

Minutes
IOWA EMERGENCY RESPONSE COMMISSION
Thursday, March 15, 2012 at 9:00 a.m.
Camp Dodge W-4, HSEMD Conference Room
Johnston, Iowa

Need 5 of the 7 voting members for a quorum

1. Attendance and introductions

Members Present:

- #Terry Butler - IERC Member
- Jim Clark – IERC Member
- #Dean House - IERC Member
- #Kathy Lee - IERC Member
- Rex Mundt – IERC Member
- Melanie Rasmusson - IERC Member
- Julie Waltz - IERC Member

Absent Members:

- #Mahala Cox - IERC Member
- Bob Dougherty - IERC Member

On the Conference Phone:

- #Susan Green – IERC Member
- #Anne Jackson – IERC Member
- #Ray Reynolds – IERC Member
(dropped off before the election of officers)
- Kevin Klommhaus–IERC Member
- Meghan Gavin – IERC Member
- Ted Stopulos – IERC Member
- Tricia Boggs – HSEMD Staff
- Janet Riley – HSEMD Staff
- Pat Reitz – EPA Staff
- Peg Stickrod LEPC Region 5

Staff Present:

- Paul Sadler – HSEMD Staff
- Lisa Sexton – HSEMD Staff

Public Present

- Bob Goldhammer-Public Member
- Peggy Reelitz - Polk County LEPC
- Janet Gastineau - DNR
- Staci Griffin –Louisa County

After introductions, Chairperson Julie Waltz called the meeting to order. She made some brief remarks, then evoked her Parliamentary Procedures privilege and asked Kathy Lee as Vice President to Chair the meeting today. Kathy conducted the meeting with six of the seven voting members present.

2. Approval of Agenda -

- Moved by Rex Mundt to adopt the posted agenda, second by Dean House. Motion carried unanimously

3. **Approval of Minutes – October 27, 2011**

Susan Green made the motion to approve the minutes as presented, second by Dean House. Motion carried unanimously.

4. **Correspondence, Speeches, Conference Reports**

- Bob Goldhammer reported that the Planning Committee for the 2013 LEPC Conference had a conference call and decided on July 25-27th for the Conference in a hotel on the Kansas side of Kansas City.

5. **Committee Updates: Membership/Reports**

- Executive Committee - none
- LEPC Support/ Education Committee – LEPC Workshop will be April 12, 2012 in Atlantic. It is up on the DNR website, has been marketed by e-mail and an article will appear in the HSEMD newsletter. Jim Clark asked about doing another LEPC Workshop in Sioux City in May. Paul Sadler will set up a telephone conference call for March 22nd at 1:30 pm to set a date for the NW Iowa Workshop.
- Fee Legislation Study Committee – Tabled until 2012.
- Rules Committee Chapter 605 – John Benson/Kathy Lee. Kathy Lee is editing Chapter 104.

6. **Old Business:**

- none

7. **New Business:**

A. Election of officers - 605—101.9 requires that the election of officers shall take place at the first commission meeting held each calendar year.

- Nominations Committee Report – Dean House.
 - The Nominations Committee consists of Rex Mundt, Dean House and Susan Green. Dean presented Anne Jackson for Chair and Rex Mundt as Vice Chair as the Nominations Committee's slate.
- Election of officers
 - Nominations for vice Chair
 - Rex Mundt – nominate by the Nominating Committee.
 - Jim Clark – nominated by Julie Waltz. He declined the nomination.
 - There were no other nominations from the floor.
 - Roll Call Voting for Rex Mundt for Vice Chair
 - Terry Butler – yes

- Mahala Cox – absent
 - Susan Green - yes
 - Dean House – yes
 - Anne Jackson – yes
 - Kathy Lee – abstain
 - Ray Reynolds – absent
- Election Results for Vice Chair: Four yes, One abstain, two absent. Rex Mundt was declared the new Vice Chair Person.
- Nominations for Chair
 - Anne Jackson – nominate by the Nominating Committee
 - Terry Butler – nominated by Julie Waltz. He declined
 - There were no other nominations from the floor.
 - Roll Call Voting for Anne Jackson
 - Terry Butler – yes
 - Mahala Cox – absent
 - Susan Green - yes
 - Dean House – yes
 - Anne Jackson – yes
 - Kathy Lee – abstain
 - Ray Reynolds - absent
 - Election Results for Chair: Four yes, one abstain, two absent. Anne Jackson was declared the new Chair Person.

Because Anne Jackson was teleconferencing, she appointed Kathy Lee to continue to chair the meeting.

- B. Discussion of Review of HMEP Grant Applications. Homeland Security and Emergency Management Division is the HMEP Grantee which in turn sub-grants to LEPCs. Federal guidelines provide for the review of the Federal Grant application by the State Emergency Response Commission. At the October 27, 2011 IERC meeting, the Commission requested that they have an opportunity to review the actual LEPC Applications and discuss them at the March 15, 2012 meeting. The Commission was given the opportunity to review the LEPC Applications that were available for two weeks on WebEOC. Jim Clark was the only one that gave Lisa Sexton written feedback. After a lengthy discussion, Lisa Sexton will proceed with the grant application.

There was a discussion to form a Standing Committee to review HMEP grant applications. No action was taken. The Executive Committee will meet and determine members of Committees.

A quorum no longer existed due to voting members leaving the conference call. The meeting stalled while measures were taken to contact voting members to re-establish a quorum. A quorum was established when Susan Green joined the conference call.

Motion by Julie Waltz that Lisa Sexton proceed with the grant application process. The motion was second by Dean House. Motion carried unanimously.

8. Agency Reports

A. Homeland Security and Emergency Management Division

1. Section 301 – LEPC membership
 - Appointments and Resignations - A list of nominations and resignations are spread on the minutes. Motion by Dean House to appoint the nominations and accept the resignations. Second by Terry Butler. Motion carried unanimously.
 - LEPC Membership Report – Paul Sadler – No update from the October 27, 2011 meeting.
2. Section 303 – Plan Submissions – Paul Sadler. All counties in Iowa have a Hazardous Materials ESF-10, but one county, Buchanan County has did not submitted an updated Hazardous Materials ESF-10 in 2011. Under Federal and State Laws, a yearly update is required. Buchanan County is not compliant with EMPG and has an inactive LEPC. HSEMD continues to work with Buchanan County to become compliant again.
3. Section 305 – Grants, Training Funds and Courses – Lisa Sexton Spread on the minutes, are two handouts that Lisa provided the Commission members. She reported on information about the 2011 grant that closed in December 2011. “Attachment 2” is a roll-up of the 2011 grant. This is what went up to the Federal Government. For each LEPC, training only, it shows the total award each received and the total used. It shows who spent their funds and who did not. The handout shows how many people were trained in each level, in each discipline and each LEPC. A total of 3,360 people were trained during this period. She said that \$49,000 was returned (released) on the training side. For Planning it was \$24,800. Not all of this was the fault of LEPCs; some of it was inflexibility of USDOT.

B. Dept. of Natural Resources

1. Section 302 & 312 – Tier II Reporting & facility Submissions – Kathy Lee. A printed report was not available. Kathy Lee reported that there are 3966 active Tier 2 facilities, 58 outstanding reports, and 5 paper reports received this year. There were 51 spills in February. She said that the Technical Guidance for Hazards Analysis *Emergency Planning for Extremely Hazardous Substances* is available on the EPA website at <http://www.epa.gov/osweroe1/docs/chem/tech.pdf>
2. Section 304 & Section 313 - Emergency Notifications & Form R Reporting – Kathy Lee. No report.

C. EPA Reports – Pat Reitz - EPA Report is spread on the minutes.

Toxic Release Inventory reports are due July 1st. Training is available. TRI National Analysis Release data is available. EPA has reinstated the TRI reporting requirements for hydrogen sulfide. Starting in FFY 2013, EPA wants to disinvest from enforcement of Section 311/312 (MSDS/Tier II). Pat asked if Iowa has anything in place to enforce. Currently Iowa has no specific enforcement authority to enforce. This is a topic for the Executive Committee to discuss. Pat would like some feedback on this topic. Herb Zirschky is retiring this month and has been the contact person for compliance assistance for RMP (Risk Management Plans). If you need assistance with RMP or have questions, please contact Patricia Reitz. If you need access to RMP information, she can provide access to the RMPInfo website. Contact Patricia Reitz if you want to request a webinar on RMP*eSubmit, the new RMP reporting process. EPA is putting out guidance when inspectors go out to conduct on-site compliance evaluation at RMP facilities. Various Training opportunities are available in the Region 7. EPA has released a new mapping feature at <http://www.epa-echo.gov/echo/index.html> . For information on removal actions completed by EPA, go to <http://www.epaosc.org>. to make a claim for costs or damage from an incident under the Oil Pollution Act of 1990, go to <http://www.uscg.mil/mpfc/urg/> . Local Government Reimbursements for costs associated with HazMat response, go to <http://www.epa.gov/oem/content/lgr> . EPA Region 7 office is moving to 11201 Renner Blvd., Lenexa, KS 66219 in September 2012. They lost their lease on the current space. Multimedia Resources are available at www.epa.gov/emergencies. Last but not least, EPA is using social media tools.

9. **Public Comment** – Bob Goldhammer requested that a position be established for a member of the general public. He was reminded that would take legislative action. He suggested the development of guidance for conducting telephone conference calls and rules of etiquette for participating on telephone conference calls. He noted that today we had problems with members leaving

the conference call and causing quorum problems. He suggested that members need to announce when they need to leave the conference call. He said he supports the intent to conduct meetings in accordance to Chapter 21. He also supports the idea of looking at HMEP projects that are beneficial to the state.

10. Next meeting dates – A telephone conference call will be April 17 at 2:00 to discuss and “approve” the Federal HMEP grant application, May 24, at 9:00 in the Wallace Building. The fall meeting will be October 25th.

11. Adjourn. A motion to adjourn was made by Dean House, second by Julie Waltz. The motion was carried. Meeting adjourned at about 11:45 a.m.

Minutes submitted by Paul Sadler

Chairperson

Date