



INDIANA EMERGENCY RESPONSE COMMISSION (IERC) Meeting
Zionsville Town Hall
1100 W. Oak Street
Zionsville, Indiana 46077
January 13, 2020 [Start Time: 1:30 pm]

COMMISSION MEMBERS PRESENT:

Laura Steadham—Designee for IDEM Commissioner, Chairperson
Bruce Palin—Public Representative
Clint Bundy Proxy for Matt Bilkey—Designee for Superintendent of ISP
Ian Ewusi— Ian Ewusi— Designee for State Fire Marshal,
Larry Hamby—Designee for IDHS Executive Director
Jeff Larmore—Local Government Representative
James Pridgen—Business/Industry Representative
Shawn French—Business/Industry Representative

COMMISSION MEMBERS ON THE PHONE:

None

COMMISSION MEMBERS ABSENT:

Bernie Beier—Local Government Representative
Cara Cyrus—Business and Industry Representative

The following IERC staff members were present:

Kraig Kinney—IDHS
Madison Roe—IDHS
Dawn Mason—IDHS

The following audience members were present:

Becky Waymire—Local Government Representative
Stephanie McKinney—Gibson County Deputy EMA
Toby Frost—Lafayette Fire/IHAMR Conference Chair
Jeff Hamilton—LaPorte County Hazmat/LEPC/IHAMR Vice President
Jerry Nulliner—Indiana Alliance of Hazmat Responders
Nikki Chilewsky—Department of Homeland Security CFATS
Pam Eldridge—Marion County LEPC
Rachel Hanson—Boone County EMA
Mike Martin—Boone County EMA

Martin R. Webb—Hamilton County EMA/LEPC
Matt Fearon—Hamilton County EMA/LEPC
Pam Thevenow—Marion County LEPC

WELCOME AND INTRODUCTION

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

Roll Call Vote

Mr. Ewusi—Yes	Mr. Palin—Yes	Mr. French--Yes
Ms. Steadham—Yes	Mr. Pridgen—Yes	Mr. Bilkey—Yes
Mr. Hamby—Yes	Mr. Larmore—Yes	

QUORUM

Ms. Mason indicated a quorum was present after the commission roll call.

OPENING REMARKS

Chairperson Steadham welcomed all guests and had them introduce themselves.

Announcements

Mr. Kinney reported Mr. Beier submitted his resignation from the Commission and as the Training Committee Chair effective immediately. He advised they will request a replacement from the Governors office. Mr. Kinney reported that Ms. Chaney has transferred to the Radiological section of the Hazmat division and Executive Director, Bryan Langley has moved on to Indiana Economic Development Corporation as a Senior Vice President. Mr. Kinney also noted Mr. Stephen Cox has been promoted from the Indiana State Fire Marshal to the IDHS Executive Director.

Mr. Kinney advised that Mr. Cox was unavailable for the current meeting but is interested in serving on the Commission. Mr. Kinney stated the governor appoints the chair but asked if the IERC would consider Mr. Cox as the chairperson by acclamation and then a formal request would be submitted to the Governor. Mr. Kinney pointed out Mr. Ewusi as the current designee for the Fire Marshal and Mr. Hamby as the designee for the IDHS Executive Director.

REPORT OF THE CHAIR

Mr. Kinney reported Mr. Cox hopes to serve as the IERC chair and he gave a brief overview of his background in hazardous materials.

CONSIDERATION OF MINUTES

Ms. Steadham requested a motion to approve the October 24, 2019 IERC meeting minutes. Mr. Palin made a motion to approve the meeting minutes and Mr. French seconded the motion.

Roll Call Vote

Mr. Ewusi—Yes	Mr. Palin—Yes	Mr. French--Yes
Ms. Steadham—Yes	Mr. Pridgen—Yes	Mr. Bilkey—Yes
Mr. Hamby—Yes	Mr. Larmore—Yes	

No further discussion occurred. All present were in favor.

Motion Carried.

ROSTER APPROVAL

Ms. Mason reported 29 LEPCs submitted rosters for membership appointments or removals as of January 10, 2019.

Adams	Grant	Montgomery	Vigo
Carroll	Howard	Parke	Wabash
Clark	Jefferson	St. Joseph	Warrick
Clinton	Johnson	Starke	Wayne
Crawford	Lake	Stueben	White
Dearborn	Lawrence	Tippecanoe	
Floyd	Marion	Vanderburg	
Fulton	Monroe	Vermillion	

Ms. Steadham requested a motion to approve the roster changes. Mr. Pridgen made a motion to approve the submitted rosters and Mr. Palin seconded the motion.

Roll Call Vote

Mr. Ewusi—Yes	Mr. Palin—Yes	Mr. French--Yes
Ms. Steadham—Yes	Mr. Pridgen—Yes	Mr. Bilkey—Yes
Mr. Hamby—Yes	Mr. Larmore—Yes	

No further discussion occurred. All present were in favor.

Motion Carried.

COMMITTEE REPORTS

Training Committee-Bernie Beier, Chair

Ms. Steadham advised since Mr. Beier was not present and the Training Committee did not meet, therefore there was nothing to report and there were no current issues.

No further discussion occurred.

Communications Committee-Jeff Larmore, Chair

Ms. Steadham introduced Mr. Larmore who discussed previous business of a newsletter and staff reported the IDHS Public Information Officer (PIO) suggested a merger with the IERC to put articles in the IDHS Hoosier Responder newsletter on a quarterly basis instead of creating a separate newsletter specifically for the IERC. Mr. Larmore advised Ms. Mason would plan the articles with PIO staff and the content would include exercise requirements, highlights about LEPCs doing exceptional work, information about IERC members that serve on the commission, and deliverables that are due throughout the course of the year.

Mr. Larmore stated no funding request is needed for the LEPC brochures for staff to hand out at events IDHS may attend. He advised if more brochures are needed, funding can be obtained internally, and the discussion will be revisited contingent upon the demand or need of more brochures. He advised the LEPCs will print their brochure copies from the electronic version supplied to them, which includes a place on the back panel for dates, times and the location of the LEPC meetings.

Mr. Larmore discussed the communication outreach to LEPCs involving the Risk Management Program facilities (RMP) the EPA published that included the RMP reconsideration rule delivered in mid-December which changed the RMP amendments released in 2017. The changes include facility requirements to coordinate meetings and annual requirements for tabletop and full-scale exercises. Mr. Larmore discussed the importance of communication with RMP facilities and LEPCs since these facilities will reach out to local county first responders to comply with the rules set forth. He mentioned the National Association of the SARA Title Three Program Officials (NASTTPO) is working to create a document for LEPCs that explains the program, and he is hoping the document will be available by the March 2020 IERC meeting to send out to LEPCs. He stated it is essential for the LEPCs to be aware of this information and ready when the facilities reach out to them. He advised that it is the responsibility of the facilities to contact the LEPCs to coordinate these meetings and exercises. He stated the process is new and more information will be delivered from the Communication Committee.

Mr. Larmore discussed the questions required by LEPCs from facilities to be added to the LEPC Hazardous Material Plans and reported in Tier II Manager regarding Extremely Hazardous Materials (EHS). He discussed facilities being concerned that LEPCs need this information and noted the plan proposal is to add the questionnaire in the Tier II Manager system as part of the LEPC plan development module to make it more convenient for all to obtain the information.

Lastly, Mr. Larmore discussed the LEPC awards and advised the same process will be used to determine award recipients with most recommendations coming from staff based on observations of performance. In this way the awards are more meaningful when given in recognition.

No further discussion occurred.

Policy-Technical Committee-Jim Pridgen, Chair

Mr. Pridgen discussed the accomplishments of 2019. Ms. Mason stated a total of nine counties had not submitted their LEPC plans from 2019 by this meeting date.

Mr. Pridgen asked Mr. Kinney to discuss the decision regarding electronic meetings for LEPCs. Mr. Kinney stated the statute for electronic meetings allow a state body to hold an electronic meeting, but local bodies are not eligible. He noted the Public Access Councilor (PAC) said the decision was based on the statute that made an LEPC a county body, and therefore the only remedy would be to change the law. Mr. Kinney said LEPCs could have an electronic meeting, but they could not vote or consider a quorum from members calling in. Mr. Pridgen addressed the audience and asked if anyone had trouble with LEPCs meeting quorums. Mr. Hamilton from LaPorte county LEPC said they had to move the location of their meetings due to construction in the city, which affected the attendance of several LEPC members and caused meeting quorum issues. Ms. McKinney stated Gibson county LEPC have adjusted times and dates, but do not always meet the required quorum. Mr. Kinney suggested that LEPCs reach out to the Association of Counties or Association of County Commissioners to see if they could pursue a request for legislative change. Pam Eldridge asked if every LEPC member could have a proxy, in which the answer was yes.

No further discussion occurred.

Fiscal Committee-Laura Steadham, Chair

No report due to the Fiscal Committee not meeting.

APPROVAL OF COMMITTEE REPORTS

Ms. Steadham made a motion to approve the Committee Reports as reported. A motion to approve was made by Mr. Palin and was seconded by Mr. Hamby.

Roll Call Vote

Mr. Ewusi—Yes	Mr. Palin—Yes	Mr. French--Yes
Ms. Steadham—Yes	Mr. Pridgen—Yes	Mr. Bilkey—Yes
Mr. Hamby—Yes	Mr. Larmore—Yes	

No further discussion occurred. All present were in favor.

Motion Carried.

OLD BUSINESS

Tier II Manager LEPC Plan Module

Ms. Roe discussed the addition of building an LEPC Plan Module into the Tier II Manager system LEPCs to build/develop their plans in the system and have access to the question the facilities are required to answer. She stated due to the busy season with the developer technical group (Hazconnect), there is a delay in implementing the module. She noted after the Tier II reporting season a quote for the price of the module may be available by the March 9, 2020 IERC meeting.

Mr. Ewusi elaborated on the plan module and explained consolidating the information needed for the LEPC plans and having it all in one location would be beneficial. He stated the information needed for EHS and HS chemicals is already in the Tier II Manager system and therefore by building the LEPC plan in the system that information can be pulled by the LEPCs.

Mr. Ewusi also discussed vulnerability zone maps for EHS chemicals and how the system could help generate the map. He stated that staff is working with the developer to determine the best way to incorporate information from the module and asked the members of the meeting if they approved of the idea. Mr. Larmore asked if different vulnerability maps would be created based on different chemicals housed by the facilities. Ms. Roe stated a map could be created for each chemical, a screen shot taken, and added to the LEPC plan. She also stated the module would give the option to print the plan or leave it stored in Tier II Manager system. Mr. Ewusi stated the system would only address chemicals related to Tier II reporting, and if the facility reported location confidentiality, then the parameters would be in place to protect from anyone obtaining the information unless they had access to Tier II Manager system.

Mr. Ewusi stated if the facility requests confidentiality for their location, that information is also reported in the system and per statutory rules the information on facility locations is not automatically ~~get~~ released to the requestee. Mr. Ewusi stated they are building the system to help keep information protected and from being released based on EPCRA requirements, which will help ease the concerns of the facilities. Ms. Waymire stated she liked the idea of the new module and would like to be on a committee looking at it from the LEPC perspective.

Mr. Hamilton asked about confidentiality and if the developer would be prohibited from reporting. Mr. Ewusi explained confidentiality is to prevent the general public from access to the confidential information, which will be built into the system. He stated facility reporting and LEPC plan development are different. He stated the facility will indicate confidentiality and when the LEPC is pulling that information they will be alerted to prevent the information from being available for public view. Mr. Ewusi explained the statute that allows for all information to be available in one location, also created the ability for the state to develop any LEPC response planning that is beneficial to the county under the amendment made to the statute.

Ms. Thevenow asked if Dr. Beranek's (Marion County LEPC Chair) questions submitted from a prior meeting and to the IERC were attached to the minutes. The commission stated the questions were in the September IERC meeting minutes and are attached to those meeting

minutes on the IERC webpage. She discussed Dr. Beranek’s concerns about the planning elements and what is included in the plan requirements. She asked if there would be a committee that discusses the questions brought up based on the information being provided in the LEPC plan. Mr. Pridgen stated yes, the Policy-Technical Committee would discuss those questions and answers.

No further discussion occurred.

NEW BUSINESS

Wayne County Expenditures

Ms. Roe discussed Wayne County LEPC’s request to purchase sixteen (16) electronic tables with Universal Serial Bus (USB) ports, as well as table covers, for LEPC meetings and exercises in their EOC because they were unable to get grant money for the purchase. She stated the county commissioners offered to donate five-thousand dollars (\$5,000.00) toward the purchase. Ms. Roe reported the tables are eleven-thousand dollars (\$11,000.00), and she decided to bring it to the IERC for their decision.

Mr. Ewusi asked if the LEPC or the EMA would own the tables. Ms. Roe stated the tables would be shared by both. Ms. McKinney stated the State Homeland Security Program (SHSP) and the Hazardous Materials Emergency Preparedness (HMEP), grants would allow for tables. Ms. Roe stated they were denied for the grants.

Mr. Ewusi stated the IERC has approved special projects in the past, but it was based on how much the LEPC contributed to the purchase. Mr. Pridgen stated he would like more information on the tables and chairs. He suggested obtaining more information, additional quotes, photographs, and a justification for the amount and type of the tables and who would own the tables and chairs. Ms. Roe reported Wayne County has sixty-two thousand (62,000.00) dollars in their LEPC funds.

Ms. Steadham requested a motion for staff to request additional quotes from Wayne County, LEPC with pictures and justifications for the purchase of the tables and why they think the purchase meets the proper spending category. Mr. Pridgen made a motion to obtain more information on the tables from Wayne County LEPC and was seconded by Mr. Palin.

Roll Call Vote

Mr. Ewusi—Yes	Mr. Palin—Yes	Mr. French--Yes
Ms. Steadham—Yes	Mr. Pridgen—Yes	Mr. Bilkey—Yes
Mr. Hamby—Yes	Mr. Larmore—Yes	

No further discussion occurred. All present were in favor.

Motion Carried.

No further discussion occurred.

Support from the Indiana Hazardous Material Conference (IAHMR)

Mr. Hamby gave background information about Indiana Alliance of Hazardous Material Responders (IAHMR) organization, a 501C3 non-profit organization was formed, which includes members from public safety, industry and individuals. He noted the purpose of the group is hazmat training, response, discussions, equipment and networking. He stated the goal of the organization is to grow and get more people involved to include law enforcement. The members are hazmat teams from across the state.

Mr. Hamby proposed to partner with the IERC and asked them to be a part of the IAHMR conference since hazmat teams are not funded by the LEPCs. He advised rooms would be available for conference attendees and the IERC to conduct their awards ceremony and hold the meeting at the conference on Tuesday, November 10, 2020. Mr. Hamby noted IAHMR is not asking for IERC funding but for support and for the LEPCs to attend the conference. He noted IAHMR can bring in more hazmat training and classes. He asked the IERC to think about the partnership. He introduced Mr. Frost to answer any questions.

Mr. Larmore explained the conference is opened to anyone that wants to attend and there is no registration fee due to the organization being a 501C entity. He stated the main goal is to bring the IERC and the LEPCs to partner with and attend the IAHMR conference because it is a great way to get to know the responders and build relationships between facilities, industries and deliver hazmat related information and training.

Mr. Ewusi attended the IAHMR conference and was impressed to hear the speakers mention the IERC and statutes related to the IERC. He mentioned that the IERC has tried to partner with other conferences to deliver hazmat related information and he stated IAHMR may be a good partnership. Mr. Hamby reminded the commissioners that the presentation was for an informational purpose, but they would like to discuss a partnership sometime around March and determine if the IERC is interested.

Ms. Steadham remanded the discussion to the next Communication, Policy-Technical and Training Committee meetings for determination of partnership with IAHMR.

SARA TITLE III PROGRAM REPORT—SARA Program Staff (See attached written report)

Ms. Roe discussed staff activities and pointed out the Program Managers attended eight (8) LEPC meetings, six (6) exercises and the IAHMR conference. She reported two-hundred and fifteen (215) annual 2019 Tier II reports submitted, and the total revenue received was twenty-one thousand eight hundred and fifty dollars (\$21,850).

Ms. Roe reported she scheduled Tier II reporting workshops to be held in three regions across Indiana. She reported the workshops would be held in the north in Goshen, at the Hendricks County 4H Fairgrounds in the central region, and at the Sazerac Company in the southern region

of Indiana. She stated the purpose of the workshop is to walk facilities through how to create a Tier II report, the best practices and encourage them to participate in their perspective LEPCs. She stated she would also inform the facilities about the LEPC requirements and explain why the LEPC requests certain information. She explained many facilities have a high turn over rate of employees and the workshops will help get information to the new facility members, achieve better Tier II reports and help facilities understand what LEPCs are asking for.

Ms. Roe advised the SARA staff reached out to the United States Environmental Protection Agency (EPA), to audit facilities. One was CropTech in Knox County, which was previously audited by the USEPA and found to house chemicals that were not reported, but they corrected the issue and have been reporting since. The second was Harper Farm Supply on the DeKalb Steuben County border in Ashley Indiana. Upon visiting an LEPC exercise Ms. Roe noted the facilities had large chemical storage tanks but no reports in Tier II Manager. The company has since complied with the reporting requirements.

Spill Reports (EPCRA Section 304)

<i>County</i>	<i>Date</i>	<i>Facility/Individual</i>	<i>Chemical</i>	<i>Quantity</i>
Lake	November 5, 2019	US Steele Gary Works	Spent Pickle Liquor	Unknown
Benton	November 6, 2019	United Prairie	Anhydrous Ammonia	6000Ibs
White	December 6, 2019	CoAlliance	Anhydrous Ammonia	200Ibs

Discussion

Further discussion occurred about the spills and investigations of facilities that can be obtained in the IERC January 13, 2020 recording and requested through the IDHS public records.

APPROVAL OF SARA PROGRAM ACTIVITY REPORT

Ms. Steadham requested a motion to approve the SARA Title III Program report with corrections by Ms. Roe to change Environmental Planning Agency (EPA) to the Environment Protection Agency (EPA). Mr. Palin made a motion to approve the SARA Program Activity Report with corrections and was seconded by Mr. Ewusi with corrections.

Roll Call Vote

Mr. Ewusi—Yes
 Ms. Steadham—Yes
 Mr. Hamby—Yes

Mr. Palin—Yes
 Mr. Pridgen—Yes
 Mr. Larmore—Yes

Mr. French--Yes
 Mr. Bilkey—Yes

No further discussion occurred. All present were in favor.

Motion Carrier

PUBLIC COMMENTS

Ms. Mason reported for Mr. John Hooker from Sullivan County that he could not hear the meeting through Webex. Mr. Hooker requested the use of microphones for the audience to hear better. Ms. Roe stated the purchase of the new OWL will help with the audio version of the meeting.

Ms. Chilewsky, with the Chemical Facilities Anti-Terrorism Program (CFATS), explained the duties of her job and her counterpart, Mr. Bill Zimmerman who is located in northern Indiana. She explained the CFATS program regulates over 300 chemicals for security concerns and how it relates to the EPA RMP program. She stated the facilities are covered under a Chemical Vulnerability Information (CVI) program that restricts sharing information with outside channels, except when first responders need the information. She advised they encourage facilities to attend their LEPC meetings as an outreach program, and she requires facilities to invite local fire departments and police departments to the facility to inform them of the chemicals onsite that could possibly cause harm to the public. She noted the purpose of this program is to encourage relationships and contacts. CFATS also requires facilities to conduct drills and exercises on an annual basis, but the exercise must have a security component in it to verify accounting of chemicals. She stated the program will work well with LEPCs.

Mr. Ewusi asked if any information in an LEPC plan is of concern to CFATS. Ms. Chilewsky stated the site security plan is completely separate and does not go into detail, however they require the facilities to have an Emergency Response plan that hits on key elements. She stated when she visits the sites for an inspection and ask for their Emergency Response plan, the facilities hand her the LEPC plan, which would give the facility the credit they need. She stated CVI information will not affect an LEPC plan; it is only within the facility system; it is not affected unless it is emergency response related and there is no reason to include specific security measures in the LEPC plans.

Mr. Larmore complimented Ms. Chilewsky for her hard work and encouraging LEPC attendance.

ADJOURNMENT

Ms. Steadham asked for a motion to adjourn the meeting. Mr. Pridgen made a motion to adjourn the meeting and was seconded by Mr. Palin. Meeting adjourned at 3:10 pm.

Roll Call Vote

Mr. Ewusi—Yes
Ms. Steadham—Yes

Mr. Palin—Yes
Mr. Pridgen—Yes

Mr. French--Yes
Mr. Bilkey—Yes

Mr. Hamby—Yes

Mr. Larmore—Yes

No further discussion occurred. All present were in favor.

Motion Carrier

NEXT MEETING

March 9, 2020

Firefighters Union Hall
748 Massachusetts Avenue,
Indianapolis, IN. 46204

May 12, 2020

LLS

Laura Steadham, Designated Chair

