

**MINUTES**  
**IOWA EMERGENCY RESPONSE COMMISSION**  
**Thursday, October 25, 2012 at 9:00 a.m.**  
**Wallace Building, 3<sup>rd</sup> Floor Conference Room**  
**Des Moines, Iowa**

**1. Attendance and introductions: A quorum is 5 of the 7 voting members**

**Members Present:**

- Jim Clark – IERC Member
- Bob Dougherty - IERC Member
- #Janet Gastineau–IERC Member
- #Staci Griffin - IERC Member
- #Dean House - IERC Member
- #Anne Jackson – IERC Chair
- Robin Pruisner – IERC Member
- Julie Waltz - IERC Member
- Melanie Rasmusson -IERC Mmbr
- #Terry Butler - IERC Member

**Absent Members:**

- #Ray Reynolds – IERC Member
- Rex Mundt – IERC Vice Chair
- Meghan Gavin – IERC Member

**On the Conference Phone:**

- #Susan Green – IERC Member had to leave the meeting about 10:30.
- Tricia Boggs – HSEMD Staff
- Ted Stopulos – IERC Member
- Peg Stickrod – Region 5 LEPC

**Staff Present:**

- Paul Sadler – HSEMD Staff
- Lisa Sexton – HSEMD Staff
- Kathy Lee – DNR Staff
- Rodney Tucker – DNR Staff
- Barb Lynch – DNR Staff
- Kelly Book – DNR Staff
- Pat Reitz – EPA Staff

**Public Present**

- Bob Goldhammer

**2. Approval of Agenda** - Motion to approve Julie Waltz, second by Janet Gastineau. Motion carried unanimously.

**3. Approval of Minutes** – May 24, 2012 – Minutes were provided in the meeting packet. After the Commission had an opportunity to read them, a motion to approve the minutes was made by Dean House, second by Julie Waltz. Motion carried unanimously.

**4. Correspondence, Speeches, Conference Reports**

- Tim McKiernan, Coordinator in Pocahontas County died. Funeral was October 24<sup>th</sup> and was attended by Mark Schouten, John Benson and Paul Sadler.
- Introduction of new IERC member, Robin Pruisner with the Department of Agriculture and Land Stewardship. She replaces Kevin Klommhaus who has taken a new job with the FDA. Robin is the State Entomologist.
- IERC Members Training – Paul Sadler delivered training to: Rex Mundt – March 30; Terry Butler - April 30; Janet Gastineau - May 11; Ray Reynolds - May 29; Ted Stopulos - June 19; Bob Dougherty - June 20; Robin Pruisner - July 10; Anne Jackson - July 19; Susan Green - July 20.
- Region 7 LEPC Conference Planning- Ongoing - Adam Broughton, Lisa Sexton and Paul Sadler participating.
- Administrators Seminar - August 28<sup>th</sup> – Paul Sadler attended the seminar specifically for administrators of gubernatorial appointed boards and commissions. It was a very good session. One thing he learned is that members of a board or commission that misses

three or more consecutive meetings can be replaced by the Governor (reference Iowa Code 69.15).

- New Board and Commission members' orientation - October 16. IERC members who were available attended the orientation and reported that it was very informative and efficient.
- NASTTPO Mid-Year Meeting in Houston - October 2012 – Lisa Sexton and Susan Green – National Association of SARA Title III Program Officials and included information on the HMEP Grant. One new issue that came out on training is where states will be required to certify that people who are trained under the grant will be able to perform after the training. She said we know it is coming and we will need to figure out how to implement that. It has implications for funding conferences. Susan Green urged other IERC members to attend future NASTTPO conferences because there was a great deal of information and gives one an appreciation of what the staff must understand do to administer the HMEP Grant.
- District 6 LEPC Workshop – coming up November 14 – Agenda/flyer has been distributed widely. There will be a transportation element in the workshop.
- North Central Region LEPC meeting – October 10th - Lisa Sexton, Anne Jackson and Paul Sadler went to the North Central Region LEPC meeting in Mason City. For the past 2 years, there has been a clear trend of applying for grant money and turning it all back. NCREPC's track record for the past 5 years has been poor as well. This year they will be required to have a "milestone" plan. Sadler offered them a LEPC Workshop and also offered staff resources to help them.
- Kathy Lee provided the original evaluations from the LEPC Workshops in 2012 and said she would provide copies of them to Paul Sadler by e-mail. She also offered to provide the financials of the past workshop if we asked.

## 5. Standing Committee Updates

Anne explained the purpose of each Standing Committee.

- Executive Committee - no report
- LEPC Support/ Education Committee – covered under meetings.
- Fee Legislation Study Committee – no report.
- Rules Committee - no report
- Grants Committee - Grants Committee did meet. Julie Waltz had a PowerPoint presentation to summarize the projects.

## 6. IERC Training/Information

- Chemical Facility Anti-Terrorism Standards (CFATS) – Department of Homeland Security – Donna Townsend – postponed to another date.
- TRANSCAER Tour – Rodney Tucker. Rodney provided a briefing on the TRANSCAER Ethanol Tour for 2013 and a calendar that shows the schedule for the Ethanol Tour.

## 7. Old Business:

- Rule Making – Kathy Lee introduced Barb Lynch, Bureau Chief of Field Services and Compliances; and Kelly Book with the DNR legal department. Barb is the point of contact for DNR rules. Kathy went through a list of recommendations for rule making from the DNR standpoint.
  - Motion by Julie Waltz, second by Dean to accept Kathy's recommendation and have the agencies work together and move forward

on rules. During the discussion, Susan Green had left the teleconference line; Paul Sadler confirmed that a quorum of voting members is present. Motion carried unanimously.

- This was Kathy Lee's last day with the DNR Emergency Response Unit and her involvement with the IERC. Anne Jackson presented Kathy with a Certificate of Appreciation and a bouquet of flowers. Kathy started working as a staff person with the IERC about 1999. A round of appreciative applause.

## 8. **New Business:**

- Grants Committee Presentations on LEPC projects – Jim Clark, Anne Jackson, Susan Green, Julie Waltz, and Dean House. This was covered under Standing Committees.

## 9. **Agency Reports**

- **Homeland Security and Emergency Management Division**
- Section 301 – LEPC membership – Appointments and Resignations (spread on the minutes) - Motion by Julie Waltz and second by Dean House to appoint the nominations and accept the resignations as presented by Paul Sadler. Motion carried unanimously.
  - LEPC Membership Report – Paul Sadler. Provided a map that depicted 18 inactive LEPCs, two that are in progress and the rest are active. He explained that activity is measured by documented updated membership/officers and no less than two sets of LEPC minutes each calendar year.
- Section 303 – Plan Submissions – Paul Sadler provided a map that shows that all counties have plans in place but one county (Buchanan) has not provided the yearly update as required by Federal and State Law.
- Section 305 – Grants, Training Funds and Courses – Lisa Sexton –
  - For FY 2012 HMEP Grant, \$54,259 was returned unspent. \$26,000 was re-allocated to 5 other LEPCs. Lisa was allowed to move planning money to training. She filed for 45 day extension for the remaining funds. \$23,500 is being used for courses and everything will be completed by November 14<sup>th</sup>, which is the deadline for the extension. She said she will close on time on December 30. She rolled up the Hazmat Symposium 2013 and moved to 2012 grant extension and has \$5000 to reallocate and will put out for interested parties after the 14<sup>th</sup>.
  - Lisa reported that the 2012 grant trained 3403 first responders. That number will go higher after the extension money is spent. It is higher than other years. Under the Planning grant, 28 plans were updated, 5 exercises and 6 studies were conducted. Now in the 2013 grant cycle – awaiting milestones and grant agreements due Nov. 15<sup>th</sup>. May return \$3881 from the 2012 grant which is lower than last year because we were able to reallocate returned funds.
  - Lisa said she has not yet applied the 25% penalty that was put into place many years ago. This could impact the North Central Region but first we intend to require milestones and work closely with them before we apply the penalty to them.

- We did try to use some of the money for a September 25-27 Cameo Course but it was cancelled for lack of participants.
  - Moved by Julie that we reinstate the 25% penalty on any LEPC or entity that does not use their funding two years in a row but each case will be evaluated at the discretion of the IERC. Second by Dean House. Discussion. Motion carried unanimously.

Lisa requested that the IERC provide something in writing for documentation to USDOT.

Janet Gastineau left the meeting at 11:22 pm.

- **Dept. of Natural Resources**
  - Section 302 & 312 – Tier II Reporting & facility Submissions – DNR Emergency Response Unit. Kathy reported that there are 3900 facilities.
  - Section 304 – DNR Emergency Response Unit 71 spills in September. Last year 41. Kathy provided a spreadsheet which is spread on the minutes.
  - Kathy said that one of the recommendations she will leave with the Emergency Response Unit is to go back to providing the spills reports by county. These reports used to be e-mailed to the Coordinators and from feedback she has received, it is missed.
- **EPA Reports** – Patricia Reitz, EPA – provided her “Report Out” which is spread on the minutes. There is much good information on that handout.

Robin Pruisner left the meeting at 11:30

- **2012 Emergency Response Guidebook distributions - Dean House.** He talked about the way the ERGs were distributed. In 2008 DOT started distributing the ERGs through the DOT maintenance shops around the state. He said the distribution went better this time than it did in 2008. One problem is that some Coordinators are not familiar with where the closest DOT maintenance shop is located. He noted that these facilities have many resources that Coordinators should be aware. He said that they will likely use the same distribution method in 2016. One problem is that the books come in cases of 40 books each, so in 2016 we need to ask Coordinators for the number of cases, not individual book numbers. USDOT is now pushing the CDROM version rather than the printed books. DNR provides “stickers” that has the Environmental Emergency Response 24 hour number on it. These “stickers” need to be placed on all new ERGs to assist the users when they need the 24 hour number handy. It is a good idea. Coordinating the delivery of the stickers with the new ERGs has always been tricky. Ideally, the Coordinators put these on the ERGs before distributing to their first responders. Dean said that surrounding states are always trying to horse trade with him on Spanish books that they received by mistake. He reiterated that the ERGs are not intended to be given to private industry. They are to be distributed only to first responders and public officials; hopefully they are placed in the vehicles rather than on a shelf. Dean said his job responsibilities have changed and he is now located in the Colfax office. Major Evans is now in charge of all the hazmat people.
- **Public Comment – Bob Goldhammer** – his comments included:

- “Thank you” for information on Governor’s requirements on Boards and Commissions participation.
- He said the telephone “call in capability” is useful for those who have to travel and he encouraged people to use it. However, he admonished that people who are local and can be here physically should attend the meetings in person.
- He gave Kudos to the Grants Committee for their report to the Commission.
- He said he supports the rule changes that are being discussed.
- He offered his congratulations and gratitude to Kathy Lee for all that she has done.
- He said the 25 % penalty would demonstrate accountability.
  
- **Set next meeting date** - The IERC set the meeting dates for 2013:
  - March 7, 2013. Election of officers. Nomination Committee will be Rex Mundt, Dean House and Susan Green.
  - April 18, 2013
  - October 24, 2013All meetings will begin at 10:00 am instead of 9:00 am per request from Staci Griffin.
  
- **Adjourn 12:01 am**

**Next meeting is March 7, 2013**