

**Minutes of the Regular Meeting of the  
Louisiana Emergency Response Commission (LERC)**

**Meeting Title** Louisiana Emergency Response Commission Meeting  
**Date of Meeting** March 11, 2015  
**Where** Louisiana State Police Headquarters  
7919 Independence Blvd.  
Baton Rouge, LA 70806  
**Start Time** 10:08 a.m.

1. Lt. Col. David Staton called the meeting to order at 10:08 a.m.
2. Tara Guidry, LSP/Right-to-Know Unit, called roll as follows:

Colonel Michael Edmonson, Department of Public Safety, NOT PRESENT  
Lt. Col. David Staton, Department of Public Safety, PRESENT  
Peggy Hatch, Department of Environmental Quality, PRESENT  
Cheryl Nolan, Department of Environmental Quality, NOT PRESENT  
Dr. Mike Strain, Department of Agriculture and Forestry, NOT PRESENT  
Dr. Brent Robbins, Designee for Department of Agriculture and Forestry, NOT PRESENT  
Kevin Davis, Governor's Office of Homeland Security, PRESENT  
Command Technician (CT) Taylor Moss, Department of Public Safety, PRESENT  
James Polk, Louisiana Emergency Preparedness Association, PRESENT  
Cecil Bennett, Carroll L. Herring Fire and Emergency Training Institute, NOT PRESENT  
Brian Wynne, Representative of Environmental Interest, PRESENT  
Edward Flynn, Louisiana Chemical Association, NOT PRESENT  
Chief Bobby Black, PRESENT  
Mayor Hiram Copeland, NOT PRESENT  
Paul Naquin, PRESENT  
Lt. Chris Rushing, PRESENT  
Chris Guilbeaux, PRESENT  
Senator Mike Walsworth, NOT PRESENT  
Senator Mack "Bodi" White, NOT PRESENT

The records reflect that the following visitors were present:

Duvall Arthur, St. Mary Parish LEPC  
Eric Deroche, St. James Parish  
J. W. Wiley on behalf of Senator Mike Walsworth

The records also reflect that the following LSP/Right-to-Know personnel were present:

Maj. Frank Ducote  
Gene Dunegan  
Tara Guidry  
Elizabeth Hoover  
Justin Bello, Louisiana State Police Legal Counsel  
Paul Schexnayder, Louisiana State Police Legal Counsel

3. Lt. Col. David Staton welcomed everyone and asked members to review their contact information and advise of any changes.
4. Lt. Col. Staton asked the commission to approve the minutes from the December 10, 2014 LERC meeting. A **MOTION** was made to approve the meeting minutes. The motion was seconded and passed with no opposition
5. **Committee Reports:**

Long Range Planning: No report. Lt. Col. Staton passed the floor to Chief Bobby Black, who stated that he is contacting committee members to obtain good contact telephone numbers for them which could be used for teleconferencing. Chief Black will be working on this for the next month.

Emergency Plans Review: Lt. Col. Staton passed the floor to Mr. Chris Guilbeaux to discuss Emergency Plans. The committee has completed reviews of the hazardous materials response plans (ESF-10s) for Lafayette, Lafourche, St. Martin, and St. John Parishes. Guilbeaux announced that in the last 30 days, they have introduced some new guidelines to OEP directors that will address the specific requirements of both LERC and SARA Title III, specifically addressing what LERC is looking for in the plans. In the next 90 to 120 days, the eight criteria that make up the new guidelines will be in effect and will be used to review the next four parishes (St. Mary, Grant, Sabine, and Winn). Every four years, the LERC reviews parish emergency response plans, which are also reviewed by the LEPCs annually.

Training and Resources: Report submitted by Mr. Cecil Bennett, who was not present. Lt. Col. Staton passed the floor to Mr. Gene Dunegan, who noted that the training numbers are increasing every year.

Local Emergency Planning Committee (LEPC) Service: Lt. Col. Staton passed the floor to Mr. James Polk, who announced that the next Louisiana Emergency Preparedness Association (LEPA) conference will be at the Golden Nugget in Lake Charles starting May 4. Mr. Eric Deroche added that the conference will feature a special panel discussion on Wednesday on how LEPCs came about, and how emergency management has changed over the years. Since 2015 marks the 50<sup>th</sup> anniversary of Hurricane Betsy, the National Weather Service will be discussing the science of how hurricane forecasting has changed from Betsy to today.

Public Information: Lt. Col. Staton passed the floor to CT Taylor Moss, who had the opportunity to speak with a reporter from the Baton Rouge Advocate on Bakken oil. CT Moss noted that the newspaper wrote that confidentiality agreements between Louisiana State Police and the four major railroads were “secret” and that State Police would not release them, even though he explained that it was the LERC Chair and Committee’s decision to honor the confidentiality agreements and not release the information. CT Moss added that while he stressed that Bakken oil was a concern due to its low flash point and dangerous properties, it was not high on the pecking order compared with other more dangerous chemicals transported by rail in Louisiana,

such as chlorine and ethylene oxide. CT Moss wanted to make sure to convey that response was a team effort involving local emergency response partners, and that the state of Louisiana is safe.

Regarding the railroad agreements, Lt. Col. Staton offered that the media appears to be clinging to the concept of “secrecy”, but there is no secrecy involved. Railroads operate in a competitive business, and asked that the transport information they provided not be disclosed “willy nilly”. He stated that it was not a case of hiding a deep dark secret, but in fact the information is given to local emergency response partners so they can plan and prepare for potential hazardous materials incidents involving Bakken oil.

Emergency Notification: No report.

## 6. Old Business

Lt. Col. Staton passed the floor to Mr. Gene Dunegan to discuss an update regarding the Chemical Facility Anti-Terrorism Standards (CFATS) Program. President Obama has signed HR 4007, an amendment to the CFATS Program, requiring Homeland Security to establish risk-based performance standards meant to protect chemical facilities from acts of terrorism and other security risks, and to require those facilities to submit security vulnerability assessments and develop and implement site security plans. Mr. Dunegan states that this will affect industry to a degree, but from what he has seen it probably will not affect the response community.

Mr. Dunegan also discussed several articles included in the meeting packets related to Bakken oil. The first article was a PowerPoint presentation released by FEMA Region 6 about Bakken oil, followed by a fact sheet about the rise in transporting crude oil across the country. Although Louisiana transports a large volume of Bakken oil, it does not have the concentration of people that the northeastern United State does. Next were two articles concerning derailments on March 6<sup>th</sup> in Illinois and March 8<sup>th</sup> in Canada. The last article was from the Baton Rouge Advocate featuring an interview with CT Moss which was discussed earlier. Mr. Dunegan remarked that he had not included the most recent Wall Street Journal article on Bakken oil, which detailed how the new tougher regulations for rail cars carrying Bakken oil don't appear to be working.

## 7. New Business

The first item of new business concerned the 2014 LERC Annual Report which was sent electronically to commission members for review, and which is to be submitted to the Governor by the first of next month. **A MOTION** was made to accept the report and send it to the Governor. The motion was seconded and passed without opposition.

The next item concerned LEPC membership updates from the following parishes: Avoyelles, Concordia, Jackson, Jefferson, LaSalle, Lincoln, Ouachita, Plaquemines, Richland, St. Charles, St. Helena, St. James, St. Mary, Terrebonne, West Carroll, and West Feliciana. **A MOTION** was made to approve all of the updates. The motion was seconded and passed without opposition.

The third item of new business was a Public Information Request for Tier II access submitted by Mr. Bill Spell with Entergy's River Bend nuclear power plant. They are running a scenario on

worst possible situations that could affect their control room, and are requesting Tier II information for a five-mile and ten-mile radius from their control room. Mr. Dunegan brought this request to the commission for approval because Entergy is requesting Tier II information from multiple parishes rather than just one individual parish. James Polk pointed out that the Nuclear Regulatory Commission requires emergency planning on a five-mile and a ten-mile area, which may have prompted the request. Since there was some confusion regarding Mr. Spell's position with Entergy and the reason why he was requesting information that the power plant should have already had, CT Moss agreed to vet Mr. Spell. **A MOTION** was made to approve the request with CT Moss vetting the contact. The motion was seconded and passed without opposition.

The fourth item of new business was a request for statewide Tier II access from Todd Hollenbaugh with the Governor's Office of Homeland Security and Emergency Preparedness. Chris Guilbeaux stated that Hollenbaugh was making the request to help parishes filling out forms. **A MOTION** was made to approve the request. The motion was seconded passed without opposition.

9. Lt. Col. Staton asked if there were any questions or announcements from the audience. Eric Deroche asked when the Tier II 2014 filing information would be available on E-Plan. Gene Dunegan answered that it would be about six to eight weeks. Mr. Deroche explained that the Tier II data is used to verify what chemical facilities have in their emergency plans.

Lt. Col. Staton announced the scheduling of the LERC's next quarterly meeting which normally occurs on the 2nd Wednesday of the 3rd month of the quarter. However, the next LERC meeting will be held during the LEPA Conference on Monday, May 4, 2015 at 1 p.m. on the 2<sup>nd</sup> Floor of the Golden Nugget in Lake Charles, LA. **A MOTION** was made to approve this date and location at the previous LERC meeting in December. That motion was seconded and passed without opposition.

11. **A MOTION** was made to adjourn. The motion was seconded and passed without opposition. The meeting adjourned at 10:55 a.m.