



**POTTAWATTAMIE COUNTY**  
Emergency Management and Homeland Security

EMERGENCY OPERATIONS CENTER  
227 S 6<sup>th</sup> St, Ste 23B  
Council Bluffs, IA 51501  
712-328-5777

2 November 2016

Tracey Epps  
IERC EPCRA Planner & Board Administrator  
Iowa Homeland Security and Emergency Management  
7900 Hickman Rd, Ste 500  
Windsor Heights, IA 50324

**RE: Petition for LEPC Regional Planning District**

Dear Tracey,

Please accept this correspondence and petition packet as validation of our request to create a three-county local emergency planning committee.

As you are aware, the original LEPCs for Pottawattamie, Mills and Montgomery Counties have been inactive for a period of time now due to many variables. Through individual and collaborative threat identification and risk assessment processes our three counties have acknowledged the need to reprioritize and bolster our LEPC efforts and maintain a level of compliancy consistent with the spirit of EPCRA and Iowa Administrative Code 605.

Enclosed in this submission you will find all the necessary documents for the IERC to consider and approve our petition. Some documentation recommended in the development guide is not able to be achieved due to the inactivity of the original LEPCs and would be ineffective and cost prohibitive to try and accomplish.

Should you have any questions regarding this petition or the information provided, please contact Doug Reed with Pottawattamie County at your earliest convenience.

Regards,

  
Doug Reed, Director  
Pottawattamie Co EMA  
Dist 4 LEPC Chair

  
Larry Hurst, Director  
Mills Co EMA  
Dist 4 LEPC 1<sup>st</sup> Vice Chair

  
Brian Hamman, Director  
Montgomery Co EMA  
Dist 4 LEPC 2<sup>nd</sup> Vice Chair

cc: Lisa Sexton, HMEP Program Coordinator  
Mark Schouten, HSEMD Director

PROUDLY SERVING THE JURISDICTIONS OF

Pottawattamie County • Council Bluffs  
Avoca • Carson • Carter Lake • Crescent • Hancock • McClelland  
Macedonia • Minden • Neola • Oakland • Treynor • Underwood • Walnut

**PETITION TO MERGE**  
**REGIONAL EMERGENCY PLANNING DISTRICT**

November 2, 2016

To the Iowa Emergency Response Commission (IERC):

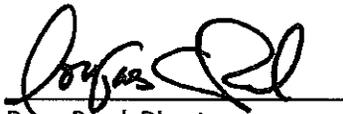
The Emergency Management Agencies of the Counties of Pottawattamie, Mills and Montgomery hereby petitions the Iowa Emergency Response Commission to merge our designated LEPC Districts into the ***District 4 Local Emergency Planning Committee***. The area of the proposed Planning District will consist of the geographical boundaries of **Pottawattamie, Mills and Montgomery Counties**.

The existing individual planning districts are not and have not been active with EPCRA and Emergency Planning requirements being handled by local emergency management as a default. Existing membership rosters are significantly outdated and unreliable and there has been no communication for quite some time with previous LEPC chairs.

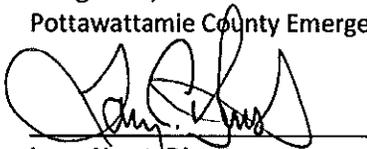
This petition to create a new regional planning district will enhance and improve our each county's ability to adequately plan for, respond to, train, and mitigate the accidental release of extremely hazardous substances in our communities and conduct activities in a mutually beneficial and coordinated environment.

The benefits from such a merger would be to protect the citizens of our communities by pooling and improving our available resources in planning, training, response and mitigation of accidental release of hazardous substances.

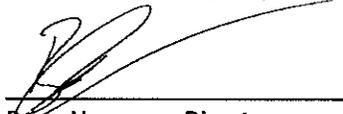
We would like this for this change to take place by December 1, 2016.



Doug Reed, Director  
Pottawattamie County Emergency Management



Larry Hurst, Director  
Mills County Emergency Management



Brian Hamman, Director  
Montgomery County Emergency Management





## **DISTRICT 4 LOCAL EMERGENCY PLANNING COMMITTEE**

**POTTAWATTAMIE COUNTY ◦ MILLS COUNTY ◦ MONTGOMERY COUNTY**

### **LEPC DESIGNATION and POINTS OF CONTACT**

**NAME: DISTRICT 4 LOCAL EMERGENCY PLANNING COMMITTEE  
a/k/a  
DISTRICT 4 LEPC or D4 LEPC**

**POCs: Doug Reed, LEPC Chairperson  
Pottawattamie County Emergency Management Director  
227 S 6<sup>th</sup> St, Ste 23B  
Council Bluffs, IA 51501  
712-328-5777**

**Larry Hurst, LEPC 1<sup>st</sup> Vice Chairperson  
Mills County Emergency Management Director  
418 Sharp St  
Glenwood, IA 51534  
712-527-3643**

**Brian Hamman, 2<sup>nd</sup> Vice Chairperson  
Montgomery County Emergency Management Director  
1109 Highland Ave  
Red Oak, IA 51566  
712-623-3749**

**Pottawattamie County EMA  
227 So. 6<sup>th</sup> Street, Suite 23B  
Council Bluffs, IA 51501  
712-328-5777**

**Mills County EMA  
418 Sharp Street  
Glenwood, IA 51534**

**Montgomery County EMA  
1109 Highland Avenue  
Red Oak, IA 51566**



## **DISTRICT 4 LOCAL EMERGENCY PLANNING COMMITTEE**

**POTTAWATTAMIE COUNTY ◦ MILLS COUNTY ◦ MONTGOMERY COUNTY**

### **RESOLUTION #2016—01**

**WHEREAS,** The counties of Pottawattamie, Mills and Montgomery have recognized the requirement to have an active LEPC under EPCRA and Iowa Administrative Code 605 requirements; and

**WHEREAS,** No active LEPC has operated in any of the identified counties for a period of years; and

**WHEREAS,** Hazardous Materials planning, training, exercising, and reporting is critical to the overall comprehensive emergency management programs in each of said counties; and

**WHEREAS,** The identified counties have mutual hazardous materials preparedness and response interests as contiguous counties; and

#### **THEREFORE, LET IT BE RESOLVED THAT:**

- 1.** The Local Emergency Planning Committees of Pottawattamie, Mills and Montgomery County are hereby declared dissolved due to organizational inactivity causing them to be noncompliant with applicable rules under EPCRA and Iowa Administrative Code.
- 2.** The District 4 Local Emergency Planning Committee is hereby organized under guidelines set forth in Iowa Administrative Code 605 Chapters 102 and 103 as a regional emergency planning district with the sole intent to ensure compliance with Title III, Section 301 of the Emergency Planning and Community Right-to-Know Act of 1986 and Iowa Administrative Code 605 Chapters 102 and 103 for the purpose of protecting the citizens of our communities by pooling and improving our available resources in planning, training, response and mitigation of accidental release of hazardous substances.
- 3.** The Officers of the District 4 Local Emergency Planning Committee hereby acknowledge and certify their assumption of these duties from the dissolved local LEPCs.

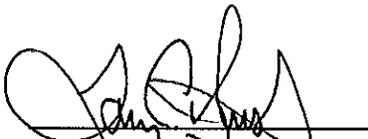
**Our signatures affixed to this resolution (#2016—01) certifies the accuracy of the information contained therein and the intent to create a regional LEPC as authorized under Iowa Administrative Code 605. It is also acknowledged that each county party to this regional planning district will maintain a county specific ESF-10 Annex that is compliant with IERC and HSEMD planning standards and shall be maintained in each respective county comprehensive emergency plan.**

Approved this 2<sup>nd</sup> day of November, 2016, A.D.

  
\_\_\_\_\_  
Doug Reed, Director

Pottawattamie County Emergency Management

District 4 LEPC Chairperson

  
\_\_\_\_\_  
Larry Hurst, Director

Mills County Emergency Management

District 4 LEPC 1<sup>st</sup> Vice Chairperson

  
\_\_\_\_\_  
Brian Hamman, Director

Montgomery County Emergency Management

District 4 LEPC 2<sup>nd</sup> Vice Chairperson



## **DISTRICT 4 LOCAL EMERGENCY PLANNING COMMITTEE**

**POTTAWATTAMIE COUNTY ◦ MILLS COUNTY ◦ MONTGOMERY COUNTY**

**Meeting Minutes - 10/11/2016**

### **Proposed District 4 LEPC Organizational Meeting**

Meeting called to order at 7pm by Pottawattamie County EMA. In attendance were Doug Reed, Larry Hurst, Brian Hamman, Travis Hitchcock, Tony Eblen.

1. Reed reviewed concepts and strategies identified in two previous regional LEPC study sessions that were held in July and September. The overall goal is to establish a regional LEPC that will be appropriately managed and coordinated to achieve requirements under EPCRA, enhance hazardous material planning, training, and response and ensure that this function does not go dormant in future.

2. Counties reviewed and discussed tasks to be completed from previous study sessions as follows:

a. Local LEPC dissolution meeting and resignations: each county identified that there has been no local LEPC activity for between 4 and 10+ years. LEPC rosters are no longer valid with many previous members found not to be living in the area, not working for the organization anymore, the organization no longer in existence, and event in a couple rare cases the rostered member was deceased. It was determined that there is no feasible way to conduct a valuable meeting of the old local LEPCs to receive a vote for dissolution and especially no feasible way to obtain resignation forms.

b. Regional LEPC organization and proposed members for nomination were completed and finalized. Upon approval of the IERC on the regional petition, an inaugural meeting will be conducted where the nomination forms will be completed for submission. In the meantime, nomination forms for emergency management staff will completed and submitted with the petition.

c. Bylaws were reviewed with edits made and approved for submission to the IERC.

d. Supporting documents regarding any processes or agreements for the initiation of this effort will be drafted at Pott Co and submitted to Mills and Mont. for review and acceptance.

e. Pott Co is developing a database program for EHS data collection and LEPC rosters. If other counties like it and have MS Access as a program we should be able to share data easily.

3. Meeting adjourned - 9pm.

# Iowa Emergency Response Commission

## Nomination/Resignation

Local/Regional Emergency Planning Committee Membership

Name of County/Region: District 4

Name of Person: Doug Reed

Title: Emergency Management Director

Company Name: Pottawattamie County Emergency Management

Address: 227 S 6th St, Ste 23B  
(Street/PO Box)

Council Bluffs 51501  
(City) (ZIP)

Work Phone: 712-328-5777

E-Mail: doug.reed@pottcounty-ia.gov

*Please check the group you represent: (check more than one if necessary)*

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Elected State or Local Official | <input type="checkbox"/> Hospital Personnel                                   |
| <input type="checkbox"/> Law Enforcement Personnel                  | <input checked="" type="checkbox"/> Emergency Management Personnel            |
| <input checked="" type="checkbox"/> Fire Fighting Personnel         | <input type="checkbox"/> Transportation Personnel                             |
| <input type="checkbox"/> First Aid Personnel                        | <input type="checkbox"/> Broadcast or Print Media                             |
| <input checked="" type="checkbox"/> Health Personnel                | <input type="checkbox"/> Community Group                                      |
| <input type="checkbox"/> Local Environmental Personnel              | <input type="checkbox"/> Owner/Operator of Facility Subject to Section 302(c) |
| <input type="checkbox"/> Other                                      |   |

### NOMINATION selection:

- Member       Chair       Vice-Chair

### REAPPOINTMENT for      Years

### Elected

- Chair       Vice-Chair

### RESIGNATION:

- Member       Chair       Vice-Chair



11-2-2016

Signature

Date

# Iowa Emergency Response Commission

## Nomination/Resignation

Local/Regional Emergency Planning Committee Membership

Name of County/Region: District 4

Name of Person: Larry Hurst

Title: Emergency Management Director

Company Name: Mills County Emergency Management

Address: 418 Sharp St  
(Street/PO Box)

Glenwood  
(City)

51534  
(ZIP)

Work Phone: 712-527-3643

E-Mail: lhurst@millsctyema.org

*Please check the group you represent: (check more than one if necessary)*

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Elected State or Local Official | <input type="checkbox"/> Hospital Personnel                                   |
| <input type="checkbox"/> Law Enforcement Personnel                  | <input checked="" type="checkbox"/> Emergency Management Personnel            |
| <input type="checkbox"/> Fire Fighting Personnel                    | <input type="checkbox"/> Transportation Personnel                             |
| <input type="checkbox"/> First Aid Personnel                        | <input type="checkbox"/> Broadcast or Print Media                             |
| <input type="checkbox"/> Health Personnel                           | <input type="checkbox"/> Community Group                                      |
| <input type="checkbox"/> Local Environmental Personnel              | <input type="checkbox"/> Owner/Operator of Facility Subject to Section 302(c) |
| <input type="checkbox"/> Other                                      |   |

### NOMINATION selection:

- Member       Chair       Vice-Chair

### REAPPOINTMENT for      Years

#### Elected

- Chair       Vice-Chair

#### RESIGNATION:

- Member       Chair       Vice-Chair



11-2-2016

Signature

Date

# Iowa Emergency Response Commission

## Nomination/Resignation

Local/Regional Emergency Planning Committee Membership

Name of County/Region: District 4

Name of Person: Brian Hamman

Title: Emergency Management Director

Company Name: Montgomery County Emergency Management

Address: 1109 Highland Ave  
(Street/PO Box)

Red Oak  
(City)

51566  
(ZIP)

Work Phone: 712-623-3749

E-Mail: bhamman@montgomerycoia.us

*Please check the group you represent: (check more than one if necessary)*

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Elected State or Local Official | <input type="checkbox"/> Hospital Personnel                                   |
| <input type="checkbox"/> Law Enforcement Personnel                  | <input checked="" type="checkbox"/> Emergency Management Personnel            |
| <input type="checkbox"/> Fire Fighting Personnel                    | <input type="checkbox"/> Transportation Personnel                             |
| <input type="checkbox"/> First Aid Personnel                        | <input type="checkbox"/> Broadcast or Print Media                             |
| <input type="checkbox"/> Health Personnel                           | <input type="checkbox"/> Community Group                                      |
| <input type="checkbox"/> Local Environmental Personnel              | <input type="checkbox"/> Owner/Operator of Facility Subject to Section 302(c) |
| <input type="checkbox"/> Other                                      |   |

### NOMINATION selection:

- Member       Chair       Vice-Chair

### REAPPOINTMENT for      Years

### Elected

- Chair       Vice-Chair

### RESIGNATION:

- Member       Chair       Vice-Chair



11-2-2016

Signature

Date

## LEPC Membership Roster

First Name	Last Name	Title	Organization	Designation
			Mont., County Emergency Man	<input type="text"/>
Melvin	Hauser	Supervisor	Pott. County Emergency Mana	<input type="text"/>
Richard	Crouch	Supervisor	Mills County Emergency Mana	<input type="text"/>
Larry	Hurst	Director	Mills County Emergency Mana	<input type="text"/>
Brian	Hamman	Coordinator	Montgomery County Emergenc	<input type="text"/>
Doug	Reed	Director	Pottawattamie County Emerge	<input type="text"/>
Travis	Hitchcock	EM Specialist	Mills County Emergency Mana	<input type="text"/>
Tony	Eblen	EMA Specialist	Pottawattamie County Emerge	<input type="text"/>
Jeff	Theilen	Captain	Council Bluffs Fire Departmen	<input type="text"/>
Galen	Barrett	President	Pottawattamie County Emerge	<input type="text"/>
TBD			Red Oak Fire Department	<input type="text"/>
Lucas	Lechtenberg	Asst. Fire Chief	Pacific Junction Fire Depatme	<input type="text"/>
TBD			Montgomery Public Health	<input type="text"/>
Sheri	Bowen	Administrator	Mills County Public Health	<input type="text"/>
TBD			Visiting Nurses Association	<input type="text"/>
TBD			Jennie Edmundson Hospital	<input type="text"/>
TBD			Montgomery County Sheriff's	<input type="text"/>
Eugene	Goos	Sheriff	Mills County Sheriff's Office	<input type="text"/>
Danker	Jeff	Sheriff	Pottawattamie County Sheriff	<input type="text"/>
TBD			DNR	<input type="text"/>
Megan	Schuette	Federal On-Scene Coordinator	US Environmental Protection	<input type="text"/>

First Name	Last Name	Title	Organization	Designation
Jack	Jablonski	Operations Manager	Barton Solvents	<input type="text"/>
TBD			BNSF Railroad	<input type="text"/>
TBD			Heartland Cooperative	<input type="text"/>
TBD			Verizon	<input type="text"/>
TBD			Google	<input type="text"/>
TBD			Council Bluffs Water Works	<input type="text"/>
TBD			Nachurs Alpine Solutions	<input type="text"/>
TBD			MidAmerican Energy	<input type="text"/>
TBD			Agriland FS	<input type="text"/>
Dan	Velasquez	Safety Manager	Southwest Iowa Renewable En	<input type="text"/>
TBD			Department of Transportation	<input type="text"/>
TBD			Pottawattamie County Engine	<input type="text"/>
TBD			Union Pacific (Hazmat Team)	<input type="text"/>
Kevin	Mayberry	Engineer	Mills County Engineer	<input type="text"/>



## BYLAWS

### DISTRICT 4 LOCAL EMERGENCY PLANNING COMMITTEE

The following Bylaws shall establish and govern the operations of the *District 4 LEPC* that geographically covers the counties of Mills, Montgomery and Pottawattamie, Iowa.

#### ARTICLE I - NAME, CONTACT INFORMATION

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SECTION 1. **Name of the committee:** The official name of the Committee shall be the District 4 Local Emergency Planning Committee.

SECTION 2. **Contact Information:** The official mailing address and telephone number for the committee shall be:

District 4 Local Emergency Planning Committee  
Pottawattamie County Emergency Management Agency  
227 S 6<sup>th</sup> St, Suite 23B  
Council Bluffs, IA 51501

#### ARTICLE II – LEGAL STATUS

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SECTION 1. **Status of committee:** Pending approval of the Iowa Emergency Response Commission (IERC), this committee will function under a merged Emergency Planning District that will geographically cover Mills, Montgomery, and Pottawattamie Counties. The District will be effective upon notification of approval from the IERC which will also serve as official dissolution of each counties individual LEPCs.

## **ARTICLE III - MEMBERSHIP**

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**SECTION 1.**                    **Membership Representation** (IAC 607-103.1(2)): In as much as possible, the membership of this LEPC should be comprised of a representative from each of the following groups or organizations:

- a) Elected state and local officials
- b) Law Enforcement personnel
- c) Emergency Management personnel
- d) Firefighting personnel
- e) First-Aid personnel
- f) Health personnel
- g) Local Environmental personnel
- h) Hospital personnel
- i) Transportation personnel
- j) Broadcast and Print media
- k) Community Groups
- l) Owner/Operators of facilities subject to the requirements of EPCRA

A person may represent one or more of the disciplines listed, provided they are duly appointed by each group or organization to be represented.

**SECTION 2.**                    **Membership** (IAC 607-103.2(1)): Nominations to the LEPC shall be made by any of the three County Emergency Management Commissions that are represented in the LEPC by submitting a Nomination form to the IERC. Nominations shall be subject to the review and appointment of the IERC.

**SECTION 3.**                    **Term of Membership** All members shall serve a two (2) year term from the date of appointment by the IERC. Members in good standing will automatically be appointed to successive terms. Polling of the membership concerning tenure and review of appointments shall take place during the Annual Meeting.

**SECTION 4.**                    **Attendance at Meetings** All members, or a member's alternate (Art.II, Section 5), are required to attend at least fifty (50) percent of all meetings of the committee held in their two (2) year term.

**SECTION 5.**                    **Member Alternates** Each LEPC member may appoint an alternate to represent him/her in their absence. Alternates must be from the organization of the official LEPC member. Alternates may address the Chairperson and Body membership concerning any issue, but shall not have voting rights in the absence of the official LEPC member.

**SECTION 6.**                    **Resignations, filling vacancies, and adding new members** Any member wishing to resign from the LEPC must submit a Resignation Form provided by the LEPC and will be forwarded to the IERC. Nominations to fill a vacancy or to add a

member will be made by the LEPC body by submitting an Nomination Form to the IERC for appointment.

## **ARTICLE IV - OFFICERS**

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- SECTION 1.**            **Officers** The officers of the LEPC shall be the Chairperson, 1<sup>st</sup> Vice Chairperson, 2<sup>nd</sup> Vice Chairperson and Secretary.
- SECTION 2.**            **Chairperson** The Chairperson shall preside at all meetings of the Committee, using parliamentary procedures. The Chairperson shall sign or delegate to the Vice Chairpersons the authority to sign all official documents of the committee. The Chairperson shall also ensure that an agenda of each Committee meeting is mailed or delivered to all members.
- SECTION 3.**            **Vice Chairpersons** The Vice Chairpersons shall perform the duties of the Chairperson person in the absence or incapacity of the Chairperson. In case of the resignation or death of the Chairperson, the 1<sup>st</sup> Vice Chairperson shall be named the Chairperson for the unexplored portion of the Chairperson’s term. The Vice Chairpersons shall have the authority to sign official documents of the committee.
- SECTION 4.**            **Secretary** The Secretary shall be responsible for keeping minutes, receiving mail, filing, and maintain common databases.
- SECTION 5.**            **Officer Terms** Officer positions will be held by the emergency management coordinators of each of the three counties on a rotating basis starting with Pottawattamie County in Year One filling the Chairperson position, Mills County filling the 1<sup>st</sup> Vice Chairperson position and Montgomery County filling the 2<sup>nd</sup> Vice Chairperson position. Each position will maintain a two year term and rotate through the positions maintaining the order described above. The Secretary position will be appointed by the Chairperson and have no term. The Vice Chairpersons will nominate a staff member or committee member as Secretary for appointment or reaffirmation of appointment on a yearly basis at the Annual Meeting.
- SECTION 6.**            **Vacancies** Should an officer seat become vacant for any reason, the Chairperson shall appoint an interim officer for the unexplored portion of the term.

## ARTICLE V – SUBCOMMITTEES

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SECTION 1.            **Appointment of Subcommittees** The Chairperson may appoint subcommittees to carry out tasks of the LEPC. Subcommittees shall have at least one (1) LEPC member. Remaining members may or may not be members of the LEPC.

## ARTICLE VI – MEETINGS

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SECTION 1.            **Open Meeting Law** Committee business shall be conducted in compliance with the Iowa Code chapter 21, "Official Meetings Open to Public," and Iowa Code chapter 22, "Examination of Public Records."

SECTION 2.            **Frequency** The LEPC shall meet as frequently as deemed necessary by the Chairperson, but no less than once (1) a year. The LEPC will hold its annual meeting on or near the month of July to review the emergency response plans for each county and compliance of the committee. Each meeting will be held at a site selected by the Chairperson. At least a ten day notice will be given to all LEPC members.

SECTION 3.            **Agenda** An agenda shall be prepared and will be distributed to the membership at least 10 days prior to the meeting.

SECTION 4.            **Quorum** The quorum shall consist of the members present at any meeting. Unless specified in these by-laws, all votes shall pass by a simple majority of those present.

## ARTICLE VII – PARLIAMENTARY AUTHORITY

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SECTION 1.            **Meeting Format** Roberts Rules of Order shall be the reference for parliamentary procedures in conducting meetings.

## ARTICLE VIII – AMENDMENTS

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SECTION 1.            **Amendments of By-Laws** The bylaws of this committee may be amended by an affirmative vote of three-fourths (3/4) of committee members present. Any proposed amendment must be submitted in writing and be distributed with the agenda for the meeting at which the amendment is to be voted on.

SECTION 2.            **Filing of Bylaws and Amendments** The Bylaws shall be recorded with each counties recorder and a copy of the bylaws shall be forwarded to the IERC.

## ARTICLE IX - SEVERABILITY

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SECTION 1.            **Severability** Invalidation of any provision or application of these bylaws shall not affect other provisions or applications.

## ARTICLE X – DISSOLUTION

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SECTION 1            In the event of this organization’s liquidation or dissolution, all liabilities and obligations of this organization shall be paid and discharged or adequate provision should be made thereof.

SECTION 2.            Assets held by this organization upon condition requiring return, transfer or conveyance, which condition occurs by reason of dissolution, shall be returned, transferred, or conveyed in the accordance with such requirements.

SECTION 3.            Any remaining assets shall be transferred or conveyed exclusively for the purpose of this organization in such a manner or to such an organization existing exclusively for government, charitable, educational or scientific purposes.

ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

  
\_\_\_\_\_, Chairperson  
Doug Reed, Director

Pottawattamie County Emergency Management

  
\_\_\_\_\_, 1<sup>st</sup> Vice Chairperson

Larry Hurst, Director  
Mills County Emergency Management

  
\_\_\_\_\_, 2<sup>nd</sup> Vice Chairperson

Brian Hamman, Director  
Montgomery County Emergency Management