



INDIANA EMERGENCY RESPONSE COMMISSION (IERC) Meeting
Elkhart County Sheriff's Office
26861 County Road 26
Elkhart, Indiana 46517
July 9, 2018, 1:30pm [Start Time: 1:35pm]

COMMISSION MEMBERS PRESENT:

Ian Ewusi—Designee for State Fire Marshal, Chair
Larry Hamby—Designee for IDHS Executive Director
Laura Steadham—Designee for IDEM Commissioner
Jeff Larmore—Local Government Representative
Chad Larsh—Designee for Superintendent of ISP
Bruce Palin—Public Representative

COMMISSION MEMBERS ON THE PHONE:

James Pridgen—Business/Industry Representative
Cara Cyrus—Business and Industry Representative
Shawn French—Business/Industry Representative

COMMISSION MEMBERS ABSENT:

Bernie Beier—Local Government Representative

The following IDHS staff members were present:

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

The following audience members were present:

Mrs. Becky Waymire—Morgan County LEPC
Mr. Warren Waymire—Morgan County

WELCOME AND INTRODUCTION

Ms. Steadham 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. Larmore made a motion to approve May 14, 2018, meeting minutes and was seconded by Mr. Hamby. No further discussion occurred.

Roll Call Vote

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

Motion Carried.

Policy-Technical Committee-Jim Pridgen, Chair

Ms. Steadham made this the first agenda item to allow Mr. Stan Pinegar, the Vice President of Government and Regulatory Affairs at Duke Energy to present his proposal. Mr. Pinegar advised that Duke Energy serves sixty-nine of the ninety-two counties in the lower half of Indiana. He reported that under the new EPA requirements, Duke Energy was required to report mineral oil which includes their substations. Mr. Pinegar further reported that the reports have raised from around thirty to thirty-five to four hundred and fifty. He advised that Duke Energy had no problem adhering to the requirements, but they needed to hire two full-time employees to submit their Tier II reports. Mr. Pinegar reported that iDSI had an upgrade package that would apply to all facilities and allow submitting single payments. He advised that the software include bulk uploads for an additional cost. Mr. Pinegar reported that Duke Energy would donate the funds and the IERC would purchase and own the software. He advised that the cost was nineteen thousand dollars and iDSI needed to begin the upgrade by August 1, 2019, to have it installed by the start of the new reporting season. Further action on the donation offer was set aside for the Committee report later in the meeting.

REPORT OF THE CHAIR

Ms. Steadham reported that a train derailment occurred in Gibson County that involved propane and french-fries and the clean-up was ongoing. No further discussion occurred.

ROSTER APPROVAL

Ms. Buster reported that the following 25 LEPCs submitted rosters for membership appointments or removals:

Allen	Blackford	Clinton	Dubois	Floyd
Fountain	Hamilton	Hancock	Hendricks	Henry
Huntington	Jackson	Johnson	Lawrence	Marion
Monroe	Montgomery	Morgan	Newton	Porter
Starke	Sullivan	Vermillion	Wells	White

Mr. Ewusi requested the reason the Clinton County LEPC entire roster was listed on the roster report. Ms. Buster advised that Clinton County LEPC recently submitted their roster for the year and when the new LEPC module was launched the IERC voted and approved all roster submissions. Mr. Ewusi reported that the new system did not carry forward the old rosters. Mr. Palin inquired if the Clinton County LEPC members were all new, Mr. Ewusi reported no.

Mr. Larmore made a motion to approve the roster as submitted by staff and was seconded by Mr. Hamby. No further discussion occurred.

Roll Call Vote

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

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

Mr. Ewusi—Yes
Mr. Larsh—Yes
Mr. French—Yes

Motion Carried.

Ms. Steadham introduced Mr. Chad Larsh and welcomed him to the meeting. Mr. Larsh reported that he was Mr. Bilkey's designee for the meeting.

COMMITTEE REPORTS

Training Committee-Bernie Beier, Chair

Ms. Steadham reported that the Training Committee did not meet.

Communications Committee-Jeff Larmore, Chair

Mr. Larmore reported that the Communications Committee met and discussed the Emergency Management Alliance of Indiana/Indiana Emergency Response Commission (EMAI/IERC) Conference. He advised that the committee approved a ten thousand dollars contribution to the EMAI/IERC Conference with a stipulation that IERC Commissioners and staff attend the conference at no cost. Mr. Larmore reported that Albert, the new webcasting owl was streaming the IERC meeting. He reported that the owl included a camera and audio. Mr. Straumins advised that some individuals have logged in to watch the meeting and they were reporting that they heard background noise. Mr. Straumins reported that the audio and visual was better than the equipment used at previous meetings.

Mr. Larmore reported that Ms. Buster attended the International Hazmat Conference in Baltimore, Maryland and she learned that LEPCs in other states had good connections with facilities. Ms. Buster reported that LEPCs in Indiana should develop relationships with facilities in their areas and requested recommendations from the commissioners. Mr. Larmore reported that LEPCs should have better connections with facilities and advised the commissioners notify Ms. Buster with ideas. Mr. Larmore reported that the IERC newsletter would be a great tool to inform LEPCs on the importance of making connections with facilities.

Mr. Larmore reported that every year at the EMAI/IERC Conference, the IERC holds the award ceremony and he planned to develop an award nomination letter for Ms. Buster to send out to LEPCs to solicit nominations. Mr. Larmore reported that the Communications Committee

encouraged all LEPCs to submit nominations for awards. Mr. Larmore recommended that all commissioners attend the EMANERC Conference this fall. No further discussion occurred.

Mr. Larmore made a motion to approve the contribution of ten thousand dollars (\$10,000) towards the EMANERC Conference with the stipulation that commissioners and staff attend at no cost and was seconded by Mr. Palin.

Roll Call Vote

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

Motion Carried.

Policy-Technical Committee-Jim Pridgen, Chair

Mr. Pridgen reported that the committee discussed three agenda items, first, the Duke Energy donation which there were plans to move forward with approving the donation, second the Noble County LEPC approval request for a cross-county exercise, and finally, Mr. Don Abbott requested approval to be added to the LEPC Training and Planning Resource List. Mr. Pridgen requested approval for the Duke Energy donation.

Mr. Palen made a motion to approve the Duke Energy donation request and was seconded by Mr. Hamby. Mr. Kinney reported that the IERC could accept appropriations, grants, donations, equipment, supplies and services and this contribution would fall under donations. Mr. Kinney recommended to modify the motion and include that the donation approval was subject to the acceptance by IDHS before the donation could be approved. Mr. Palin amended the motion.

Roll Call Vote

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

Motion Carried.

Ms. Buster reported that the Noble County LEPC requested approval to conduct a 2019 cross-county exercise with DeKalb, LaGrange, and Steuben Counties. She advised that the counties utilize mutual aid agreements when incidents occur and the LEPCs planned to test core capabilities. She reported that the core capabilities include Operational Communications, Operational Coordination, and Situational Awareness. Ms. Buster further reported that the Noble County LEPC planned to request Hazardous Materials Emergency Preparedness (HMEP) funds to conduct the exercise. Mr. Palin inquired if the exercise would satisfy the exercise requirement for all four LEPCs, Ms. Buster reported yes. Ms. Buster reported that the Noble County LEPC was aware of the requirement to have the four key and four supporting agencies present from each LEPCs. Mr. Palin said that the exercise was an excellent idea and staff should

encourage other LEPCs to conduct cross-county exercises. Mr. Pridgen advised that this was an excellent test of utilizing mutual aid agreements.

Mr. Larmore made a motion to approve the cross-county LEPC exercise request and was seconded by Mr. Hamby.

Roll Call Vote

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

Motion Carried.

Mr. Ewusi reported that Mr. Don Abbott requested approval to be added to the LEPC Training and Planning Resource List to instruct a Hazmat Chief and Company Officer Training Course. Mr. Palin inquired if the request was for training or planning and Mr. Ewusi reported that the course fell in a gray area of hazmat training. He advised that Mr. Abbott would be approved to instruct the Hazmat Chief and Company Officer Training Course with a contingency that he submits his qualifications. Mr. Larmore reported that Mr. Abbott failed to submit his hazmat qualifications and he would reach out to him for the additional information. Mr. Ewusi reported that the course was being taught before the September IERC meeting and therefore needed approval. Mr. Palin requested clarification on whether he was a trainer or planner and Mr. Ewusi reported that the request fell under planning. He advised that the Policy-Technical Committee planned to meet separately to discuss the future of the LEPC Training and Planning Resource list and Ms. Waymire requested Mr. Abbott submit the additional information.

Mr. Palin made a motion to approve Mr. Abbott to instruct the Hazmat Chief and Company Officer Training Course and was seconded by Mr. Hamby.

Roll Call Vote

Mr. Larmore —Abstain	Ms. Cyrus—Yes	Mr. Ewusi—Yes
Mr. Pridgen—Yes	Ms. Steadham—Yes	Mr. Larsh—Yes
Mr. Hamby—Yes	Mr. Palin—Yes	Mr. French—Yes

Motion Carried.

Fiscal Committee-Amy Smith, Chair

Mr. Ewusi reported that the Fiscal Committee met and discussed the 2019 budget and pointed to a handout. Mr. Ewusi reported that the projected budget was one hundred and thirty-three thousand dollars (\$133,000) and he advised that item one would be zero in 2020. Mr. Ewusi reported that the IERC approved item one in the amount of sixty thousand dollars (\$60,000) for Ms. Tracy Smith's, SARA Program Manager position.

Mr. Palin made a motion to approve the budget as proposed and was seconded by Mr. Hamby. No further discussion occurred.

Roll Call Vote

Mr. Larmore —Abstain
Mr. Pridgen—Yes
Mr. Hamby—Yes

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

Mr. Ewusi—Yes
Mr. Larsh—Yes
Mr. French—Yes

Motion Carried.

APPROVAL OF COMMITTEE REPORTS

Mr. Larmore motioned to approve the committee reports and seconded by Mr. Ewusi. No further discussion occurred.

Roll Call Vote

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

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

Mr. Ewusi—Yes
Mr. Larsh—Yes
Mr. French—Yes

Motion Carried.

OLD BUSINESS

Ms. Steadham reported that there was no new business on the agenda for this meeting.

NEW BUSINESS

Mr. Ewusi reported that IDHS was pursuing an opportunity to become an agreement state and the agreement state allowed states to license and inspect facilities with radioactive sources. He advised that facilities with radioactive materials or byproducts must be licensed and currently the National Regulatory Commission licensed facilities in states that were not agreement states. He further advised that thirty-eight states now can license and Indiana planned to come on board within the next three years. Mr. Ewusi reported that the federal government would not allow Indiana to license unless staff was prepared to manage radioactive sources. He further reported that the program would bring in two million dollars and allow companies to cite or ship radioactive sources out of Indiana. Mr. Larmore reported that the program was an excellent opportunity for the state. No further discussion occurred.

Mr. Larmore reported that LEPCs have been reaching out to him about the 2019 HMEP grant and were concerned that there was a ten thousand dollars (\$10,000) cap per project. He further reported that LEPCs wanted to know why there was a cap because money has been given back in the past. He advised that LEPCs were confused on what defines a project and wanted to know if the ten thousand dollars (\$10,000) was for planning, training, or individual projects. Mr. Larmore reported that after making calls, Mr. Ben Esterline, IDHS District 5 Coordinator reported that the cap was not per planning or training but per project. He suggested that IDHS Grant’s staff attend the September IERC meeting to explain the process to alleviate any misunderstandings.

Ms. Roe reported that the United States Department of Transportation (DOT) removed the planning and training requirement and placed the HMEP grant under one big pot and the HMEP cap was per project. Mr. Larmore inquired if an LEPC wanted to conduct an exercise would

they only receive ten thousand dollars, Ms. Roe reported yes. Ms. Roe reported any extra could come out of the match and Mr. Larmore advised that generally, the match was time, not money. Mr. Larmore reported that IDHS Grant's staff should have notified the IERC about the change and Ms. Buster recommended the grants staff attend the next IERC to clear any confusion. Mr. Ewusi reported that a member from the grant management staff would be invited to attend the September IERC meeting. Mr. Larmore reported that LEPCs thought the IERC determined the cap. Ms. Waymire reported that she agreed with Mr. Larmore and inquired there were any funds left over from the prior year. Mr. Ewusi suggested that HMEP staff present their project goals for distributing the funds to the IERC before and after awards were distributed. He reported that by statute HMEP staff was required to work with the IERC and LEPCs. Ms. Buster reported that there should be better communication among staff and the grants section. No Further discussion occurred.

Mr. Ewusi reported that since Ms. Tracy Smith moved into another IDHS position, Ms. Buster has been doing all of the work by herself, so another LEPC Coordinator position posted. He further reported that in the past there was a northern and southern LEPC Coordinator and with the new position the coordinators could split the state. Mr. Ewusi reported that adding another position would make the program run more efficient and effective. He requested approval from the commission, the commission agreed. Ms. Waymire asked Mr. Ewusi to repeat what was said and she requested Ms. Buster work with the Morgan County LEPC. No Further discussion occurred.

Ms. Buster reported that there was a discussion that the next IERC meeting should be held at the Indiana Emergency Response Conference (IERC). She advised that after further discussion, the next two IERC meetings would be held at the Indiana Government Center South (IGCS). Ms. Buster reported that the first two IERC meetings of the year should be held at the Marion County Health Department (MCDH) and the subsequent meetings be held at the Indiana Government Center South. No further discussion occurred.

SARA TITLE III PROGRAM REPORT

FOLLOW-UP FROM PREVIOUS MEETING

Mr. Torbeck reported that the total number of 2016 non-compliant facilities had been reduced from eighty-one to eight and staff planned to send a final notice to facilities before notifying the EPA.

STAFF ACTIVITIES

Ms. Buster reported that since the May IERC meeting, staff attended eight LEPC meetings and two exercises. She further reported that the Huntington County LEPC conducted their exercise at Gladieux Trading and Marketing and there was a good relationship with the facility.

Training and Conferences

Ms. Buster reported that she and Ms. Roe attended the Hazmat Awareness Course with the brilliant instructor Mr. Hamby. She further reported that she attended the Baltimore International Hazardous Materials Conference and took the Homeland Security Exercise Evaluation Program (HSEEP) Course. Ms. Buster reported that the HSEEP course experience allowed her to assist Pike and Warrick County LEPCs and assist with preparing for their 2018 exercise.

Facility Tours

Mr. Torbeck reported that staff attended the Duke Energy tour at the Gallagher Station in New Albany, Indiana.

Tier II Reports

Mr. Torbeck reported that to date, six thousand and twenty-three 2017 Tier II Annual Reports had been completed and the total revenue collected for 2018 was \$613,960.

Special Projects

Ms. Roe reported that staff had compiled a county list of all gas stations in the state of Indiana and after contacting Mr. Brad Baughn at the Indiana Petroleum Marketers and Convenience Store Association (IPCA), staff determined the best course of action be to develop a letter and have him distribute them to facilities. Ms. Roe advised that the letter would remind facilities to report kerosene and propane stored over the threshold.

Spill Reports

Mr. Torbeck advised that there were three spills reported since the May IERC meeting. He reported that two spills occurred in Marion and one spill occurred in Wells County. See attached SARA Report for complete details.

Ms. Roe reported that she has been training the Indiana Department of Environmental Management (IDEM) on how to upload 304 reports in Tier II Manager. Mr. Kinney reported that staff worked with IDOT to correct and upload their Tier II reports. Mr. Larmore asked how many 2017 facilities there were and Mr. Torbeck reported that there were twenty-six 2018 initiated reports in the system.

Mr. Larmore made a motion to accept the SARA report and was seconded by Mr. Hamby. No further discussion occurred.

Roll Call Vote

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

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

Mr. Ewusi—Yes
Mr. Larsh—Yes
Mr. French—Yes

Motion Carried.

PUBLIC COMMENTS

Ms. Steadham thanked the Elkhart County LEPC for hosting the IERC meeting. Mr. Ewusi reported that LEPCs received their 2017 funds on June 12, 2018, due to the hard work from staff.

ADJOURNMENT

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

Roll Call Vote

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

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

Mr. Ewusi—Yes
Mr. Larsh—Yes
Mr. French—Yes

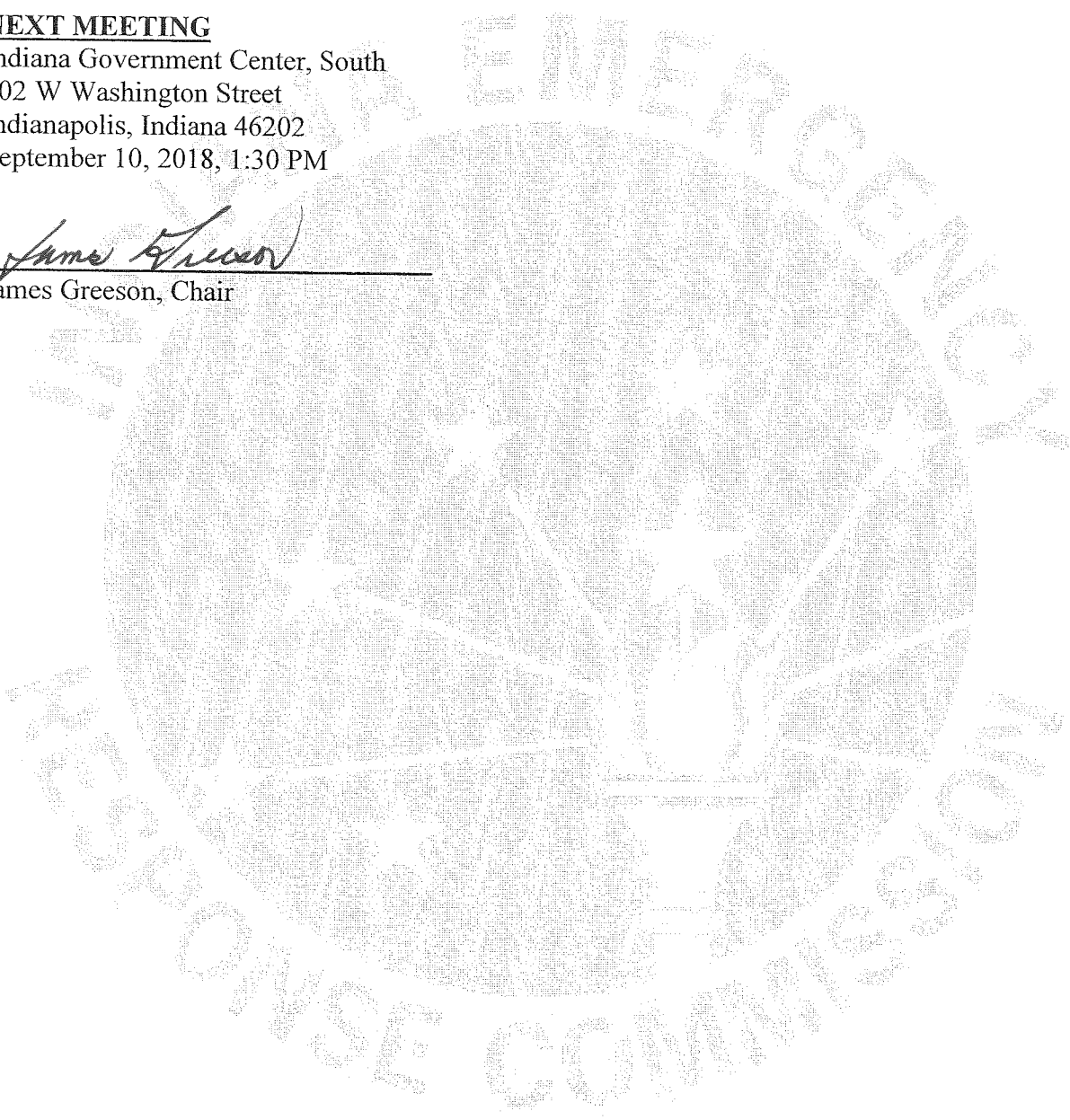
Motion Carried.

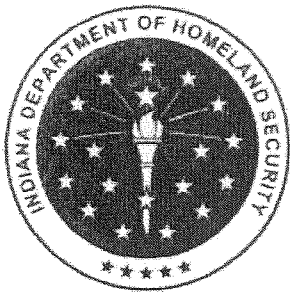
NEXT MEETING

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



James Greeson, Chair





ERIC J. HOLCOMB, Governor
STATE OF INDIANA

INDIANA DEPARTMENT OF HOMELAND SECURITY
302 West Washington Street
Indianapolis, IN 46204

TO: IERC Commission Members
FROM: IERC Staff
DATE: July 9, 2018
SUBJECT: SARA Program Activity Report

FOLLOW-UP FROM PREVIOUS MEETING

Non-Compliant Tier II Facilities—The total number of 2016 non-compliant facilities has been reduced from eighty-one (81) to eight (8). Staff plans to send a final notice to facilities before reporting them as non-compliant to EPA.

STAFF ACTIVITIES

LEPC Meetings Attended (8)

Howard—5/17	Lake—5/22	Scott—6/18
Porter—5/17	Blackford—5/29	Pike—6/26
Jennings—5/18	Ripley—5/29	

Exercises Attended (2)

Cass (Table-Top)—5/16

Huntington (Full-Scale)—6/27

Training and Conferences (3)

Hazmat Awareness Course—5/21

Baltimore International Hazardous Materials Conference—6/7-6/10

Homeland Security Exercise Evaluation Program (HSEEP) Course—6/12-6/13

Facility Tours (1)

Duke Energy-Gallagher Station-(New Albany)—6/21

Tier II Reports

To date, 6,023 2017 Tier II Annual Reports have been completed and the total revenue collected for 2018 is currently \$613,960.

Special Projects

Staff has compiled a list of all gas stations in the State of Indiana by county. After contacting Brad Baughn at the Indiana Petroleum Marketers and Convenience Store Association (IPCA), staff determined the best course of action was to develop a letter and have him distribute it to his facilities. This letter would remind facilities to report kerosene and propane over the threshold.

Spill Reports (EPCRA Section 304)

<i>County</i>	<i>Date</i>	<i>No. of Reports</i>	<i>Facility/Individual</i>	<i>Chemical</i>	<i>Quantity</i>	<i>Status</i>
Marion	May 22, 2018	1	Univar	Nitric Acid	330 gallons	Closed
Wells	May 29, 2018	1	Rayn Bevins	Anhydrous Ammonia	Unknown	Closed
Marion	June 19, 2018	1	Conagra Foods	Anhydrous Ammonia	590 pounds	Closed