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TESTIMONY OF: Dale Petry, Director  
Kanawha County Homeland Security and Emergency Management

DATE: Monday, February 10, 2014

BEFORE: United States House of Representatives  
Committee on Transportation and Infrastructure

REGARDING: The Charleston, West Virginia Chemical Spill of January 9, 2014

## **INTRODUCTION**

I would first like to thank the distinguished members of the House of Representatives Committee on Transportation and Infrastructure for inviting me to speak this morning. I am appearing before the committee in my capacity as Director of Kanawha County Department of Homeland Security and Emergency Management.

My primary purpose for testifying today is to offer a timeline of events that occurred on January 9, 2014 as it relates to the chemical spill at Freedom Industries that ultimately resulted in a "Do Not Use" Advisory being issued for customers of West Virginia American Water in Kanawha County and 8 other counties.

## **EXECUTIVE SUMMARY**

On January 9, 2014 at approximately 10:00 a.m., calls were received by Metro 911, reporting a chemical odor in the area of I-77 and I-79 split. Metro 911 notified Emergency responders of the call and C.W. Sigman, Deputy Director and Fire Coordinator for Kanawha County Department of Homeland Security and Emergency Management and Fire Department officials responded to the area of Route 119 to Eden's Fork to Mink Shoals and along Pennsylvania Avenue to look for a possible leaking truck. While responding to these areas, emergency officials could smell a licorice smell in the air. Units returned to service within 30 minutes of the original call to Metro as they could not locate the source.

At approximately, 10:30 a.m., Mr. Sigman returned to the Emergency Management Office and notified me of the smell in the air and described it as a licorice smell. I told him to check the old Pennzoil Bulk Plant on Barlow Drive, as I was familiar with the plant being a possible source for a chemical with that smell. Mr. Sigman retrieved the Tier II data for the Etawah River Plant on Barlow Drive before going to the site. Upon arriving on Barlow Drive, Mr. Sigman found a Diversified Services Truck leaving Barlow Drive. There had been previous complaints on this company in the St. Albans area and he suspected that the truck could be the source of the smell.

Mr. Sigman then continued to Freedom Industries, where he found two West Virginia Department of Environmental Protection (DEP), Division of Air Quality personnel onsite. DEP officials reported to Mr. Sigman that they had received odor complaint calls at DEP and they responded to the site, and there had been a small spill of Crude MCHM and they would talk to facility leaders regarding the matter. Mr. Sigman provided DEP with a copy of the Tier II report

and MSDS for the chemical. Mr. Sigman, then left the scene as DEP officials said they were handling the situation.

At approximately 11:30 a.m., my staff issued a media release stating there had been a leak of MCHM at the Freedom Industries site and DEP was on scene and at the time. The media release described the product and its usage.

At approximately 1:30 p.m., Mr. Sigman then received a call from Mike Dorsey with DEP. Mr. Dorsey told him the spill may be larger than originally thought and it may have leaked into the river.

Mr. Sigman, on his way back to Freedom Industries, checked the Elk River where it flows into the Kanawha for any indication of the spill. There were no smells or indications of any contaminants by looking. There were ice flows on the river.

At approximately 2:00 p.m., Grant Gunnoe, Charleston Director of Homeland Security and Emergency Management and Mr. Sigman returned to the site of Freedom Industries with Mr. Sigman and they met with DEP officials. DEP officials showed them efforts being made to contain the leak. Absorbent pads had been placed around the outside of the containment. A West Virginia American Water Company representative was onsite as well. The representative stated that they would put on extra carbon beds to capture any of the material at the water company plant.

An official from Freedom Industries was onsite as well and identified himself as Dennis Ferrell, President of Freedom Industries. We asked him how much of the material had been leaked. Mr. Ferrell stated, "not much" and that they would have to weigh the amounts removed from the tank already and deduct that from the inventory to determine the amount that leaked.

Mr. Sigman and Mr. Gunnoe asked DEP Officials if they needed any further assistance from Emergency Management and they were told no. They further asked if any notification needed to be made to the public and they were also told no. Mr. Sigman and Mr. Gunnoe then returned to their respective offices.

At 4:30 p.m., Mr. Sigman received a call from Anita Ray at the Kanawha-Charleston Health Department stating they were receiving calls of a licorice type taste in the drinking water. The Health Department was contacting the Water Company to report the information. Mr. Sigman then made County Management aware of the situation and further contacted the WV Department of Homeland Security and Emergency Management to make them aware of the situation.

The Kanawha County Commission was getting ready to go into regular session for a meeting, Mr. Sigman and I then met with the Commission President and County Manager and notified them that a conference call was being conducted at 5:00 p.m. by the State of WV. Mr. Sigman and I participated in the conference call. To our knowledge, WV American Water Company and State Officials were on the call. The call resulted in a "Do Not Use" Advisory being issued for all WV American Water Company customers in the Kanawha Valley. Kanawha County was asked to notify the public of this action.

I immediately reported to the Commissioners that the "Do Not Use" Advisory had been issued and was directed to activate the Emergency Broadcast System, Swift Reach (our direct dial system to citizens of Kanawha County) and media notifications via Metro 911 to notify the public.

I immediately activated our Emergency Operations Center at a Rapid Response Team level. This allows for members of all emergency response agencies to immediately gather at the Metro 911 building to begin coordinating efforts to respond to the situation. The Commission President immediately recommended that we contact Dr. Rahul Gupta, the Chief Health Officer for Kanawha-Charleston Health Department to make him aware of the situation. Dr. Gupta's staff is also on the call-out team for the Rapid Response Team.

On my way to Metro 911, I authorized staff to increase response team and notify our Level 1 Response Team to respond to our Emergency Operations Center. This allowed for additional support in the Emergency Operations Center to handle the calls from the public as well as the coordination of resources.

Mr. Sigman, from the MSDS report and Tier II report was able to determine that Eastman was the manufacturer of the MCHM and facilitated a conference call with Eastman Officials, WV American Water Company, DHHR, and other emergency officials at 8:00 p.m. to discuss the chemical properties. Eastman reported to all officials that the product was relatively soluble and should wash through the system and was readily biodegradable and odor and taste were the bigger issue.

We immediately began requesting water through the WV Department of Homeland Security through the E-Team System. The water company made available water tankers and water buffaloes to be immediately used at hospitals that did not already have an ample supply of potable water. The airport put us in contact with a local vendor who had bottled water stored and we immediately arranged for delivery of the bottled water to hospitals and nursing homes, as our primary focus were hospitals, nursing homes, and medical issues.

The Water Company and National Guard provided water tankers and water buffaloes that required citizens to bring their own containers to fill and we had 4 sites opened by 9:30 a.m. on Friday, January 10<sup>th</sup> for the public to begin using.

We were contacted by other states and businesses wanting to immediately donate bottled water to the County. As tractor trailers of water began to arrive from donations and FEMA, we began setting up distribution points for the public to obtain bottled water once we had handled the immediate medical facility needs.

By 10:00 p.m. on Friday, January 10<sup>th</sup>, we received confirmation of bottled water being received and were able to notify the public of 17 distribution sites that would open at 8:00 a.m. on the following morning, Saturday, January 11<sup>th</sup>. We have continued water distribution since that time through resources obtained by FEMA and the water company. Bulk Water sites were still be used in Kanawha County as of, Friday, February 7, 2014.

On Saturday, January 11<sup>th</sup>, Kanawha County was requested to be a member of the Interagency Team that was working out of the West Virginia American Water Company Command Center with the National Guard. Mr. Sigman, was our representative at the Command Center. Mr. Sigman, while onsite, assisted in the coordination of resources at the request of the National Guard and WV American Water Company.

Our role in the response to the incident was communicating with our citizens, delivering water to the public through distribution, as well as delivery to elderly homes, nursing homes and those in great medical need. Our response agencies, including our Emergency Management Team, Kanawha County Ambulance Authority, Kanawha Valley Transportation Authority, Kanawha-Charleston Health Department, Kanawha County Sheriff's Department, Municipal Police Department, 27 Volunteer Fire Departments, Municipal Fire Departments, Metro 911 and many others worked and continue to work day and night to try to meet the requested needs of the citizens of the County during this water crisis. The Emergency Management Office is not a regulatory agency nor an investigatory agency. These roles are generally handled by Federal and State agencies.

The Kanawha County Department of Homeland Security and Emergency Management currently follows the Kanawha-Putnam All Hazards Emergency Response Plan for emergencies throughout the County. The Plan was used during this emergency, specifically the Water Emergency Annex.

## POST SCRIPT

One of our most important roles in this situation was to ensure the public was notified of the “Do Not Use” Advisory being issued for the water system. While we did immediately activate our systems for notification, we did not use the Wireless Emergency Alert System recently approved for notification via cell phones. We are adding protocol to our plan to ensure this step is taken in future emergencies. This would have been another level of notification to the public of the event.

We immediately learned that some of our hospitals and facilities were prepared for this event, as they already had bulk and bottled water onsite. However, not all hospitals and facilities were prepared. We will work with these agencies to help them put into place a plan to have potable water on hand at all times so they can continue to handle their emergency response.

We will work with Charleston Housing and other assisted living facilities throughout the county to develop a better list of contacts for our senior homes, low income housing and care facilities to contact during an emergency to determine their needs for assistance.

We will work with the public to better educate them on emergency preparedness and notifications. We will work with local businesses and community groups to conduct more Kan-Plan presentations on Emergency Preparedness for families and businesses.

Thank you for inviting me to testify before the Committee. Respectfully, submitted:

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Dale Petry, Director  
Kanawha County Department of  
Homeland Security and Emergency  
Management  
Kanawha County Commission