

State Emergency Response Commission Meeting
May 30, 2007
1:00 pm

Voting Members Present:

Deron Wilkes	WVDHHR- BPH
Mike Dorsey	WVDEP
Jimmy Gianato	WVDHSEM
Alan Abbott	WVPSC
Rudy Raynes	WVSFM
James Riggs	WVDOH
Jesse Adkins	WVDEP

Others Present:

Don Elswick	Bayer CropScience
Whitney Galloway	Bayer CropScience
Dale Petry	Kanawha County OES
Herb Lattimore	WVDHSEM
Laverne Stout	WVDHSEM

Call to Order

Mr. Jimmy Gianato called the meeting to order at 1:05 pm, at the WV DEP Building, Kanawha City, WV, for those in attendance see conference roster. Mr. Gianato asked those assembled to review the minutes from March 15, 2007 for corrections, deletions or additions. *Mike Dorsey moved to approve the minutes as submitted, Deron Wilkes seconded. Motion passed.*

Introduction

Mr. Elswick introduced Ms. Whitney Galloway from Bayer CropScience, their summer intern. Welcome.

Old Business

Mr. Gianato began the meeting with a synopsis of the recent legislative session. Mr. Gianato said several attempts to introduce the legislation sponsored by the Commission was unsuccessful. It was his understanding that during interims the legislation would be reviewed and acted upon, however it appears that will not happen. Mr. Raynes asked if the bill had been defeated during the regular session. Mr. Gianato said no, it was never introduced, DHSEM submitted a package of 7 legislative issues and only one was sent forward; the Mine and Industrial legislation.

Mr. Gianato also said that last year he committed to IOGA the Commission would purchase a program to enable facilities to electronically report Tier II information. Unfortunately that did not happen for the 2006/2007 report year. An RFP was sent out, the bids were in excessive and Mr. Gianato did not feel the LEPCs would be able to maintain the program, nor would the Commission be able to procure the initial program. Mr. Riggs asked how a system will be obtained. Mr. Gianato said he has negotiated with Verizon for a grant package which will enable DHSEM to procure a program to provide Tier II reporting, GIS data, maps, mine information, safe schools and the call center information into one program.

Currently he is working on an RFP, the type of engineering work needed will be very complex and time consuming but will enable facilities, emergency responders and other interested parties the ability to more effectively protect the state and her assets. The system will be web based, very secure and will only enable facilities to review, change or delete their own information they will not have access to any other facility information.

2007 HMEP Grant

Payments were sent to Kanawha/Putnam (706.90), Jackson (2700.00), McDowell (955), Roane (2025), Marion (2700.00)

2008 HMEP Grant

Nothing additional to report

SERC/LEPC Grants

Grants were sent to:

March - Jefferson, Raleigh, Hancock and Mineral - \$500.00 each

April - Kanawha/Putnam, Ritchie, Hardy, Lewis/Upshur - \$500.00 each

May - Pendleton, Roane, McDowell, Jackson, Cabell/Wayne - \$500.00 each

LEPC Memberships

The following LEPCs submitted updated memberships Cabell/Wayne, Jackson, Kanawha/Putnam, Mason and McDowell. *Jim Riggs made a motion to approve all but McDowell (they need a local environmental representative), Alan Abbott seconded. Motion passed*

By-Laws

An addition to the SERC By-laws permitting conference calls, emails and other forms of electronic meetings was introduced. *Mr. Wilkes made a motion to accept the verbiage and introduce as a 1st reading with a vote by the Commission at the next meeting. Mike Dorsey seconded. Motion passed.*

“ARTICLE IX Section 4 (A) or renumber to Section 5 and renumber all succeeding entries in Article IX

With the prior approval of the chair, a board member may participate in a board meeting by means of teleconference, video conference or email connection if the member is unable to attend the meeting in person and if agreed to by the majority of members present”.

Mr. Wilkes also noted in several places Article numbers were incorrect. Corrections will be noted and submitted to the Commission at the next meeting.

Tyler, Wood and McDowell submitted updated/revised by-laws. *Motion to approve Tyler and Wood by-laws by Jim Riggs, seconded by Deron Wilkes. Motion approved.* It was requested McDowell provide information on the category of identification of covered facilities, glossary of terms and samples of news releases.

Training Subcommittee

Herb Lattimore said he had \$200,000 for training, funding is available for agencies and counties just ask. Don Elswick asked about G402 a class for ICS, NIMS and executives. Also training for G362 multi-hazard planning for schools was discussed. Mr. Lattimore said any viable, approved training can be funded; please see him as soon as possible.

<mailto:rmccallister@ag.state.wv.us>

Treasurer's Report

See attached listing

New Business

Several entities have failed to report their Tier II information for 2007 and 2006. It was decided the Attorney General's Office would be contacted and inquires made as to what the Commission's options were. If the Attorney General's Office agreed to send letters to non-complying entities on behalf of the Commission, Laverne was to proceed. Mike Dorsey said he checked with and they can not utilize permits as a tool to encourage compliance. He did state that at one time they did employ a Collection Service to encourage compliance with some of their items. Mr. Gianato said he believes those who are not compliant are more criminal than civil and violating state and federal code is not acceptable. If necessary he feels we should work with local prosecutors to encourage compliance. *Mike Dorsey made a motion to proceed with contacting the Attorney General, submitting names of facilities that are in non-compliance with EPCRA. Jim Riggs seconded. Motion passed.*

US EPA's Conference will be held December 2-5, 2007 in Pittsburgh, Pennsylvania at the Pittsburgh Hilton. It was suggested the SERC provide funds for select individuals to attend at the Commissions expense. The Commission asked for a printed agenda, who attended last year and who cancelled to be provided to the Commission at the next meeting.

The Commission set the meeting dates for the next year:

July 19, 2007	1:00 pm	WV DEP Building
Sep, 2007		To Be Determined - conference
November 15, 2007	1:00 pm	WV DEP Building

The next scheduled meeting will be July 19, 2007, at 1:00 pm at WV DEP in Kanawha City.

Motion to dismiss Jim Riggs, seconded Mike Dorsey, and motion passed.

Meeting ended at 1:15 pm