

Indiana Emergency Response Commission

INDIANA EMERGENCY RESPONSE COMMISSION

Brownsburg Fire Territory

470 East Northfield Drive

Brownsburg, IN 46112

July 13, 2020

COMMISSION MEMBERS PRESENT:

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

COMMISSION MEMBERS ABSENT:

Cara Cyrus—Business/Industry Representative

The following staff members were present:

Madison Roe—IDHS
Amanda Horner—IDHS
Elliot Anderson—IDHS

Members of the audience:

Dawn Mason—Hendricks County EMA
Alan Pike—Hendricks County LEPC
Larry Hamby—IDHS Hazmat Specialist
Jamey Burrows—Fire Chief and Training Consultant

WELCOME AND INTRODUCTION

Chairman Thacker welcomed everyone to the July Indiana Emergency Response Commission (IERC) meeting and requested the determination of a quorum. The meeting was called to order at 1:30pm.

QUORUM

Ms. Horner indicated a quorum was present after the roll call, with eight (8) out of nine (9) members in attendance.

REPORT OF THE CHAIR

Chairman Thacker reported during these uncertain times the focus of the state is on health and safety while operating as normal under the current circumstances. He noted since the previous meeting, staff have been working toward becoming a Nuclear Regulatory Commission Agreement State and there has also been some staff reorganization to streamline daily operations due to the COVID-19 pandemic.

Please see recording for further discussion.

CONSIDERATION OF MINUTES

Chairman Thacker requested a motion to approve the May 11, 2020, meeting minutes. Mr. Palin made a motion to approve the meeting minutes and Mr. French seconded the motion.

Roll Call

Chairman Thacker—Yes	Mr. Pridgen—Yes
Ms. Steadham—Yes	Mr. Larmore—Yes
Mr. Bilkey—Yes	Mr. Ewusi—Yes
Mr. French—Yes	Mr. Palin—Yes

No further discussion occurred. All were in favor.

Motion Carried

ROSTER APPROVAL

Ms. Roe reported 10 LEPCs have submitted rosters for membership appointments or approvals between May 6 and July 7, 2020.

Adams County	Clark County
Clay County	Grant County
LaGrange County	Putnam County
St. Joseph County	Wayne County
Wells County	Whitley County

Chairman Thacker requested a motion to approve the roster changes. Mr. Palin made the motion to approve the changes and Ms. Steadham seconded the motion.

Roll Call

Chairman Thacker—Yes	Mr. Pridgen—Yes
Ms. Steadham—Yes	Mr. Larmore—Yes
Mr. Bilkey—Yes	Mr. Ewusi—Yes
Mr. French—Yes	Mr. Palin—Yes

No further discussion occurred. All were in favor.

Motion Carried

COMMITTEE REPORTS

Chairman Thacker informed the Commission that the Training Committee is still without a chair and did not meet. He also advised that the Policy/Technical Committee did not meet.

No further discussion occurred.

Communications Committee – Jeff Larmore, Chair

Mr. Larmore reported the primary business of the Communication Committee was to discuss the Emergency Management Alliance of Indiana (EMAI) conference and the Indiana Alliance of Hazardous Materials Responders (IAHMR) conference. He reported it is the understanding of the committee that the EMAI board will be meeting in the coming week to discuss the upcoming conference and the possibility of canceling due to the COVID-19 pandemic. Ms. McKinney reported several of the scheduled presenters are IDHS employees and the committee is aware IDHS employees have been asked to refrain from attending conferences. Mr. Larmore added that conference attendance is a concern of the committee and requested the EMAI board inform the Commission of the latest possible cancelation date. Mr. Larmore informed the Commission that the IERC typically presents LEPC awards during this conference. He reported the recommendation of the Communications Committee is to pause on the presentation of awards for this year and present awards for 2019 and 2020 accomplishments at the 2021 EMAI conference.

Mr. Larmore informed the Commission that IAHMR is also meeting in the coming week to discuss canceling their conference. He reported the IERC has been invited to hold the November meeting at the IAHMR conference, but the Committee recommends the IERC suspends holding the November meeting at the conference and requests IAHMR considers holding the IERC meeting at the 2021 conference.

No further discussion occurred.

Fiscal Committee – Laura Steadham, Chair

Ms. Steadham reported the Fiscal Committee is recommending the IERC contract with IDSi to build the LEPC plan module which includes the Americas Water Infrastructure Act (AWIA) notification process into the Tier II Manager software. The recommendation is to approve up to \$73,000 to be augmented from the legal fund with back pay of \$6,500 from IDEM.

Mr. Palin made a motion to approve up to \$73,000 be augmented from the legal fund to contract with IDSi to pay for the LEPC plan module and the AWIA notification process. Mr. Pridgen seconds the motion.

Roll Call

Chairman Thacker—Yes

Ms. Steadham—Yes

Mr. Bilkey—Yes

Mr. French—Yes

Mr. Pridgen—Yes

Mr. Larmore—Yes

Mr. Ewusi—Yes

Mr. Palin—Yes

No further discussion occurred. All were in favor.

Motion Carried

Ms. Steadham discussed the purchase of a new Meeting Owl. The upgraded Owl she noted is made for an auditorium setting and has a larger sound radius and better video quality. The purchase also includes Owl Labs offering a thirty-day return period and an indefinite warranty. She reported the purchase of the Meeting Owl will be split with IDHS Emergency Medical Service section in the amount of \$500 each. Ms. Steadham reported the Fiscal Committee is recommending the IERC approve the purchase not to exceed \$500 for the upgraded Meeting Owl.

Mr. Pridgen made a motion to spend no more than \$500 out of the materials/parts/supplies budget line item to upgrade the Meeting Owl and Mr. Palin seconds the motion.

Roll Call

Chairman Thacker—Yes

Ms. Steadham—Yes

Mr. Bilkey—Yes

Mr. French—Yes

Mr. Pridgen—Yes

Mr. Larmore—Yes

Mr. Ewusi—Yes

Mr. Palin—Yes

No further discussion occurred. All were in favor.

Motion Carried

Ms. Steadham reported the Fiscal Committee recommends the IERC approve the fiscal year 2021 budget. Chairman Thacker added that most State divisions have been asked to cut back 15% of their respective budgets therefore all funding for conferences is being withheld.

Mr. Palin made a motion to approve the FY2021 budget and was seconded by Mr. French.

Roll Call

Chairman Thacker—Yes

Ms. Steadham—Yes

Mr. Bilkey—Yes

Mr. French—Yes

Mr. Pridgen—Yes

Mr. Larmore—Yes

Mr. Ewusi—Yes

Mr. Palin—Yes

No further discussion occurred. All were in favor.

Motion Carried

OLD BUSINESS

EPA Concern, Knox County

Ms. Roe informed the Commission that Knox County LEPC approached staff with a concern about Crop Tech in Vincennes not reporting all the chemicals they had on site. Ms. Roe contacted the enforcement agency, United States Environmental Protection Agency (USEPA) to perform an audit of the facility. USEPA conducted the audit in December 2019 and found no violations. By the direction of the Policy Technical Committee, Ms. Roe drafted a letter to Knox County LEPC to explain the findings of the audit and that Crop Tech is currently in compliance with state and federal EPCRA statutes. Chairman Thacker and Mr. Palin agreed the letter should state very clearly there were no violations and no further actions are necessary. Ms. Roe reported she will provide a copy of the letter to Mr. Anderson for his review and will be put on the IDHS/IERC letterhead and signed by Chairman Thacker.

NEW BUSINESS

Committee/Commission Vacancies

Chairman Thacker informed the Commission that Mr. Anderson has been verifying membership since the last meeting and noted the IERC currently has nine out of thirteen members appointed. The positions to be filled on the Commission are two public and two local government representatives. Mr. Anderson requested recommendations for individuals who may be interested in sitting on the IERC. Mr. Palin asked what the requirements were for a public representative. Mr. Anderson said the statute is not specific but indicated he will help complete the application process.

Mr. Anderson began discussing committee membership and noted currently the Training Committee has six members and needs a chair who must be an IERC commission member. He noted the Policy Technical Committee has ten members, Communications Committee has nine members, and the Fiscal Committee has seven members. Chairman Thacker asked if a motion was necessary to appoint committee members. Mr. Anderson indicated committee membership is the sole discretion of the IERC chairperson and does not require motion.

Open Door Law and LEPCs

Mr. Larmore requested clarification on LEPCs ability to hold virtual meeting during the COVID-19 pandemic. Mr. Anderson explained there is a lot of uncertainty regarding the pandemic and the Governor's current Executive Orders (EO). He noted at the present time the EO that relaxed Open Door Law (ODL) remains in effect through the next few weeks. If the Governor elects to walk back the relaxation or to allow the EOs to expire, LEPCs will be required to follow ODL and its exact requirements. Mr. Anderson reported a local public health order would not supersede the Governor's decision.

Please contact Mr. Anderson or Ms. Horner with any questions regarding this topic.

See recording for additional discussion.

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

Ms. Horner reported the LEPC Program Manager has completed 90% of the 2019 LEPC Plans. The Program Manger expects to have all reviews completed by August. The LEPC Program Manager attended two virtual LEPC meetings, Noble County and Tippecanoe County. Ms. Horner reported that her and Ms. Roe attended a tabletop exercise in Wabash County. Ms. Horner informed the Commission the SARA Program Manager renegotiated the cost of the Meeting Owl with Owl Labs.

Ms. Horner reported that 6,192 Tier II reports have been submitted and the total revenue received is \$644,440.

Mr. Larmore asked how many facilities are still needing to report. Ms. Roe said there are about 150 facilities who still need to report however, several of the nonreporting facilities have either closed or reduced the amount of chemicals on site and are no longer required to report. Ms. Roe reported she will be meeting with her counterpart at the USEPA to train them on reporting in the Tier II Manger site.

Spill Reports (EPCRA Section 304)

<i>County</i>	<i>Date</i>	<i>Facility/Individual</i>	<i>Chemical</i>	<i>Quantity</i>
Spencer	6/10	Farm	Chlorine	Unknown
Shelby	6/25	Farm	Anhydrous Ammonia	Unknown
Allen	6/29	Brenntag	Hydrochloric Acid	Unknown

PUBLIC COMMENTS

Chairman Thacker opened the floor for public comments.

No further discussion occurred.

ADJOURNMENT

Chairman Thacker requested a motion for adjournment. Mr. Palin made a motion to adjourn and was seconded by Ms. Steadham.

Roll Call

Chairman Thacker—Yes
 Ms. Steadham—Yes
 Mr. Bilkey—Yes
 Mr. French—Yes

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

No further discussion occurred. All were in favor. Meeting adjourned at 3:00pm.

Motion Carried

NEXT MEETING

September 14, 2020

302 W Washington St

Indianapolis, IN 46204

Conference Room #4

Marshal Joel Thacker, Chair

