

# Indiana Emergency Response Commission

## INDIANA EMERGENCY RESPONSE COMMISSION

Virtual

November 16, 2020

### COMMISSION MEMBERS PRESENT:

Joel Thacker—State Fire Marshal, Chairperson  
Laura Steadham—Designee for IDEM Commissioner  
Larry Hamby—Designee for IDHS Executive Director  
Bruce Palin—Public Representative  
Jeff Larmore—Local Government Representative  
Cara Cyrus—Business/Industry Representative  
Matt Bilkey—Designee for Superintendent of ISP

### COMMISSION MEMBERS ABSENT:

Shawn French—Business/Industry Representative  
James Pridgen—Business/Industry Representative

### **The following staff members were present:**

Madison Roe—IDHS  
Amanda Horner—IDHS  
Elliot Anderson—IDHS

### WELCOME AND INTRODUCTION

The meeting was called to order at 1:30 p.m. Chairman Thacker welcomed everyone to the November Indiana Emergency Response Commission (IERC) meeting and requested the determination of a quorum.

### QUORUM

Ms. Horner indicated a quorum was present after the roll call, with seven (7) out of nine (9) members in attendance.

### REPORT OF THE CHAIR

Chairman Thacker reported staff have been working diligently to complete tasks and have taken on multiple roles. Unfortunately, many things the Agency and Commission anticipated to complete this year have been canceled due to the COVID-19 pandemic. Chairman Thacker reported the vaccine will hopefully be here by the end of the year, however deploying the vaccine will present a challenge. Chairman Thacker asks that everyone stay safe and hope we can meet in person again soon.

Please see recording for further discussion.

**CONSIDERATION OF MINUTES**

Mr. Palin made a motion to approve the September 14, 2020 meeting minutes and Mr. Larmore seconded the motion.

**Roll Call Vote**

Chairman Thacker—Yes	Mr. Larmore—Yes
Ms. Steadham—Yes	Mr. Hamby—Yes
Ms. Cyrus—Yes	Mr. Palin—Yes
Mr. Bilkey—Yes	

No further discussion occurred. All were in favor.

**Motion Carried**

**ROSTER APPROVAL**

Ms. Horner reported 12 Local Emergency Planning Committees (LEPCs) have submitted rosters for membership appointments or approvals between September 10<sup>th</sup> and November 12, 2020.

Adams County	Marion County
Clark County	Putnam County
Delaware County	Ripley County
Hendricks County	Shelby County
Jackson County	St. Joseph County
Jasper County	Tippecanoe County

Mr. Palin made the motion to approve the changes and Ms. Cyrus seconded the motion.

**Roll Call Vote**

Chairman Thacker—Yes	Mr. Larmore—Yes*
Ms. Steadham—Yes	Mr. Hamby—Yes
Ms. Cyrus—Yes	Mr. Palin—Yes
Mr. Bilkey—Yes	

\*Mr. Larmore abstained from approving Marion County’s roster due to his involvement on the Marion County LEPC.

No further discussion occurred. All were in favor.

**Motion Carried**

## **COMMITTEE REPORTS**

Chairman Thacker informed the Commission that the Committees did not meet and there are no Committee reports.

## **OLD BUSINESS**

### ***Commission/Committee Member Update***

Chairman Thacker reported the Commissioners received an email outlining staff changes within IDHS. Mr. Ewusi, who served as IDHS Executive Director Cox's designee, is no longer with IDHS. Mr. Larry Hamby has now been designated by Director Cox to serve on the IERC. Mr. Hamby is the Northern Indiana Hazardous Materials Specialist for IDHS and is excited to bring his experience to the IERC.

No further discussion occurred.

### ***IERC Policy Handbook Update***

Ms. Horner reported she and Mr. Anderson have begun the handbook update. She informed the Commission a link has been added to the IERC page on the IDHS website to provide feedback on the handbook. She added the deadline for responses is January 6, 2021. This deadline will allow Mr. Anderson and Ms. Horner time to review the feedback and present at the January IERC meeting. Chairman Thacker added that staff would email the link to the Commissioners and LEPCs.

No further discussion occurred.

## **NEW BUSINESS**

### ***LEPC and Facility Survey Update and Discussion***

Ms. Horner reported surveys were sent to LEPCs and facilities regarding various components of the emergency response plan module project. The LEPC survey focused on their anticipated use of the proposed plan module, how they have previously updated their plans, and the information they would like to be provided by facilities. The purpose of the facility survey was to gauge the facilities willingness to answer the proposed questions. Overall, the feedback received from both LEPCs and facilities was positive, and staff will continue moving forward with this project.

Mr. Larmore asked what facilities received the survey. Ms. Roe answered that every person with a user account in the reporting system received the survey. Ms. Roe worked with the facility contractors representing multiple facilities to ensure the surveys were passed along to the appropriate individuals within each facility.

Please see recording for further discussion.

### ***IERC/IDHS/IDEM MOU***

Mr. Anderson reported the current iteration of the MOU between the IERC, IDHS, and IDEM will be terminating in March of 2021. An amendment to the MOU will need to be considered at

the January meeting to ensure the divisions of labor between the three entities continue as they are now or are adjusted as necessary. The American Water Infrastructure Act (AWIA) notification system module will need added to the amended MOU. Mr. Anderson reminded the Commission of the original agreement that IDEM would be contributing approximately \$6,500 for the development of the module by IDSi. Through discussions with IDSi the cost to IDEM for the AWIA module can either be \$6,500 or up to \$15,000 depending on what the IERC and IDHS decides regarding the LEPC plan module. Mr. Anderson explained the GIS component needed for both AWIA and the emergency planning module is an additional cost. Providing that the planning module implementation project is proceeding, the AWIA module will be locked in at \$6,500. Mr. Anderson also recommends extending the term for the MOU past March 1, 2021, as part of the amendment.

No further discussion occurred.

### ***Attorney General's Office***

Mr. Anderson reported that IDHS has been revisiting the nature of legal representation provided to the IDHS-affiliated boards and commissions for which IDHS provides staff services. According to Indiana Law, the Attorney General's office is required to represent all state agencies unless they have consented to representation by separate counsel. Historically, the IERC has been served by the Attorney General or by an attorney working within IDHS. Mr. Anderson reported the Attorney General's office will provide representation to IDHS-affiliated boards and commissions, including the IERC.

Mr. Anderson informed the Commission he will still be involved with the Commission and assisting staff when needed. A Deputy Attorney General will be assigned full time to represent the IERC in 2021. On behalf of IDHS, Mr. Anderson can provide legal perspective to the IERC and take its questions back to the Attorney General's office until an attorney is assigned to the Commission full time.

No further discussion occurred.

### ***January Meeting***

Chairman Thacker informed the Commission the next meeting will take place on January 11, 2021. It is not known at this time if the meeting will be virtual or in person. Ms. Roe added that if the meeting is held in person, the location will be outside of the government center due to the legislative session.

No further discussion occurred.

### **SARA TITLE III PROGRAM REPORT—SARA Program Staff**

Ms. Horner reported the LEPC Program Manager has continued the review of fiscal reports and has completed 63 out of 76 (82%) submitted reports. The Program Manager has continued contacting LEPCs who are currently missing documents to ensure their compliance for 2020. The Program Manager also began the rewrite and updating of the IERC Handbook.

Ms. Horner continued to report the SARA Program Manager received the new Owl Pro. The new system has allowed for better visual and audio. The system purchase was split between the EMS Commission and the IERC. The Program Manager has been working with IDSi, IDHS Legal and IDHS Fiscal to help get the IDSi technical support contract amended and completed.

**Spill Reports** (EPCRA Section 304)

Ms. Horner reported two spills, both in Posey County, by CF Industries. The first spill, 9/15/2020, was an unknown amount of anhydrous ammonia. The second spill, 10/07/2020, was 118.4 lbs. of anhydrous ammonia.

**PUBLIC COMMENTS**

Chairman Thacker opened the floor for public comments. Hearing none, Chairman Thacker moved onto the next order of business.

**ADJOURNMENT**

Mr. Palin made a motion to adjourn and was seconded by Ms. Cyrus.

**Roll Call Vote**

Chairman Thacker—Yes  
Ms. Steadham—Yes  
Ms. Cyrus—Yes  
Mr. Bilkey—Yes

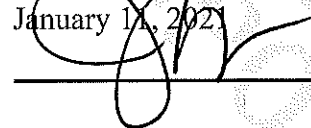
Mr. Larmore—Yes  
Mr. Hamby—Yes  
Mr. Palin—Yes

No further discussion occurred. All were in favor. Meeting adjourned at 2:10 p.m.

**Motion Carried**

**NEXT MEETING**

January 14, 2021



Marshal Joel Thacker, Chair