

Minutes
IOWA EMERGENCY RESPONSE COMMISSION
September 28, 2006 at 9:00 a.m.
O'Connor Conference Room
Hoover Building, 2nd Floor
Des Moines, Iowa

Members Present:

Julie Bell
#Elizabeth Christiansen
Jim Clark
Dave Coppess
#Anne Jackson
#Jim Kenkel
#Sue Lagneaux
Frank Magsamen
Heidi Patterson-Runyan
Chris Scase

Absent:

#Dean House
Mary Jones*
Kathy Lee
#David Miller
Mark Shearer

Staff:

Adam Broughton - DNR
Paul Sadler - HSEMD
Lisa Sexton - HSEMD

Guests

*Clark Christensen, IDPH
– for Mary Jones
Bob Goldhammer, Public
George Hess, EPA
Via Telephone
Thomas Morgan, FEMA
Chris Heerkes, NIEPD Ch.
Kip Ladage, Bremer Co.
Steve Ulrichs, Butler Co.
Bill Ziegler, Fayette Co.

Approval of Minutes

March 2, 2006 – Misspelled Lagneaux and Preliz. Moved by Sue Lagneaux, to approve with corrections. Second by Elizabeth Christiansen. Motion carried unanimous

Because some voting members needed to go to another meeting later, the agenda was amended to take care of business that required a quorum. Moved down to new business.

Correspondence, Speeches, Conference Reports

Chris Scase attended the Governor's Homeland Security Conference. She also attended a Polk County LEPC meeting and witnessed a demonstration of the Tier II Manager system.

In September, Anne Jackson spoke to Association of General Contractors about Tier IIs. She expects to see a lot more reporting of fuels.

Committee Updates: Membership / Reports

Executive – No Report -

Information Education – No Report

LEPC Support – No Report

Fee Legislation Study Committee – No Report

NEW BUSINESS:

- **Approval of Boundaries of Northeast Iowa Regional Emergency Planning District.** Howard, Chickasaw, Bremer, Butler, Grundy and Hardin County LEPCs are petitioning the IERC to disband their county LEPCs and join together as a regional planning district to be called the Northeast Iowa Regional Emergency Planning District. LEPC members have submitted resignations and nominations.
Moved by Elizabeth Christensen to accept resignations, second by Anne Jackson.
Motion carried unanimously.

Moved to approve the formation and boundaries by Elizabeth Christensen, second by Sue Lagneaux. Motion carried unanimously.

- **Approval of Addition of Fayette County to Region 6 Emergency Planning District**
Fayette County has petitioned the IERC to change the boundaries of Region 6 Emergency Planning District to include Fayette County. Region 6 has agreed to accept Fayette County. The Fayette County LEPC has disbanded their County LEPC and submitted resignations and one nomination to be appointed the Region 6 Emergency Planning Committee.

Motion by Sue Lagneaux second by Anne Jackson to accept Fayette County resignations. Motion carried unanimously.

Motion to add Fayette County to the Region 6 Emergency Planning District by Elizabeth Christiansen second by Jim Kenkel. Motion carried unanimously.

- **Section 301 – LEPC membership – Appointments and Resignations - LEPC Membership Report** - Paul Sadler asked that we move down the Agenda to Section 301 – LEPC membership – Appointments and Resignations - LEPC Membership Report - He said that Appanoose, Monroe Counties are active and has nominated members to replace inactive members. Carroll County also, has nominated the new coordinator to the LEPC to replace the old coordinator.

Motion by Sue Lagneaux, second by Elizabeth Christiansen to accept resignations in Monroe, Appanoose and Carroll Counties. Motion carried unanimously

- **Approval of HEMP Grant allocations** – Chris Scase explained the purpose and intricacies of the HMEP grant and the nature of the formula used to distribute funds. \$7500 will be set aside from the grant that will be used for the 2007 Regional LEPC meeting in Kansas City. There was a question about Allamakee County on the application. It was not a problem that they are on the application for the Northeast Iowa Regional Planning district application but not a part of that district. Paul Sadler noted that until recently Allamakee County had hazmat coverage from La Cross Wisconsin but is now a part of the Northeast Iowa Response Group out of Waterloo. Lisa Sexton said that Allamakee could easily be added to the award, if that was the intent of the application.

Bob Goldhammer complemented the IERC for thinking ahead to provide for scholarships for attending the Region 7 LEPC Conference. He asked if we could use the word “Stipend” instead of scholarship. There are no limitations to what we call that and it was agreed that it was a better term to refer to as “Stipend” in the future.

Moved by Elizabeth Christiansen, second by Anne Jackson to accept the staff recommendations on the HMEP Grant Allocations. Motion carried unanimously.

Elizabeth Christiansen had to leave to go to another meeting.

- **Standing Committees – review and assignments**

Last time the assignments were looked at was March 2003. Chris explained the four established standing committees: Executive, LEPC Support, Education/Information and Fee Committee.

Chris asked if we could remove the LEPC Support committee and the Education/Information committee. Julie Bell suggested that we allow the LEPC Support committee to remain but as inactive.

Executive: Chris Scase, Dave Miller, Anne Jackson, Elizabeth Christiansen (traditionally the chair and three state agencies who have statutory responsibilities.)

LEPC Support/ Education: Ann Jackson, Susan Lagneaux, Jim Kenkel, Julie Bell, Frank Magsamen, HSEMD support

Fees Committee: Kathy Lee, Chris Scase, Frank Magsamen and Dave Miller (tentative), David Coppess, Julie Bell, Jim Clark.

Education/Information: will be removed as a standing committee and combined with the LEPC Support Committee.

- **ISDI – Tier II Manager purchase** – Information Item. Chris explained the commercially available Tier II Manager system offered by the ISDI company. She explained that in March, the Polk County LEPC hosted a demonstration of this system. They wanted to buy the system with HMEP money but it was not allowed by DOT. HSEMD is looking at the ability to purchase the systems with grant dollars. There had been some research and discussions with the company to understand what we could do with the system, and what we can afford. There is not sufficient money available to buy licenses for all 99 counties. HSEMD is looking at licenses for the six planning districts. Frank suggested that the 18 hazmat teams should have access to it as well. State license would be \$17650 plus more costs such as installation fee, importing data, etc. Ideally the system would be up and running by March of 2007. It would require that we make it mandatory to file through this new system, however facilities would still be required to file to the LEPCs and Fire Departments as well. There are many questions to be asked and answered before this can go forward. George Hess said that RMP does not require electronic submittal yet 90 percent of the submittals are electronic. EPA requires those who cannot submit electronically, to submit an affidavit that they do not have electronic submittal capabilities. Anne Jackson said that 80 percent of the Tier II information in Iowa is submitted electronically. If the company goes away it will be expensive to convert the information back again but it could be done.

Jim Kenkel left the meeting at 11:05

Chris requested a break at 11:05

- **County Ordinances for Hazmat cost recovery** – Kathy Lee requested this item for the agenda. Adam Broughton said that they are having difficulty in SW Iowa in recovering costs. Paul Sadler said it was his understanding that Kathy would like to see ordinances in place because it would make it easier to recover costs for spills, however HSEMD cannot mandate to counties that they have an ordinance in place and neither can the IERC. Bob Goldhammer said counties where spills have taken place and they didn't have an ordinance it would behoove them to get an ordinance in place before another

release occurs because ultimately they are the ones who loose the money. He asked if HSEMD could send samples to the Chairs of the Board of Supervisors. Chris said ISAC David Vestel might be able to move this issue maybe through their newsletter. Adam Broughton said they don't know who has these ordinances. Neither does HSEMD. George Hess reminded the Commission that there is the EPA cost reimbursement program. He mentioned that in cases of meth, sentences require reimbursements from criminals Missouri has a law that theft of ammonia for production of meth, the company could not be held liable for the response to the release.

- **EPA Stake Holders Meeting October 3&4 Excelsior Springs, Missouri.** – EPCRA coordinators are brought to Kansas City for a 1 day informational meeting. Chris Scase and Paul Sadler are planning to attend and maybe someone from DNR
- **2007 Region 7 LEPC/TERC Conference: August 16-19, Hyatt Regency Crown Center, KCMO.** Save the date postcards have been sent out and has been sent out to IERC members via e-mail.

Agency Reports

Homeland Security and Emergency Management Division

Section 303 – Plan Submissions - Adams County only county currently without a compliant plan.

Section 305 – Training Funds and Courses – Lisa Sexton said that about 2200 people have been trained under the current grant. Chris Scase said she wants to discuss at the March meeting, the formation of a short term Grants Committee to address award criteria, guidance, formula, turn back of funds and reallocation of funds.

Bob Goldhammer suggested weighting the grant to population. George Hess said to consider transportation corridors. Adam Broughton said to look at the number of facilities.

Division of Labor

Section 302 & 312 – Tier II Reporting & facility Submissions –

For calendar year 2004 – 3010 facilities reporting Tier II inventories which includes EHS as well as regular EPCRA 312 materials. 14,187 chemical records. 20,358 location records.

For calendar year 2005 to date, 2402 facilities reporting Tier II inventories 11,510 chemicals and 17,857 location records.

Iowa Workforce Board has approved 2 FTPs for support. It is up to the Legislature to fund those FTPs.

Dept. of Natural Resources

Section 304 & Section 313 - Emergency Notifications & Form R Reporting – Adam Broughton provided summary of spills the Commission. Spills are down from 2005. Ag spills are lower than previous spills but other spills seem to be up. May be related to reclassifications. Trends are staying the same. Vandalism and theft is the “other” category. TRI – preliminary information for 2005 shows a drop of 3 facilities but increase in submissions.

EPA Reports –

Regional Administrator is John Askew. Jim Gulliford has been promoted to Head Quarters in the Office of Pesticides. Art Spratlin moved to Water Division, Mark Smith is Deputy Administrator. George Hess is Branch Chief, Pat Reitz is now the Iowa Coordinator. Twenty nine chemicals have been added to CIRCLA list and 5 to hazardous waste list. TRI workshops – only one live workshop in Iowa next year. Will fund 3 web based TRI workshops for this region. The 20th Anniversary of EPCRA is next month. And Cameo is also 20 years. Three enforcement actions in Iowa settled. Resulted in donations of equipment to fire departments and hazmat teams. Those facilities were Wells Dairy, West Liberty Foods and Agro Processors. TRI – RMP info data before 9/11 now available to government agencies for planning purposes. Moving towards facilities updating fields in the data base. If you want access to the RMP Information send an e-mail to George Hess or Pat Reitz asking for access to the RMP.

FEMA Reports –

Thomas Morgan said that this will be his last report. CIRCLA funding has dried up will be in Mitigation instead.

Public Comment: Bob Goldhammer.

Concern about getting the information out to the public. Agenda is posted in HSEMD and on the HSEMD website. Some SERCs have general public members on the SERC. He suggested we look into a public member of the SERC.

Next meetings: March 8, 2007, September 27th 2007

Meeting adjourned at 12:00 noon.

IOWA EMERGENCY RESPONSE COMMISSION

Standing Committees
(Updated 9/28/2006):

Executive

Chris Scase, Chair, Department of Justice
David Miller, Emergency Management Division
Anne Jackson Workforce Development, Division of Labor
Elizabeth Christiansen, Department of Natural Resources
(made up of the IERC Chair and agencies with statutory requirements)

LEPC Support and Education

Anne Jackson Workforce Development, Division of Labor
Susan Lagneaux, Industry, United Services Association
Jim Kenkel, Department of Public Safety
Julie Bell, Industry, Heartland Co-Op
Frank Magsamen, LEPC Representative
HSEMD staff support

Fee Committee

Kathy Lee, Fire Service and Emergency Response Commission
Chris Scase, Chair, Department of Justice
Frank Magsamen, LEPC Representative
David Miller, Homeland Security and Emergency Management Division
David Coppess, Private Industry, Heartland Coop
Julie Bell, Private Industry, Regulatory Consultants, INC.
Jim Clark, Hazardous Materials Task Force

(Education/Information Committee was removed as a standing committee and combined with the LEPC Support Committee.)