

**LEPC Committee Meeting**  
**Wednesday, April 13, 2016 at 3PM**  
**Courthouse Annex, Room 319**

**AGENDA**

1. Call to Order and Roll Call
2. Election of Committee Chairman
3. Election of Committee Vice Chairman
4. Election of Secretary
5. Adoption or Amendment to the Agenda
6. Adoption or Amendment to the Minutes - March 14, 2016
7. Appoint Information Coordinator
8. Appoint Community Emergency Coordinator
9. Audience Comments
10. Begin Establishing Operating Procedures
  - Public notification of committee activities
  - Public meetings to discuss emergency plans
  - Acknowledgement of public comments
  - Distribution of local emergency plan
  - Receiving and processing requests from the public for information
11. Begin Preparing Local Emergency Plan
12. Executive Session
13. Items of Information and Committee Concerns
14. Adjournment

**LEPC Committee Meeting**  
**Monday, March 14, 2016 at 3PM**  
**Courthouse Annex, Room 319**

## **MINUTES**

### **Agenda Item 1 - Call to Order**

County Board Chairman Mike Marron called the meeting to order at 3:00 PM. Attending the meeting were: Mike Marron, Chairman Vermilion County Board; Russ Rudd, EMA; Michelle Campbell, Commercial News; Dennis Wood, Sheriff's Department; Melissa Rome, Health Department; Doug Staske, Highway Engineer; Dave Stone, Recorder; Craig Golden, County Board Member; Larry Thompson, Danville PD and Terrie Sherer, Administrative Assistant.

### **Agenda Item 2 - Adoption or Amendment to the Agenda**

Craig Golden moved, second by Dave Stone, to adopt the agenda as presented. Motion passed by acclamation.

### **Agenda Item 3 - Audience Comments**

There were none.

### **Agenda Item 4 - Roles and Responsibilities of an LEPC Committee**

Dan Smith, IEMA Region 7 Coordinator

Temporary Committee Chairman Golden informed the committee that there was a committee many years ago so it is time to get this committee up and running again. Dan Smith introduced himself and went over a power point presentation which outlined what the roles and responsibilities of a LEPC committee. A copy of this presentation is attached.

### **Agenda Item 5 - Discussion of a HAZMAT Response Plan for Vermilion County**

Ted Fisher, Director, Vermilion County EMA

Russell Rudd, who was filling in for Ted Fisher, addressed the committee. We will need to have new applications from everyone on the committee, so we can submit these to the appropriate person for appointment to this committee. He and Ted had a recent discussion with Mark Ames, Westville Fire Department. This department has headed up the county's HAZMAT team that responds to HAZMAT problems within the county. They will no longer be able to function in this role. They are a volunteer department and are unable to keep sufficient volunteers available to answer the calls that are required of a HAZMAT team. They will continue to provide coverage until we can set in place a plan for future coverage. This information will be transmitted to the I&I to see if there is any department interested in taking over this role. He feels this is unlikely. His and Ted's recommendation is that each fire district will be tasked with answering their own HAZMAT calls. If they cannot handle this then they can activate the MABIS mutual aid and get assistance with the HAZMAT incident. It was never their intention that Danville's HAZMAT team would take over this responsibility. Seeing how most of the HAZMAT incidents that happen are diesel spills from accidents, the local fire departments can take care of this.

Chairman Marron asked if we acted on this, Russ would brief the surrounding fire districts of their responsibility. Russ responded that they could do that or the committee could meet within a set amount of time and invite the fire districts to attend so if they have any questions or concerns they could address the committee themselves. There are 21 fire districts in the county. Dennis Wood said we would just go back to the way it was prior to having a HAZMAT team. Russ Rudd said the only other option would be for the county to enter into a contract with a cleanup company. Dennis Wood added that spiller pays, right. Dan Smith confirmed that spiller pays. Russ Rudd added that since the county has a spiller pays ordinance, there is not supposed to be any costs to any of the fire departments. He spoke to Mark Ames, who indicated that they have not had too much issue with this and have only had about \$2,000 over the course of many years. Discussion ensued. Russ Rudd said that there is a lot of equipment in the pole barn behind EMA and Larry Thompson asked who owns the equipment. Russ Rudd responded that we own part of it, Danville owns part of it and HAZMAT owns part of it. EMA owns a lot of equipment and it has been disbursed to various agencies over the years. There is outdated equipment that needs to be discarded, which we anticipate doing soon. Discussion ensued. Russ Rudd indicated that there is a federal grant through IEMA that half has been passed along to the HAZMAT team in the amount of \$15,000 yearly. Temporary Committee Chairman Craig Golden asked if EMA is always contacted when there is a HAZMAT incident and Russ Rudd responded that sometimes we are and sometimes we're not. If it's a private spill on private property, most don't call. They just call the 800 for IEMA and handle it. He does go to the IEMA site about once a month to look up the spills.

Temporary Committee Chairman Golden asked for the people who had been on this committee previously to give the committee a history of what the procedures have been. Dennis Wood said he was in a meeting about three years ago. Dave Stone added that this committee didn't really focus on anything that had to do with HAZMAT at the time directly, as far as response. The thing the committee did before was concentrate on who had what chemicals in what area. That way the proper training could be done for the appropriate response agencies. This problem is not new and is 30 years old. This response team has been big through mutual aid here in Vermillion County for a long long time. It was also parallel inside Danville. With the other agencies being volunteer and burden was placed on Danville to take care of all of Vermillion County, which is unrealistic. Then mutual aid started becoming stronger and questions were being raised about the certifications that mutual aid had and the volunteers had. This became an issue. To divert the responsibilities to each of the communities literally steps back to the 1970's. Chairman Marron said that we need the committee's input on how we want to proceed and set the next agenda accordingly. Discussion ensued. Dennis Wood added that one major thing that caused the HAZMAT to be formed were the existing factories in our community had their own response teams; this has gone away for the most part. We received a lot of the funding when they shut down the nerve gas plant in Newport, Indiana. Containing a HAZMAT incident can be a massive undertaking. Discussion ensued.

Chairman Marron asked Russ Rudd what the downside would be to having a private contractor take care of this. Russ Rudd responded that the response time would be a downside and we would still have to have the fire departments on the scene until the private contractor could get

there. Dan Smith added if the committee decides to do the HAZMAT with the fire departments, the fire departments have to be properly trained. There are some very strict guidelines that must be adhered to. This committee would buy some of the responsibility if they step outside of these guidelines. MABIS is a nice organization but they will only respond to communities that have signed their agreement. If you have 100% participation in Vermilion County, there is no problem. If you are relying on a cleanup company, they will not do response. So if there is an active incident, the cleanup company won't help until the leak is controlled. This could create a huge problem for the county. There are a couple of counties that don't have a HAZMAT team and they have reached out to neighboring counties and signed an intergovernmental agreement for them to be their response team. This would be Champaign or Charleston for the county. Any reimbursement would be addressed in the agreement.

Dave Stone added that there are three levels of response. Local which would be immediate, mid-level which could take hours to get there and then you have the state responding agencies and possibly federal. What our decision focuses on is the first level of response, how are we going to handle this incident. Discussion ensued. Dan Smith added that you have to look at the "what if" scenarios in determining this plan. There are the fixed facilities but you also have the rail lines and state roads going through the county. Russ Rudd added that this is why he feels meetings with the fire departments would be beneficial to determine what their level of training is in HAZMAT materials. Some may be qualified but some may need additional training. There is only one fire district in the county that is not signed up with MABIS, Fairmount. Larry Thomason added that we need to know the volume of actual hazard material incidents that the local districts have been handling. Danville is not able to handle the small incidents; the large incidents certainly would be handled. Russ Rudd responded that not all incidents are reported. Larry Thomason added that this question can be asked when contact is made with the local fire departments. Chairman Marron added that we will take everyone's input today and he will meet and discuss this with Ted Fisher and Russ Rudd to decide what will be brought to the committee for action. He continued that he would like to see the number of incidents that have occurred in the past, the volume, etc. Discussion ensued. Dan Smith said that they have this information readily available and asked how far back we wanted to go. Chairman Marron said the more the better and Dan Smith said he thought they could go back 8 or 10 years. Discussion ensued about this information and what would be on this report. Dan Smith added that if anyone is having issues recovering spiller pay to let him know as they have a legal department that handles these issues. Discussion ensued about the Hoopeston tire fire and the monitoring of the area.

Chairman Marron asked Russ Rudd to make contact with the local fire departments to get an assessment of their capabilities. Russ Rudd said he would pull the incident information off the IEMA site. Melissa Rome asked how soon positions need to be filled and Dan Smith responded that we currently have an active LEPC that is inactive. He suggested that positions be appointed at the next meeting and also suggested that everyone fill out a new application. Chairman Marron said that the next meeting will be set soon and number one on the agenda will be to set all the officers. Doug Staske asked what the responsibility in the case of railroads is and Dan Smith responded it depends on the railroad and who owns the car. Most of the

railroads have huge response organizations. Discussion ensued. Doug Staske asked about licensed carriers on the interstate and Dan Smith responded depends on the carrier. Doug Staske asked about fixed facilities and Dan Smith said you have to find out what they have and then have to stop the gap. Chairman Marron asked Russ Rudd how long it would take him to get the requested information and Russ Rudd responded it would probably be about three weeks. Discussion ensued about required committee membership. These meetings are considered Open Meetings and are required to follow the OMA.

Agenda Item 6 - Items of Information and Committee Concerns

There were none.


Agenda Item 7 - Adjournment

Temporary Committee Chairman Golden adjourned the meeting at 4:02 PM.

Minutes by: Terrie Sherer, Administrative Assistant

DRAFT

**Illinois Emergency Management Agency**



**BASIC EPCRA**  
Daniel Smith, Regional Coordinator  
March 14, 2016

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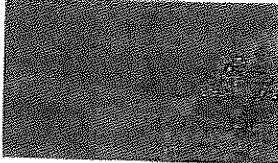
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**HISTORY**

- > **December 4, 1984 - Bhopal, India**
- > **Union Carbide Methylisocyanate Release**
- > **3,787 Dead\***
- > **10,000 Injured**

\*Govt of Madhya Pradesh, India website dedicated to tragedy



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**EPCRA**

- > **Emergency Planning and Community Right-to-Know Act**
  - **Federal Law - 1986**
  - **Improve Community Preparedness**
  - **Increase Public Awareness**
  - **Build Information Database**

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**EPCRA**

- Each State to establish State Emergency Response Commission (SERC)
- In 1987, the Illinois Emergency Management Agency (IEMA) was designated to be the SERC for Illinois

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**SERC**

- Under EPCRA, each SERC is to establish Planning Districts and Appoint Local Emergency Planning Committees (LEPCs) for those Districts
- IEMA designated 103 Emergency Planning Districts
  - 102 Counties + City of Chicago =103

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**LEPCs**

- County Emergency Management is an integral part of the LEPC
- County EMA must have an "all hazards" approach to protect public
- Chemicals are one type of hazard
- Participation and cooperation among LEPCs and Counties is critical

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**LEPC**

- A Local Emergency Planning Committee is designed to serve as a community forum for issues relating to preparedness for emergencies involving hazardous substances.

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**LEPC Membership**

- State & local elected officials
- Local environmental groups
- Law enforcement
- Hospital
- Local government ESDA
- Transportation

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**LEPC Membership (Cont.)**

- Fire fighting
- Broadcast & print media
- First Aid or EMS
- Community groups
- Health
- Representatives from facilities subject to EPCRA

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**General Duties**  
**Section 620.70**

- Elect Chair, Vice Chair and Secretary
- Appoint information coordinator (maintains LEPC files of information & fulfills requests for information from public)
- Appoint community emergency coordinator
- Notify SERC within 6 days of change in appointed officials

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**LEPC Duties (Cont.)**

- Establish operating procedures:
  - Public notification of committee activities
  - Public meetings to discuss emergency plans
  - Acknowledgement of public comments
  - Distribution of the local emergency plan
  - Receiving and processing requests from the public for information
- Prepare local emergency plan

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**LEPC Duties (Cont.)**

- Appoint community emergency coordinator
  - Development & implementation of emergency preparedness plan
  - Receives notification of incidents (releases)
- Establish program with regulated facilities to ensure compliance
- By July 1 each year, submit a summary report of LEPC activities during the previous calendar year
- Conduct an exercise annually
- Review the Emergency Response Plan annually
- Conduct at least one meeting per year

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**An LEPC:**

- 1. Collects information from facilities on hazardous substances that pose a risk to the community
- 2. Develops a contingency plan for the community based on this information.
- 3. Makes information on hazardous substances available to the public.

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**1 Collects Information**

- Annual Emergency and Hazardous Chemical Inventory Forms (Tier Forms)
- Material Safety Data Sheets (MSDS) (One-time filing)

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**311 / 312 Facilities**

Any facility that is required under OSHA to prepare or have available a Material Safety Data Sheet (MSDS) for a hazardous chemical

**AND**

- That hazardous chemical is present at the facility in quantities > 10,000 pounds
- OR**
- An Extremely Hazardous chemical is present at  $\geq$  500 pounds or the Threshold Planning Quantity (TPQ), whichever is lower.

Must file inventory forms with the SERC, LEPC & local FD with jurisdiction over that facility.

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### 302 Facilities

A facility with an Extremely Hazardous Substance (EHS) at quantities in excess of the Threshold Planning Quantity (TPQ) must:

- Report the presence of EHS to the SERC and the LEPC (one-time filing requirement)
- Provide the LEPC with the name of a facility representative who must participate in the planning process as a facility emergency coordinator.

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### 304 Releases

- ❖ Facility must immediately report to the SERC and the LEPC accidental releases of certain hazardous substances above specified reporting quantities. (800-782-7860)
- ❖ Federal Guidelines – 15 minutes.
- ❖ Facilities must follow-up phone call with written report.

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**CONTINGENCY PLANS**

- All Emergency Operations Plans must be compliant with NIMS (National Incident Management System)
- Chemical Emergency Response Plans must meet Nine Elements

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**Local Emergency Plan**

- The Emergency Response Plan can be either a stand-alone document or collection of procedures.  
OR
- An Annex to the County Emergency Operations Plan

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**Elements**

- 1. Identify facilities & transportation routes of hazardous substances
- 2. Describe emergency response procedures (on-site and off-site)
- 3. Designates a community coordinator and facility coordinator(s) to implement the plan
- 4. Outline emergency notification procedures

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**ELEMENTS (CON'T)**

- 5. Describe how to determine the extent of a release and the probable affected area and population
- 6. Describe emergency response equipment & facilities, and identify person(s) responsible for them
- 7. Outline evacuation plans
- 8. Describe training program
- 9. Identify methods & schedules for exercising plan

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**NIMS**

**National Incident Management System**

- FEMA (NIMS Integration Center) issued Fact Sheet March 1, 2007
- NIMS must be incorporated into ALL Emergency Operations Plans within the State in order for the state to be "NIMS Compliant."
- See NIMS Guide at FEMA website
- Response personnel must be trained in ICS (Incident Command Structure)

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**Facility Annual Reports**

- IEMA requires filing of Tier 2 reports that contain:
  - Chemical name or common name of chemical as provided on the MSDS
  - An "average" daily and maximum amount of the hazardous chemical at any time during the preceding calendar year
  - A brief description of the manner & location of storage
  - An indication if the owner elects to withhold information from disclosure
- Reports to be filed by March 1 for preceding calendar year.

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**Annual Tier II Reports**

- **Chemical Facilities must file a "Tier 2" report with:**
  - The SERC (State Emergency Response Commission)
  - Their LEPC (Local Emergency Planning Committee)
  - Their Local Fire Department
- **Reports due by March 1<sup>st</sup> for previous calendar year**

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**Electronic Access**

- **User Names & Passwords to be issued by IEMA**
- **IEMA will provide technical support**
- **If an issue arises that needs additional support from the vendor, IEMA will facilitate that discussion**
- **IEMA will pay all licensing and maintenance fees**

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**An LEPC:**

- **1. Collects information from facilities on hazardous substances that pose a risk to the community**
- **2. Develops a contingency plan for the community based on this information.**
- **3. Makes information on hazardous substances available to the public.**

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**3. Making Information Available**

- Provide Public Notice of all meetings
- Holds Public Meetings to discuss emergency response plan
- Publishes time & location where Plan & Tier forms can be reviewed
- Maintains meeting minutes for public information

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**Freedom of Information**

- Under EPCRA, LEPCs must respond to requests for Tier II information no later than 45 days from date of request
- LEPC makes information available upon request
- May Request additional information from facilities if not already on file
- Freedom of Information Act (different response time requirements) (5 ILCS 140)

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**FOIA & OMA**

- LEPCs are subject to the Freedom of Information Act (FOIA) and the Open Meetings Act (OMA).
- Visit the AG's website: [www.Illinoisattorneygeneral.gov](http://www.Illinoisattorneygeneral.gov) for general information and requirements.

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