

DRAFT Minutes
IOWA EMERGENCY RESPONSE COMMISSION
March 5, 2009 at 9:00 a.m.
Wallace Building, 3rd Floor Conference Room
Des Moines, Iowa

Members Present:

Julie Bell
Jim Clark
#Dean House
Kevin Klommmhaus
#Anne Jackson
Frank Magsamen
#Kathy Lee

Absent:

#Dave Coppess
#David Miller
Mary Jones
#Jim Kenkel
Matt Unger

Sherry Sievers
Fire Service &
Emergency Response
Council – Vacant
Justice - Vacant

Staff:

Paul Sadler - HSEMD
Lisa Sexton – HSEMD
Elonda Bacon - DNR

EPA

Pat Reitz – EPA R7
Joe Davis- EPA R7 On-
Scene Coordinator

Guests

Peggy Reelitz-Poll EMA
Dave Wilson – Johnson
EMA

On the Phone:

Bob Goldhammer – left
at 11:00

1. **Attendance and Introductions** – Chair person Julie Bell, started the meeting at 9:00 am. A round of introductions – was made for the benefit of our guests.
2. **Approval of Agenda** – Because there was not a quorum the agenda could not be approved, however there were no other items to add to the agenda.
3. **Approval of Minutes**
September 25, 2008 minutes – Could not be approved for lack of quorum.
4. **Correspondence, Speeches, Conference Reports**
 - November 11, 2008 Governors Board and Commission Orientation Session at Hotel Fort Des Moines. Paul Sadler and Kevin Klommmhaus attended. Sadler provided disks that contained the handouts to IERC members.
 - An LEPC workshop is planned for June 10, 2009 at the Fire Service Training Bureau in Ames.
 - The 2009 Governors Homeland Security October 5, 6, and 7, 2009.
 - LEPC Conference in Kansas City is August 6-9, 2009 at the Sheraton Sports Complex Hotel, 9103 E 39th ST, Kansas City MO. Bell, Lee and Sadler plan to attend.
 - Julie Bell is going to the Emergency Management Institute, the FEMA national training center, next week for the – multi-hazard safety course for schools.
5. **Committee Updates:**
 - Executive – no activity

- LEPC Support/ Education – Committee has organized an LEPC workshop for June 10, 2009 at the Fire Service Training Bureau in Ames. The Committee met by way of two telephone conferences calls in November and January to work on the conference (minutes were taken). A draft brochure has been produced. Save the date has been sent out. Elonda has sent the information with her Tier II mailings. No grant money can be used to attend the workshop. Need to ask Cathleen Atchison if she will design and facilitate a table top exercise. Kathy Lee said she has set up an “In/Out Account” for the workshop to take in registration fees and to pay out bills.
- Fee Legislation Study Committee – no activity. This Committee will be tabled until 2012. Want to have time to develop a solid white paper and talk to groups. Want to start the effort in April 2012 with a subgroup of the IERC and take out to groups like businesses and industry, ISAC etc.
- Temporary Rules Committee – Kathy Lee – make this a standing committee rather than a temporary Rules Committee. The rules we need to work on right now are for electronic submittal of reports and notifications and to allow electronic date and time stamps. There is confusion about 302 chemicals and who had to report, and need guidance documents. Specifically, storage tanks of anhydrous ammonia – at issue is the requirement for farmers to report if they park a tank in their yard overnight. It is already regulated by IDALS. Mobile nurse tanks – Kevin said EPA requires reporting to the LEPCs. That is one of the things we want to get at with a revision of rules.
 - The new standing committee will be called the Rules Committee Chapter 605: Kathy Lee, Chair, members are Anne Jackson, Julie Bell, LEPC Representative.

6. Old Business:

Cost Recovery –

- DNR update – Kathy Lee – good modification to code who can recover costs. House file 489. Copy spread on minutes. The temporary Cost Recovery Committee is disbanded. Kathy Lee will report to the Commission as needed.

7. New Business:

- **Resignations and appointments –**
 - We welcomed Kevin Klommhaus from IDALS as the newest appointed member of the IERC.
 - Liz Christiansen took a position outside of DNR and will no longer be on the IERC. The Governor appointed Kathy Lee to replace Liz Christiansen as the DNR Representative. Kathy has represented the Fire Service and Emergency Response Council and that position remains vacant.
 - The Department of Justice position, vacated by Christine Scase, also remains vacant.
 - Several people have not been attending meetings.
- **HMEP Changes for FFY 2010-** Lisa Sexton

- **Financial Assistance guidelines** – Paul Sadler and Lisa Sexton – Guidelines for Financial Assistance for LEPC members to attend the LEPC Conference in Kansas City, August 6-9, 2009. This assistance was formerly called “Scholarship”. It has more guidance and detail than the past.
- County Hazardous Materials Emergency Response Plan (Annex P) conversion to ESF-10 – Paul Sadler
- Counties joining or leaving Emergency Planning Districts –FYI – Paul Sadler. Jackson County has asked to join the Region 6 Planning District and Keokuk wants to leave the Southern Iowa Planning District but we have not received written petitions from these two counties so there will be no action required at this meeting. Sadler said he will work with the counties to get the proper petitions and paperwork by the September meeting.

8. Agency Reports

- **Homeland Security and Emergency Management Division**
 - Section 301 – LEPC membership – Appointments and Resignations Paul Sadler. There has been much activity in the LEPC memberships in the last 6 months. He said that he maintains a database of LEPC membership that shows the last time each entry was updated. A copy of the nominations and resignations is spread on the minutes.
 - These appointments and resignations will need to be voted on at the September meeting.
 - LEPC Membership Report – Paul Sadler. He provided a map that shows the inactive LEPCs, based on a lack of membership updates and two sets of minutes in the past year. He reported there are 18 inactive LEPCs, one less than in September 2008. Wayne County became an active LEPC in the past six months. Sadler said there should be fewer inactive LEPCs next time as we are expecting to receive documentation from Madison and Marion Counties.
 - Section 303 – Plan Submissions – Paul Sadler provided a map that shows that all counties in the state have a compliant Hazardous Materials plan at this date.
 - Section 305 – Training Funds and Courses – Lisa Sexton – HMEP 08 closed December 30, 2008; 5,514 students trained last year.
- **Dept. of Natural Resources**
 - Section 302 & 312 – Tier II Reporting & facility Submissions – Elonda Bacon said they are inputting 50 to 100 paper submittals; 3762 submitted electronically; 118 filed revision. 3880 total. Have 370 facilities reporting on line. Up from 200 facilities from last year. The program had some complaints and problems but most is positive feedback. Did a webcast third week of February. Good attendance about 130 people. Elonda was on her own this year and she did a great job!
 - Section 304 & Section 313 - Emergency Notifications & Form R Reporting – Kathy Lee – Form R- We are on board for electronic submission of Form R through EPA node One Stop. Section 304 – 121 spills year to date. Continuous release for feed lots have received

over 1600 calls On Jan 19th the phone lines were over whelmed. Bankers started to see there was a daily fine for not reporting, so that caused a flood of compliance.

- Hazmat teams – Guthrie County is new to be covered with an agreement. 91 counties now covered by a hazmat team.

9. EPA Reports

Pat Rietz provided a handout of her discussion points, which is spread on the minutes.

- RMP re-submittals next Friday will make available electronic filing of RMP plans on March 13th. Workshops in Iowa and Nebraska.
- CAFO – a year ago EPA proposed an exemption for the CAFO industry. Comments came back negative. EPA considered the comments. NASTPO comment asked why the exemption. After the final rule making came out in January. Thought the CAFO industry was reporting all along, not realizing that a vast number had not been reporting. Pat is the coordinator at EPA and admitted she got a quick education (like the rest of us).
- RMP grants – May 2009. www.grants.gov, Tina Lowery. IDALS Neal Vaugh will apply for the grant.
- LEPC Conference – www.marc.org/gti/lepc-terc to register
- TRI workshops – on the hand out.
- Amendments to EPCRA
- Joe Davis – provided a hand out that shows Federal On-Scene Coordinators assigned to different parts of the Region. Kathy Lee complemented Joe on his role during the 2008 flooding. Joe was the first in Iowa and got all the hazardous materials stuff going and did an outstanding job. Joe and EPA kept the collection of hazardous materials under budget.

10. Public Comment- none

Other business not on the agenda: Jim Clark said Hazmat IQ class – from HMEP grant. Want to see it again. On behalf of the Iowa Hazmat Taskforce \$9400. Pat said they might have the IQ course at the KCMO LEPC Conference.

11. Adjourn: Meeting adjourned at 11:20

Minutes submitted by Paul Sadler

Chairperson

Date

The next meetings will be: September 24, 2009

Standing Committees as of March 5, 2009

- Executive: Julie Bell (Committee Chair*), Dave Miller, Anne Jackson, Kathy Lee (traditionally the chair and three state agencies who have statutory responsibilities.)
- LEPC Support/ Education: Julie Bell (Committee Chair*), Anne Jackson, Jim Kenkel, LEPC Representative, Industry Rep., HSEMD support. (Pat Reitz EPA, Lori Morrissey EMA, and Mahala Cox EMA are ad hoc members).
- Fees Committee: Kathy Lee (Committee Chair*), Attorney General Rep., LEPC Rep., and David Miller, Industry Rep., Julie Bell, Jim Clark. (Fees Committee activity suspended until 2012 by the IERC on March 5, 2009)
- Rules Committee Chapter 605 – Chair Kathy Lee; members Anne Jackson, Julie Bell, LEPC Rep.