

INDIANA EMERGENCY RESPONSE COMMISSION (IERC) MEETING
Indiana Government Center South
302 W. Washington Street
Indianapolis, Indiana
July 13, 2009 1:00 P.M.

WELCOME AND INTRODUCTION

Chairman Mike Garvey welcomed everyone to the meeting and asked for roll call.

ROLL CALL TO ORDER

Mike Garvey—IDHS

Brian Lott—Local Government

James Pridgen—Industry

Roger Powers—Local Government

Dean Larson—Public

Bruce Palin—State Government

Thomas Melville—State Government

Mike Bigler—State Government

Sherman Greer—Local Government

Shawn French-Industry

The following Commission members were absent:

Carol Shelby—Public

William Reed—Public

The following staff members were present:

Laura Stedham—IDEM

Mara Snyder—IDHS Legal Council

Ian Ewusi—IDEM/IDHS

John Steel—IDHS

The following members of the audience were present:

Jeff Larmore – Marion County LEPC

Brian Spivey – IDHS

Jim Plum – Jefferson County LEPC

Eric Thrasher - IDHS

QUORUM

The LEPC coordinator indicated that a quorum was present.

CONSIDERATION OF THE MINUTES

A motion to approve and adopt the minutes from on May 11, 2009, was made by Mr. Powers and seconded by Mr. Larson. **MOTION CARRIED.**

REPORT OF THE CHAIR

Chairman Garvey introduced Shawn French from Eli Lilly and Company as the new Industry Representative to the IERC and also asked for support from Commission members to seek additional candidates to fill the current industry representative opening on the IERC.

Chairman Garvey concluded his report on the current status of the H1NI Flu Outbreak.

COMMITTEE REPORTS

Communications Committee—Sherman Greer, Chair

Mr. Greer provided an update on the progress of the Fall EMAI/IERC Conference and provided a draft copy of the conference agenda to Commission Members. He asked for a motion to provide \$5,000 to EMAI to cover the costs of the conference, second by Mr. Lott, **MOTION CARRIED**. Mr. Greer asked for additional motion to provide an additional \$1,500 to purchase portfolios for conference participants, second my Mr. Pridgen, **MOTION CARRIED**

Technical/Technical Committee—James Pridgen/Dean Larson, Co-Chair's

Mr. Larson asked that the current IERC roster be brought to the September meeting so members could check the accuracy of their contact information. Also recommended that the Commission member contact information on-line be placed in PDF format.

Training Committee—Carol Shelby, Chair

No Report

Fiscal Committee—Bruce Palin, Chair

Mr. Palin discussed the recent augmentation to the IERC budget to cover the development web based reporting for Tier II reports.

Chairman Garvey asked for a motion to approve all committee reports. Motion to accept the reports as submitted was made by Mr. Larson and was seconded by Mr. Melville. **MOTION CARRIED**.

OLD BUSINESS

No Report

NEW BUSINESS

- **E-Plan**

Mr. Ewusi referred to a letter from U.S. DHS to the National Association of SARA Title III Program Officials (NASTTPO) informing them that U.S. DHS is in the process of putting together a database of SARA Title III records of facilities that exist in all 50 states. This database will be accessible to all first responders. Dr. Harris from University of Texas-Dallas will be at the September Commission meeting to discuss in further detail.

- **I.U. School of Law Exercise – Request for Support**

Mr. Ewusi discussed a letter of request to the IERC from the Indiana University School of Law to provide funding in the amount of \$3,400 to cover the cost of a hazardous materials exercise for attorneys and public officials from various communities who deal with environmental law. Discussion continued on whether the IERC could fund this or should the Law School look into other funding sources. Mr. Ewusi will forward this letter to commission members for their comment.

- **LEPC Awards and Recognition**

Last item of new business that was discussed was to consider the possibility of awarding LEPCs with a financial incentive for exceptional work that they have done in the area of planning and exercise development. The Policy and technical Committee will also set up criteria for the Greg Phillips Award and the information that Mr. Ewusi has gathered from other states and will share with the Policy/Technical Committee for further consideration.

Chairman Garvey made a motion to review the entire awards program and come up with ideas on how to revamp the awards program, second by Mr. Bigler. **MOTION CARRIED**

REPORT OF THE FIELD REPRESENTATIVE

2009 Funding

On July 2nd 50 LEPCs have met the seven statutory requirements and have received their annual funding, another six are in the process to complete their funding requirements. That leaves the remaining LEPCs that have not turned in all their reports and the 13 that are inactive.

Mr. Ewusi has been contacted by LEPCs with concerns about the amount of funds they have received. A review of the last several years was made. It has been indicated that there has been a reduction in their funding allocations. We have had a reduction of about 1000 facilities that should be reporting. This could be result in one of the following areas;

- A decrease in the number of reporting facilities
- A discrepancy between the number of facilities reporting to the IERC and the LEPCs. In fact the county should be receiving the same report the state receives.
- This could be a result of the facilities having difficulties using the states electronic reporting system.
- Another scenario is a number of facilities are decreasing their inventories or moving to chemicals that are not subject to reporting.
- If state databases are not in sync, they could be reporting to Department of Revenue to pay their fees.
- The turnover of facilities and new facilities are just not reporting.
- Lastly enforcement. The IERC does not have an enforcement arm. The LEPC will contact a non-reporting facility, if there is no response, the IERC will follow up with a letter and the facility will be reported the EPA for enforcement. There the EPA will determine what enforcement action to take.

MEMBERSHIP ROSTER APPROVALS

Mr. Ewusi reported that the following counties had submitted new or updated rosters for approval:

Decatur – Gibson - Hamilton — Marshall – Porter - Warren – Warrick - White

Mr. Lott made a motion to approve the rosters and was seconded by Mr. Bigler. **MOTION CARRIED.**

LEPC COMMENTS

1. Jefferson County

Jim Plum representing the Jefferson County LEPC requested a draft copy of the minutes be posted on the IERC website prior to Commission meetings. Mr. Plum continued discussion on whose responsibility will be to contact and work with the facilities for the electronic reporting for Tier II. Mr. Ewusi added that if we are going to use electronic reporting, we need to be able to demonstrate to the facilities on how to use the system, such as conducting workshop for the reporting facilities. These workshops may start early as September.

2. Marion County

Jeff Larmore representing the Marion County LEPC asked how LEPC's should submit their exercise proposal for the September District 5 exercise. It was recommended that each LEPC submit their own exercise proposal so they would be able to receive proper credit for the exercise. Mr. Larmore continued with a question about exemptions from reporting for state, local and federal facilities on the HC-500 form. Mr. Ewusi answered that this is incorrect, they are exempt from fees but still have to report their inventories.

EPA COMMENTS

No Report

PUBLIC COMMENTS

Dean Larson from Lake County discussed information that was supplied from the Lake Shore Area Regional Recovery of Indiana to public libraries, colleges and universities and EMA offices a handbook published by the National Fire Protection Association (NFPA) adding the National Preparedness Standard.

Mr. Larson continued with an update to the NFPA 1600, 2010 edition will be out for public comment in the near future. Also if anyone is interested, the EMAP standard went out for public comment on July 1. If anyone is interested with this, please take a look at this standard on the EMAP website and make any comments.

NEXT MEETING

November 9, 2009, 1:00 P.M.
Indiana Government Center South, Conference Room 1

ADJOURNMENT

Meeting was adjourned at 3:09P.M.

Joseph E. Wainscott, Jr., Chair