

INDIANA EMERGENCY RESPONSE COMMISSION (IERC) MEETING

Hanover College
401 College Avenue
Hanover, IN 47243
March 9, 2015
1:00 P.M.

WELCOME AND INTRODUCTION

State Fire Marshal, James Greeson, IERC Chair, welcomed everyone to the meeting and determined a quorum.

COMMISSION MEMBERS PRESENT

James Greeson—State Fire Marshal, Chair
Bruce Palin—Designee for Commissioner of IDEM, Vice-Chair
Robert Johnson—Designee for Executive Director of IDHS
Bernie Beier—Local Government Representative
James Pridgen—Industry Representative
Matt Bilkey—Designee for Superintendent of ISP
Dean Larson—Public Representative
Shawn French— Industry Representative

QUORUM

LEPC Coordinator Ashley Holcomb (IDHS) indicated a quorum was present.

The following staff members were present:

| | |
|-----------------------|---------------------|
| Ian Ewusi—IDHS/IDEM | Laura Steadham—IDEM |
| Ashley Holcomb—IDHS | Michael White—IDHS |
| Catherine Dutton—IDHS | |
| Madison Roe—IDHS | |
| Brad Gavin—IDHS | |

The following members of the audience were present:

| | |
|---|--|
| Jeff Larmore—Marion County LEPC | Lewis Fritter—Switzerland County LEPC |
| Becky Waymire—Morgan County LEPC | Christopher See—Switzerland County LEPC |
| Pam Thevenow--Marion County LEPC | Dave Bell—Jefferson County LEPC |
| Shannon Gillespie—Jefferson County LEPC | Cara Cyrus—Jefferson County LEPC |
| Bert Fitzgerald—Jefferson County LEPC | Celeste Sutter—Jefferson County LEPC |
| Shane Williams—Jefferson County LEPC | Allison Moore--District Administrator, District 8 |

CONSIDERATION OF THE MINUTES

Motion to accept the minutes from January 12, 2015 is made by Mr. Larson, seconded by Mr. Palin. **MOTION CARRIED.**

SPECIAL PRESENTATION- Madison Roe

Ms. Roe gave a presentation on the Hazardous Materials Emergency Preparedness (HMEP) grant program. Topics covered in the presentation were background, updates, and newly proposed timeline. Copy of presentation is available upon request.

REPORT OF THE CHAIR

Marshal Greeson gave an update on Senate Bill 484 which transfers the responsibility of collection of Tier II funds from the Department of Revenue (DOR) to the Indiana Emergency Response Commission (IERC) which will be done through the Indiana Department of Homeland Security (IDHS). The bill also has language about Indiana Task Force One being able to be utilized as a state asset and compensation for those members. It dissolves the current emergency mutual aid compact with the state and we are creating a new one. The bill has passed the senate and moved onto the house.

Marshal Greeson also spoke about the three different train derailments with light crude oil that is being carried throughout the United States and Canada. There was one in West Virginia, Illinois, and Canada. He spoke to the importance of planning and being able to shelter people in place.

Mr. Bilkey asked about crude oil training for Law Enforcement. Ms. Dutton and Marshal Greeson will get with Mr. Hamby and Mr. Capobianco in regards to this.

COMMITTEE REPORTS

Communications Committee—Dean Larson, Chair

Mr. Larson asked Marshal Greeson to add Mr. Bilkey to the Communications Committee. He stated that the committee had focused on the EMAI/IERC conference planning. The conference will be held at the Marriott East, October 20-23, 2-15. Some of the presentations that are lined up are CAMEO, National Weather Service, CEM Credentialing, Gordon Graham, rescuing animals from HazMat, and Bakken Oil. Call for LEPC awards will be going out by April 1, 2015 and to be returned by July 1, 2015. The awards will be presented at the conference during a joint EMAI/IERC awards ceremony. The committee is recommending a motion be made to not exceed \$10,000 to help share the expenses for the conference to start the grant process.

Mr. Gavin suggested that the Commission vote on the spending for the EMAI conference at this meeting as well as the addition of Mr. Bilkey to the communications committee.

Motion made to give money to EMAI for the conference of up to but not to exceed \$10,000 dollars made by Mr. Pridgen, seconded by Mr. Beier. **MOTION CARRIED.** Mr. Larson abstained from voting.

Motion made to add Matt Bilkey to the communications committee made by Mr. Beier, seconded by Mr. Larson. **MOTION CARRIED.**

Policy-Technical Committee—Jim Pridgen, Chair

Mr. Pridgen spoke about the LEPC factsheet that was introduced during the last meeting. He stated that one of the factsheet copies says that changes must be updated in the LEPC online system greater than or equal to forty eight hours before the meeting. Mr. Pridgen explained that the committee voted to approve this factsheet and that the information will be communicated out to the LEPC's.

Mr. Pridgen stated that the committee agreed to move the updated MOU forward and asked Mr. Gavin to explain further. Mr. Gavin stated that this is a new draft of the MOU that the IERC entered into with IDEM and IDHS to establish duties of each of the entities of the SARA Title III program and that this is a continuation of that practice. He explained that this MOU is substantially different than it has been in previous years in large part because of the transitions that are occurring right now and the MOU reflects those particular changes. There are still ongoing discussions with IDEM regarding positions and funding that will be transferred from IDEM to IDHS to help support the program. Mr. Gavin also explained that it would be helpful in moving forward if the IERC did consider and vote on this MOU at this particular meeting.

Mr. Pridgen introduced the third item of LEPC quorum issues. The Policy-Technical committee with input from legal counsel has agreed to move forward with looking into an internal process to take it forward to legislation in the next year.

Mr. Pridgen asked the commission to add Ms. Allison Moore to the Policy- Technical roster.

Motion to adopt the fact sheet made by Mr. Palin, seconded by Mr. French. **MOTION CARRIED.**

Motion to accept the MOU between IDEM, IDHS, and IERC and authorize the chair to sign the MOU made by Mr. Palin, seconded by Marshal Johnson. **MOTION CARRIED.**

Motion made to ask legal counsel to move forward with LEPC proxy and quorum issues made by Mr. Pridgen, seconded by Mr. Palin. **MOTION CARRIED.**

Motion made to add Ms. Allison Moore to the policy –technical committee made by Mr. Pridgen, seconded by Mr. French. **MOTION CARRIED.**

Training Committee—Bernie Beier, Chair

Mr. Beier spoke about the HSEEP letter to LEPC's to remind them that their exercises have to

be HSEEP compliant and the process to have that approved.

Mr. Beier informed the commission that Mr. Joe Whitaker has applied to become an IERC approved vendor and the training committee recommended the approval for him to be added to the list.

Motion made to approve Mr. Whitaker to the IERC approved vendor list made by Mr. Beier, seconded by Marshal Johnson. **MOTION CARRIED.**

Fiscal Committee—Bruce Palin, Chair

Mr. Palin stated that the fiscal committee did not have a formal meeting but he has provided a copy of the updated spending plan to the commission. Mr. Palin explained that the money approved for the LEPC assistance grant has to come from the IERC's budget therefore he has added a line to the budget. The remaining balance is now \$22,125.41 for the remainder of the fiscal year.

Motion to approve the committee reports made by Mr. Pridgen, seconded by Mr. Beier. **MOTION CARRIED.**

ROSTER APPROVAL

| | | | |
|-------------|------------|------------|-------------|
| Adams | Gibson | Marion | Shelby |
| Allen | Grant | Marshall | Spencer |
| Bartholomew | Greene | Miami | Steuben |
| Boone | Hamilton | Monroe | St. Joseph |
| Brown | Hancock | Montgomery | Sullivan |
| Clark | Hendricks | Ohio | Tippecanoe |
| Clay | Henry | Orange | Tipton |
| Clinton | Howard | Parke | Union |
| Daviess | Huntington | Perry | Vanderburgh |
| Dearborn | Jay | Pike | Wabash |
| DeKalb | Jefferson | Porter | Warren |
| Delaware | Knox | Pulaski | Washington |
| Elkhart | Kosciusko | Putnam | Wayne |
| Floyd | LaGrange | Randolph | White |
| Fountain | LaPorte | Ripley | Whitley |
| Fulton | Madison | Scott | |

Motion to approve rosters made by Mr. Pridgen, seconded by Mr. Beier. **MOTION CARRIED.**

OLD BUSINESS

Mr. Gavin updated the commission on the topic of ethics training. He explained that there is a bill going through the legislature right now to make some changes to the ethics law with changes to the ethics training requirement state employees and special state appointees. The Inspector

General's office has decided to hold off on rolling out the training until they see if this bill gets through legislation.

Ms. Dutton updated the commission on Senate Bill 484, the bill that deals with the legislative changes required to transfer the Tier II program from IDEM to IDHS. The bill has passed through the Senate with one small amendment requiring IDOR to maintain control of the funds. IDEM and IDHS are still negotiating and trying to identify exact positions and funding for staffing. Tier II manager is the software that the IERC approved the spending for in the January meeting and they have been able to submit that purchase as a special procurement. Ms. Dutton stated that there are no significant hurdles that have been identified at this time.

NEW BUSINESS

No new business.

REPORT OF THE FIELD REPRESENTATIVE—Ian Ewusi

Mr. Ewusi explained his field report to the commission and audience. He stated that Fayette County LEPC will not be compliant for 2014. The IERC had voted to give seed money to Fayette County but there have been issues with that funding and he is working with officials in the county to identify an agency to front the money for the LEPC to then be reimbursed. He stated that they have yet to identify any agencies that can do so. He spoke as to last meeting when it was discussed the different types of exercises conducted by the LEPC's. There is an attached breakdown of the exercises for 2014. Thirty-one LEPC exercises were fixed facility and fifty-one were transportation event exercise. Of the LEPC exercises there were four actual events. The LEPC contact sheet has been updated and verified by LEPC's. Mr. Ewusi stated he has conducted 8 Tier II workshops. Included on the attached report is a list of inactive LEPC's in 2013 that moved to active status in 2014 and will be funded in 2015. Cass and Carroll Counties are working on a way to bring the counties together to form an LEPC.

PUBLIC COMMENTS

Pam Thevenow of Marion County LEPC asked if the LEPC's will receive better information about who of their facilities has paid or not after the transfer of Tier II from IDEM to IDHS, and if the monies received after the payment deadline will be given to the county with the new program and requested that it does. Ms. Thevenow also expressed her concern about the LEPC fiscal report in the online reporting system and the ability to do amended reports.

Ms. Dutton responded that yes the software would have better information, and that she will give an overview of Tier II manager at the next meeting. Marshal Greeson suggested he be able to work on these issues internally.

NEXT MEETING

May 11, 2015
1:00 P.M.

1729 Wabash Ave.
Rochester, IN 46975

ADJOURMENT

Chair adjourned the meeting at 2:26 p.m.

Motion to adjourn the meeting made by Mr. Larson, seconded by Mr. Beier. **MOTION CARRIED.**

James Greeson, Chair

DRAFT



MEMORANDUM

TO: IERC Commission Members
FROM: Ian Ewusi, IERC Field Representative
DATE: March 6, 2015
SUBJECT: IERC Field Representative Activity Report

This is a report on my activities since the last IERC meeting on January 12, 2015, held in Indianapolis, Indiana.

FOLLOW-UP FROM PREVIOUS MEETING

IERC funding of Fayette County LEPC (seed money of \$5000)

Met with county official to ascertain which county agency could provide funds to LEPC and later be reimbursed by the IERC. To date, no county agency with adequate funds has been identified.

Tally of Types of Exercises Conducted to Meet Requirement in 2014

82 LEPCs conducted full-scale, functional, or tabletop exercises to meet the exercise requirement. The following is a table of the exercise categories:

| Fixed Facility Event—31 | | —51 | |
|-------------------------|-----------|--------|-----------|
| Actual | Simulated | Actual | Simulated |
| 2 | 29 | 2 | 4 |

LEPC Compliance Fact Sheet—Completed

Once approved, will be disseminated to field staff and LEPCs

HSEEP Exercise Requirements—Completed

Once approved, will be disseminated to LEPCs

LEPC Contact List—Completed/posted at http://www.in.gov/dhs/files/LEPC_contact_list-2015.pdf

EPCRA Workshops for Reporting Facilities—8 workshops completed

| COUNTY | ADDRESS | DATE |
|-----------|---|--------------------|
| 1. Gibson | County Annex Building, 225 N. Hart, Princeton, IN | 1/20/15, Tuesday |
| 2. Monroe | Bloomington Township Fire Department, Bloomington, IN | 1/22/15, Thursday |
| 3. Scott | America Science Park, Scottsburg, IN | 1/29/15, Thursday |
| 4. Grant | EMA, 401 S. Adams St. Rm. 326, Marion, IN | 1/30/15, Friday |
| 5. Noble | County Complex Building, Albion, IN | 2/5/15, Thursday |
| 6. Warren | Learning Center, Williamsport, IN | 2/11/15, Wednesday |
| 7. Cass | Logansport Airport, Logansport, IN | 2/12/15, Thursday |
| 8. Shelby | 2154 Intelliplex Dr. Shelbyville, IN | 2/18/15, Wednesday |

DRAFT

LEPC ACTIVITIES

2014 Inactive-to-Active Status Review

| COUNTY | 2013 STATUS | 2014 STATUS | FULL COMPLIANCE | COMMENTS |
|-------------|---------------|-------------|-----------------|--|
| Clay | Inactive | Active | Yes | |
| Decatur | Inactive | Active | Yes | |
| Hancock | Inactive | Active | Yes | |
| Newton | Inactive | Active | Yes | |
| Orange | Inactive | Active | Yes | |
| Scott | Inactive | Active | Yes | |
| Crawford | Inactive | Active | No | Missing the following: <ul style="list-style-type: none"> • Exercise • LEPC Plan |
| Fayette | Inactive | Active | No | Missing the following: <ul style="list-style-type: none"> • Bylaws • Exercise • 2 sets of meeting minutes • LEPC Plan |
| Martin | Inactive | Active | No | Missing the following: <ul style="list-style-type: none"> • Bylaws • Exercise • All meeting minutes • LEPC Plan |
| Benton | Inactive | Inactive | No | |
| Blackford | Inactive | Inactive | No | |
| Cass | Inactive | Inactive | No | Working to combine with Carroll County |
| Starke | Inactive | Inactive | No | |
| Carroll | Active | Inactive | No | Working to combine with Cass County |
| Switzerland | Active | Inactive | No | |

EPCRA STATUTORY UPDATES

EPA Enforcement Activities

| Facility | County | Request | Reason | Status |
|------------------------|------------------------|-----------------|----------------------|---------------|
| CV East LLC | Grant | Tier II Reports | Inspection | Pending |
| Fairmount Agronomy | Grant | Tier II Reports | Inspection | Pending |
| Point Isabel Agronomy | Grant | Tier II Reports | Inspection | Pending |
| Crop Tech | Knox | | Non-compliance | Fined |
| Dawn Food Products | Lake | Tier II Reports | Inspection | Pending |
| Kraft Foods Group Inc. | Noble | Tier II Reports | Release of Ammonia | Pending |
| Tanco Terminals | Porter | Tier II Reports | Inspection | Pending |
| Plumrose USA | St. Joseph | 304 Reports | Release of Ammonia | Pending |
| Lin-Gas | Vanderburgh /Gibson | Tier II Reports | Compliance Agreement | Pending |

Spill Reports (EPCRA Section 304)

No reports provided, but I have been informed that IDEM is looking into the possible loss of data from the new data system. The problem, if any, is currently being reviewed/evaluated.