

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

Meeting Title Louisiana Emergency Response Commission Meeting
Date of Meeting September 9, 2015
Where Louisiana State Police Headquarters
7919 Independence Blvd.
Baton Rouge, LA 70806
Start Time 10:00 a.m.

1. Lt. Col. David Staton called the meeting to order at 10:11 a.m.
2. Tara Guidry, LSP/Right-to-Know Unit, called roll as follows:

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

The records reflect that the following visitors were present:

Duval Arthur, St. Mary Parish
Colonel Michael Edmonson, Department of Public Safety
Jan Herrington, Positive Results Inc.
Todd Hollenbaugh, GOHSEP
Jonathan Buckles, Inspector – Department of Homeland Security
Doug Frye, Inspector – Department of Homeland Security

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

Gene Dunegan
Tara Guidry
Alisa Monroe
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 May 4, 2015 LERC meeting. A **MOTION** was made by Mr. James Polk to approve the meeting minutes. The motion was seconded by Mr. Brian Wynne and passed with no opposition.

Before the Committee Reports began, Lt. Col. Staton introduced Col. Mike Edmonson, Superintendent of the Louisiana State Police, who spoke to LERC regarding electronic notification. Col. Edmonson began by noting that it would take as long as thirty minutes from the time that a company notified the LERC about an incident to notify the necessary agencies and responders. It's now down to an average of 24 minutes. Information is critical for first responders, and the purpose of electronic notification is to expedite information to first responders and be error-free in the information given. Electronic notification would feature "drop down" menus where items such as chemical names can be selected, avoiding errors. Col. Edmonson stressed the need to reach out to LEPCs, industries, and others to discover any questions, problems, or concerns regarding electronic notification. The Colonel supports electronic notification and referred to Harris County and the Port of Texas as a successful example of utilizing electronic notification. The Port of Texas has gone full electronic notification, and over 100 companies in Harris County also rely on that method. He also recalled how electronic notification was used successfully in Louisiana during Hurricane Gustav.

Colonel Edmonson then gave the floor to Command Technician Taylor Moss who explained the process of the Right-to-Know Unit of handling incident reports and notifications. When daytime staff takes over from after-hours and weekend staff, they have to manually listen to each telephone call that came in overnight or over the weekend and then make necessary corrections to incident notification reports, from correcting spelling errors to adding information from calls that was left out of reports. CT Moss offered as an example that changing the spelling of a chemical by as few as two letters can create an entirely different way of responding to an incident. It is a demanding and time consuming process taking from six to eight hours and places additional pressures on his staff, which is short by two employees. CT Moss believes that if the LEPCs had electronic notification in place, this would not be necessary, and that the information in the notifications will be much more accurate. His biggest fear is that when electronic notification is made mandatory, and he believes it is just a matter of time before this takes place, that LEPCs across the state will not be ready. CT Moss questioned what it was that LEPCs feared about taking on electronic notification. He revealed that his staff currently are contacting each LEPC Chair and asking three specific questions: Do you have the capability for electronic notification? Would you be willing to have electronic notification after-hours? What would be needed for your LEPC to go forward with electronic notifications?

Colonel Edmonson concluded that he is also concerned that the state will not be prepared for electronic notification when legislation is passed that makes it mandatory. He pointed out that any company can offer an electronic notification system for use, and that he has not backed a particular firm or business. Col. Edmonson added that Dow Chemical has had electronic notification in place since 2004 and has been successful with it.

5. Committee Reports:

Long Range Planning: Lt. Col. Staton passed the floor to Chief Bobby Black for a report from the Long Range Planning Committee. Chief Black was scheduled to address the Louisiana Fire Chiefs Association (LFCA) and Louisiana State Firemen's Association (LSFA) at the annual conference for their respective associations last June, but had to cancel due to a death in the family. Since then, Chief Black has contacted the incoming presidents of the LFCA and the LSFA, and will be conducting a LERC seminar at the LSFA's annual conference next August in New Orleans. Chief Black also has a tentative commitment to conduct a LERC seminar at the LFCA's next annual conference which will be in Baton Rouge at the end of March. On October 10, 2015, Chief Black will speak at the Louisiana Fire Chiefs symposium.

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 DeSoto, East Carroll, Franklin, and West Carroll Parishes, utilizing the new guidelines with eight specific criteria dealing with the release of extremely hazardous substances. Parish EOPs are being given until the end of the year to update their emergency plans by adding a separate EHS Appendix to each Annex H/ESF-10 that will address the questions raised by the criteria. Mr. Guilbeaux then gave the floor to Mr. Todd Hollenbaugh of GOHSEP, who elaborated on the 8 question plan review. DeSoto Parish was singled out for having a particularly well done emergency plan. The next four parishes reviewed will be Plaquemine, St. Bernard, Pointe Coupee, and St. Charles.

Training and Resources: Lt. Col. Staton passed the floor to Mr. Keith Bennett for the latest report concerning Training. Last quarter was rather good for training, as industries were very active with new hires that needed to be trained. However, Bennett noted that the demand for training has decreased this current quarter, with low oil prices pressuring companies to put projects and new hires on hold.

Local Emergency Planning Committee (LEPC) Service: Lt. Col. Staton passed the floor to Mr. Jim Polk, who continued the discussion on notifying LEPCs on hazardous materials incidents. While reviewing industry emergency plans recently, Mr. Polk discovered that LEPCs often fall at the bottom of the call list for plants when there's an incident or release. If there is an emergency where an extremely hazardous material has left a company's fence line, who locally will help them to shelter in place or block roads? LEPCs need to be contacted sooner, and electronic notification could help with that. Mr. Polk noted that each LEPC jurisdiction is different – one parish may have a fully-staffed Emergency Operations Center, another may have to rely on part-time employees or overworked staff. It may be a matter of trying different methods with LEPCs to find the one that works best for each.

6. Old Business

The first item of old business concerned two nominees suggested by Mr. Keith Bennett to fill the vacant posts on the Commission: Mr. Obie Cambre and Mr. Joey Dugas. Mr. Cambre is the supervisor of the Emergency Preparedness and Security Section for ExxonMobil's Baton Rouge complex. Mr. Dugas is the Emergency Services and Security leader for The Dow Chemical

Company in Plaquemine, LA. Mr. Bennett testified that both men work at the largest industrial facilities in their areas, they are highly involved in emergency response training and seminars, and also are interested in helping the LERC. Command Tech Taylor Moss added that both men have decades of experience and recalled that Mr. Cambre advised State Police on a major incident in 2012 when a tanker overturned on I-10 in the middle of Baton Rouge. Lt. Col. Stanton has forwarded their names to Governor Jindal's office, which has to approve the nominees.

The other item of old business was an update from Union Pacific regarding a 25% reduction in their Bakken Oil rail shipments in Louisiana. Mr. Gene Dunegan is disseminating updates submitted by the railroads, the most recent of which was received last week. There appears to be a misunderstanding that railroads are supposed to be notifying LERC daily of their rail shipments. Mr. Dunegan set the record straight, saying all the railroads are required to do is to make an initial notification to this commission including what the routes are, the anticipated frequencies, and if there is an increase or decrease of 25% or greater in rail shipments.

7. New Business

The first item of new business concerned LEPC membership updates from the following parishes: Calcasieu, Cameron, DeSoto, Franklin, Grant, Jefferson Davis, Lafayette, Morehouse, Natchitoches, St. Charles, St. Helena, and Union. A **MOTION** was made by Mr. Chris Guilbeaux to approve all of the updates. The motion was seconded by Mr. Jim Polk and passed without opposition.

The next item was a presentation from Inspector Jonathan Buckles and Inspector Doug Frye with the Department of Homeland Security (DHS) on the Chemical Facility Anti-Terrorism Standards, or CFATS. The CFATS program identifies and regulates high-risk chemical facilities to ensure they have security measures in place to reduce risks associated with certain chemicals. DHS has identified 322 specific chemicals it considers to be extremely dangerous, called Chemicals of Interest (The top regulated COI is chlorine). A facility that manufactures, uses, handles or stores any of the COIs above the thresholds set by DHS is required to report the information to DHS, and must develop a Site Security Plan that meets DHS standards. Not every facility will meet the criteria needed to register with the program.

DHS is meeting with key state agencies across the country in an effort to make facilities aware of this new regulation, and to determine if facilities now registered with a state as using or storing chemicals are subject to regulation under CFATS. DHS is asking the LERC to consider sharing its Tier II information so that they can cross-check it against their list of facilities that are covered by CFATS. Mr. Gene Dunegan pointed out that there is a huge difference between the number CFATS currently lists as high-risk facilities in Louisiana (55) and the number the Right-to-Know Unit has of facilities that have hazardous materials on site (over 16,000). Mr. Buckles mentioned during his presentation that DHS representatives are willing to visit facilities to discuss CFATS and security standards.

9. Lt. Col. Staton asked if there were any questions or announcements from the audience. Secretary Peggy Hatch of the DEQ, who will be retiring, introduced Mr. Brian Riche who will represent the DEQ on her behalf at future LERC meetings.

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. The next LERC meeting suggestion date was Wednesday, December 9th, 2015 to be held at the Louisiana State Police Headquarters at 10 AM.

11. A **MOTION** was made by Mr. Chris Guilbeaux to adjourn the meeting. The motion was seconded by Chief Bobby Black and passed without opposition. The meeting adjourned at 11:52 a.m.