate hazards approach, determine the appropriate protective clothing and consider evacuation procedures and in-place shelter availability. Fire suppression, first aid and patient care issues must also be evaluated. The goal will be to contain, neutralize and mitigate the danger.

The Emergency Response Guide for Garrett County would be used to make appropriate notifications, notify the hazardous material technicians and determine resource needs. Mr. Frank stated that the county has recently purchased the "Ever Bridge" program, which will replace the antiquated, reverse 911 system for notifying residents by land line

phone. Depending on the affected population, the Emergency Operation Center could be activated as an essential resource.

If such a spill were to occur, the county would need a responding force with the equipment and training to handle such an event. Mr. Frank believes that current equipment will need to be upgraded, including additional training for fire and rescue services and law enforcement and patient care providers. His department would rely greatly on representatives of the Maryland Department of the Environment (MDE). Mr. Frank noted that there are currently 14 fire rescue companies in Garrett County. He believes that the county also will need to identify potential mutual aid companies that surround the county.

In the event of an explosion, accident or fire at a well site or ancillary structure such as a pipeline, storage facility or compressor station, it would be imperative that the department would have access to operational emergency action plans and procedures for that type of event. These plans should be available on site, from the operator and usually located where the event occurred. The first responders would identify what response team to call and their estimated response time. MDE's proposed regulations suggest that a fence be built around the drilling well pad site and a key or other means of access must be provided for public safety personnel.

Mr. Frank recalls that an event involving a natural gas fire occurred in the town of Accident at a Texas Eastern well site, resulting from a lightning strike, years ago. A gas well ignited and volunteers contained and protected the surroundings. Trained crews, under contract with Texas Eastern were brought-in to extinguish the fire. Since more funding, staffing and training will be needed if large scale gas drilling would occur, Mr. Frank is in search of funding sources. He believes that a countywide Strength, Weaknesses, Opportunities and Threat analysis, or "SWOT" analysis, should be conducted to identify equipment, training needs and costs.

Mr. Frank believes that if an on-site incident were to occur in Garrett County, his department will need the manpower, equipment and training to handle such an event. The operator's emergency action plan would be used by the first responders to determine the course of action. The director hopes that Maryland Department of the Environment would assist with the SWOT analysis to find and fund an independent contractor to conduct this evaluation. The director believes that it would be appropriate to reach out to MDE to acquire more information about emergency procedures and to clear up any misinformation. Mr. Frank also would like more information from other jurisdictions and the surrounding States. He also believes that it would be best to take a proactive approach and improve the enforcement capability to regulate commercial vehicles. Increased random inspections, along with regular patrols and enforcement, could help prevent a significant incident that could arise due to shoddy brakes, bad tires, weight violations, etc.

In response to questions, Mr. Frank concluded that his office would need more funding in the near future, in anticipation of any hydraulic fracking in the county.

Eric Robison believes that non-placarded vehicles are currently a problem. He believes that vehicles are hauling waste water through the county from drill sites in surrounding States. Mr. Robison believes that these vehicles do not have placards because they are exempt. He believes that under the current governor, fracking is going to happen in the near term and the local jurisdictions should do all they can to prepare for that development.

Annie Bristow notes that according to the proposed MDE regulations an Emergency Response Plan is required. However, the company representatives on site will be responsible for contacting the appropriate agencies and neighbors. She believes that this situation may not be appropriate.

John Quilty stated that there are case studies that are available that would document some of the accounts of neighboring counties. He believes that there should be some forum for emergency responders to share their experiences.

Mr. Frank notes that he already has much of the information from the Tioga County Pennsylvania plan, in his current 911 response system. This information can be used along with the new Ever Bridge system to plot information onto GIS mapping, allowing accurate maps. For example, source water protection areas could to be drawn and distributed on very short notice. Mr. Frank believes preparation for this scenario will aid in other hazardous accident planning.

A Commission member believes that hazardous chemicals should be labeled and identified on MSDS sheets, so that if an emergency occurs, the responders will know how to handle the situation. The belief is that these chemicals used in hydraulic fracking, should be required to be identified, by way of MSDS sheets and placards, as required in other commercial/industrial activities.

Bristow notes that the Elk River, West Virginia hazardous spill incident was discovered by a local citizen and she encourages citizen participation on the gas recovery issue. Recently, it was also discovered by a concerned citizen that sludge was being brought in to the local area. Bristow also suggests that a one-call system should be implemented for these types of emergencies.

Paul Durham suggests that local legislators encourage the governor's administration to include public involvement to evaluate any proposed change to the regulations on this controversial issue. Mr. Durham requests that the Planning Commission encourage the County Commissioners to formally request that any changes to the proposed regulations be required to be evaluated in public, with an open and fair process, as the original regulations were developed. Mr. Durham requests that a letter be sent to the County Commissioners requesting that the public would be involved concerning modifications to the proposed gas regulations.

The director believes that the Shale Gas Advisory Committee will be reinstated and the Commission should complement their work, without taking on their role. The MDE regulations have been made public and the public comment period ends on February 9. A 15-day comment period will follow and she believes that the focus should be on the stance that the State takes on this issue.

Some Commission members believe that county wide zoning may be necessary to address the gas drilling issue. Some believe that in order to protect Garrett County, regulatory requirements should include active local participation in the permitting process, including input from local citizens, Garrett County Emergency Management and the Garrett County Health Department.

The Chairman noted that there is a new regime in Annapolis that may reinstate the State Shale Advisory Committee. There is concern that the regulations would become modified and become law without proper citizen input.

John Quilty believes that clearly, everyone will have more information soon. He expects a re-chartering of the citizen-based Shale Gas Advisory group to address natural gas recovery. Mr. Quilty notes that the Planning Commission could request that the local Shale Gas Committee be charged with certain issues, such as local participation. He believes the effects of industrialization, traffic, industrial accidents and noise and other topics are not adequately addressed by the proposed MDE regulations. Another suggestion is to lobby at the State level, to have a voice concerning approval of the Comprehensive Gas Development Plan, which so far has been part of the State process and not a local responsibility.

Annie Bristow circulated a handout titled "Protect Maryland's Food Supply". Bristow believes that the proposed regulations do not deal with the issues that could affect food supplies which she believes have not been a part of the shale gas discussion. This topic includes animal and livestock springs which she feels are not addressed in the proposed MDE regulations. Bristow believes that setbacks for springs in the proposed regulations are for springs used as domestic water supply only, and uses for animal habitat are not covered. She feels that permits for fracking should not be issued until the effects on crops and domestic and wild animals are studied. Concerns include; toxins entering the food chain, wild game entering onto drill sites, testing for food safety and threats to organic certification. Bristow also stated that baseline measurements are not available for animals, which will be the sentinels for measuring the effects on human health. Eric Robison pointed out that deer are exposed to open containers and ponds in Pennsylvania, then are free to cross the border into Maryland. Paul Durham noted that dairy farming operations cannot have fracking onsite.

Carpenter believes that the group will have much more information to make some type of decision in a month or two. The director notes that the Planning Commission will be reviewing the 2014 Annual Report at the next regularly scheduled meeting.

**C. Next Scheduled meeting** - The next regular meeting of the Planning Commission is scheduled for **March 4, 2015**, in the County Commissioners Meeting Room, at 1:30 pm.

**D. Adjournment-** 2:45 p.m.

Respectfully submitted,

William J. DeVore  
Zoning Administrator

