

# **The 5<sup>th</sup> Annual Hospitality Law Conference**

**February 8-9, 2007**

## **Lessons Learned from Katrina and Other Disasters**

**Presented By:**

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**Wendell Couch**  
*Vice President Management Operations*  
**InterContinental Hotels Group**

**Benn Kollmeyer**  
*Corporate Technical Director*  
**Forensic Analytical**  
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**Grace Regan**  
*Associate Attorney*  
**Lodgian**

### **Stephen Barth**

Stephen Barth, author of Hospitality Law and coauthor of Restaurant Law Basics, is an attorney and the founder of HospitalityLawyer.com. As a professor at the Conrad N. Hilton College of Hotel and Restaurant Management, University of Houston, he teaches courses in hospitality law and leadership. Prior to joining the faculty at the Conrad N. Hilton College, Stephen was an adjunct professor at Texas Tech University. He has over twenty years of experience in hospitality operations, including line positions, management, and ownership.

Stephen is the legal editor for *Lodging Hospitality* magazine. His articles on legal issues in the hospitality industry also appear regularly in *Club Management* magazine, *Midwest Foodservice News*, *GlobalChefs.com*, *National Hotel Executive* online magazine, and *HospitalityLawyer.com*. He speaks regularly on many issues for the National Restaurant Association, the American Hotel & Lodging Association, the Club Managers Association, the National Association of Catering Executives, the Texas Hotel and Motel Association, the Texas Restaurant Association, and many other hospitality associations and hospitality management companies, including Four Seasons, Hyatt, Hilton, Choice, and Best Western Hotels.

### **Wendell Couch**

Wendell is the Vice President Risk Management for InterContinental Hotels Group. He has served as a fact witness, company expert, and subject matter expert in litigation involving violent crimes, fire protection, premise security, and guest safety. He is nationally known loss prevention expert who has presented numerous seminars and workshops on safety and security in the hospitality industry. Wendell has also conducted hundreds of safety and security evaluations around the world.

### **Ben Kollmeyer**

Ben Kollmeyer has more than eight years of comprehensive technical experience in the environmental health and safety field performing indoor air quality studies, industrial hygiene surveys, environmental assessments, employee training, compliance audits, and accident investigations. He is responsible for the technical operations of Forensic Analytical's Environmental Services Division in each office.

### **Grace Regan**

Grace is the Associate Attorney for Lodgian, one of the nation's largest independent owner/operators of hotels. She briefly served as Corporate Counsel for a software company after spending many years as a Labor and Employment law Trial Attorney. She graduated from the Paul M. Hebert Law Center of Louisiana State University. She is licensed to practice law in Louisiana, Texas, Colorado and Georgia.



## FACT SHEET

### Key Facts About Hurricane and Flood Recovery: Protect Your Health and Safety After a Hurricane or Flood

#### Prevent illness from FOOD

**Identify and throw away food that may not be safe to eat.** Throw away food that may have come in contact with flood or storm water. Throw away canned foods that are bulging, opened, or damaged. Throw away food that has an unusual odor, color, or texture. Throw away perishable foods (including meat, poultry, fish, eggs and leftovers) that have been above 40°F for 2 hours or more. Thawed food that contains ice crystals or is 40°F or below can be refrozen or cooked. If cans have come in contact with floodwater or storm water, remove the labels, wash the cans, and dip them in a solution of 1 cup of bleach in 5 gallons of water. Relabel the cans with a marker.

**Store food safely.** While the power is out, keep the refrigerator and freezer doors closed as much as possible. Add block ice or dry ice to your refrigerator if the electricity is expected to be off longer than 4 hours. Wear heavy gloves when handling ice.

#### Prevent illness from WATER

**Listen to and follow public announcements.** Local authorities will tell you if tap water is safe to drink or to use for cooking or bathing. If the water is not safe to use, follow local instructions to use bottled water or to boil or disinfect water for cooking, cleaning, or bathing.

**Correctly boil or disinfect water.** Hold water at a rolling boil for 1 minute to kill bacteria. If you can't boil water, add 1/8 teaspoon (approximately 0.75 mL) of newly purchased, unscented liquid household bleach per gallon of water. Stir the water well, and let it stand for 30 minutes before you use it. You can use water-purifying tablets instead of boiling water or using bleach. For infants, use **only** pre-prepared canned baby formula. Do not use powdered formulas prepared with treated water. Clean children's toys that have come in contact with water. Use a solution of 1 cup of bleach in 5 gallons of water to clean the toys. Let toys air dry after cleaning.

#### Prevent and treat OTHER ILLNESS and INJURIES

**Prevent carbon monoxide poisoning.** Carbon monoxide is an odorless, colorless gas that is produced by many types of equipment and is poisonous to breathe. Don't use a generator, pressure washer, charcoal grill, camp stove, or other gasoline- or charcoal-burning device inside your home, basement, or garage or near a window, door, or vent. Don't run a car or truck inside a garage attached to your house, even if you leave the door open. Don't heat your house with a gas oven. If your carbon monoxide detector sounds, leave your home immediately and call 911. Seek prompt medical attention if you suspect carbon monoxide poisoning and are feeling dizzy, light-headed, or nauseated.

**Avoid floodwater and mosquitoes.** Follow all warnings about water on roadways. Do not drive vehicles or heavy equipment through water. If you have to work in or near floodwater, wear a life jacket. If you are caught in an area where floodwater is rising, wear a life jacket, or use some other type of flotation device. Prevent mosquito bites by wearing long pants, socks, and long-sleeved shirts and by using insect repellents that contain DEET or Picaridin. More information about these and other recommended repellents

## Protect Your Health and Safety After a Hurricane or Flood

(continued from previous page)

can be found in the fact sheet "Updated Information Regarding Insect Repellents" at [www.cdc.gov/ncidod/dvbid/westnile/RepellentUpdates.htm](http://www.cdc.gov/ncidod/dvbid/westnile/RepellentUpdates.htm).

**Avoid unstable buildings and structures.** Stay away from damaged buildings or structures until they have been examined and certified as safe by a building inspector or other government authority. Leave immediately if you hear shifting or unusual noises that signal that the structure is about to fall.

**Beware of wild or stray animals.** Avoid wild or stray animals. Call local authorities to handle animals. Get rid of dead animals according to local guidelines.

**Beware of electrical and fire hazards.** NEVER touch a fallen power line. Call the power company to report fallen power lines. Avoid contact with overhead power lines during cleanup and other activities. If electrical circuits and equipment have gotten wet or are in or near water, turn off the power at the main breaker or fuse on the service panel. Do not turn the power back on until electrical equipment has been inspected by a qualified electrician. Do not burn candles near flammable items or leave the candle unattended. If possible, use flashlights or other battery-operated lights instead of candles.

**Beware of hazardous materials.** Wear protective clothing and gear (for example, a respirator if needed) when handling hazardous materials. Wash skin that may have come in contact with hazardous chemicals. Contact local authorities if you are not sure about how to handle or get rid of hazardous materials.

**Clean up and prevent mold growth.** Clean up and dry out the building quickly (within 24 to 48 hours). Open doors and windows. Use fans to dry out the building. To *prevent* mold growth, clean wet items and surfaces with detergent and water. To *remove* mold growth, wear rubber gloves, open windows and doors, and clean with a bleach solution of 1 cup of bleach in 1 gallon of water. Throw away porous items (for example, carpet and upholstered furniture) that cannot be dried quickly. Fix any leaks in roofs, walls, or plumbing.

**Pace yourself and get support.** Be alert to physical and emotional exhaustion or strain. Set priorities for cleanup tasks, and pace the work. Try not to work alone. Don't get exhausted. Ask your family members, friends, or professionals for support. If needed, seek professional help.

**Prevent musculoskeletal injuries.** Use teams of two or more people to move bulky objects. Avoid lifting any material that weighs more than 50 pounds (per person).

**Stay cool.** When it's hot, stay in air-conditioned buildings; take breaks in shaded areas or in cool rooms; drink water and nonalcoholic fluids often; wear lightweight, light-colored, loose-fitting clothing; and do outdoor activities during cooler hours.

**Treat wounds.** Clean out all open wounds and cuts with soap and clean water. Apply an antibiotic ointment. Contact a doctor to find out whether more treatment is needed (such as a tetanus shot). If a wound gets red, swells, or drains, seek immediate medical attention.

**Wash your hands.** Use soap and water to wash your hands. If water isn't available, you can use alcohol-based products made for washing hands.

**Wear protective gear for cleanup work.** Wear hard hats, goggles, heavy work gloves, and watertight boots with steel toes and insoles (not just steel shank). Wear earplugs or protective headphones to reduce risk from equipment noise.

For more information, visit [www.bt.cdc.gov/disasters](http://www.bt.cdc.gov/disasters),  
or call CDC at 800-CDC-INFO (English and Spanish) or 888-232-6348 (TTY).

June 30, 2006


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5<sup>th</sup> Annual Hospitality Law Conference  
Presents

## Lessons Learned from Katrina & Other Disasters


Presented by:  
Moderator: Stephen Barth,  
Wendell Couch,  
Ben Kollmeyer,  
& Grace Regan

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**Stephen Barth**

- Professor of Hospitality Law, Conrad Hilton College at University of Houston & Founder of HospitalityLawyer.com
- As a professor at the Conrad N. Hilton College of Hotel and Restaurant Management, University of Houston, he teaches courses in hospitality law and leadership
- He has over twenty years of experience in hospitality operations, including line positions, management, and ownership
- In his law practice, Stephen concentrates on cases involving the hospitality industry and employment issues




**Wendell Couch**

- Vice President Risk Management for InterContinental Hotels Group
- Has served as a fact witness, company expert, and subject matter expert in litigation involving violent crimes, fire protection, premise security, and guest safety
- Nationally known loss prevention expert who has presented numerous seminars and workshops on safety and security in the hospitality industry
- Conducted hundreds of safety and security evaluations around the world

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**Ben Kollmeyer**

- Corporate Technical Director for Forensic Analytical
- He routinely consults in both the public and private sector performing environmental health investigations and developing prevention and management programs.
- With experience on several large and high-profile building investigations, Mr. Kollmeyer is frequently called upon to provide forensic analysis as an expert witness and to manage risk communication issues with stakeholder groups.



**Grace Regan**

- Associate Attorney for Lodgian, one of the nation's largest independent owner/operators of hotels
- Briefly served as Corporate Counsel for a software company after spending many years as a Labor and Employment law Trial Attorney.
- Graduated from the Paul M. Hebert Law Center of Louisiana State University
- Licensed to practice law in Louisiana, Texas, Colorado and Georgia.

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**COUCH HOSPITALITY CONSULTING**

## Hurricane - Crisis Management

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Wendell Couch - President


*"Plans are useless, but planning is indispensable."*

Dwight D. Eisenhower

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### Hurricane Plan Considerations

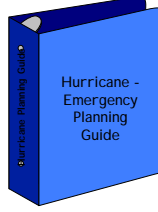
- Hurricane Plan Components:
  - Assessing Your Risk
  - Evacuation Considerations
  - Facility Hardening
  - Pre-season Facility Self Assessment
  - Equipment & Supplies



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### Hurricane Plan Considerations

- Hurricane Plan Components:
  - Communication Plan (Pre and Post Storm)
  - Staying Open During The Storm
  - Closing The Hotel
  - Post Storm Priorities
  - Reopening After The Storm

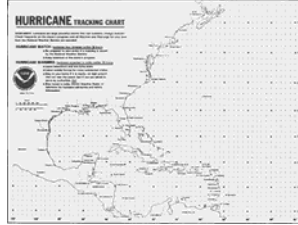


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### Accessing Your Risk

#### Hotels Directly Affected by a Hurricane

- Tropical Storms & Category 1 Hurricanes
  - Hotels within 50 miles of the coast
- Category 2 & 3 Hurricanes
  - Hotels within 100 miles of the coast
- Category 4 & 5 Hurricanes
  - Hotels within 200 miles of the coast

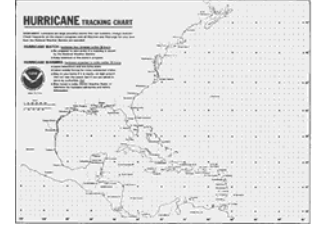


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### Accessing Your Risk

#### Determining your exposure to Flood

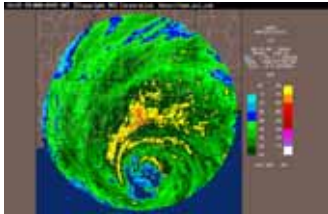
- FEMA Map Service Center  
MSC.FEMA.GOV
- Local Government
- Insurance Carrier



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### Evacuation Considerations

- Hotel Construction
- Flood Plain
- Distance From Storm
- Mandatory Evacuation
- Emergency Services
- Mutual Aid Agreements (MAA)
- Utilities
- Staffing Issues
- Communications
- Critical Supplies



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### Facility Hardening

- Defining A Safe Zone & Alternate
- Window Coatings
- Boarding Procedures (2 bottom floors)
- Internal Compartmentation
- Sand Bags
- Securing Doors
- Security Staff
- Visible Deterrent Effect



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### Pre-Season Facilities Assessment

- Adjacent Buildings (Construction Materials, Distance, HVAC, etc)
- Collateral Exposures (Gravel Roads, Trees, Other Potential Projectiles, etc)
- Facilities Exposures (Furniture, Lightweight Structures, Leisure Activities, etc)



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### Pre-Season Facilities Assessment

- Drainage & Runoff
- Roof Construction
- Roof Mounted Equipment
- Building Envelope
- Fuel
- Emergency Supplies
- Satellite Dishes



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### Equipment & Supplies

- Review Contracts
- Consider Retainers For Critical Needs
- Minimum 3 Day Supply for Critical Items (Food, Water, etc.)
  - ½ Gallon per person per day
- Fuel Support for Generator
- Portable Lighting, Flashlights and Light Sticks



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### Equipment & Supplies

- Car Chargers for Cell Phones
- Battery operated radio/TV (Spare batteries)
- Rope, Plastic, Tarpaulin, Duct Tape
- Burlap Bags for Sand Bagging
- Sufficient Number of Red Cross Approved First Aid Kits



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### Communication Plan

- Identify All Means of Communication Available
  - PBX, Fax Lines, Cell Phones, Txt Messaging, Pay Phones, etc.
- Supply Emergency Contact Numbers to all Staff, Vendors & Contractors
- Obtain Emergency Contact Numbers for all Staff, Vendors & Contractors
- Develop Guest Communication Notices and Emergency Contact Information



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### Communication Plan

- Guest Waivers
- Script For Emergency Public Addresses
- Establish Communication Plan for MAA Partners
- Identify Alternative Means for Contacting Emergency Services



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### Staying Open During The Storm

- Pre-determine – Discuss With Local Authorities, Owners & Management
- Securing & Utilizing Safe Zone & Alternate
- Communicating With Guests
- Emergency Supplies
- Perishable Food Plan
- First Aid Plan
- Emergency Services
- Interior Inspections
- Games & Activities



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### Closing The Hotel

#### Pre-establish Hotel Closing Checklist

- Double Lock All Guestrooms
- Secure Perimeter Doors and Windows – Must Appear Secure
- Evaluate Fencing Needs
- Board Doors and Windows
- Sand Bag Doors on Lower Floors
- Sweep Hotel for Guests & Trespassers
- Interior Security Compartmentation
- Properly Shut Down Utilities
- Properly Shut Down PMS



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### Closing the Hotel

#### Hotel Closing Checklist (continued)

- Remove Trash
- Address Perishable Food
- Inspect and Clear all Drains
- Notify Fire Authorities – Establish Access Plan
- Notify Police - Request Frequent Patrols
- Address PBX and Call Forwarding Issues
- Communicate Plans To Staff
- Post Alternate Hotel Contact Information
- Obtain Contact Numbers & Alternate Numbers From Employees
- Remove Cash & Critical Records



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### Post-Storm Priorities

- Locating Staff
- Limiting Subsequent Damage
- Insurance Reporting Requirements
- Post Storm Site Assessment
- Safe Re-establishment of Utilities – Electricity, Gas, Water & Sewer
- Clean-up and Recovery
- Moisture/Water Remediation



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### Reopening After The Storm

- Life Safety
- Air Quality
- Staffing
- PMS Challenges
- Supply Chain Challenges
- Valid CO



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### QUESTIONS



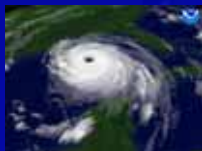
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## “Hurricanes, Hotels & Mold”



*Responding to Mold Growth Issues in the Wake of Katrina & Rita*

*Presented by:*  
Ben Kollmeyer, MPH, CIH  
Forensic Analytical Specialties Inc.

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### Purpose

- Share experiences to help prepare for and overcome challenges in emergency response situations.
- Operational Challenges
- Technical Challenges

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## The Call....

- Contacted Friday morning, 9/9/05
- On site in Biloxi on Monday morning, 9/12/05 (2 weeks after landfall).
- Our assignment.
- Scaling our response.
- The Gamble...go big and prepare for the worst case conditions.

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## Mobilization

- Accommodations
  - Closest available: 2 hotel rooms 2.5 hours from Biloxi.
  - 3 RV's and a 48-hour road trip.
- Security Considerations
  - Safety and logistics.
- The "Advance Team"
  - Get on the ground, survey the environment and establish project contacts.

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## Getting Down to Work

- Disaster response feeding frenzy.
- Who is in charge? What is the plan?
- Client internal organization critical.
- Define your roles and responsibilities.
- Our assignments:
  - Define and oversee environmental restoration.
  - Who pays for what? Hurricane vs. pre-existing.
  - Answers now, better answers later.

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## Operational Challenges

- Staffing
  - Utilization of local resources.
- Mobility
  - Restrictions, curfews, traffic.
- Accommodations
  - More bodies, more space, staging.
- Food
  - BBQ burn-out. Feeding a small army.

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## Operational Challenges (cont.)

- Water
  - Reliable potable water. Showers.
- Power
  - Bartering with the electrician.
- Sewage
  - Bartering with the Port-O-San man.
- Laundry
  - Bartering with Ellie-May.
- Communications (phone, internet)
  - Wireless cards, cell phones, the coffeehouse.

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## Technical Challenges

- Pre-existing vs. hurricane damage.
  - Where did the moisture come from?
- Loss of humidity control.
  - Mold growth without direct water impact.
- Assessing a changing environment:
  - Determining the scope of moisture impact during a dry-down effort.
  - Determining a scope of remediation during continued mold growth.

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## Technical Challenges (cont.)

- Protection of restoration workers.
  - Lack of PPE and training.
- Inappropriate mold remediation methods.
  - Inadequate containments.
  - Disinfection rather than removal.
- Post-remediation air sampling.
  - OA variability in a disaster area.
  - Rolling 90<sup>th</sup> percentile of OA samples.

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## Lessons Learned

- Plan ahead, but stay flexible and be creative.
- Move quickly, resources go fast.
- Define your assignment and role, communicate frequently.
- View “crisis mode” deviations from accepted practices as they will be viewed in hindsight.

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## Thank You!

**“We Make Experts”**  
Forensic Analytical Specialties, Inc.  
[www.forensica.com](http://www.forensica.com)

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