



**INDIANA EMERGENCY RESPONSE COMMISSION (IERC)  
POLICY/TECHNICAL COMMITTEE**

**Indiana Government Center South  
Conference Room 2**

**302 West Washington Street  
Indianapolis, IN 46204**

**September 10, 2018 [Start Time: 11:11pm]**

**COMMITTEE MEMBERS PRESENT:**

Ian Ewusi—IDHS  
Jeff Larmore—Local Government Representative  
Laura Steadham—Designee for IDEM Executive  
Kassandra Buster—IDHS  
James Pridgen—Business/Industry Representative, Chair  
Matt Bilkey—Designee for ISP Superintendent  
Cara Cyrus—Business/Industry Representative

**COMMITTEE MEMBERS ABSENT:**

Shawn French—Business/Industry Representative  
Allison Moore—Monroe County EMA

**The following Commissioners, staff and audience members were present:**

Kraig Kinney—IDHS  
Madison Roe—IDHS  
Becky Waymire—Morgan County LEPC

**WELCOME AND INTRODUCTION**

Mr. Pridgen welcomed everyone to the meeting and asked for a determination of a quorum.

**DETERMINATION OF QUORUM**

Ms. Buster advised there was a quorum present.

**CONSIDERATION OF MINUTES**

A motion to accept July 9, 2018, meeting minutes was made by Ms. Cyrus and seconded by Mr. Larmore. No further discussion occurred. Motion Carried.

## OLD BUSINESS

### *LEPC Planning and Training Resource List*

Mr. Pridgen started old business by first discussing the meeting the committee had on Wednesday, September 5, 2018, to discuss the LEPC Planning and Training Resource list. He asked Mr. Ewusi to summarize the discussion. Mr. Ewusi states that the Planning and Training Resource list was originally two separate lists that contained individuals that were approved by the IERC to provide training and planning services to the LEPCs. He noted the lists were then combined later to the Planning and Training Resource list so the LEPCs had one list to go to. He continued that the list not only shows the different vendors that the LEPCs can use but also the resources provided by each vendor and it is updated annually by staff. Then fast forward to 2018 it was brought the committee's attention that this list might not be necessary. The question was does the IERC have any standard to provide such policy. It was discussed with the IERC attorney and it was agreed that yes the IERC has authority over requiring this list. So the solution that was decided on was to keep the list as a resource to all LEPCs that would like to use it but not require the LEPCs to use it. The IERC staff would continue to review this list to make sure that all information on the list was current and relevant. It was also decided to create a list of training courses. Which would allow LEPCs to choose their own trainers for the approved course list. Although this list does give the LEPCs the ability to choose their own trainer the IERC will still have requirements for the trainer to make sure the LEPCs are following the ethic's code and choosing someone that is up to standards. Then once the training is complete the LEPCs will be required to provide an evaluation sheet that will ask questions like, was the training well done and would the LEPC recommend the trainer to another LEPC. Mr. Ewusi and staff will work with legal to create this list and standards that will go along with it. Staff hopes to have this done by the November meeting.

Mr. Larmore asked what the committee would be in charge of in approving courses to go on the training course list. He questioned if it would come straight to the Policy/Technical committee or if it would first be approved or denied by staff. Mr. Pridgen stated that the course would be approved by staff, unless staff believed there needed to be more discussion on whether the course should be allowed or not.

Ms. Steadham asked what the training committee's purview was and Mr. Ewusi stated that the training committee was originally created to review exercises and make sure they met HSEEP requirements. It also worked on approving or denying trainers that requested to be put on the original Training resource list. The IERC thought that the Training Committee was the best committee to approve these since its members had hazmat expertise.

Mr. Hamby then suggested that the committee go into detail about the course list to make sure that it not only follows OSHA standards but also looks at other trainings that are required to move forward in hazmat training. Mr. Pridgen then suggested that Mr. Hamby help with the creation of this course list and Mr. Hamby agreed to help staff create this list to make sure that it encompassed all different forms of hazmat training.

Motion to take this plan forward to the main meeting was motioned by Ms. Steadham and seconded by Cassandra Buster. Motion Carried.

## NEW BUSINESS

### *LEPC Plan Elements and Tier II Reports*

Mr. Pridgen asked Ms. Buster to summarize the topic. Ms. Buster passed out the requirements that LEPCs must follow when developing their plan. She noted the LEPCs have always been required to provide all 9 elements in their plan for approval. This year she changed what is normally done and instead of using black marks for missing requirements she indicated missed elements in red resulting in LEPCs to see more mistakes than normal. Ms. Buster received a lot of feedback from the LEPCs because they saw more mistakes than what they are used to due to the color change. This also brought the LEPCs attention to what is all required in the plan and caused LEPCs to question how they would get some of this information because it is not in Tier II Manager. Some of this information requires the LEPCs to reach out to the facilities which can sometimes be a problem due to the LEPCs being volunteers.

Ms. Buster then requested that Ms. Roe go over what the Tier II Manager system requires facilities to upload. Ms. Roe stated that facilities are currently required to upload a site map to be compliant in the Tier II system. Ms. Roe then stated that the system does have the ability for facilities to upload additional documents including information that the LEPCs request from facilities to complete their plans. This includes the safety guard measures and emergency response plan attachment options. Ms. Roe presented an example of a document that could be sent to facilities to solicit information to meet requirements of the plan.

Mr. Larmore asked if this document would fulfill the requirements required by the IERC for LEPC plans. Ms. Roe stated yes this covers all the requirements that LEPCs are finding hard to get from facilities. Ms. Roe also stated that a notice will be sent out to facilities by staff on this topic. This would help reduce some of the workload that is required by the LEPCs when they are going reaching out to get this information. Mr. Larmore agreed that this would help with bigger counties that are required to reach back to sometimes hundreds of facilities.

Mr. Ewusi noted that the plan elements are required by statute for the facilities to give to their LEPCs. Mr. Ewusi also stated that staff can work with IDSI, the developers of the Tier II Manager System, to make the submission of these documents a requirement in the Tier II Manager system. Mr. Larmore then asked what federal statute requires facilities to submit this information. Mr. Ewusi stated that amendments to federal statute 40 CFR 355 and 370 has these provisions: that the state statute directly correlates.

Mr. Larmore stated that he is concerned that some facilities will not feel comfortable enough to give this information. Mr. Ewusi noted that in accordance with EPCRA facilities can also claim confidential location and trade secret status, which allows information to not be shared with the public but still provide the information to the LEPCs.

Mr. Pridgen then asked if staff has taken this document to LEPCs and facilities for review. Staff stated that it has not been sent out to LEPCs and facilities to review but this will be completed before dispersing the finished document.

Mr. Larmore and Mr. Pridgen agreed that they thought this document would be a great resource as long as it doesn't add more burden to LEPCs and facilities. Staff agreed that they would make sure to move forward with this process with this in mind.

Mr. Larmore then asked what would happen if facilities refused to give this information to the LEPCs. He asked would it then cause the LEPCs to be non-compliant. Mr. Ewusi stated that the LEPCs can put in their plans that they contacted the facility and they refused to give that information. He also stated that staff has never deemed an LEPC noncompliant for not being able to receive this information. Mr. Pridgen stated we should make it clear to facilities to how this information helps LEPCs to plan better.

No motion was made about this matter.

***New IERC Agenda***

Ms. Buster discussed the new IERC letterhead template which staff originally saw when visiting the Kentucky Emergency Response Commission. The format allows individuals to see the different commissioner's names and representative categories.

Mr. Pridgen said what he noticed most about the format was the three unfilled representatives on the IERC. He asked what is being done about filling those positions. Mr. Pridgen asked what the quorum requirement for the commission and it was indicated that seven is the minimum requirement for a quorum.

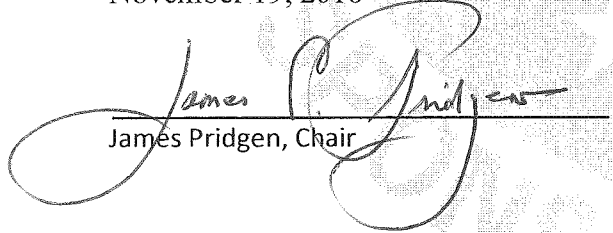
The committee decided the format change was more administrative and did not require a vote by the committee.

**ADJOURNMENT**

A motion to adjourn the meeting was made by Mr. Larmore and seconded by Mr. Ewusi. No further discussion occurred. Meeting adjourned.

**NEXT MEETING**

Indiana Government Center South Building  
302 W Washington Street  
Indianapolis, Indiana 46202  
November 19, 2018

  
James Pridgen, Chair