



**INDIANA EMERGENCY RESPONSE COMMISSION (IERC) Meeting**  
**Indiana Government Center South**  
**302 W. Washington Street**  
**Indianapolis, IN. 46202**  
**September 10, 2018, 1:30pm [Start Time: 1:35pm]**

**COMMISSION MEMBERS PRESENT:**

James Greeson—State Fire Marshal, Chair  
Bernie Beier—Local Government Representative  
Bruce Palin—Public Representative  
Laura Steadham—Designee for IDEM Commissioner  
James Pridgen—Business/Industry Representative  
Matt Bilkey—Designee for Superintendent of ISP  
Larry Hamby—Designee for IDHS Executive Director  
Jeff Larmore—Local Government Representative  
Cara Cyrus—Business and Industry Representative

**COMMISSION MEMBERS ON THE PHONE:**

Shawn French—Business/Industry Representative

**COMMISSION MEMBERS ABSENT:**

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

Kassandra Buster—IDHS	Marc Torbeck—IDHS
Madison Roe—IDHS	Ian Ewusi—IDHS
Kraig Kinney—IDHS	
Selena Rosa—IDHS	

**The following audience members were present:**

Jeremy Kramer—(Director of Transportation Louisville and Kentucky Railroad) (Presentation)  
Dan Collins—(Global Information Systems) (Presentation)  
Max Michael—Hamilton County EMA/IERC  
William Baranek—Marion County LEPC

**WELCOME AND INTRODUCTION**

Ms. Greeson welcomed everyone to the Indiana Emergency Response Commission (IERC) meeting, and requested the determination of a quorum.

**QUORUM**

Ms. Buster indicated a quorum was present.

**CONSIDERATION OF MINUTES**

Mr. Pridgen made a motion to approve the July 9th, 2018, meeting minutes. Ms. Cyrus seconded the motion. A correction was discussed on page six under new business which required a change from National Regulatory Commission to Nuclear Regulatory Commission.

**Roll Call Vote**

Mr. Larmore —Yes	Mr. Palin—Yes	Mr. Bilkey—Yes
Mr. Pridgen—Yes	Mr. Ewusi—Yes	Mr. French—Yes
Mr. Hamby—Yes	Mr. Larsh—Yes	Ms. Cyrus—Yes
Ms. Steadham—Yes	Mr. Beier—Yes	
Mr. Greeson—Yes		

**Motion Carried.**

**Presentation:**

Mr. Greeson introduced Mr. Jeremy Kramer, Director of Transportation for the Louisville/Indiana Railroad. Mr. Kramer stated he has worked with Mr. Mike White for four years involving hazmat training and awareness. Mr. Kramer discussed the importance of reaching out to communities for training due to the lack of training in the past. He found they do a great job with the outreach and as they have improved their railroad, they have also had to improve the type of outreach programs and information. He explained there are six and a half miles (6.5) of railroad between Indianapolis and Louisville Kentucky in which they have made drastic improvements in the last three and a half (3.5) to four (4) years. The improvements he noted included going from twenty-five (25) mile per hour on a 100 year old railroad; to forty-nine (49) mile per hour state of the art system. However, he stated there is still dark territories lacking signals.

The new railroad has increased traffic and the length of trains including train speed, and changed the types of commodities traveling on the railroad. He explained as part of the outreach they have conducted Hazmat Safety trainings with lots of attendees. Mr. Kramer stated he believes the tactical level responders have all found great value in being able to attend training. The frequest questions he said they always hear are “how do I know how to get to a railroad incident,” “can we go on any railroad and see what it is,” “can we get around,” and “how are we going to get there when something happens.” He also noted that 80% of the railroad is considered burrows once south of Marion and Johnson County, and especially before getting to Jeffersonville for the most part is burrow response.

Mr. Kramer stated they have very few Hazmat Tech Teams, however there are Tech Teams in Clark, Columbus, Franklin and Greenwood counties. Mr. Kramer found when talking to central dispatchers they have a lot of information for roadway and river networks but are limited on information for the railroad such as who owns it, how do first responders get there, and how do rural fire fighters get their equipment to an incident. A few years ago he started learning about

Geographical Information Systems (GIS) and Geolocation on the railroad, and how it can be helpful.

Mr. Kramer advised last year a grant proposal opened up through the Federal Government for the Consolidated Rail Infrastructure Safety Improvement (CRISI) Act, funded through DOT via the Federal Railroad Administration (FRA), and that they have put together a proposal to develop an online application for all emergency responders, especially those in rural areas to be able to have primal knowledge of the railroad. This will give them information on how to access the railroad and respond to incidents.

The team proposed making information they now have on computer, in their dispatch systems, and from the State in the GIS library, available in a consolidated application. This involves railroad right-of-way, railroad structures, such as hotbox detectors, bridges, other impediments when accessing the railroad structures, which is sometimes difficult for outsiders to find railroad depots based on their concealed locations. Mr. Kramer has classified a 2000 foot corridor on the bi-way which shows building property ownership, and any information typically found in a Geographic Response Plan. He explained they are trying to add Hydrology, Geography, Geology, and other information that might be useful to immediate first responders.

Mr. Kramer noted that emergency contact information is another aspect and important as they went from using a Paper Train sheet, which is a piece of paper depicting where trains travel, to a computerized system in 2015. He advised presently there is nothing accessible other than a book to locate numbers for people to call in an incident. Currently he stated there is nothing available to point or click to get ahold of emergency responders.

Other local information he discussed included utilities such as fiber optic, gas pipes, transmission lines, and endanger creatures or items near railroad tracks. Additional items listed include political figures, critical infrastructures, fire stations, schools, elderly living facilities, or locations to be identified immediately depending on the type of incident.

Mr. Kramer introduced "Ask Rail", a Hazmat tool used by First Responders which includes information about trains, how to respond to a train, and what to do. He advised they do not want to rebuild "Ask Rail," however, create a link to it for functionality in the new application, and additionally to Emergency Response Plans for the different locations. He explained Crossing Locators are similar references which classify every railroad grade crossing within the United States in a Geo-referenced application on phones.

Mr. Kramer turned the presentation over to Mr. Dan Collins of Global Information Systems who pointed out the Vice President of the company in the audience. Mr. Collins discussed the group's purpose and how they could implement this project from a GIS point of view. Mr. Collins pointed out the purpose of the project is to create an App for Emergency Responders, and put it on their phones. He stated it sounded complicated but the plan is to make it as simple and straight forward as possible.

Mr. Collins discussed a proposal submitted to the Federal Railroad Administration (FRA) who recent announced a series of Grants to help Shortlines in particular, with the main idea of dealing

with safety related issues. Mr. Collins said he felt the Emergency Responder App was a natural thing to propose to the Federal Government.

Mr. Collins also explained the program is a matching program in which the Federal Government would put up a percentage of funds, which the railroad would match. He pointed out the proposal was submitted on September 7, 2018, with the final submission date of September 17, 2018. He said the decision would be made around the middle of October, and an award would be made to the railroad, in which Mr. Collins's company would then become the contractor for the railroad to implement the project. He advised his assignment would be as a coordinator working with Emergency Managers.

Mr. Collins stated their purpose for the presentation was to familiarize the Commission with the project to gain interest and support, as well as receive contact information to determine who to work with once the award was made. He said although this project is oriented toward Mr. Kramer's railroad, it also has National significance and advised the government's purpose for awarding money to this project is to achieve National application, which Mr. Collins reassured they would try to do. He stated at the end of the app development and testing cycle in Indiana, the app would be available for First Responders to use on their Shortlines and railroads in their communities.

Mr. Collins pointed out there are over 500 Shortlines in the country which do most of the pick-up and sit-out, and termination of traffic in all the cities and towns they serve, which are the ones Emergency Response have more of an immediate contact with throughout the entire country.

Mr. Collins discussed Mr. Kramer mentioning the project has a rural thrust in the Federal Government for the process of the grants emphasizes working with Shortlines in rural areas, in which they feel this project is a perfect match because eighty (80%) of this railroad operates in rural territory and although Emergency Responders may lack resources, the app could be added to their smart phones.

Mr. Collins discussed their involvement included learning how Indiana does things now through Emergency Response Plans, any current use of GIS based software that Emergency Responders are using, and notification proposals or protocols. He also encouraged Emergency Responders to critique the project and determine if it works properly from hands on experience by determining what works and what doesn't work within the app. He specified the critiques could improve its functionality by determining what to add or remove.

Mr. Collins indicated Emergency Responders would be trained on use of the app, which was built into the Grant request. He admitted they need to figure out ways to update the app due to railroad or personnel changes, and need an update feature that makes sure twelve (12) months, eighteen (18) months, two (2) years later, the app shows the correct information when an incident occurs.

Mr. Collins discussed terminology as an issue and cited mile markers as an example. He stated numerous incidents have occurred in which railroad crews have called into dispatch reporting an incident at specific mile marker that emergency responders immediately mistake as highway

mile markers that they rush to, only to discover the train is at a different mile post than the highway. He advised the app would correlate the information to show which mile marker the responder needs to report to. He stated there are similar incidents with rail-road crossing and advised what might seem like a perfect spot to get onto the railroad when an incident occurs, could actually be an obstacle preventing responders from accessing the incident. He said this application would start to address those type of issues.

Mr. Kramer addressed the Commission advising they determined three basic incidents and focused on two of the most common types of incidents Emergency Responders would respond to. He said the most common nationwide was a trespasser verses a train, or a grate crossing collision, and the second most common incident with railroads is employee personal injuries due working outside with a lot of exposure potential in an unforgiving environment.

Mr. Kramer presented a potential mockup of what the application could present to an Emergency Responder. He discussed an employee personal injury as an example, and how the first phase would happen. He explained a dispatcher would input an incident into the application which would become visible to anyone using the applications and make a notification to the Emergency responders. Emergency responders would then know the route to the incident with pertinent information for response. Mr. Kramer illustrated how the responder could click on an obstacle in the app and receive information on how to access the obstacle after hours or show other obstacles that might hinder response. The app would also include contact information of property owners for responders to contact to assist them with access.

Mr. Kramer added more information about the program and discussed the example Railway Number option which includes road surface types and what they could support in an incident, such as fire apparatus. If the locations was Hazmat involved, he stated there would be immediate information regarding structures in the area such as elementary schools adjacent to railroad tracks. He stated Computer-Aided Management of Emergency Operations (CAMEO) or any other system used by Emergency Responders should be factored in to the response but they could use "Ask Rail," and the emergency response information in the program as an advisory to isolation distances as well as what to include or preclude in the response. Mr. Kramer stated the app is meant to be clickable, inter-actable, and updatable by the railroad and required officials who can make any updates.

Mr. Kramer discussed phase two and stated it would ultimately be an addition of real time train data including all model locomotives or tracks, which could be pulled up on a smart phone and illustrate where the trains are in the state, what direction their going, and how fast. He said they would add that information into the application as well as information about the size of the train, which is a natural impediment based on First Responders actual experience with large trains. He used an example of a ten-thousand (10,000) or fifteen-thousand (15,000) foot train involved in an incident and cutting off access routes.

Mr. Kramer stated 911 dispatchers around the area have done a fantastic job of accepting training and first responders have been trained to ask a set of questions to manage incidents. However, he feels it would be more powerful for responders to have information on their phones about an incident and what to expect. He proposed building all information discussed into the application

and hoped it would be ready by the first of the year, but definitely by the second year, when they absolutely plan on it being available in the application.

Mr. Kramer discussed how the app helps find a location. He indicated latitude and longitude is extremely useful, but stated railroads speak in Retro Mile Post, and pointed out Emergency Responders speak in highway mile post. Therefore they want everyone to correlate back to one common latitude and longitude and make response easier for everyone.

Mr. Kramer illustrated how the mock up would look for dispatchers and stated the program was built in such a fashion and put in a platform added to all Computer Aided Dispatch (CAD) systems.

Mr. Kramer noted they are looking for support and interest, and hopefully a common belief for what they are proposing. He again encouraged the importance of feedback to know whether the application is useful or not, or what changes need to be made. Mr. Collins interjected by asking for a letter from the state to submit to the Federal Government discussing the States interest in the proposal.

Mr. Collins reported the program does not exclude CSX, who use their railroad as a bridge in Huge Class 1, with a lot of GIS capabilities. He stated those trains will be on their railroads, involving not only the Shortlines but also the big Class 1 carriers that use the one-hundred (100) or so miles of property.

Mr. White stated Mr. Kramer wanted to stress Fire and Hazmat are involved with trains, which included EMS, Police Departments and EMA's. He explained if there was a derailment, incident or personal injury between Columbus or Seymour, this app would give the Police Department or EMS the chance to use their phones to clarify the location of the incident and determine how to access it. Mr. Collins stated this app could also be useful with suspicious packages or potential sabotage and anything along those lines.

Mr. Pridgen ask when the program would start being Beta tested and Mr. Collins stated the initial start is in twelve (12) months, which he stated would be the start of next year. Mr. Pridgen questioned if they would be Beta testing in the fourth quarter of next year. Mr. Kramer and Mr. Collins said yes. Mr. Pridgen then ask when the program would be signed off as good to go and estimated about eighteen (18) months out by the time everything was complete. Mr. Kramer and Mr. Collins agreed.

Mr. Pridgen discussed Columbus at Mill Rack Park, across from a Corporate Office Building, he estimated four major entrances and exits would be shut off from the city, and ask if they knew about the pending proposal by the city and railroad to build an overpass to prevent the shut offs. Mr. Kramer and Mr. Collins said they knew about the proposal. Mr. Pridgen praised the program and said from the corporate, law enforcement and commission side, the concept is wonderful. Mr. Kramer advised they hope the program grows beyond the local railroad, and that maybe the state or federal entity wants it, and says they see value in it for all railroad in Indiana. They stated six other railroad have already proposed, as it is developed, to roll the program out to



other properties, including Chicago South Shore Freight, Pacific Cargo Line, Golf Coast, Nora Lines in Saint Cloud, and New York Atlantic.

Mr. Pridgen asked if they were choosing individual groups or organizations or trying to go to the highest level to get a buy in, and if they were going to other groups. Mr. Kramer stated they are proposing to the highest levels. Mr. Kramer advised he has contact information for all Fire Chiefs within his area but believes it is more powerful to have a higher entity, such as LEPCs, EMAs, the Fire Marshal, and Homeland Security because this is something they believe in. Mr. Collins explained they decided to start at the top to get a buy in and then will move it down to the lower levels. Mr. Pridgen stated the Commission is only one segment, and mentioned other divisions in State Government. Mr. Greeson also pointed out there are other division such as Planning and Exercise that need to be considered.

Mr. Greeson asked if there are any other apps they are proposing. Mr. Collins said there are others who provide pieces of it but not the overall app. Mr. Greeson said the program is a great idea and ask if they were looking only at Indiana for Beta Testing, or other states. Mr. Kramer stated yes but Indianapolis is the place they plan to Beta test. Marshal Greeson ask if they were strictly freight or had hazardous materials or petroleum. Mr. Kramer stated they occasional run revenue pass through but no public/passenger.

Mr. Collins advised they discussed the state of Indiana in the proposal but also talked about coordinating several other groups and listed the Association of American Railroads (AAR) that represents all the Class 1's primarily, and a Shoreline Railroad Association (SLRA) that represents the 500 Shortlines he mentioned earlier. Both are based in Washington D.C. and they listed them as a way to facilitate going beyond Indiana but reiterated the Beta testing would be done in Indiana.

Mr. Pridgen asked if the Shortlines were run by different companies in Indiana. Mr. Collins explained there are four or five holding companies and lots of mom and pop entities. Mr. Pridgen ask how they would participate and if they would need to provide information for the app for it to be applicable for their areas as well. Mr. Kramer confirmed and said a lot of the information would be run through the American Shortline Association (ASA). He explained that of the current six-hundred (600) Shortlines, approximately five-hundred and twenty (520) of them are members and they can push it down to them in a similar way "Ask Rail" is run. Mr. Kramer explained "Ask Rail" was developed by AAR and a few different working groups and once they decided to develop the app and use it, it was adopted by the SLRA and AAR then sent to the local railroad. Mr. Kramer stated there is no administration to force them to participate, however, he suggested it is in their best interest if they are handling hazmat to avoid questions later.

Mr. Collins said they are not looking for or anticipating a Federal Regulation, but they are looking for voluntary participation. Mr. Greeson asked how many trains they run a day. Mr. Kramer advised he runs seven (7) and CSX runs around seven (7) or eight (8) more than them, however when the Flat Rock River Bridge is complete they estimate around twenty (20) which was published in the NTSB study. Mr. Kramer suggested they will probably see around fourteen (14) or fifteen (15) trains a day. Mr. Greeson ask where their dispatch was located. Mr. Kramer advised Jeffersonville. Mr. Greeson ask if Mr. Kramer was tracking trains as they move along

their right-of-way and if they are using GIS. Mr. Kramer explained they are tracking trains through GPS and stated typically they know where CSX trains are and advised CSX is tracking trains in the Public Safety Coordination Center (PFCC) located in Jacksonville, where Mr. Kramer's railroad is linked to through their dispatch console. Mr. Greeson ask if they track the speed of the train. Mr. Kramer stated yes. Mr. Greeson asked what the highest speed was on the rail. Mr. Kramer stated the maximum speed was forty-nine (49) miles per hour, however, he advised Federal Law gives them up to fifty-nine (59) miles per hour. Mr. Kramer said their rule which becomes a regulation is fifty-four (54) miles per hour. Mr. Greeson ask what the speed was through cities, in which Mr. Kramer stated it depends on the crossing density, and explained is determined by structures and geography such as Columbus which is slower due to a bridge, and several curves. Mr. Kramer explained in most communities the train speed is forty-nine (49) miles per hour, with heading restrictions, such as through Scottsburg the speed is thirty-five (35) miles per hour and the same in Franklin because of the density of redundant crossing, which is a large number of crossings every block.

Mr. Greeson ask if Scottsburg goes through the center of town and divides it. Mr. Kramer said yes. Mr. Greeson ask if their longest train was ten-thousand (10,000) feet. Mr. Kramer advised CSX is running up trains up to fifteen-thousand (15,000) feet now, which Mr. Greeson calculated as approximately three (3) miles long. Mr. Collins explained if something happens at the rear or center of the train even though the locomotive has GPS on it the incident could be quit a distance away from the locomotive. He explained one of the features of the app will correlate where the incident is actually located instead of where the locomotive is located.

Mr. Greeson asked general information about were the trains were constructed. Mr. Kramer explained CSX trains are constructed in Osborne, by the airport in Louisville, or some run straight through coming from Nashville but Mr. Kramer's trains are created in Jeffersonville with a small servicing yard in Columbus. He said all the local industries in Franklin, Columbus, Seymore and Taylorsville are serviced by Columbus with the rest of their trafficking coming from Jeffersonville. Mr. Greeson ask if their furthest point North was Indianapolis. Mr. Kramer confirmed it is, and stated it is up by Indianapolis University on Hannah Avenue, which is the dividing line.

Mr. Greeson ask if there were questions or comments from anyone. Mr. Palin questioned if they anticipate a subscription service if a Shortline wants to participate and if they would pay an annual maintenance cost. Mr. Kramer stated the ultimate goal is having a Federal entity or these membership entities find value in the application, hoping it takes hold, thus avoiding a subscription but instead be provided through Federal Funding, or membership funding. He stated at that point the members would only be responsible for the cost of uploading their data and proprietary information.

Mr. Greeson ask if they anticipated getting approval from the Federal government. Mr. Kramer stated they feel pretty confident they will be funded but are concerned about getting the full amount. Mr. Greeson ask what they thought the timeline would be. Mr. Kramer stated around October. Mr. Collins reiterated the cut-off date as September 17 for submission, and advised it would take about a month to forty-five (45) days after their submission before they started putting out questions. He explained when they start getting questions it is an indication if they



are on the acceptance path or not. Mr. Collins said they should know by the end of October if anything is happening. Mr. Kramer said it may even be sooner because he received a call with questions as they were preparing to present to the Commission.

Mr. Collins explained they would like to see how it will expand across the country in a number of different ways, however, they have to develop the product first. Mr. Kramer stated they have not been as forthcoming in providing information as an industry as they could have been in the last 30 years. Mr. Pridgen stated this has a lot of implication on Public Safety entities, and something needs to be done with this concept.

Mr. Kramer stated they also work with pipelines, fiber, powerlines, and pointed they were under some very high voltage transmission lines at one time, and determined that information is pertinent. Mr. Larmore stated some of the pipelines already offer an app, in which Mr. Kramer responded that they could integrate their information into those apps.

Mr. Greeson asked if they were transporting crude oil. Mr. Kramer stated no, and said he could give a hazmat density study separately. Mr. Kramer discussed their commodity commodities are ethanol, acidic, and some alcohol-NOS. He said CSX has not done a recent density study north of Seymore. They do have numbers south of Seymore but they are not hauling anything. Mr. Greeson deferred to the staff on whether the information is valuable to the Commission, and stated he feels it is worth having. Mr. White stated Mr. Kramer was the Shortline Safety Manager last year, and stated CSX respects him. He also stated Mr. Kramer does a lot for the state of Indiana and a lot for the responders in that area.

Mr. Palin said he noticed one of the slides had a reference to geology. Mr. Kramer stated it was pertinent for hazmat response, and good for determining where hazmat materials would go or mix with, what type of endangered species to be concerned about in the area. He stated they have a Geographic Response Plan in two books, one in Columbus and one in Jeffersonville. However he would rather have the information for everyone immediately available. Therefore he feels if you're an authorized user you have it, if you're a hazmat responder, you have it, and know what it's going to do.

Mr. Greeson asked about Seismic monitoring. Mr. Kramer said if the sensors are available, they can incorporate them and stated their locomotives are equipped to sense Seismic activity. He noted they could incorporate it through another program they have purchased with accuracy through the business enterprise. Mr. Greeson asked if it is a normal policy to follow up on a rail system if there is seismic activity and ask if they go out and check the rails. Mr. Kramer stated yes, and explained the locomotives have a Geographic Response referencing device on them and an accelerometer that does X, Y, and Z, which includes three different levels of events they can capture. He reported the device captures both track related and external events and stated if there is an impact it sends an email to Mr. Kramer of the event before the train rail calls. He explained once the incident occurs the track gets a restriction on it and if it is not sizeable enough it gets what is called restricted speed, which is half the speed of vision allowing the train operator to stop within a distance of the incident.

Mr. Larmore inquired about the process of developing the app on a platform and putting it on a smart phone. Mr. Kramer stated they have a lot of the information, it is just scattered through

books, personnel working knowledge, train crews knowledge. Mr. Larmore asked about GIS information. Mr. Kramer explained they have a separate application through HAZMAT Transportation Risk Assessment Model (HTRAM), which is a hazmat application and discussed how they receive GIS information. Mr. Kramer stated he has attended GIS courses and said the GIS library from the state has been extremely helpful. He said they want to verify information before they send emergency personnel into an incident. He stated certain things will have a little less accuracy like some roads, but critical structures they want more accuracy on its location.

Mr. Greeson asked for any questions or comments and if they were requesting a letter of recommendation for support to send to the Federal Government. They requested the letter content mention the state supports or recommends the group to be funded for the project. Mr. Kinney specified the letter should state there is a need or could fill a need, but advised to be cautious condoning the project. Mr. Greeson agreed with Mr. Kinney affirming they cannot recommend or support because of ethics rules but indicated the state could identify a need for the project but could not actually recommend or endorse it. Mr. Collins asked if the state could say they would work with it if it was produced. Mr. Kinney said the wording could say the state believes there are responders in Indiana that could benefit from the program. Mr. Greeson asked for information from the presenters which would help the state formulate a document that would capture the request from a legal and ethical standpoint. Mr. Kramer said he would supply Mr. Greeson and Mr. Kinney the slide deck and information on the railroad, as well as the proposal that was submitted.

#### **REPORT OF THE CHAIR**

Mr. Greeson announced Mark Torbeck was no longer with the agency, and Ms. Buster would be leaving. Mr. Greeson deferred to Ms. Buster to explain her departure. Ms. Buster stated she accepted a position with the Indianapolis Metropolitan Police Department (IMPD), as a Senior Coordinator working with the Emergency Management Agency. Mr. Greeson thanked Ms. Buster for her service of one year and complimented her on her performance. Mr. Greeson informed the Commission they were conducting interviews to keep the programs moving forward.

Mr. Greeson reminded everyone of the EMAI/IERC Conference held on October 17<sup>th</sup>, 18<sup>th</sup>, and 19<sup>th</sup> at the Eastside Marriott, in which they planned to present awards. He also discussed the Indiana Emergency Response Conference (IERC), different from the Indiana Emergency Response Commission, would be held October 13<sup>th</sup>, 14<sup>th</sup> and 15<sup>th</sup>, located at Keystone at the Crossing Sheraton Hotel on 86<sup>th</sup> street and Keystone Avenue in Indianapolis. He extended an invitation to attend to all responders, EMS, Fire, Hazmat, and EMAs.

Mr. Greeson discussed the IDHS Call Tree and explained the office went through an exercise in which staff logged calls they received within the last three months to determine if calls were immediately directed or missed. He explained the call tree allows someone calling from the outside gets transferred to another number where the caller receives a message discussing the different agencies and departments and gives the caller a menu to choose from. He stated the call tree is intended to give the callers more direct service, and receive information as needed. Mr. Greeson expressed the need for feedback and stated the feedback he has received is that it is working well.

Mr. Greeson reported the IDHS Grants team would discuss the Hazmat Emergency Management Preparedness Grant (HMEP). He handed to floor over to Selena Rosa with the Grants team, who introduced herself as the new Grants Coordinator for HMEP, and gave an update about the process of finalizing the 2019 awards, and hoped to send out award letters soon with a start date of October 1, 2018. She directed any questions about the HMEP awards to Ms. Kim Snyder, the IDHS Grants Manager. Mr. Greeson asked if the grant period runs October 1<sup>st</sup> – September 30<sup>st</sup> annually. Ms. Rosa said yes. Mr. Larmore ask if the hope was to get the award letters out by October 1<sup>st</sup>. Ms. Snyder stated the goal is to get the award letters before October 1, 2018 and advised that would give a full twelve (12) months to utilize the funds.

Mr. Larmore asked if projects between the 1<sup>st</sup> and the end of the month could still go forward, even though an award letter has not been presented. Ms. Snyder stated no, explaining that would be considered pre-spending, and advised spending needed to start October 1st. Mr. Larmore clarified his question and discussed award letters that arrived later but activities were occurring between October 1<sup>st</sup> and the end of the month, therefore his question was if spending could occur after October 1<sup>st</sup>. Ms. Snyder stated yes and specified they have assigned the award letter, and had not received notification from DOT at that time but their goal was to draft letters to be sent out by the end of the month.

Mr. Larmore asked how much money was awarded this year. Ms. Snyder stated some people were denied based on ineligibility and unallowability. Mr. Larmore ask if everything the state received from the HEMP grant was awarded or was there money that did not get awarded. Ms. Snyder stated there was money available and grants awarded what they could award. Mr. Larmore discussed the funding of LEPCs and how some got funded, some did not get funded, and some did not get as much as they ask for in their proposal. He asked if that was because there was not enough money to go around. Ms. Snyder stated it was never an issue of not enough money, and explained there were some applicants that applied for projects for funding above the funding threshold. She said for example some ask for six hundred thousand dollars (600,000) or above, in which they could not fund them at 100 percent. She explained the projects that were allowable and had complied with the guidelines that were established in the funding opportunity were funded at 100 percent. Mr. Larmore asked if the ten thousand dollar (10,000) limit was a new limit this year and if it was driven by the requirement of the DOT. Ms. Snyder stated no and explained this is the second year Grants has managed this fund and explained last year did not have a cap. She explained they were not sure what projects would come in last year so they used last year's baseline to determine ten thousand dollars (10,000) was a good number to base projects on. Ms. Snyder stated creating the ten thousand dollar (10,000) request helped avoid the six hundred thousand dollar (600,000) request, thus establishing the cap because the HMEP fund is not a large fund.

Mr. Larmore understood but exclaimed although there are projects that might not be six hundred thousand dollars (600,000), some may be sixteen thousand dollars (16,000), and stated the ten thousand dollar (10,000) cap might make it more difficult for the LEPC to complete projects. He advised the cap caught some LEPCs by surprise and raised questions about why the cap was created. Ms. Snyder stated their intention is to continue conversations to determine whether they need to raise the cap and stated it is not a firm cap but a number they used from the 2017 data.

Mr. Larmore expressed his reason for asking whether they received all the money. Ms. Snyder acknowledged his concern. Mr. Larmore requested more transparency, more discussion and addressing some of the questions LEPCs have when working with Grants. Ms. Snyder stated as they get closer to the end of this period of performance there is a potential for jobs that needed funding. She explained unfortunately there will be some that do not spend all the money they are awarded; in which they will give LEPCs the opportunity to apply and receive additional funds on top of what they were already awarded, thus allowing conversation about the cap to receive feedback on whether the cap is appropriate or not. Ms. Snyder stated they are open to feedback and discussed grant processes are changing constantly, and conservations will assist with improvements. Mr. Larmore stated the message was important to LEPCs regarding the distribution of funding, and Ms. Snyder encouraged them to always be planning.

Mr. Ewusi discussed if it would be helpful to the Commission, since they manage the LEPCs to get an accounting to report regarding how much funding the LEPCs are receiving, how many LEPCs are participating, and the type of projects they are putting out. He suggested Ms. Rosa create a quarterly report, because this is the first time Grants participated in an IERC/Communications Committee. He discussed how helpful it was for commissioners to know the advantage of awards going to the LEPCs. Grants staff agreed and Ms. Snyder stated they are happy to do whatever they can or supply any information the Commission needs.

**REPORT OF THE CHAIR**

**ROSTER APPROVAL**

Ms. Buster reported the following 23 LEPCs submitted rosters for membership appointments or removals:

Adams	Blackford	Clark	Floyd	Huntington
Greene	Hendricks	Henry	Howard	Pike
Jasper	Lawrence	Miami	Monroe	Sullivan
Ripley	Shelby	St. Joseph	Starke	
Vanderburgh	Warrick	Wayne	Fulton	

Ms. Buster stated Fulton County recently submitted their roster for the year, and pointed out their entire roster is on the report.

Mr. Beier made a motion to approve the roster as submitted by staff and was seconded by Ms. Cyrus. Marshal Greeson asked for discussion, in which he requested the current number of LEPC's active. Ms. Buster confirmed 85 LEPC's are active. Mr. Ewusi stated there are several still working toward becoming active and many have not finished yet.

**Roll Call Vote**

Mr. Larmore—Yes  
Mr. Pridgen—Yes  
Mr. Hamby—Yes  
Mr. Greeson—Yes

Ms. Cyrus—Yes  
Ms. Steadham—Yes  
Mr. Palin—Yes  
Mr. Ewusi—Yes

Mr. French—Yes  
Mr. Beier—Yes  
Mr. Bilkey—Yes  
Ms. Stone—Yes

**Motion Carried.**

Mr. Greeson stated the motion was carried, and moved to the Committee Reports and introduced Mr. Beier.

**COMMITTEE REPORTS**

**Training Committee-Bernie Beier, Chair**

Mr. Beier reported that the Training Committee did not have a report and deferred his time to the Policy-Technical Committee.

**Communications Committee-Jeff Larmore, Chair**

Mr. Larmore reported the Communications Committee met and discussed the Emergency Management Alliance of Indiana\Indiana Emergency Response Commission (EMAIERC) Conference, in which Ms. McKinney provided an update on the Agenda. He advised there were two items of particular interest to the IERC. Mr. Larmore stated on Tuesday, October 16, 2018, the day before the conference start, there is a module overview for LEPCs provided to discuss the use of Tier II Manager for LEPCs and CAMEO workshop, which he stated Mr. White would conduct. He also advised of a discussion on exercise requirements including incorporation of HSEEP.

Mr. Larmore stated on Wednesday, October 17, 2018 from 3-4 p.m., an LEPC 101 and awards presentation to occur. Mr. Larmore invited Mr. Greeson to the conference and welcomed his participation. Mr. Greeson discussed his schedule and advised he would be out of state attending an event for the Board of the National Association of State Fire Marshals. Mr. Larmore continued by encouraging all IERC Commission members to attend the conference and instructed them to notify staff as soon as possible if they planned to attend. Mr. Larmore requested an indication of who planned to attend from the Committee. Mr. Beier requested information on lodging and ask if the commission would fund registration and the hotel for the IERC. Mr. Ewusi and Ms. Buster confirmed the hotel and registration were funded. Ms. Roe stated she would send an email with information after the meeting.

Mr. Larmore indicated they discussed the awards for the LEPCs during the Communications Committee meeting and thanked Ms. Buster for her hard work in contacting the LEPCs to get their submissions in for nominations and organizing the awards list. Mr. Larmore advised they approved thirty-four (34) LEPCs to receive awards. He confirmed they would present twenty-three (23) plaques, and eleven (11) certificates to LEPCs. He requested a motion to approve the

purchase of plaques. Mr. Greeson advised to make the request it at the end of the committee report.

Mr. Larmore discussed Ms. Roe's demonstration of the new directional signs for the IERC meeting and was pleased with their appearance. In conclusion, Mr. Larmore stated Ms. Roe would be added to the Communications Committee. Mr. Greeson advised he noted to replace Ms. Buster with Ms. Roe. Mr. Larmore concluded the report for the Communications Committee.

### **Policy-Technical Committee-Jim Pridgen, Chair**

Mr. Pridgen reported the committee discussed three agenda items, LEPC Planning and Training Resource list in the last couple of sessions. Mr. Pridgen stated the committee also discussed LEPC plan elements, Tier II reports, and the new IERC agenda template. Mr. Pridgen advised staff was working diligently on the process and explained Mr. Beier attend the last Wednesday session in regards to the new training list. Mr. Pridgen stated he believes the new approach will be very palatable not only to the commission, but also to the LEPCs. Mr. Pridgen introduced Mr. Ewusi to provide an overview of the policy.

Mr. Ewusi explained the idea is to have a list of training courses that the IERC will approve or approve the LEPCs to use their funds on. He noted the legal staff working on the language, conditions, or requirements to accompany the list. He explained the process stating if an LEPC wants to bring in their own trainer for a course that has been approved by the IERC, there will be criteria. Mr. Ewusi advised there are some ethic requirements that will be included in the packet to provide an understanding for the LEPCs in selecting a trainer.

Mr. Ewusi noted the original LEPC resource list will still be available and pointed out the list is not only made up of trainers, but also vendors who provide services other than training. He advised the original list will be available, however, if anyone drops off the list, they do not intend to add to the list. He said this gives the LEPCs the option to use the list as it currently exist, or secure their own vendor to provide training services based on the approved courses. Mr. Ewusi stated he believes Commissioner Hamby will help with the training aspects due to his expertise. Mr. Ewusi advised he hoped to present something to the Commission in November.

Mr. Pridgen discussed going this route would help replace the perception that the IERC dictates what trainers or instructors the LEPCs can use especially since they are now considered a local entity. Mr. Pridgen stated the LEPCs have discussed having people in their area to provide training, and stated as long as they fulfill a list of requirements which is part of the review process as far as the trainer or instructor is concerned, and as long as it follows the proscribed course outline of the courses the IERC recommend to them, they can chose whomever they want to do the training, as long as it is ethically correct.

Mr. Pridgen advised an official motion would be made to continue in the current direction, however, they will not go forward with providing a list of vendors or suppliers, but more or less the approach to provide work that needs to be done and the courses that need to be taught. He



stated the LEPCs can either choose their own instructors or pick from the original grandfathered list.

Mr. Greeson asked if the motion would contain that specific wording. Mr. Pridgen stated yes, from a legal stand point. Mr. Beier suggested making a motion to remove the requirement and Mr. Pridgen deferred the subject to training.

Mr. Greeson ask if there was anything else, and Mr. Pridgen deferred to Ms. Buster.

Ms. Buster addressed concerns raised this year regarding plan reviews, and stated last year any items not found on the plan were marked with a black mark but this year they will be marked in red as missing. She explained a lot of the LEPCs received a review with missing items, which raised a concern because the items that were missing were in reference to facility reporting. She stated the information is not available in Tier II Manager therefore the LEPCs have been reaching out requesting guidance to find the information rather than calling every facility to obtain the information. Ms. Buster deferred to Ms. Roe to describe what is available in Tier II Manager and suggest a solution to the problem.

Ms. Roe explained currently in the Tier II Manager the facilities are only required to submit site maps when they submit a Tier II report in the system. However there are options in Tier II to facilitate upload attachments that include the Facility Emergency Response Plan, Safeguard Measures, which would include their sirens; dikes; and measures they use to keep their employees safe, including a site coordinate abbreviation, which is more like a key for the Site Map.

Ms. Roe went on to explain staff came up with a solution they believe will help by creating a document similar to a condensed verse of submitting their Emergency Response Plan. The process ask the same questions the LEPCs are asking. Ms. Roe explained an LEPC Plan is required to know what kind of safety measures facilities have in place , how many emergency staff they have onsite, and what resources that facilities uses. She explained the document is a condensed version of those questions, which they will push out to the Tier II facilities from the IDHS Hazmat Section, explaining to the facilities the information will help the LEPCs obtain the data they need.

Ms. Roe explained LEPCs are going back to the facilities after they submit their Tier II Reports to get the information from the facilities but this document will alleviate any unforeseen problem by allowing facilities to upload the document into the Tier II Manager system when submitting annual reports. Mr. Greeson asked if the document was created internally. Ms. Roe said yes. Mr. Greeson asked if they reached out to LEPCs to get their input. Mr. Pridgen and Ms. Roe stated yes. Ms. Roe said that was the next step and Ms. Buster said the process is ongoing. Mr. Greeson stated he wanted to make sure they were reaching out and receiving input.

Ms. Buster provided a template showing what they will use to reach out to the LEPCs, and determine if this is a solution to their problem. Ms. Buster stated when this information is upload into Tier II Manager by the facilities the LEPCs can pull the data and put it their plan. Mr. Pridgen advised they also plan to engage a few facilities, two (2) or three (3), as well. Mr. Greeson acknowledged. Mr. Ewusi interjected and explained when they were doing site plans, they came up with two templates for the facilities to use, in which facilities were very receptive

to. Mr. Ewusi stated they can create a list of all facilities that report and present the template. Mr. Ewusi advised leaving the decision to Ms. Roe that they engage the facilities first before talking to the LEPCs about a solution.

Ms. Roe addressed the Commission with a question from Joe Whitaker about the 2017 plan review, under elements two (2), five (5), and six (6), asking if these items should be answered by the Tier II facility on the report form. Ms. Roe stated those are the questions they are receiving and explained there are certain things on the Plan Review staff are marking as a deficiency, because LEPCs have not gone back to facilities for the information. Ms. Buster pointed out what question 2A says, which is summarizing a facilities emergency response procedures, or reference the locations or reference their procedures. She explained it is why LEPCs do not have the information available unless they contact the facilities directly. Ms. Roe stated they are hoping the document bridges the gap, so the facility can give the information without having to upload their entire Emergency Response Plan. Ms. Roe explained this practice would make the process easier for the LEPC when accessing the Tier II Report, stating it would save time by allowing LEPCs to avoid reading the entire facility plan to gather the information they need.

Mr. Greeson asked if this was something LEPCs can download from Tier II. Ms. Roe stated yes. Ms. Roe ask if there were any questions, and Mr. Michael stated he works in Emergency Management and as an LEPC and asked if this document would be sent out from the IERC to the facilities directly. Ms. Roe stated yes. Mr. Ewusi noted that the LEPC Plan by state statue requires the submission of said documents. He explained LEPCs should not say the information is already in the Tier II Management system so they have met the statutory obligation. Mr. Ewusi specified the LEPC Plan should still provide the document and stated if the document is taken from Tier II Manager it can be uploaded into a plan, or update the plan with it, so there is a complete plan. Mr. Beier confirmed what Mr. Ewusi noted that LEPCs are to assimilate the data from Tier II Manager in time for the October submission date. Mr. Beier stated it must be back to the state by that date. Mr. Ewusi explained until the statue changes, it is the policy that must be followed unless a new policy is presented.

Mr. Beier stated the policy is something the Commission could look at, because prior to Tier II Manager it made sense, but now that companies report to the state, and the locals get the information from the state, then it needs to be "repackaged." Mr. Beier explained as a local LEPC, they have so many facilities they cannot email, and their data is placed on a thumb drive to give back to the state to fill the requirement of the plan, which he stated makes no sense now that Tier II Manager has the information.

Mr. Beier stated what they are talking about would work well, and discussed what Mr. Koelpin Roger is doing by putting some of the data on the WebEOC Falcon Map, which is inconsistent, but if they identify the common data set with SDS and Facility maps, then he can pull data directly from Tier II and make something better than the county plans, which can be state wide. He explained using WebEOC to map makes the key information visible for not only that county LEPC, but for any State or district support. Mr. Beier noted it is time to get legacy requirements and determine if it is still required. Mr. Greeson stated they could talk to Jonathon Whitham (IDHS Legal), about legislation and see what it says, or what they need to potential amend. Mr. Beier stated the work they are doing here is absolutely the next best step.

Mr. Greeson explained to Mr. Beier anytime something needs to be done legislatively, or if there is any new legislation, they need to vet it through the Governor's office to obtain approval, and explained there is a process, but they will definitely take a look into the issue.

Mr. Larmore discussed the timeframe with Ms. Roe and asked if they planned to reach out to the facilities this plan reporting year or the next. Ms. Roe stated her goal was to have this sent out to them when they start reporting January 1. He asked about LEPC plans being reviewed this year and questioned if the LEPC coordinator would be more lenient this year knowing next year the facilities will be reporting using the template outlined based on the LEPCs having information they can incorporate into their plan however they choose, or as Mr. Beier pointed out being able to see it on a map by being able to click on an icon, see a facility, see the Extremely Hazardous substances, and then see the key response sheet.

Mr. Ewusi explained they have to be careful by stating they will be softer and noted Ms. Buster identified some LEPCs have consistently not provided this information, and the information is not a must in the reports. He stated if the plan element has been provided in the past, it only needs to be updated unless there is a significant change. He continued by saying when the word soft is used they have to qualify what is being said. Mr. Ewusi pointed out the plans are for the LEPCs county response not state plans. Therefore if the LEPC is saying this information is already with the state and they are not actually developing their own individualized plan then there was a disconnect. Mr. Ewusi explained the Tier II Manager is created to help facilities report to the state, LEPCs, and Fire Departments. The Tier II Manager consolidates the information where someday a general plan can be developed for the state, however that is not available yet. and the statute states the LEPCs must have their plans. Mr. Ewusi wanted to promote awareness of that process.

Mr. Larmore continue by discussing the facilities expectations and responding outside emergency response personnel, and clarified what he was saying. Mr. Larmore stated they would not hold LEPCs responsible for that if the information was going to be collected via Tier II Manager. Ms. Buster interjected by stating the plan would be marked as red but the updated plan would still be approved. She stated of the plans submitted, none of them were denied funding. Mr. Larmore understood but continued by saying they are seeing more emphasis being placed on these aspects of the plan that maybe were not emphasized in the past. Mr. Ewusi stated it has always been emphasized in the past and reiterated the LEPCs have not submitted these items in which Ms. Buster's audit review shows.

Mr. Ewusi used Marion County's plan review as an example and asked if there were any deficiencies in their plan. Mr. Larmore stated yes they had deficiencies and stated they were deficient in many of the areas because they had so many EHS facilities and they never found it practical to get the type of information on response capabilities, however they do pull the names of the facilities reporting. He said they started to ask question about expectation of response and what kind of assets they have, but pointed out facilities change regularly which has been a challenge.

Mr. Larmore expressed his enthusiasm with the information and said it is very helpful. He indicated what the state plans to do with Tier II Manager is phenomenal, and suggested putting the information obtained in a uniform format so facilities like Lilly, that have facilities all over the state, and are not seeing Marion County ask for something different from for example Tippecanoe County. Ms. Buster noted this does not apply to all LEPC plans, and stated there are some stellar LEPC plans in existence.

Mr. Greeson asked if there was anything else. Mr. Pridgen stated he only had the agenda template. Ms. Buster informed the Commission that she and Mr. Ewusi attend the Kentucky Emergency Response Commission meeting and noticed the format of Kentucky's agenda. Ms. Buster discussed the layout of the agenda, with all the commissioner's names listed on the right side of the page and recommended using the formulas as a template in future meetings.

Mr. Pridgen informed Mr. Greeson there were no other agenda items for Policy-Technical Committee. Mr. Greeson reported no agenda items for fiscal. Marshal Greeson moved to Policy-Tech. Marshal Greeson requested a motion to approve the report of the Communications Committee, and the Policy-Technical Committee, in which Mr. Pridgen advised on an addendum.

**Fiscal Committee-Amy Smith, Chair**

Mr. Greeson stated there were no agenda items for the Fiscal Committee, in which Mr. Ewusi confirmed.

**APPROVAL OF COMMITTEE REPORTS**

Mr. Palin made a motion to approve the reports of the Communication Committee and the Policy-Technical Committee and was seconded by Mr. Beier.

**Roll Call Vote**

Mr. Larmore—Yes	Ms. Cyrus—Yes	Ms. Stone—Yes
Ms. Steadham—Yes	Mr. Pridgen—Yes	Mr. Bilkey—Yes
Mr. Palin—Yes	Mr. Hamby—Yes	Mr. French—Yes
Mr. Greeson—Yes	Mr. Beier—Yes	

**Motion Carried.**

**OLD BUSINESS**

No old business on the agenda for this committee meeting.

**NEW BUSINESS**

No new business on the agenda for this committee meeting.

Mr. Greeson discussed making a motion for the draft of a letter for the Louisville/Indiana Railroad for their App, based on how they would work it legally. Mr. Kinney advised something

should be said proposing the application would fulfill the Local Emergency Planning Committees (LEPC) needs in the state of Indiana, and may want to consider possibly stating this is not an endorsement of this specific product, but the actual technology. Mr. Pridgen added or the supplier/vendor.

Ms. Cyrus made a motion to submit a letter to the Louisville/Indiana Railroad stating there is a need for this technology in the state of Indiana and will be beneficial to Emergency Responders. Mr. Pridgen seconded the motion.

Mr. Greeson reiterated the understanding this is not an endorsement, however it is a letter recognizing the need of this type of application

**Roll Call Vote**

Mr. Larmore—Yes	Ms. Cyrus—Yes	Mr. Bilkey—Yes
Ms. Steadham—Yes	Mr. Pridgen—Yes	Mr. French—Yes
Mr. Palin—Yes	Mr. Hamby—Yes	
Mr. Greeson—Yes	Mr. Beier—Yes	

**Motion Carried.**

Mr. Greeson discussed a motion to purchase plaques for presentation and issuance at the EMAI/IERC Conference. He discussed setting a dollar amount not to exceed a certain amount. Mr. Larmore advised in the Committee meeting they decided not to exceed fifteen hundred dollars (1,500).

Mr. Palin made a motion to purchase awards. Mr. French seconded the motion.

**Roll Call Vote**

Mr. Larmore—Yes	Ms. Cyrus—Yes	Mr. Bilkey—Yes
Ms. Steadham—Yes	Mr. Pridgen—Yes	Mr. French—Yes
Mr. Palin—Yes	Mr. Hamby—Yes	
Mr. Greeson—Yes	Mr. Beier—Yes	

**Motion Carried.**

Mr. Greeson discussed the last motion out of the Policy-Technical Committee dealing with Vendor's and vendor list. Mr. Greeson deferred to Mr. Pridgen to make the motion

Mr. Pridgen provided a motion to eliminate the requirement by the IERC providing vendors and suppliers to the local LEPCs; but rather provide a comprehensive list of courses to be taken and approved. Mr. Palin seconded the motion.

Mr. Greeson asked for any discussion. Mr. Beier stated the motion only removed the list, but doesn't discuss the requirement for the LEPCs to use someone from the list or not, and stated they eliminated the list but did not discuss the locals choice. Mr. Pridgen agreed and amended the motion to include LEPCs are no longer required to use a vendor on the list regarding training or exercises. Mr. Beier said the key word being required.

**Roll Call Vote**

Mr. Larmore —Yes	Ms. Cyrus—Yes	Mr. Bilkey—Yes
Ms. Steadham—Yes	Mr. Pridgen—Yes	Mr. French—Yes
Mr. Palin—Yes	Mr. Hamby—Yes	
Mr. Greeson—Yes	Mr. Beier—Yes	

**SARA TITLE III PROGRAM REPORT**

**FOLLOW-UP FROM PREVIOUS MEETING**

No follow-up from previous meetings were discussed.

**STAFF ACTIVITIES**

Ms. Roe reported Ms. Buster attended five (5) LEPC meetings in Wayne, Cass, Sullivan, Fulton, and Jasper counties. She also attended four (4) exercises along with Mr. Hamby, which included Perry, Adams, Pike and Warren counties.

**Training and Conferences**

Ms. Roe reported three (3) training and conferences, with staff attending the Kentucky Emergency Response Commission (KERC) meeting to report how Indiana works with the Tier II Manager system. Ms. Roe reported attending the State Level Exercise (SLE) and Ms. Buster attended the Train-the-Trainer from the Community Emergency Response Teams (CERT).

**Facility Tours**

Ms. Roe reported two facility tours, both in Ripley County at a Chemical Facility and the Laughery Valley Co-Op. Ms. Roe also reported six thousand and fifty nine (6,059) 2017 Tier II Interim reports to date were submitted, with a total revenue of six hundred and twenty thousand two hundred and twenty dollars (620,220) to date.

**Tier II Reports**

Ms. Roe stated the SARA staff reviewed the non-compliant Tier II facilities for the 2016 year which originally showed eighty-one (81) non-compliant facilities, however there are now only two (2) facilities. She stated staff will send one more notice to the other facilities informing them they will be reported to the Environmental Protection Agency (EPA), if they fail to comply.

**Special Projects**

Ms. Roe reported the next special project is reaching out to Fire Departments who have not yet applied for an account in Tier II Manager and she will send out a more condensed version, request along with a PowerPoint discussing what Tier II Manager can do for the Fire



Departments, and inform them there is not cost. Ms. Roe feels she can get them onboard with the program and informed the Commission that Floyd and Warren County have all their Fire Departments registered in the system, except one.

**Spill Reports**

Ms. Roe advised there has been one spill since the last meeting. She stated the spill of anhydrous ammonia occurred in Tippecanoe County at Ice Cream Specialties, in which they may have knocked something off their freezer units. She reported they complied with all the reported requirements, and reported the incident in Tier II Manager successfully

**Discussion**

Mr. Larmore requested a list of all Fire Departments without user names or passwords or who are not using the system be sent to the LEPCs. Ms. Roe stated she would email the formatted list by county to LEPCs. Mr. Larmore stated they can assist with determining any obstacles, such as lack of computers or internet preventing enrollment. Ms. Roe noted the next big push to get Fire Departments on board was reaching out to LEPCs.

Mr. Larmore inquired about the 2017 reports, and asked about the numbers. Ms. Roe stated she did not have the information yet but could get the information for him. Mr. Larmore commended the work to get those non-compliant down to two (2), and ask if the Marion County facility is one (1) of the two (2), in which Mr. Roe stated yes. Ms. Roe indicated the facility is a holding company for Pep Boys, and sent a letter stating they would submit by evening that day. Ms. Roe specified they are now compliant. No further discussion occurred.

Mr. Greeson requested a motion to accept the SARA Title III Report. Mr. Larmore made the motion and was seconded by Ms. Cyrus.

**Roll Call Vote**

Mr. Larmore—Yes  
Ms. Steadham—Yes  
Mr. Palin—Yes  
Mr. Greeson—Yes

Ms. Cyrus—Yes  
Mr. Pridgen—Yes  
Mr. Hamby—Yes  
Mr. Beier—Yes

Mr. Bilkey—Yes  
Mr. French—Yes

**Motion Carried.**

**PUBLIC COMMENTS**

Mr. Greeson asked if there were any public comments and there were no public comments.

Ms. Roe stated she had opened the lines on the Webcasting portal for public comment but no questions or comments occurred. Ms. Buster introduced the vendor developer for Grant County. Mr. Greeson asked the vendor if he had any comment to which he replied he attended the meeting as an observer.

Mr. Greeson invited Mr. William Beranet, Chair of the Marion County LEPC, who reported on his activities, regarding the HEA 1090 which made LEPCs county boards. He advised Marion

County submitted a bill for the legislative session which the Indiana Department of Homeland Security (IDHS) opposed but they were unsuccessful in that process. Mr. Beranek noted he said he is currently working with attorneys to address the legal matters around LEPCs and where the legal responsibility falls. He summarized his activities on the subject as follows:

He sent a letter to the Governor on July 31, 2018 and to those he thought were relevant in the state government advising them of his actions and requesting LEPCs to be a legal entity.

Mr. Beranek said he received an email from Jonathon Whitham, IDHS General Council, who noted the current law indicates LEPCs are county board appointed by the state. Mr. Beranek discussed the implication of the county having a large incident with multi-million dollars' worth of liability such as a train derailment in downtown Indianapolis and stated everyone would be sued. He went on to express his concerns regarding the responsible legal entity being either the state or the county and pointed out they are having a hard time getting people to be LEPC members because of the current liability.

Mr. Beranek advised he is trying to get the law changed so they can either be a county or a state entity for the purpose of the Tort Liability. He advised he is speaking with a Tort Lawyer to determine the next course of action based on the language of the law which he pointed out states LEPCs is covered for the purpose of legal representation and liability by state government. He clarified the wording elevates whether the government entity is county or state.

Mr. Beranek informed the Commission other lawyers advised against the language route because other Tort Lawyers will attempt to improve the state law that may create issues unrelated to the current issue. He admitted he would prefer to stay with the LEPC law.

He stated his purpose for speaking to the Commission was to advise them of his direction and purpose. He invited anyone with question to let him know and made himself available to talk. He also discussed trying to keep the attorneys involved even with his tort case.

Mr. Greeson asked if there were any questions or comments. Ms. Roe inquired if anyone from the public on the webinar wanted to speak. No discussion occurred.

Mr. Greeson moved to obtain a motion to adjourn, and advised the next meeting as November 19, 2018 at 1:30 p.m. at the Indiana Government Center South (IGC) with the room number forthcoming.

**ADJOURNMENT**

Mr. Palin motioned to adjourn the meeting and was seconded by Mr. Pridgen. No further discussion occurred, the meeting adjourned.

**Roll Call Vote**

Mr. Larmore —Yes  
Ms. Steadham—Yes  
Mr. Palin—Yes  
Mr. Greeson—Yes

Ms. Cyrus—Yes  
Mr. Pridgen—Yes  
Mr. Hamby—Yes  
Mr. Beier—Yes

Mr. Bilkey—Yes  
Mr. French—Yes

**Motion Carried.**

**NEXT MEETING**

Indiana Government Center, South  
302 W Washington Street  
Indianapolis, Indiana 46202  
September 10, 2018, 1:30 PM

  
\_\_\_\_\_  
James Greeson, Chair

