

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

Meeting Title Louisiana Emergency Response Commission Meeting
Date of Meeting December 18, 2013
Where Louisiana State Police Headquarters
7919 Independence Blvd
Baton Rouge, LA 70806
Start Time 10:00 a.m.

1. Lt. Colonel David Staton called the meeting to order at 10:09 a.m.
2. Elizabeth Ecker, LSP/Right-to-Know Unit, called roll as follows:

Colonel Michael Edmonson, Department of Public Safety, NOT PRESENT
Lt. Colonel 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, PRESENT
Kevin Davis, Governor's Office of Homeland Security, PRESENT
Captain Taylor Moss, Department of Public Safety, PRESENT
James Polk, Louisiana Emergency Preparedness Association, (LEPA) PRESENT
Cecil Bennett, Carrol L. Herring Fire and Emergency Training Institute, PRESENT
Brian Wynne, Representative of Environmental Interest, PRESENT
Edward Flynn, Louisiana Chemical Association, (LCA) PRESENT
Chief Bobby Black, PRESENT
Mayor Hiram Copeland, NOT PRESENT
Chief Jeremy Cryer, Resigned, NOT PRESENT
Chief Samuel Halphen, Jr., NOT PRESENT
Sheriff Willy Martin, Resigned, 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:

Duval Arthur, St. Mary Parish
Jan Herrington, Positive Results
Lenny LaFleur, Governor's Office of Homeland Security
Henry Bo Lagrange

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

Gene Dunegan

Miklos Gyorgy
Elizabeth Ecker
Paul Schexnayder, Louisiana State Police Legal Counsel
Justin Bello, Louisiana State Police Legal Clerk

3. Lt. Colonel David Staton welcomed everyone and asked the commission to approve the minutes from the September 12, 2013 LERC meeting. A **MOTION** was made to approve the minutes. The motion was seconded and passed.
4. Lt. Colonel Staton advised LERC members to review their contact information and relay any changes to Ms. Elizabeth Ecker or Mr. Miklos Gyorgy. He stated that he wants to keep the information on the website as current as possible.
5. Mr. Edward Flynn inquired about LERC member term limits. This was addressed as being determined by the Governor himself, with no set limits in place at this time.

6. Committee Reports:

Long Range Planning: Lt. Colonel Staton indicated that Chief Samuel Halphen was unable to attend the meeting, but was able to provide a report for review that posed questions about the direction that the LERC is taking and where it is headed as a group. Chief Halphen expressed a need for pinpointing areas of improvement for the committee and parish LEPCs that can be addressed throughout the year, allowing for development and change, and emphasized ensuring that new LERC members receive training concerning their role in the commission. Lt. Colonel Staton proposed that the committee review and consider Chief Halphen's ideas and expand upon them to be discussed in depth at the next meeting to determine what priorities should drive the LERC. This included interests in legislation concerning verbal hotline notification versus electronic notification, as well as a product schedule concerning progress with the Joint Emergency Services Training Center (JESTC) facility.

Capt. Taylor Moss referenced the Training and Resources portion of the handout, explaining he has met with utility companies and they are working to build an underground utility training facility that will incorporate locating, repairing, fixing, and responding to hazardous material events. There had also been a meeting with Exxon, who are in the early stages of designing a HazMat Railcar training facility at JESTC which should be very competitive with other training sites. Capt. Moss also mentioned a continuing effort to promote electronic notification while working with Emerge to move forward in that direction, and referencing legislation being posed to change notification procedures.

Mr. Brian Wynne addressed issues with produced water releases having an increasingly negative impact on the environment, especially since it is a non-regulated substance, and expressed an interest in educating the LEPCs, specifically the fire departments of those high risk areas, in how to better care for those releases to avoid any further damage to the land.

Lt. Colonel Staton requested that Mr. Gene Dunegan prepare materials dictating the LERC mission and goals, as well as limitations, and send them out to the committee. These would be used as a frame for thoughts and ideas on how to prioritize issues for the next year and be topics of discussion to outline a path for development and organization.

Emergency Plans: Lt. Colonel Staton passed the floor to Mr. Chris Guilbeaux with the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) to discuss Emergency Plans.

Mr. Guilbeaux referred to the handout in each folder and spoke of the reviewed Emergency plans for four parishes: Allen, Beauregard, Cameron and Catahoula. Catahoula's plan needed to be updated to include risk facilities and medical responses to hazmat events. Plan reviews were well written but had common issues which included updating current plan guidelines and attaching evacuation routes and maps. Mr. Guilbeaux stated that four more parishes will be reviewed in the next quarter: Claiborne, Concordia, East Feliciana and Rapides.

Mr. Guilbeaux then introduced Mr. Lenny LaFleur, who is another member of GOHSEP. His duties included what Chief Halphen mentioned in his handout about looking over checklists, including the Parish Planning guide created by GOHSEP which serves as a template for parishes to use and fill out for organization in emergency circumstances. Mr. LaFleur referred to the 3 day conference that will be hosted by GOHSEP, LEPA, and LERC that includes a 4 hour training block about the role of LERC and its purpose. There will also be public and private partnership information that will be presented at this conference, showing their mission in life is to get guidance for and assistance to do whatever it takes for first responders to work efficiently and manage an incident well while overhead management moves to get on scene. He emphasized the significance for private industry to get involved in emergency management, working closely with the LEPC first responders to know what to do and what not to do, making transition easier for when GOHSEP and other agencies respond afterward.

Mr. Paul Naquin wished to know how often parish plans come under review, to which Mr. Guilbeaux stated they are reviewed every 4 years even though there is no standard expiration date for those plans. This goes back to how parishes need an incentive for making the changes necessary and in a timely manner, since there is no way for the LERC to enforce such changes. Mr. Guilbeaux emphasized a will to mandate the need for plans without being too overbearing or demanding to where the LERC infringes on the parish in question. He mentioned that while some high-risk incident parishes, particularly coastal parishes, have very strong plans, those with few incidents, including the northern and central parishes, need motivation to want to keep their plans up to date. Mr. Guilbeaux plans to emphasize the importance of this issue at the conference in February 2014, since there is no legislation to encourage change.

Training and Resources: Mr. Cecil Bennett discussed the statistics for first responder training at the LSU Fire & Emergency Training Institute (FETI) facility and at the Louisiana State Police's JESTC. Mr. Bennett stated that between FETI and JESTC over 1,926 people have been trained, specifically in HazMat classes and situations. It was noted

that the statistics did not include fire training classes. Mr. Bennett also explained how all plants and facilities in the Geismar area held a meeting concerning expansion, including Methanex coming in from Brazil, which will bring more demand for training. He explained that while the LSU FETI program is geared more towards industrial training, JESTC is more focused on municipal training. The numbers are represented for both municipal and industrial as a mix on the charts. He provided examples of both, stating that anhydrous ammonia classes were mostly industrial use, while focus on fire training was primarily municipal training, though some industrial groups will bring in a couple of local fire responders and pay for their training as well.

Local Emergency Planning Committee (LEPC) Service: No Report. Mr. James “Jim” Polk referenced the previous meeting and the need to define LEPCs and describe laws about, and similarities between, the LERC and local agencies, including the document he hoped to create to answer some frequently asked questions pertaining to the LEPCs and the LERC. He has begun to compose a preliminary document containing information on these issues, and emphasized the need to make notification of incidents mandatory. Since it is believed that the LERC has a responsibility to lead the LEPCs so they know how to handle certain situations, he wants a document that encompasses all information about the history, goals and missions about the LERC including emergency plans and meeting information that can be posted online for easy access. Mr. Polk wants to provide the necessary information to make LEPCs more self-sufficient, and that the LERC committee needs to step up into the leadership position and provide a solid path for them to utilize for HazMat incidents.

Mr. Arthur Duvall described a training session in Corpus Christi, Texas that taught attendees “How to Be an LEPC” which was very beneficial and informative, and he would like such sessions to be readily accessible in Louisiana to educate people. Mr. Gene Dunegan stated he is working with others to bring training back to the state and they are in the process of looking for places to hold similar seminars for LEPCs. Lt. Colonel Staton also referenced resources available from the EPA that provide core values that can be used by LEPCs to strengthen their plans and become more organized. Mr. Guilbeaux assured that if a class were created and made available to LEPCs for development, there would be an incredible demand for it. Mr. Dunegan explained that a major difficulty faced in trying to prepare such classes is that travel has been cut from the budget and it is difficult to schedule classes without the means to go around the state to teach.

Public Information: No Report. Captain Taylor Moss explained that more information on legislation and updates will be presented to the LERC concerning electronic notification when it becomes available.

Emergency Notification: Mr. Edward Flynn provided 3 handouts for the LERC committee to review. The first was the Effective Chemical Risk Management Project Pilot (ECRM2), which is co-chaired by the Department of Labor and the Department of Homeland Security and includes many representatives from varying agencies. Objectives articulated were a lack of information about what risks exist in the community (citing the West Texas incident), development of better operating plans and how facilities are ranked in terms of the Tier system and risk, and joint inspection and cross training conducted by different

agencies. The second handout outlined information from the Presidential Executive Order #13650 that was initiated by the West Texas incident. Mr. Flynn explained how well the order has been implemented at the local level, which is what the order hoped to accomplish with regards to getting multiple agencies to share information and modernize policies and standards for HazMat incidents. The third handout pertained to a Webinar in December 2013 that referenced the Executive Order #13650 and encouraged communication between agencies and chemical facilities for better safety and security policies. Mr. Flynn inferred the strengths of providing listening sessions and webinars that are uploaded on the web for easy access and learning amongst all agencies.

7. Old Business

Lt. Colonel Staton asked if there were any topics to discuss of old business. There were no old business topics for discussion.

8. New Business

Lt. Colonel Staton turned the floor over to Mr. Gene Dunegan for discussion of three points of new business. The first included Tier II forms and new EPA guidelines to be followed for the 2014 filing year. Mr. Dunegan referenced the possibility of a new program for filing that is apart from Lotus Notes and instead web based, which should help with difficulties faced in the past.

The second point was a verbal request from Dwayne Fuller for access to Tier II information for both St. Tammany and Washington Parishes, which requires a commission vote. He requested this information since St. Tammany is the first responder for both parishes and it is necessary to his work to be able to access both through E-Plan. **A MOTION** was made to approve the request. The motion was seconded and passed.

The last point of discussion concerned updated LEPC form changes for five separate parishes: Catahoula, Evangeline, Natchitoches, St. Charles and St. John. Mr. Chris Guilbeaux made a motion to accept all parishes except Catahoula, which he requested to be put on hold since half of their form was empty of certain contacts. While Capt. Taylor Moss pointed out that this function is an unfunded mandate, and the LERC commission cannot force any LEPCs to fill out the form, it was agreed that they can question why a form is not completed and submit that it is unacceptable to leave parts of it blank. Mr. Guilbeaux requested the opportunity to work with Catahoula Parish through his regional director to attain a more complete form, and that the LERC would need to exert more leadership to be sure the forms are filled out sufficiently in the future. **A MOTION** was made to proceed. The motion was seconded and passed.

The State of Louisiana Senate & Governmental Affairs form was reviewed next, concerning monetary spending that includes new information. Mr. Gene Dunegan is sent these forms to be reviewed and completed on an annual basis, and then it is brought before the LERC before it is sent out. The form references transparency in spending requested by Governor Bobby Jindal. **A MOTION** was made to send the form. The motion was seconded and passed.

Mr. Edward Flynn wanted to address the commission on an “informational” basis to show a short film that did not pertain to LERC business. It was a story of Louisiana men and women in industry during the World War II era, and how they came to produce the greatest generation, providing extraordinary contributions to the war effort. The video did not play.

Mr. Chris Guilbeaux quickly referenced a late handout, the Environmental Impact Statement. This was initiated by the Federal Energy Regulatory Commission concerning a floating Liquefied Natural Gas (LNG) vessel they are looking to place in the Mississippi River near Plaquemines Parish. They look to park the vessel in the river but make it mobile so that if a major storm threatens the area, they can unhook the vessel and move it safely into the Gulf until the storm subsides. Mr. Guilbeaux assured it will be a while until the plan is approved, but it is important to consider as it may have HazMat implications.

The last point of discussion was the LEPA/GOHSEP workshop coming up in May 2014. The LERC meeting is normally held the first Monday of that week, and the LERC historically has not voted on the meeting until the one prior to the workshop, however it was addressed at this meeting so they will have time to set everything up. **A MOTION** was made to hold the meeting in conjunction with the workshop. The motion was seconded and passed. That meeting will be held on May 5th, 2014 around 1 p.m. in Lake Charles.

9. Lt. Colonel Staton asked if there were any members of the public present that had any comments to add.

There were no comments from the audience.

10. Lt. Colonel Staton announced the scheduling of the LERC’s next quarterly meeting which occurs on the 2nd Wednesday of the 3rd month of the quarter. The next LERC meeting would fall on Wednesday, March 12, 2014. **A MOTION** was made to approve. The motion was seconded and passed. Details will be communicated by email to the LERC members at a later date.
11. **A MOTION** was made by Lt. Colonel Staton to adjourn to no opposition. The motion passed. The meeting adjourned at 11:55 a.m.