



HAMILTON COUNTY
LOCAL EMERGENCY PLANNING COMMITTEE

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MEETING MINUTES

LEPC Meeting Minutes, July 8, 2009

A meeting of the Hamilton County Local Emergency Planning Committee (LEPC) was held on July 8, 2009 at Wally's Restaurant, 6521 Ringgold Rd., East Ridge, TN. The following constitutes the minutes of that meeting.

Those in attendance were:

Bruce Garner, CFD, Chairman	Jim Meyers, USCG Auxiliary
Wayne Stuntz, HCES, Secretary	Tim Hoback, NA Industries
John Piotter, Environ. Waste Svcs (V/Chair)	Richard Taylor, TEMA East
Larry Martin, McKee Foods (V/Chair)	Dan Gilley, TN DHS
Girish Pater, Akzonobel (V/Chair)	Jason Combs, Ad Tech Ceramics
David Darnell, BASF (V/Chair)	Russell Eubanks, Shared Health (Guest Speaker)
Ray Burden, Univ. of TN Extension	Andrew Porter, EPA Region 3
John Moorshead, DPC Enterprises	Mike James, MEI
Bob Jackson, CSTCC	Evertt Pierce, MEI
Mark Starrett, Chatt. Gas	Mike Akins, FRI
Robbie Lovingood, Chatt. Gas	Nathan Hollingsworth, NA Industries
Andrew Bender, HEPACO Inc.	Indu Thaker, Hamilton Co.
Robert Hadden, THP	Jeremy Swilley, City Land Devl. Ofc
Robbie Brewer, UNIVAR	Charles Correll, Aksonobel
Matt Taylor, Chattem Chemicals	Susan Holmes, TN Amer. Water
Mike Thompson, Chattem Chemicals	Mark Zinnanti, TN Amer. Water
Roger Redmond, SEI Security	Don Hood, Marion Env.
Charles Burton, Grace Engineering	Tim McDonald, HCWQP
Ray Veldman, USCG Auxiliary	Dusty Rominger, W.R. Grace

Introductory Remarks: Chairman Garner began by welcoming all in attendance and asked for personal introductions. Chairman Garner then asked if there was anyone in attendance who wished to become an LEPC member. There were none.

Old Business

Approval of Minutes for Last Meeting

Chairman Garner asked for a motion to approve the LEPC Meeting Minutes of May 13, 2009. Motion to approve made by V/Chair John Piotter, seconded by Mr. Indu Thaker. There was no further discussion. Motion carried.

Financial Report

Secretary Wayne Stuntz read the LEPC Financial Report, which covered the period from May 1, 2009 through May 29, 2009 and May 30, 2009 through June 30, 2009. The current balance is: \$12,909.69. Mr. Stuntz reminded members that the LEPC still has \$15,000 in a CD at Bank of America. Chairman Garner asked for a motion to approve the financial report as read. Motion made by Mr. Indu Thaker, seconded by Mr. Jeremy Swilley. Motion carried.

New Business:

Program:

Chairman Garner then introduced our first guest speaker: Mr. Russell Eubanks, President of the Chattanooga-Hamilton County Chapter of Infragard. Mr. Eubanks explained that Infragard's protection efforts have a close relationship not only between the private sector and the FBI, but with other agencies as well—to include the Department of Homeland Security and others with an inherent concern for national security.

Mr. Eubanks said that most of the systems and services we enjoy to sustain our way of life are owned and operated by the private sector. He said that the FBI has identified 17 critical infrastructures they are very concerned about having secured, but, don't necessarily have jurisdiction over their day-to-day handling of the infrastructure —such as chemical, education, and finance.

Mr. Eubanks said that membership in the InfraGard Program is an opportunity for both industry and government to unite in a cooperative effort of national security and those interested must be willing to undergo an FBI background check. He said that membership is free; they meet at 11:30 a.m. on the second Wednesday of even months at the American Red Cross building. Mr. Eubanks said that meetings are open to members and non-members—but, due to the sensitive nature of material discussed, some meetings are restricted to members only. Mr. Eubanks offered information packets with membership instructions to those interested and also said that more can learn more by contacting infragardteam@infragard.org or visit www.infragard.net for membership instructions.

Chairman Garner then introduced our program guest speaker: Mr. Andrew Porter with EPA's Region IV. Mr. Porter first spoke of the July 1 due date for the Toxic Release Inventory (TRI) Form R reports. He said that the EPA is now moving toward an on-line reporting system called TRI-ME-web. Andrew said that the days of paper reporting and downloading software are over. He said the Agency is moving everything to on-line reporting through a system called Central Data Exchange (CDX) where companies do not have to register and use multiple systems to do their environmental reporting to EPA.

Andrew said that this year's TRI reporting had a snag—that companies registered under CDX had to have a certified official to electronically sign the documents—but these officials were registered under other programs and when they tried to use those programs to register their TRI Forms—they ran into a problem and it would not register and a new registration was required. Andrew said to do that, they have to send a “form” to the reporting Center and they send you back a register. He said that may delay reporting for some companies—if they do it on the reporting date. Andrew said that EPA will give companies that “window” if that happens.

Mr. Porter said that the TRI-ME-web is totally web based and will retain your information from the previous year—just update with the new information. Andrew said that “State” can now register with CDX and companies can do a one-time reporting to EPA and automatically it gets to the State, unlike in Tennessee where it is sent electronically to the Feds but they send a paper report to the State. Mr. Porter said that his next project is to get TEMA on board to join the CDX—and that should help all of the companies and be available in electronic form to the State as well as LEPCs.

Mr. Porter said that in the year 2010, EPA is dropping any kind of software that you could previously download—that it will be entirely through the web beginning by 2010.

Andrew then spoke about the Emergency Planning Miller Act regulations have all been re-written into a plain English format and that rule was effective on December 3, 2008, and these regulations are now in the Federal Register. Andrew said the regulations are a lot easier to follow. He said that Section 302, 311 & 312 of EPCRA are now in plain English—and should be helpful to industry. Andrew also said that the Agency clarified the ‘mixture’ rule and for industry to review those procedures.

Andrew said that the State of Tennessee has now adopted “E-Plan” as the electronic program for reporting Tier II reports. Chairman Garner told Andrew that Hamilton County industry currently uses Tier2Submit as the electronic method for submission of Tier II reports. He said that our LEPC is ready to transition to E-Plan reporting but that we need some technical assistance before that is done. Andrew said that companies submitting Tier II reports via Tier2Submit can easily upload that file directly into E-Plan. A question and answer period ensued regarding the E-Plan registration, log-in and how to use E-Plan.

Mr. Porter said that EPA, in conjunction with Kentucky Governor's Emergency Management workshop, July 29-31, 2009 will have an EPCRA/SERC/LEPC conference in Louisville, KY. Andrew handed out a pamphlet on the Workshop.

Andrew informed the committee that EPA has a final rule for large farm operations (i.e. chicken farms, cow feeding operations) for reporting a release of ammonia over the reportable quantity within a 24-hour period—they are to call the National Response Center.

The final rule, dated Jan 20, 2009, clarified and gave exemptions to these farming operations that did not meet the threshold for reporting. He said that it would have to be a very large operation to trigger some of the thresholds for reporting.

Mr. Richard Taylor asked if there was a course-of-action that local government could take to get “fines” that EPA could levy against those companies who violated reporting requirements. Andrew said that program is called “Supplemental Environmental Projects (SEPs)” where an EPA inspector has to find a violation, such as not filing a Tier II report, or a TRI Form R report, etc; institute enforcement action against the company by levying a fine (\$10,000 or more) and then offer the company a settlement—and a part of that settlement, give the company an option to perform a Supplemental Environmental Project. The company can take 75% of their penalty and use that to do the SEP and 25% has to go to the US Treasury as a fine. Andrew said that the SEP policy has seven (7) categories of projects the company can use—the last of which is “emergency preparedness and planning” and if the company chooses that category, EPA then contacts the local LEPC, Fire Department, and sometimes the SERC and donate emergency response equipment to that entity. A question and answer period continued.

Heartsaver (CPR) and Family First Aid Class – August 6, 2009

Chairman Garner reminded members about the Heartsaver (CPR) and Family First Aid class, certified by Chattanooga Fire Department Instructors scheduled for Thursday, August 6, 2009 (8:00 a.m. to 4:00 p.m.). He said that the LEPC will provide a light breakfast. Bruce passed a sign-up sheet around and said that those who sign up now are in the class. Bruce reminded that to attend, your organization must be an LEPC member; and, there is a limit of five (5) for each organization. He also that as the deadline for the class approaches and there are openings—it will be opened again to accommodate other companies. He also reminded that it is free to LEPC members.

Chairman Garner said that Mr. Joe Oliver with Norfolk Southern contacted the LEPC and asked the LEPC pass the word that they will be bringing to Chattanooga the DuPont CAER rail cars on August 31, thru Sept 4, 2009. Bruce said the training is offered for Chattanooga Fire Department personnel, other area fire fighters and Hazmat Teams. Bruce said if you are interested, please stop by, observe, and see what they have. The location has yet to be chosen, but as that information becomes available, it will be sent to members via e-mail.

Chairman Garner reminded members that September is the usual time of the year for officer elections and is looking for volunteers to serve on the nominating committee. Mr. Dusty Rominger with W.R. Grace volunteered his time to that endeavor. Bruce said that his term of office is coming to an end and asked that other members “step up to the plate” and serve on the committee in some capacity—Chairperson, or Executive member.

Bruce said that we have a strong organization and he wants to keep that momentum going.

Date and Location of Next Meeting

The next meeting is scheduled for Sept 9, 2009, 10:30 a.m. at Wally's Restaurant, 6521 Ringgold Rd, East Ridge, Tennessee. Tentative speaker will be Mr. Andrew Porter, a Coordinator for the State of Tennessee with EPA's Region IV.

Adjournment

Respectfully Submitted,
LEPC Secretary, Wayne Stuntz