

State Emergency Response Commission (SERC)

Special Meeting

Thursday, September 14, 2017

Department of Public Safety
45 State Drive, Second Floor
Waterbury, VT 05671-1300

SERC Members Attending

- Annie Macmillan – Agency of Agriculture, Food, and Markets Seat (Designee for Secretary Anson Tebbetts) – Via Phone
- Stephen Monahan – Department of Labor Seat (Designee for Commissioner Lindsay Kurrle)
- Tim Copley – Agency of Natural Resources Seat (Designee for Secretary Julie Moore)
- Chris Bell – Department of Health Seat (Designee for Commissioner Dr. Mark Levine)
- Carl Rogers – Local Government Seat – Via Phone
- Michael Collins – Extremely Hazardous Substances Reporter Seat
- Shaun Coleman – Regional Planning Commission Seat
- Al Barber – LEPC Seat
- John Berino – Hospitals Seat – Via Phone
- Prescott Nadeau – EMS Seat
- Robert Gowans – Fire Service Seat
- Kim Lapierre – Reporting Transportation Entity Seat
- Alec Portalupi – Agency of Transportation Seat (Designee for Secretary Joe Flynn)
- Todd Cosgrove - Chair – Department of Public Safety Seat (Designee for Commissioner Thomas Anderson)
- Josh Cox – Non-Voting Member - Secretary (Designee for Director Erica Bornemann)

Also Attending:

Erica Bornemann – Vermont Emergency Management
Debbie Cummings – Department of Public Safety
Mary Lamson – Rutland Regional Planning Commission (Via Phone)
Rhonda Camley – Department of Public Safety
Tim Bouton – Addison County Regional Planning Commission

SERC Members Absent

- Ray Allen – Law Enforcement Seat

Call to Order - Todd Cosgrove, Chair 1:02 PM

Additions or Deletions to the Agenda – None

Introductions

All recommended individuals (John Berino, Prescott Nadeau, Robert Gowans, Kim Lapierre, Ray Allen) sent to the Governor's office for appointment to the SERC have been appointed by the Governor. Letters should arrive shortly, please forward a copy to Josh Cox.

Public Comments

Tim Bouton encouraged the SERC to approve all LEPC applications before them.

Approval of May 17, 2017 SERC Meeting Minutes –

Noted: Under C it should be an AST Leak and Keenan instead of Caanan, GRP's – being done by NY, response on VT side still gets handled by VT. Changes noted and amended. Minutes approved unanimously.

Approval of August 23, 2017 SERC Meeting Minutes –

Add Tim Bouton to list of attendees. Amended Minutes approved unanimously.

Additional FY'18 Hazchem funds requests –

The budget comes out of the Hazcam or Division of Fire Safety and we are allotted \$52,000 per year. If these fund requests are approved here we would then go to the Commissioner to ask for additional funding. Rhonda noted there are two LEPCs that will not be requesting FY'18 funds for a total of \$8,000. LEPC 3 and 8 still need an amended budget. The committee reviewed them and verified their compliance. If all were approved, it would be about \$40,000 in excess. There was discussion on how the SERC should proceed. Should they vote on each one individually or all together?

Chris Bell made a Motion and Second by Michael Collins to approve all FY'18 Hazchem applications as they were submitted. Discussion ensued.

Al Barber recommended that the SERC should take a universal look at all funding sources for the LEPCs and he talked about all the pressures that LEPCs are under.

Shaun Coleman spoke about the pressures on EMPG funding and how there isn't any AOT or community based funding to perform the work expected of LEPCs which is why additional funding is needed. Shaun also spoke of the need to have the Legislature review/redraft the state statutes as they pertain to Hazchem funding for LEPCs.

Prescott asked what type of communication exists between the LEPCs? Perhaps some efficiencies can be had there? Al Barber and Shaun stated there are good communications between the LEPCs. Tim Bouton spoke about how VEM used to host a meeting of all LEPC chairs. There was discussion that this practice should be continued/started again.

Shaun asked if the SERC approves all these requests will this impact the VHMRT funding. Todd and Rhonda stated that yes, it would impact the funding for VHMRT.

Tim suggested the SERC look into something that Maine does; Any new reporters that LEPCs get – the LEPCs should be able to keep those funds for the first year of reporting. There was discussion on how other states fund LEPCs.

Erica – asked if the SERC wanted a committee to research that and report out a future meeting on? How other LEPCs get money...Todd stated he would ask Len Wallace with the EPA about this.

Tim – In terms of the LEPC 8 application – they have two projects they have identified and if they could get funding from another source they wouldn't need to use Hazchem funding. Todd stated that one of the projects in the LEPC 8 application is something he already does; travelling to each LEPC as requested to present on submission of Tier II reports. Tim stated that taking this project out may lower LEPC 8's application by \$4,000-\$5,000. Erica suggested that Addison County RPC look into funding for "special projects" under their EMPG

Alec asked why there was such a spectrum of funding requests. There was discussion on how each LEPC conducts very different levels of activity. There was some discussion on why two LEPCs did not apply for FY'18 Hazchem funding.

Erica spoke about why it is important for the LEPC chairs all have a meeting hosted by VEM before the FY'19 hazchem funding applications go out.

No further discussion – Vote: Passed unanimously – One abstention from Al Barber

A letter will be drafted to the Commissioner stating that the SERC recommends funding for all FY'18 Hazchem applications

Todd asked that the SERC start thinking about how to proceed with FY'19 hazchem funding. A competitive type of grant was discussed. Erica had the following suggestion; prior to distributing a request for proposal other grant programs make priorities and send this out for a competitive grant with the guidance that they meet all proposal requirements and would be scored for funding by the governing body. This would allow the SERC to make priorities for the LEPCs. Now would be the time for the SERC to implement this type of program for FY'19 hazchem. Tim rebutted that that was what the language of the Hazchem fund in state statutes already says. The SERC could request that a certain amount of money be made available for the pool of the competitive grant.

Al stated that LEPCs are familiar with what they should be doing in regards to Federal statute be doing but find it very hard to accomplish. Erica suggested that perhaps by prioritizing parts of the statutes/things that LEPCs wish to accomplish might be a good way to proceed. Prescott asked if the entire SERC should look into it or have a subcommittee look into it. Tim stated that the SERC may need to meet more often than it does. Others stated they agreed with that. Al stated he thought the SERC should meet more often. Todd asked that between now and the November meeting SERC members should look at what they want LEPCs to accomplish/priorities they want the LEPCs to pursue. Todd spoke about the need for SERC bylaws as well. Al spoke about the need for a SERC handbook and getting these to the new SERC members.

Kim asked is we were going to consider how Maine does their funding. Todd stated he would look into it and have the Secretary send it out to the members.

Shaun spoke about how he has been receiving calls from the industry on how their money is being used.

Todd spoke about how all municipalities, schools, hospitals, small repair garages should all be reporting Tier II.

Todd spoke about LEPC 5 and 11 – he will have EPA come with him to speak to them about reporting requirements

Motion and Second to adjourn – All approved – 1:58 PM

Next Regular Meeting: **Wednesday, November 15, 2017 at 10:00 A.M.**

All SERC and SERC Subcommittee meetings will be publicly warned at the Vermont Department of Libraries website located at <http://libraries.vermont.gov/events>