

LOUISIANA EMERGENCY RESPONSE COMMISSION
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MINUTES OF THE REGULAR MEETING OF THE
LOUISIANA EMERGENCY RESPONSE COMMISSION

September 30, 2009

10:00 a.m.

Louisiana State Police Headquarters

7919 Independence Blvd.

Baton Rouge, Louisiana 70806

The regular meeting of the LERC was held at the Louisiana State Police Headquarters in Baton Rouge on Wednesday, September 30, 2009.

Lt. Col. Ralph Mitchell called the meeting to order at 10:05 a.m.

Col. Mitchell began by requesting attendees to introduce themselves. He was then called away on business and Capt. Dewayne White continued to conduct the meeting. The Roll was called by Ms. Susan Shows, LSP Right to Know Unit. The following members were present:

Ms. Peggy Hatch, Deputy Commissioner Brent Robbins, representing Dr. Mike Strain, Mr. Chris Guilbeau, representing Mr. Mark Cooper, Capt. Dewayne White, Mr. Rick Weber, sitting in for Ms. Sharlot Edwards who has retired, Mr. Jeffery Gleason, Mr. Roland Guidry, Mr. Andrew Mosher, Col. Pat Santos, Chief Jeremy Cryer, Sheriff Willy Martin, Mr. Michael Murphy .

The following members were absent:

Lt. Col. Mike Edmonson, Ms. Sharlot Edwards, Chief Bobby Black, Mayor Hiram Copeland, Chief David Glass, Mr. Paul Naquin, Senator Mike Walsworth, Representative Bodi White,

Capt. Dewayne White confirmed that a quorum was present.

NOTE: Mr. Duval Arthur representing Mr. Paul Naquin arrived late for the meeting.

A motion was made by Mr. Michael Murphy to accept the written minutes of March 10, 2009. Mr. Roland Guidry seconded. No opposition, motion carried.

Capt. Dewayne White suggested discussion concerning the commission's responsibilities to garner and gain the compliance of local LEPCs by communication, facilitate meetings and be a repository for the review of their compliance to certain State and Federal requirements.

Mr. Gene Dunegan was asked by Capt. White to give a short overview of this process. He stated that the majority of the local LEPCs are not active in their parishes. This will have an impact on recent legislation requiring industry to submit information to the local LEPC if it affects their Contingency Plan that should be on file with the local LEPCs. Also the EPA is in the process of sending out surveys to the LERCs and SERCs for assessments and safety performance indicators.

Discussion ensued between members concerning the funding, laws, levels of management, communication, awareness, participation and education of the local LEPCs and responsibility and needed actions of the LERC on these topics. Suggestions on these actions were discussed.

A motion was made by Chief Jeremy Cryer to accept the actions discussed. Mr. Andrew Mosher seconded. No opposition, motion carried.

COMMITTEE REPORTS:

Long Range Planning – Lt. Col. Ralph Mitchell. No Report

Emergency Plans Review – Col. Pat Santos submitted a written Third Quarter Compliance report. Mr. Mitchell Jacobs reviewed the report and stated they are ahead of schedule on the reviews. Of the plans scheduled for review this year only two plans are left outstanding and have not been returned to them. They have received good plans and they have shown improvement. They also have assisted with technical assistance and reviews for parishes that were not set for review. Col. Santos indicated that they are also checking the complete Parish Emergency Operations Plan for compliance to assure that they are compatible and that they list the LERC members with their contact information. It was agreed that participation by LSP in the Workshops that are held for the further education of LEPCs would be coordinated.

Training and Resources – Mr. Jeffery Gleason stated that last fiscal year LSU Fire & Emergency Training Institute held 103 HAZMAT classes reaching 1036 students. So far this quarter of the new fiscal year they have held 25 classes reaching 279 students which is indicated on the hand out provided.

LEPC Service Committee - Ms. Sharlot Edwards is retired and a new Chair for this committee is needed and will be addressed under new business. .

Public Information Committee – Capt. Dewayne White. No other information provided other than previous discussion.

Emergency Notification – Mr. Andrew Mosher discussed the new procedure of routing the Hot Line Calls to the LSP Troops. He has not had any negative feed back on it. Mr. Dunegan reviewed the procedure and status of the training of the Troops. Capt. White touched on the reduction of personnel and additional duties that have been added to the responsibilities of LSP staff.

A motion was made by Col. Pat Santos to accept the Committee Reports. Mr. Andrew Mosher seconded. No opposition, motion carried.

OLD BUSINESS

Captain White indicated that the deadline for submitting committee reports to be included in the 2009 Annual LERC Report will be December 1, 2009. This information should be submitted to Ms. Wanita Pepper @ 225-925-6113 Ext 226.

He informed the members that we are moving away from paper mail to electronic notifications. Mr. Dunegan stated that any changes or additions to the notifications should be sent to him. He also touched on the fact that last year's annual LERC Report was short two or three reports. If any members are not going to have a new report, please convey this to Ms. Pepper as soon as possible. He indicated that the LERC, LEPC and RTK Websites updates were done by Ms. Pepper. She did an excellent job and everyone is encouraged to visit them and convey any comments to us.

Mr. Paul Schexnayder handed out a packet on the proxy voting indicating the ability of a proxy to vote in the absence of a member of this committee or count toward a quorum. He stated that the statute permits only the proxies representing DPS, DEQ, GOSEPH and the Department of Agriculture to vote and count toward a quorum. A letter from the Departments on letterhead specifying the designee would be required. We currently do not have any letters concerning any designees on file.

NEW BUSINESS

Mr. Jeffery Gleason submitted changes to the Bi-Laws at the last meeting. Mr. Gene Dunegan stated that upon review one of the changes voted on, the correction should have listed the change in the agency name to “Governor’s Office of Homeland Security & Emergency Preparedness or the Director’s designee.”

Also another one of the changes was the wording in the statement “Member (was crossed out)” and was shown as “Director of LSU Fire & Emergency Training Institute or the Director’s designee”. This will have to be changed due to the fact that the LSU Fire & Emergency Training Institute does not have the option of having a designee.

A motion was made by Chief Jeremy Cryer to accept the changes to Bi-Laws. Mr. Andrew Mosher seconded. No opposition, motion carried.

Mr. Dunegan reviewed the new rule in the Code of the Federal Register. As previously discussed, industry will be required to submit to their local LEPC, within thirty days, any changes that will affect their Contingency Plans. Clarification has been requested from EPA.

Chief David Glass’s letter of resignation was read.

A motion was made by Mr. Roland Guidry to accept the letter of resignation. Col. Pat Santos seconded. No opposition, motion carried.

Mr. Paul Schexnayder stated that the committee will need to make a recommendation to the Governor for his replacement. Capt. White asked for a recommendation. It was suggested that the committee send a letter to the Fire Department in Shreveport or to contact Mr. Jimmy Halpen of the Bossier City Fire Department to ask if he would be willing to serve.

A motion was made by Col. Pat Santos to have Capt. White draft a letter for recommendation. No opposition, motion carried.

Capt. White addressed the resignation of Ms. Sharlot Edwards as the LEPA representative. Mr. Rick Weber was asked if he would be willing to fill her position. He stated he would.

A motion was made by Col. Pat Santos to send that recommendation. Mr. Roland Guidry seconded. No opposition, motion carried.

Capt. White stated that we are requesting the Appointment Certificates from the Governor’s Office for the committee members.

Discussion from Mr. Gene Dunegan concerning the possible Pandemic action (H1N1) indicated that guidance from Mr. Steve Mason, EPA, states that the statute as it applies to the LERC/SERC's responsibility is only for HAZMAT issues. He did indicate that it would be good discussion on how the different facilities would handle staffing and shutting down the facilities.

A motion was made by Capt. White to take this under advisement. Col. Pat Santos seconded. No opposition, motion carried.

Mr. Gene Dunegan stated that the Cameo Conference scheduled for January, 2010 has been rescheduled to January 2011, due to lack of funding.

Mr. Gene Dunegan updated the committee on the Homeland Security information concerning Tier Two that has been submitted to the University of Texas in Dallas. He referenced a memo that appears to mandate or encourage all states to provide this information to them. Louisiana is ahead of schedule in doing this. He also referenced a memo concerning electronic filing/signing listed under the Community RTK Act. They are trying to eliminate hard copy filing. Louisiana has been doing this and is ahead of schedule on this.

In reference to previous discussions concerning the LEPC/LERC/SERC responsibilities to the local LEPCs, the group was provided with a handout from the EPA.

Mr. Michael Murphy has recently retired from the Baton Rouge Police Department and stated he would like to submit his resignation from the committee. He would also like to recommend Sgt. Chris Rushing, HAZMAT EOD Officer for the Baton Rouge Police Department. He will follow up with a letter to the LERC for his resignation. Capt. White will follow up with Sgt. Rushing before submitting his recommendation.

A motion was made by Mr. Andrew Mosher to accept his resignation. Mr. Rick Weber seconded. No opposition, motion carried.

Mr. Mosher complimented Capt. White and Mr. Dunegan on their meetings with LCA. Capt. White stated that when you work together and find common ground, it makes for a much better relationships.

Mr. Roland Guidry conveyed to the committee that they are hosting a Clean Gulf event. It is a three day event taking place in New Orleans on November 17th, 18th & 19th. He has free day passes. Col. Mike Edmonson will be a key note speaker on the 18th.

It was suggested that the next meeting be held on Wednesday, December 16, 2009 @ 10:00 a.m. Mr. Jeffery Gleason invited the committee to meet at the LSU Fire & Emergency Training Institute.

Col. Pat Santos made the motion for December meeting, second by Mr. Roland Guidry. Motion carried.

Adjournment

Capt. White asked for a motion to adjourn. Mr. Andrew Mosher made the motion, second by Sheriff Willy Martin. Motion carried. Meeting was adjourned at 11:25 a.m.