

Indiana Emergency Response Commission

MEETING MINUTES

INDIANA EMERGENCY RESPONSE COMMISSION

Meeting Date: July 11, 2022

Meeting Time: 1:30pm

Meeting Location: 123 Washington St, Columbus, IN and Via Microsoft Teams

COMMISSION MEMBERS PRESENT: (in person participation unless otherwise noted)

Clayton Kinder---State Fire Marshall, Chairperson

Mike White—Designee for IDHS Executive Director

Jeff Larmore—Local Government Representative

Bruce Palin—Public Representative

Shawn French—Business/Industry Representative

Peggy Dorsey—Designee for IDEM Commissioner

Jim Pridgen—Business/Industry Representative

Matt Bilkey-- Designee for Superintendent of Indiana State Police (*via Microsoft Teams*)

Cara Cyrus—Business/Industry Representative

Vincent Griffin— Public Representative (*via Microsoft Teams*)

STAFF MEMBERS PRESENT

Casey Kenworthy—IDHS

Mike White—IDHS

Erin Miller---IDHS

Jackie Pulley---IDHS

Hillary Egan---IDHS

WELCOME AND INTRODUCTION

The meeting was called to order at 1:30pm by Chairman Kinder. He welcomed everyone to the July 11, 2022, Indiana Emergency Response Commission (IERC) meeting.

QUORUM

Mr. Kenworthy indicated a quorum was present after the roll call, with ten (10) members in attendance.

CONSIDERATION OF MINUTES

Mr. Palin made a motion to approve the May 9, 2022 meeting minutes. Mr. French seconded the motion. **Motion Passed.**

Record of Votes

Chairman Kinder—Yes

Mr. Larmore—Yes

Mr. White—Yes

Mr. Palin—Yes

Mr. French--- Yes

Mr. Griffin—Yes

Mr. Pridgen—Yes

Mr. Griffin—Yes

Ms. Cyrus---Yes

Ms. Dorsey-- Yes

20 Local Emergency Planning Committees (LEPC) have submitted roster changes for membership appointments or approvals between May 9, 2022 to July 11, 2022. Mr. Pridgen made a motion to approve the changes as submitted. Mr. Palin seconded the motion. **Motion passed.** A copy of the roster report detailing the changes is attached.

Record of Votes

Chairman Kinder—Yes
Mr. Larmore—Yes
Mr. White—Yes
Mr. Palin—Yes

Mr. French--- Yes
Mr. Griffin—Yes
Mr. Pridgen—Yes
Mr. Bilkey--- Yes

Ms. Cyrus---Yes
Ms. Dorsey--Yes

OLD BUSINESS

2022 IHAMR Conference

IHAMR would like to host a state-wide conference and is asking for monetary help and partnership with the IERC. They are asking for \$10,000. The IERC voted yes to present IHAMR with \$10,000 contingent upon IHAMR sending a formal request letter and including a training block for LEPCs, Hazconnect Plan Module, and a syllabus. Mr. White will meet with IHAMR to have the letter ready to present at the September 12, 2022, IERC Meeting. Mr. Pridgen made the motion to grant IHAMR with \$10,000 contingent upon IERC's requests being agreed upon. Mr. Larmore seconded the motion. **Motion Passed.**

Record of Votes

Chairman Kinder—Yes
Mr. Larmore—Yes
Mr. White—Abstained
Mr. Palin—Yes

Mr. French--- Yes
Mr. Griffin—Yes
Mr. Pridgen—Yes
Mr. Bilkey—Yes

Ms. Cyrus---Yes
Ms. Dorsey--Yes

EPA Tabletop Exercise

The EPA Tabletop Exercise is on August 24, 2022, located at the Bartholomew County Fairgrounds. There is one more planning meeting scheduled for August 3, 2022. Bartholomew, Brown, and Monroe County are collaborating with the EPA. The EPA is funding and leading the exercise. The topic of this exercise is an anhydrous ammonia spill at Mariah Foods with an employee affected. Fire department and on-site HAZMAT will collaborate and respond together. Casey Kenworthy (IDHS) is point of contact. A copy of the event flyer is attached.

Hazconnect Plan Module

The Hazconnect Plan Module is in the final stage of acceptance. There was some difficulty getting maps to copy to plans but they are working on adjusting the GIS Module to fix the issue. The plan should be complete in the fall of 2022, with rollout to LEPCs for 2023. Mr. Larmore asked for visual demonstration of the plan module. Mr. White will bring examples to the September IERC meeting. Ms. Cyrus suggested demonstration of the module at the IHAMR Conference. Mr. White stated that IDHS will be traveling around the state to do trainings with LEPCs.

Noble County asked how we are going to vet incorrect information that gets uploaded to Tier II. Mr. White explained that at the state level it will not be known if information is incorrect. Mr. White explained that it will be up to the LEPCs to vet the information.

New LEPC Coordinators

Erin Miller and Jackie Pulley are the new LEPC/IERC Program Managers for IDHS. Ms. Miller will manage the western counties in the state and Ms. Pulley will manage the eastern counties.

PFAS

Mr. Pridgen asked about the status of PFAS. Mr. White explained that IDEM and DHS together put forward \$1.5 million toward the program to collect the foam. Collections started approximately 3-4 months ago. Ms. Dorsey stated that the program has been successful so far. Mr. White also stated that the foam is still used in operations, but it is not used in training. Ms. Dorsey stated that research is being conducted to find an alternative solution to PFAS but until an alternative is found, PFAS will still be in use.

NEW BUSINESS

Committee Assignments

Mr. White stated IERC committees have not been updated since 2019. Some committee rosters list people that are no longer involved with the IERC. Mr. White stated that Mr. Pridgen is the chairperson of the Policy/Tech committee, Mr. Larmore is the chairperson for the Communications committee. The Training committee and Financial Committee both need chairpersons. Mr. White stated that Mr. Kenworthy, Ms. Miller, and Ms. Pulley will sit on all four (4) committees. If the Commission approves, Mr. White will be the chairperson for the Training committee. Mr. Palin will be the chairperson for the Financial committee. Assignments will be sent out as soon as they are assembled so that committees can meet before the September IERC meeting if need be. Committees will meet before IERC meetings when necessary.

Yearly Disbursements

Mr. White researched back to 2007 and found that the \$2,500 distribution the LEPCs receive has never changed. Mr. White proposed that the yearly disbursement for LEPCs be raised to \$3,000 as an incentive to get LEPCs to be more active. This proposal needs to be addressed with legislation. Ms. Egan, IDHS legal, stated that she could facilitate a meeting with the IDHS legislative director who handles the legislative proposals for IDHS.

Ms. Cyrus also proposed raising the stipend amount for LEPC members who attend meetings to \$30. Mr. Larmore proposed also raising the Tier II facility fee. Mr. Larmore and Mr. Palin thought there were two (2) levels of reporting fees. Mr. Kenworthy was unsure but would do some research on the subject. Mr. Pridgen requested that information confirming or denying the two levels of facility fees be sent before the September IERC meeting. Mr. White agreed. Mr. Palin proposed an overall breakdown of the interaction between fees and how committees and facilities will be affected if fees are raised. The financial committee will plan to meet to research the big picture and representatives will meet with legislative director Schroder regarding the appropriate action for legislation.

Open Door Law & 2nd Half 2022 LEPC Guidelines

Hillary Egan, IDHS Deputy General Counsel provided further clarification for the remainder of 2022 now that the health emergency has ended. LEPCs and IERC are subject to this law. Meetings must be available to the public with at least 48 hours' notice and held at a location that is accessible to the public. The IERC has an electronic attendance policy that states members must physically be at 50% of the meetings. Mr. Larmore inquired about members missing 3 meetings in a row. Ms. Egan said she would investigate that specific question and report back.

LEPCs are local county entities so they are under the jurisdiction of local municipalities. The IERC does not run LEPCs. The IERC is the funding entity for LEPCs. IDHS and IERC can advise LEPCs but for day-to-day questions should be addressed with county attorneys.

Ms. Egan pointed out the Open-Door Law's goal is transparency with the public.

Now that the health emergency is over, LEPCs must have an electronic communication policy in their bylaws. IERC has an electronic meeting policy and we can provide it to LEPCs if they want.

2023 LEPC Guidelines

Mr. White stated that the last three (3) years have been lenient with requirements for funding due to the health emergency. Now that the health emergency is over, guidelines and due dates must be followed. If these due dates are not enforced, LEPCs will not receive funding.

The IERC did not excuse LEPCs from holding meetings. The IERC stated they would not withhold funding if LEPCs did not have meetings. Since the health emergency is over, meetings are a part of state code and LEPCs should start holding them again. Since the health emergency was lifted in March 2022, LEPCs will not be required to hold meetings for the rest of 2022. LEPCs should still have submitted other reports, i.e., roster and fiscal reports

SARA TITLE III PROGRAM REPORT—SARA Program Staff

Mr. Kenworthy stated that from January 1, 2022 to July 11, 2022, \$642,000 from facility reporting fees in Tier II Manager. Mr. Kenworthy has been working on a Tier II Manager webpage on the IDHS website. Mr. Kenworthy stated that during Tier II season in the beginning of the year, he and Mr. White were receiving hundreds of questions, and many were the same. The webpage Mr. Kenworthy has been working on has a "Frequently Asked Questions" section to address these repetitive questions. This will serve as a good reference point for Tier II users that have questions. This webpage also lists general knowledge about Tier II that its users will find helpful, as well as appropriate contact information.

Mr. Kenworthy was also working on getting more fire departments enrolled in Tier II manager. In May 2022, there were 164 active fire departments in Tier II Manager. Mr. Kenworthy sent an email blast through the IDHS Public Affairs office that went to LEPCs and fire department distribution list that IDHS has on file. Mr. Kenworthy now reports that there are 227 fire departments active in Tier II Manager. Mr. Kenworthy had a goal of 300 and now he would like to do at least one more email blast with the same content. Mr. Kenworthy's next step is have a webinar for fire departments to learn how to use Tier II Manager.

Mr. Larmore asked if Mr. Kenworthy has communicated with LEPCs about the active fire departments in their area. Mr. Kenworthy re-stated that the messaging was sent out to LEPCs. Mr. Kenworthy explained that a lot of the contact information for LEPCs in Tier II Manager is incorrect. Ms. Miller and Ms. Pulley have been reaching out to LEPCs to get updated contact information and then have the LEPCs encourage their fire departments to become active on Tier II Manager.

Public Comments

There were no public comments.

ADJOURNMENT

Mr. Pridgen made a motion to adjourn. Mr. Palin seconded the motion. **Motion Passed.**

Record of Votes

Chairman Kinder—Yes
Mr. Larmore—Yes
Mr. White—Yes
Mr. Palin—Yes

Mr. French--- Yes
Mr. Griffin—Yes
Mr. Pridgen—Yes
Mr. Bilkey---Yes

Mr. Griffin—Yes
Ms. Cyrus---Yes
Ms. Dorsey--Yes

NEXT MEETING

September 12, 2022
Plainfield, IN

Approved: Stephen Jones
~~Clayton Kinder, Chairman~~
Stephen Jones

Date: 11/12/22

