

**MINUTES**  
**IOWA EMERGENCY RESPONSE COMMISSION**  
**Thursday, Oct. 29, 2015, at 10 a.m.**  
**Iowa Homeland Security & Emergency Management**  
**7900 Hickman Rd., Suite 500**  
**Conference Room - Hawkeye**  
**Des Moines, IA 50324**

**Attendance and introductions – Need 6 of the 8 voting members for a quorum**

**Roll Call:**

**Present:**

Julie Waltz#  
Tracey Epps  
Lisa Sexton  
Adam Broughton  
Angela Chen#  
Ron Burchette  
Janet Gastineau#  
Pat Reitz  
Fatima Ndiaye  
Bob George  
Dean House#

**On Conference Line:**

Jeff Quigle#  
Peg Stickrod  
Kevin Plagman#  
Brenda Leonard#  
Ken Sharp  
Meghan Gavin  
Anne Jackson#

**Guests:**

John Benson

Meeting called to order at 10:05 a.m.

Anne Jackson asked Julie Waltz to chair the meeting because she could only join the meeting by telephone. Julie graciously agreed.

**Agenda -**

The March agenda was reviewed and J. Gastineau made a motion to approve. A. Chen seconded the motion and it carried.

**Minutes -**

The March minutes were reviewed and D. House made a motion to approve. J. Gastineau seconded the motion and it carried.

**Correspondence, Speeches, Conference Reports –**

Conference –

J. Waltz reported the LEPC Conference in Nebraska City in August was good. Well attended, well organized. Brings up the fact that there is more work for industry BUT it is making “us” safer. A. Broughton encourages everyone to bring concerns to the planning team. P. Reitz – already working on the next conference.

Correspondence –

EPA Proposed Rule Change – J. Waltz read email from Tim Gablehouse stating the impact this may have on LEPCs. This rule change is being done in the name of West, Texas. A. Broughton cleared this up a bit more. This won't impact LEPCs like originally thought. Want to ensure facilities (RCRA and conditionally exempt facilities) are communicating with first responders so they have an awareness of what is happening at facility.

If this does become final, we, as the IERC, need to reach out the LEPCs to provide guidance and technical assistance.

A. Jackson recommends possibility making a Commission comment on this as the comment period ends Nov. 24. If members want to make comment, email to T. Epps. J. Waltz will read through and make the decision whether or not a comment needs to be submitted.

**Old Business –**

*Standing Committees –*

At the March meeting, members and staff were asked to email T. Epps if they were interested in participating on any these committees – no one responded. Need to make a determination if we need to disband some or all of these. A. Jackson says we need to establish a “need”.

J. Waltz makes motions to disband Rules and Fees Committee, A. Jackson seconded.

In favor

D. House

J. Gastineau

J. Waltz

A. Jackson

A. Chen

R. Burchette

K. Plagman

B. Leonard

Opposed

None

(J. Quigle left conf. call)

Motion Carried

J. Waltz asks if we need a standing Nomination Committee. M. Gavin says we do not.

D. House makes a motion to disband Nomination Committee and J. Gastineau seconded. J. Waltz going back to the “easy” way of voting. All in favor. No one opposes. Motion carries. Whenever a committee needs to be created, we will.

J. Waltz asks about keeping or disbanding the Executive, LEPC Support/Education, and Grants Committees. A. Chen asks to talk about the Grants Committee now (further down on the agenda). L. Sexton mentions that currently that committee is down two members. Asks again if the members want to review the grant and if so, she will need the names of the two new members as HSEMD has moved to a new grants management system and they will need access (permissions). Currently, they are A.

Jackson, J. Waltz, and D. House. A. Chen cannot be a reviewer, she signs the award. R. Burchette and B. George volunteered to review the applications and be on the Grants Committee.

#### **New Business –**

*Iowa Administrative Code, Section 605, Chapter 101.2(1) – John Benson*

While our office is the rulemaking body, we cannot move forward until this Commission votes to approve these changes.

Reviewing Chapters 100, 101, 103, 104, No required changes to 102

Changes for vote/approval –

103.7 – Shall review LEPC...

Mentions 607.6 - no longer exists

Commission recommends 605, Ch. 7

101.7 – Defines the quorum as four of six. J. Benson changed to six of eight.

M. Gavin says quorum is two-thirds (Administrative Procedures Act, 17A), which, for IERC is six of 8.

J. Benson says everything else is up-to-date. As long as Commission votes and approves, he can move forward with rulemaking process.

J. Waltz calls for a motion to accept the changes as is- D. House makes a motion and A. Chen makes second. All in favor. No one opposed. Motion carried.

#### *USDOT Emergency Order – Tracey Epps*

Fourth update from BNSF since last IERC meeting in March – shipments going through the State are going down. Currently, shipments are approximately four/week...six months ago, it was 20-30.

#### *New and Term Extension of Commission Members – Tracey Epps*

Currently, new members or those who were waiting on extensions are approved or up-to-date. Also, working with Governor's Office on two vacant positions (Industry and FSTB).

#### *2017 HMEP Grant discussion/vote – Lisa Sexton*

Changes to HMEP Grant – currently a one-year grant (Oct. 1 – Sept. 30). Now moving to three-year grant and explains. Will now run this grant from October 2016 through September 2019.

Applications for LEPCs normally goes out in December. Moved back to October (coincides with our new grants management system). When Lisa writes the grant application, the 1<sup>st</sup> year will be broken out, like always by LEPC with all their projects, and years two and three will have projects we're looking to do and then next June she will have to do a smaller application to break those down. A. Chen – allows for longer term planning.

Lisa says the formula is also changing. Current formula allows for population, highway miles and Tier II facilities. Changing to risk based. Looking at severe incidents and what's being transported on highways,

rails, waterways, etc. Our funding will change. Performance, at this point, is not included in their data sources, but they ARE looking at it. Did NOT look like a decrease, but it could change. Each year, the HazMat Task Force is funded \$29,950 (5 HazMat IQ courses) and the R7 Conference is funded \$6,000 (2017). She will have to include that in the three-year grant application. She is asking the Commission if they want to continue funding these projects.

J. Waltz moves to continue funding for both projects as in the past with same dollar amounts and J. Gastineau seconded. All in favor. No one opposes. Motion carried.

*Joint Commodity Flow Study/Nebraska – Lisa Sexton*

Iowa, Nebraska and Winnebago Tribe of NE submitted a grant application to do a Commodity Flow Study. Would include I-29 and railroads from Sioux City to Council Bluffs. Funding decreased from original application request. Waiting on Tribe to accept the award – looking for additional funding due to the decrease of funding from USDOT. Once awarded, Iowa will be participating depending on the scope of work (depending on the decrease of funding).

**Agency Reports –**

*LEPC Membership Reports – Tracey Epps*

D. House made motion to accept list of nominations/resignations (handout) and J. Waltz seconded. All in favor. No one opposed. Motion carried.

*Section 303 – ESF-10 – Tracey Epps*

Planning year for federal fiscal year ended Sept. 30 and all ESF-10s are in and approved. Discussion on “approved” vs “compliant”. Our offices determines compliancy, we do not approve any plans.

*Section 305 – Grants, Training Funds and Courses – Lisa Sexton*

Grant Year FFY2015 closed Sept. 30 and we will hit zero. \$25,000 returned but reallocated. Handed out document explaining this year’s training numbers.

*Dept. of Natural Resources –*

Section 302 & 312 – Tier II Reporting & Facility Submissions – Elonda Bacon

Beginning upcoming reporting period.

4,140 Reporting Facilities in Iowa

Have one non-reporting facility – non-EHS. County emergency management coordinator is aware of it.

Section 304 – Emergency Notifications – Adam Broughton

Reminder – Spill Line changed July 1...515-725-8694. The pre-fix (725) is what changed.

552 spills through September – 100 less than year but last year was a high year. Include 24 animal feeding operations and 29 fertilizer operations.

TRI Reports – 457 facilities reporting – up from 2013 which had 448.

**EPA Reports – Pat Reitz**

Submit ideas for the LEPC Conference to her.

EPA R7 went through a reorganization and personnel shuffles occurred. P. Reitz is no longer the R7 coordinator – Fatima Ndiaye is now our coordinator.

Another change at EPA – Margarete Stockdale is retiring Feb. 2 and Scott Hayes is taking over.

EPA HQ is completely changing national website. Regional websites are going away (supposed to be gone already but it's a slow process). If you're looking for something, Google. Website structure is now by topic instead of stovepipe organization.

*SEE HANDOUTS (attached)*

**Public Comment –**

None

**Next Meeting Date –**

March 24, 2016 – Subject to Change due to HMEP Grant Application

Place - TBD

Meeting Adjourn – 11:40 a.m.