

# FINAL-APPROVED



**Memphis / Shelby County  
Local Emergency Planning Committee  
Meeting Minutes  
October 15, 2009  
Web Page: [www.mslepc.org](http://www.mslepc.org)**

**Call to order:** John Bossier – 2:45 pm

**Welcome and roundtable introductions:** All attendees. As per the sign-in sheet, there were 18 attendees. As per Article VI, Section 3 of the LEPC's ByLaws, 18 attendees didn't constitute a quorum.

**Nomination of officers:** With no quorum (20) present, official business, such as nomination of officers, cannot take place. Ask secretary to attach description of officers' duties to next month's meeting notice, and to emphasize need for attendance.

**Previous minutes:** Due to lack of quorum the reading and acceptance of the September Minutes was deferred. A discussion about the accuracy of the Minutes with those in attendance was done and there were no suggested changes. There were no objections to posting the Minutes as written on the LEPC website.

- At the November LEPC meeting, there was a quorum.  
**Motion/Second/Carry (M/S/C):** Butch Pennington; motion approve September 2009 LEPC minutes as submitted; there was a second; motion carried. The September Minutes on the website are now notated as approved.

**Financial report:** Rhonda Henry-LEPC Treasurer was not in attendance. However, there were no known transactions. Previously reported balances are: Checking - \$374.91 and Savings - \$2,990.23 for total operating funds of \$3,365.14. Due to a lack of a quorum, the acceptance of the Financial Report was deferred. There were no objections to posting the Financial Report on the LEPC website.

**Incident discussions:** Tanya Henderson, with Pennakem, reported a 30 gallon spill of Maleic Anhydride. The spill occurred due to a hose malfunction during transfer from a tanker. The spill was below the Reportable Quantity. Representatives from TDEC, Memphis Field Office, arrived onsite to confirm adequate cleanup and stated that the agency is preparing to implement oversight fees of up to \$2,000, for responding to hazardous material spills.

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## **Reports:**

**Drill:** On September 29, 2009 representatives from Vertex, Memphis Police, Memphis Fire/Hazmat, and U.S. Coast Guard met and conducted a table top of the scenario (Chlorine Leak caused by an intruder). The following information supplements and adjusts the original drill scenario that will be conducted on Tuesday, October 27, 2009. The timeframe for the entire exercise is two hours. A debriefing and feedback session will follow. After the seminar in the blue warehouse building, command units will respond to an area near the front gate where a unified command will be established.

## **Drill, cont.:**

Memphis Hazmat and Vertex personnel will work jointly on reconnaissance, decontamination, leak control etc. Hot, warm and cold zones were established during the table top. Wind will be out of the north at 5 MPH. The leak is minor (less than 1ppm) with no off-site impact. The exercise will begin with Law Enforcement (LE) securing the scene and capturing the perpetrator. Actual Law Enforcement activities will occur in a shortened and compressed time frame so that Fire/Hazmat field activities can be performed in the time allotted. Perpetrator will be wearing a respirator and leave behind a small tank and a note suggesting a terrorist event.

11:00 doors open for sign in and lunch at the Blue Warehouse Building.

11:30 Seminar

12:30 Exercise begins

2:30 Exercise ends (put all equipment back in service)

2:55 Debriefing

**ER Plan:** Draft ER is completed. Committee Chair and Office of Preparedness Planning Officer are performing final review.

## **Old business:**

**501(c)3:** Committee Chair's heavy work associated travel duties are beginning to slow and will begin to devote more time to completing tasks associated with application submittal.

**New business:** 2010 Hazardous Materials Emergency Planning Grants (HMEP) for LEPC's will be going out late October or early November. TEMA is anticipating grants to be the same as last year – 4 LEPC grants and 1 regional conference grant. As of right now, the exact amount of the grants is unknown but it should still be funded with 80% federal and 20% local monies. Usually it is a short turn around time from the official announcement until the applications have to be submitted. Butch Pennington will spearhead the grant submittal. Initial plan is to submit application for LEPC grant to support general operations (i.e.; website maintenance, drill, community outreach materials) and not to attempt to sponsor a regional conference.

**Presentation/Discussion:** In lieu of a presentation/speaker, attendees participated in a roundtable discussion addressing ways to increase participation in the LEPC.

- Regulatory Authorization - Authorized by Title III of the Superfund Amendments and Reauthorization Act (SARA), the Emergency Planning & Community Right-to-Know Act (EPCRA) was enacted by Congress as the national legislation on community safety. This law was designed to help local communities protect public health, safety, and the environment from chemical hazards.

## **Presentation/Discussion, cont.:**

To implement EPCRA, Congress required states to appoint a State Emergency Response Commission (SERC). The SERCs are required to divide their states into Emergency Planning Districts and to name a Local Emergency Planning Committee (LEPC) for each district. Companies that submit Tier II reports are required to participate in the LEPC.

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### **Suggestions/Comments included:**

- Non- industry members/attendees gain valuable information about chemical hazards in the community.
- Consider sending letters to Tier II submitters reminding them of the EPCRA requirement of participation in the LEPC.
- Consider posting names of companies who actively participate in the LEPC as a positive reinforcement

### **Suggestions/Comments included, cont.:**

- Consider periodically highlighting member companies, and having that company present an overview of their internal emergency planning efforts and procedures.

The Executive Committee will review these suggestions, look at what other LEPCs are doing, and develop action items to maintain the historical viability of the Memphis & Shelby County LEPC.

### **Announcements:**

Ham Radio Operators Class – Beginning Thursday, Nov. 5th, with classes held over the next 6 subsequent Thursday nights. Classes are free, textbook costs \$24, and there is a \$15 fee to take the licensing/certification test. For location and additional information, contact Joe Lowenthal, with the Ham Radio Amateur Radio Emergency Service, at 683-2701, or at [Wa4ovo@yahoo.com](mailto:Wa4ovo@yahoo.com), or Scott Vanzandt of the Memphis Police Department at [scott@vanzandt.net](mailto:scott@vanzandt.net).

There have been three recent attempted terrorist bombings in the U.S. A man was arrested after putting what he thought was a bomb at the 60-story Fountain Place office tower in Dallas, TX. Another man was arrested in Springfield, Ill., accused of trying to detonate explosives in a van outside a federal courthouse. In both cases, decoy devices had been provided to the men by FBI agents posing as al-Qaeda operatives. Both men are charged with trying to detonate a weapon of mass destruction and face up to life in prison if convicted. The third, more widely known incident, involved a man, who traveled between Colorado and New York, purchasing chemicals from beauty supply houses, which he planned to use to manufacture explosive devices. He has been charged conspiracy to build and explode weapons of mass destruction. Reportedly, all of the purchased materials/devices have not been recovered.

Next meeting: Thursday, November 19, 2009

Adjournment: Meeting adjourned at 3:48pm

Submitted by: Diane Wyatt – Acting LEPC Secretary

Approved as submitted at LEPC meeting on Thursday, November 19, 2009