

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

Meeting Title Louisiana Emergency Response Commission Meeting
Date of Meeting September 12, 2018
Where Louisiana State Police Headquarters
7919 Independence Blvd.
Baton Rouge, LA 70806
Start Time 10:02 a.m.

1. Lt. Col. Jay Oliphant called the meeting to order at 10:02 a.m.
2. Tara Guidry, LSP/Right-to-Know Unit, called roll as follows:

Lt. Col. Jay Oliphant, Department of Public Safety, PRESENT
Dr. Chuck Brown, Department of Environmental Quality, NOT PRESENT
Dr. Brent Robbins, Designee for Department of Agriculture and Forestry, PRESENT
James Waskom, Governor's Office of Homeland Security, PRESENT
Command Technician (CT) John Porter, 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
Marty Chabert, Louisiana Oil Spill Coordinators Office, NOT PRESENT
Edward "Ed" Flynn, Louisiana Chemical Association, PRESENT
Chief Bobby Black, PRESENT
Joel "Joey" Dugas, Dow Chemical, PRESENT
Jennifer Reynolds, Webster Parish Office of Homeland Security, NOT PRESENT
Travis Perrilloux, St. John the Baptist Parish Office of Emergency Preparedness, PRESENT
Nissan Patel, Assistant HazMat Director, Jefferson Parish Fire Services, PRESENT
Obed "Obie" Cambre, Jr., ExxonMobil, PRESENT
Sgt. Kenneth "Scott" Bowman, Baton Rouge Police Department, NOT PRESENT
Chris Guilbeaux, Governor's Office of Homeland Security, PRESENT
Senator Mike Walsworth, PRESENT
Senator Mack "Bodi" White, PRESENT

The records reflect that the following visitors were present:

Tori Copeland, Louisiana Oil Spill Coordinator's Office
Jeff Dausat, Louisiana Department of Environmental Quality
Matt Hollis, Louisiana Oil Spill Coordinator's Office
Chris Viator, Louisiana Oil Spill Coordinator's Office

The records reflect that the following LSP/Emergency Services Unit personnel were present:

Paeton Burkett, Office of Legal Affairs
Gene Dunegan
Tara Guidry
Alisa Monroe
Paul Schexnayder, Office of Legal Affairs

3. Lt. Col. Jay Oliphant introduced himself as the new Chair of the LERC, replacing Lt. Col. David Staton who has retired. Lt. Col. Jay Oliphant is Deputy Superintendent over the Patrol section and has served 24 years with Louisiana State Police.

Lt. Col. Jay Oliphant then recognized CT John Porter, who is replacing CT Taylor Moss who also recently retired. CT Porter is Commander of the Emergency Services Unit and has 24 years of service with Louisiana State Police.

4. Lt. Col. Oliphant asked members to review the updated membership list, and to submit any changes to Ms. Guidry or Ms. Alisa Monroe of the Right-to-Know Unit.
5. Lt. Col. Oliphant asked the commission to approve the minutes from the May 14, 2018 LERC meeting. A **MOTION** was made by Senator Mike Walsworth to approve the meeting minutes. The motion was seconded and passed without opposition.

6. **Committee Reports:**

Long Range Planning: Lt. Col. Oliphant passed the floor to Chief Bobby Black who presented the report from the Long Range Planning Committee. The committee continues its efforts to educate first responders, industry, municipal leaders and citizens about the LERC and Local Emergency Planning Committees. Chief Black called on LERC members to assist in getting the word out and to suggest ways that the committee could improve its outreach efforts.

Emergency Plans Review: Lt. Col. Oliphant passed the floor to Mr. Guilbeaux who presented the report from the Emergency Plans Review Committee. Since the previous meeting, the committee has reviewed plans from the following parishes: Lincoln, St. Helena, Union, and Washington. The parish plans met all EPCRA requirements. The Annex H part of the St. Helena Parish plan will need to be reviewed to confirm that it has been successfully updated. The next quarter plan reviews will include Ascension, Iberville, Jefferson, and Orleans Parishes.

Senator Bodi White asked how often the parish emergency plans are reviewed. Mr. Guilbeaux answered that every year, parishes must submit a document that their current emergency plans are still in effect; every two years, plans require a review and rewrite; and every four years, the plans are completely rewritten and then parish plans and state plans must be approved by the governor.

Training and Resources: Lt. Col. Oliphant passed the floor to Mr. Keith Bennett for the report from the Training and Resources Committee. Mr. Bennett said that in the first half of the year, they have had 100 hazardous materials/incident commander classes between LSU and JESTC, with 1600 students taking part.

Local Emergency Planning Committee (LEPC) Service: Lt. Col. Oliphant passed the floor to Mr. Jim Polk for the report from the LEPC Service Committee. Mr. Polk has been sending out flyers to LEPC chairpersons about the EPA workshops that begin on Monday, September 17th.

Public Information: There was no report from the Public Information Committee. **A MOTION** was made by Mr. Guilbeaux to have CT John Porter serve as the new head of this committee, replacing CT Moss who has retired.

Emergency Notification: Lt. Col. Oliphant passed the floor to Mr. Ed Flynn for the report from the Emergency Notification Committee. Mr. Flynn remarked that the Louisiana Chemical Association meets quarterly with representatives from the Louisiana State Police Right-to-Know Unit, the LADEQ, the Department of Natural Resources, and the Department of Health and Hospitals to address issues involving release reporting, transportation, and hazardous materials.

A MOTION was made by Mr. Bennett to approve the committee reports. The motion was seconded and passed without opposition

7. Old Business

The only item of old business concerned the upcoming statewide EPA/LEPC workshops which begin on Monday. Mr. Gene Dunegan stated that five workshops will be held, and the number of people wanting to take part is growing. Mr. Guilbeaux added that the number of people wanting to attend these workshops is the highest he has ever seen. Where in previous years each workshop would have contained 30 to 40 participants, this year each workshop will have at least 60 participants, and the workshop in the New Orleans area is expected to have 100 attending. Mr. Flynn asked if there was a report that was released detailing the issues that were raised during the workshops. Mr. Dautat replied that the EPA compiles the comments that are submitted during the workshops, and that he would send Mr. Flynn a copy of those comments.

8. New Business

The first item of new business concerned LEPC membership updates for nine parishes: Allen, Caddo, Calcasieu, Claiborne, Grant, Jackson, Natchitoches, St. Martin, and St. Tammany.

A question was raised about the information submitted by Allen Parish, which was only one page and listed one person. Mr. Guilbeaux stated that the Allen Parish update should not be considered because they cannot function as a true LEPC with one person. Mr. Dunegan said someone will reach out to Allen Parish concerning this.

A MOTION was made by Mr. Guilbeaux to approve the updates for Caddo, Calcasieu, Claiborne, Grant, Jackson, Natchitoches, St. Martin, and St. Tammany Parishes. The motion was seconded and passed without opposition.

The second item of new business was from Mr. Bennett, who received a certified letter from the state ethics commission that said he was required to fill out a personal financial disclosure statement if he was a member or designee of a board or commission that has the authority to expend, disburse or invest \$10,000 or more of fiscal funds. Mr. Bennett was the only person on the commission who has received this letter. Mr. Dunegan encouraged Mr. Bennett to email a

copy of the letter to him, and Mr. Dunegan would contact the commission to confirm that LERC members are not paid for participating on the committee.

The third item of new business was a request from LADEQ to have access to Tier II information for the entire state of Louisiana. Mr. Dunegan explained that access to the Tier II database is limited to first responders and restricted to the parishes where they work. Requests for statewide access are brought before LERC to be approved or denied. Mr. Dunegan then recognized Mr. Jeff Dauzat of LADEQ to explain about the request. Mr. Dauzat said that the four members of the Chemical Action Prevention Program (CAPP) were asking for statewide access to assist them as they perform complex inspections of industrial facilities on their potential to release chemicals and their ability to contain those releases. Mr. Flynn asked if there was a mechanism in place to review the need for access every two years. Mr. Dauzat said LADEQ would take on the responsibility of notifying if any of the personnel no longer needed access to Tier II information. Mr. Chris Viator noted that having the information would help the staff prepare for their inspections. Mr. Dauzat said the inspections would focus on the interactions of the materials within the process unit, and not on the quantities of the chemicals involved. Mr. Viator queried if the Tier II information could be released as a public record if Tier II data was attached to the CAPP inspection report. Mr. Dunegan suggested that a possibility would be to grant access to one individual who would release information to the other three inspectors as needed.

A MOTION was made by Mr. Polk to approve the request. The motion was seconded and passed, with opposition by Mr. Flynn and Senator White. Another **MOTION** was made by Mr. Polk to table the request for access. The motion was seconded and passed without opposition.

Sen. Walsworth asked Mr. Dauzat to provide a copy of an inspection report done by the CAPP staff at the next LERC meeting so that the commission could examine what sort of information would be on the public record. Mr. Dauzat agreed to this request.

The final item of new business was a question from Chief Black on regulations and licensing regarding drones, specifically regarding their use inside or near chemical facilities. Mr. Obie Cambre answered that drone operators were required to be licensed by the Federal Aviation Administration. Mr. Joel Dugas and Mr. Polk will forward information to Mr. Dunegan.

8. Lt. Col. Oliphant gave the floor to Mr. Gene Dunegan to discuss 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 date is scheduled for Wednesday, December 12th, at 10:00 AM at the Louisiana State Police Headquarters in Baton Rouge.

A MOTION was made by Mr. Jim Polk to accept the next meeting date. The motion was seconded and passed without opposition.

10. **A MOTION** was made by Sen. Walsworth to adjourn the meeting. The motion was seconded and passed without opposition. The meeting adjourned at 10:42 a.m.