

**Summary Minutes
Maricopa County Local Emergency Planning Committee (MCLEPC)**

October 5, 2005

A meeting of the Maricopa County Local Emergency Planning Committee (MCLEPC) was held on October 5, 2005 at the Banner Good Samaritan Medical Center located at 1111 East McDowell Road, Phoenix, Arizona.

Membership Attendance

- *Members in Attendance*

Osman Aloyo, Steve Brittle, Mike Fusco, Bob Horn, Alan Jensen, Tim Jones, David Jones, Kevin Rose, Hal Rosen, Richard Thomas, Maryalice Witzel and Michael Trepasso.

- *Members Absent*

Tom Abbott, Joe Arpaio, Joseph Early, Virgil Martinez, Othell Newbill, Terry Petko, Jack Pike, John Power, Mary Price, and Tom Shannon.

- *Others in Attendance*

Holly Carpenter, Mary Kanoon, Glenn Jones, Scott Meyer, Daniel Roe, Sara Latin, Rory Blakemore, Warren Leek, Dan Hrath, Dennis Carpenter, Greta Rogers, Craig Archibald, Susan Ransdell, Ron Friesen, and Larry Fallis.

Call to Order

The meeting was called to order at 6:10 pm with a quorum of the membership in attendance.

Introduction

The meeting began with brief introductions by the members of the committee. Osman Aloyo welcomed everyone to the meeting.

Approval of Minutes

Mr. Aloyo asked if anyone had concerns regarding the April 2005 and August 2005 minutes. Mr. Brittle clarified that Maricopa County staff who are not MCLEPC members should not be included as members on the minutes. David Jones made a motion to accept the minutes from both meetings, the motion was seconded, and the minutes were approved.

Subcommittee Reports

- ***Grants Subcommittee*** – Glenn Jones announced that the State Emergency Response Commission (SERC) sent out an email on September 1st to fire departments about grant application packages. Emergency Response grants and Hazardous Materials Emergency Preparedness (HMEP) funding are soon to be available for federal fiscal year 2006. Mr. Jones requested that members submit recommendations to him, for items needed to help the committee. He needs these suggestions before the deadline (November 1, 2005).

Mr. Jones declared that grant funds received from the SERC have been expended. They were used to purchase a speech light, magnets, and pens. Money was also given as a pass through grant for some of the fire departments for equipment. The final report on how these monies were used has been submitted to the SERC. He pointed out that he will look into whether any funding is still available from two separate charitable donations.

Mr. Jones asked Mr. Roe if he had any comments. Mr. Roe declared that it is possible to use some of the SERC portion of the HMEP funds for facility plan reviews. Mr. Roe stated that plan reviews would be contracted out and matrix established, so we can get some feedback on the plans that facilities in Maricopa County have been submitting.

- **Membership Subcommittee** – Tim Jones announced that the subcommittee did not meet. Two members have resigned, Tri Trinh and Maggie Lineback. He stated the next job for the membership committee is to fill Ms. Lineback’s position because the committee is short a member. He stated that the subcommittee will meet in two to three weeks. Glenn Jones pointed out that he has been working with a contact to obtain a volunteer from the Walter Cronkite School of Journalism, and should hear from potential volunteers in the next week.
- **Plans Subcommittee** – Glenn Jones explained that Roger Soden of the SERC conducted a review of the Emergency Operations Plan for hazardous materials. Seventeen items were reviewed for compliance, and either we *met*, *marginally met*, or *did not meet* the requirements for each item. If we *marginally met* or *did not meet* the requirement Mr. Soden provided guidance for those items. Our next step is to address these as a group to satisfy what is required. Mr. Brittle suggested that the Ad-Hoc subcommittee is already working in similar areas, so they could also help with the work.
- **Rules Subcommittee** – Mike Fusco indicated that the modifications to by-laws be presented as *Old Business*.

Ad-Hoc Subcommittee – Steve Brittle, Kevin Rose, and Glenn Jones met. Mr. Jones reported that the State was kind enough to provide a form for evaluating business emergency operations in the county. He stated that the subcommittee will be going through the plans to make sure objectives are being met for the selected thirteen facilities. State has announced that the remaining facilities will be contracted out. Mr. Brittle will be assisting with the review process. Mr. Jones indicated this is a win-win situation for us as an LEPC, to have someone on the committee that is also part of the larger review. The subcommittee will meet again in the next few weeks and have further updates at the next LEPC meeting.

Old Business

- **Vote on Rules** – Mike Fusco reviewed the proposed changes.

Section 6.1 A states “Principal officers shall be the voting members of the LEPC and include the Chairperson, Vice-Chairperson, Executive Director, and Secretary”. Under *6.1 B* “The Executive Director shall come from the Maricopa County Department of Emergency Management and designated by the Chairperson with the approval of the committee.” Mr. Fusco stated that the LEPC Chair would make the recommendation to keep representation in the county for continuity, to keep the organization moving forward. (Pg.5, Committee Rules)

Section 6.2 D states “The position of Chairperson and Vice Chairperson will alternate between public and private/non-governmental entity” Mr. Fusco stated that this gives both public and private a chance to lead, and will take out groupthink and encourage diversity. (Pg.5, Committee Rules)

Section 7.4 B states “A quorum shall consist of more than 33% of the Committee membership”. This was an alternative to the 50% requirement and will allow the committee to conduct general business. To protect the integrity of the committee *Section 7.4 C* states “More than 50% of committee members must be present to vote to change the rules of the Committee or elect Officers”. (Pg.8, Committee Rules)

Section 8.4 Ad Hoc Committees states “Ad Hoc Committees should be determined by the LEPC Chair and confirmed by the committee. Mr. Fusco stated that additional Ad Hoc committees can be added as deemed necessary. *8.4 E* states “LEPC may create and assign members to an Ad Hoc committee”. Special one-time concerns can be addressed and dealt with in that way to get to the meat of issues. *8.4 F* states, “Ad Hoc committees will provide periodic reports to the committee, when necessary.” (Pg.12, Committee Rules)

Mr. Brittle offered an amendment to the rules section *7.6 Agendas*. If an LEPC member suggests that an agenda item be added, that it will be and if there are too many items for that meeting, that it be placed on the agenda for the next meeting. All agenda items including subcommittee and ad hoc’s shall be publicly noted with a possible vote or action, instead of waiting for three months. He also requested that a standing agenda item be slotted for each meeting that calls for public comment on the emergency plan.

Mr. Fusco stated that it would be good to have extra rules devoted to the agenda. He was not sure that a second call to the public was needed. Mr. Brittle pointed out that before he was an LEPC member, he would listen to all this discussion and determination about the plan and after it was all over, would get a chance to speak when it was too late. He stated that his format would be more inclusive and useful because it asks the public if they have anything to offer immediately after the committee discusses the plan.

Mr. Aloyo stated that it is somewhat redundant to have an open forum where people can speak about the plan at each and every meeting. Mr. Roe asserted that the requirement is that the public has the opportunity to annually review the plan and there is nothing in the open meeting law that requires you to have an agenda item that permits the public to speak; the requirement is to have a meeting that the public can attend. He sees it as two separate items, as a standing item on a plans review with the annual opportunity for the public to address the plan and a call to the public with the comment open for any issues.

Dr. Thomas stated the plan is one of the most important things this committee is responsible for. He didn’t think it would hurt the committee to subdivide the *Call to Public* and have a section for comments about the emergency plan and general/other comments. Mr. Brittle stated that he would accept that as a reasonable compromise. Mr. Aloyo stated that the public still has the opportunity to speak four times per year on whatever they wish. Mr. Fusco suggested modifying the agenda item to say the public can comment on “anything including the LEPC’s emergency plan” (an adjustment to number 4 on Mr. Brittle’s amendment).

Mr. Aloyo asked for an example of an issue that has risen out of items being removed. Mr. Brittle imparted that in previous years we have had problems with agenda items being removed by the Chair. Mr. Brittle maintained that the Concerned Residents of South Phoenix filed a civil rights complaint against the LEPC. The LEPC had a meeting in South Phoenix and when it came time to discuss some of their issues with the emergency plan the Chairman removed the agenda item.

Mr. David Jones made a motion to accept Mr. Brittles agenda changes with the exception of number 4. Mr. Fusco seconded the motion and the committee approved the motion.

Dr. Thomas went back to review the section on Ad Hoc Committees. He declared that an Ad Hoc committee needs more than just an issue, but a clear mission and time frame needs to be given. We need something that states “the purpose and mission of the Ad hoc committee shall be determined by the Chairman and provided in writing to the members of the Ad Hoc committee”. Mr. Aloyo stated that a year may be too long for some issues. Kevin Rose requested that the committee rethink the function of the established time frame. Mr. Fusco attested that the year time frame was developed to help Ad Hocs force a decision. An action would have to happen in one year, or it would come up again for discussion or reappointment.

Mr. David Jones made a new motion to accept the changes to the rules, with the additions of Mr. Brittle and the changes just made to the Ad Hoc committee definition. Mr. Brittle seconded the motion, and the motion was approved.

Apex Training

Mr. Brittle acknowledged that after all these years it is very helpful for us to finally understand what we are supposed to be doing. He stated that it would be nice to have the brain storming session. Mr. Fusco stated that he would like to see the training be an annual event. Dr. Thomas asserted that the strategic planning meeting and APEX training should be scheduled annually. He proposed that we dedicate at the least four hours or half a day sometime between now and 2006, to strategic planning. He stated that one of our former committee members offered to bring in a facilitator to assist with the meeting. Mr. Aloyo stated that the issue they had with the facilitator was that it a misunderstanding of free verses compensation, and we did not have that kind of money, as we normally do not. Dr. Thomas stated that while is nice to have an outside facilitator, maybe the experienced people in the room could fill that role instead, and he would be one of the first to volunteer with that.

Dr. Thomas asked the committee members how far in advance they need to be notified to add something to their calendars. Mike Trepasso said that a month was enough, and that was the general consensus. Dr. Thomas indicated that the committee should plan to meet the last week in October or the first week in November. He volunteered to work with Mr. Jones to coordinate the meeting.

Maricopa LEPC reply letter to Mr. Brittle

Dr. Thomas indicated that he and Mr. Brittle have come to an agreement, after significant correspondence about unfinished business relative to a couple of our facilities in the community. Mr. Brittle explained that the letter of review from the AZSERC really addressed his concerns, so there is no need to address this meeting’s agenda item on *maps* because it has already been decided, and would take up too much time.

Mr. Roe advised the committee to not use the verbiage “RMP Subcommittee” because Arizona has not sought delegation through the RMP program. It is giving a false sense of what you as an organization may be looking into. Use another name, like Chemical Subcommittee.

Recorder problems

Mr. Glenn Jones stated that in the past members have expressed concerns over segments of the minutes being reported as “inaudible”. Dr. Thomas offered a suggestion to have the recorder do a quick review of the tapes immediately following the meeting, to check for gaps in content. That way if they have any questions, the meeting will still be fresh in the minds of

the committee members. Mr. Jones contended that he can't remember seeing inaudible on the last few meetings minutes.

Board comments

Bob Horn announced that he will be attending a Chlorep Seminar in St. Louis. The seminar was funded by a grant from Mesa Fire Department. Two days will be devoted to general study information and the third day will focus on a response program for first responders. He is hoping that the information he obtains will be useful to the Chemical Ad-Hoc committee.

Mr. Brittle asserted that the HazMat Explo hosted by Clark County LEPC is coming up in November. It would be nice to have someone from the Maricopa LEPC attend the four day event to correspond and compare notes with other counties. Maybe in the future we could get grant money to support this. The website is hazmatexplo.org. Mr. Roe stated that he will be attending EPA meetings that are happening at the same location. Roger Soden of AZSERC will be there to attend the classes. Mr. Aloyo asked if money was available from the state. Mr. Roe stated that you can set aside HMEP funding for this or call John Dirickson, the state training coordinator at the request of the LEPC Chairman, to see what is available. The fee for the event is around ninety-five dollars.

Mr. Brittle stated that hurricane Katrina has brought back how important emergency planning is. We have seen what real failure can be. As a person that works a lot with the community, he has heard a lot of people ask if our plan is as dysfunctional as it is in Louisiana. Mr. Aloyo stated that we have also seen that best National Response Plan fail, and the lesson learned is that you could have the best plan in the world but it is most important to coordinate every day and exercise the plan. Dr. Thomas imparted that when we look at what happened there was clearly an awareness of a catastrophic event with consequences that those in emergency management were very aware of but the public was not. We need to make sure that we know what the "levees" (in terms of chemicals) are in our community.

Mr. Brittle suggested doing a large-scale exercise that would focus on a chlorine spill. Al Jensen pointed out that things are happening amongst first responders through Hazmat Tech classes. Thirty Firefighters from departments in Mesa, Glendale, Chandler, Gila River, and Phoenix have been going through a four-week course. The class is being held right now. Today they spent eight hours out a Honeywell going through different scenarios that covered Level A suiting up, entry, evacuation, and mitigating a leak to turn the process back over to Honeywell. Responders are trained in inorganic and organic chemistry in one week. It is scheduled again for spring of this year.

Dr. Thomas stated that he would like to see an exercise with multi-jurisdictional response that involves elected officials in policy-making decisions. The awareness that is gained through large drills is well worth the time and money. Mr. Roe indicated that Tempe held an exercise that involved the Fire Department, CERT Teams, Red Cross and volunteers from the public as part of a tech-training course. A Reception and Care Center (RCC) was set up with booths where industry could display their use of plume modeling and Cameo software. It was a well-put together, low-key pilot project that went over well with the community.

Mr. Aloyo contended that all of the cities and towns in Maricopa County have an Emergency Operations Plan (EOP). The County also has an EOP and is working on getting their Evacuation Plan completed. The concept of evacuation was on our minds a year and a half ago, way before Hurricane Katrina hit the coast. He encouraged everyone to please take a look at the Maricopa County Emergency Management website. You have many ways to get a hold of us in our office, just contact any of our staff members.

Elect new officers

Mr. Brittle nominated Tim Jones for Chairman. Mr. Jones declined due to obligations with his employer.

Mr. Brittle asked if the selection process was a function of the membership committee. Tim Jones and Mr. Fusco confirmed that it is not in the by-laws. Mr. Aloyo stated the committee has to vote to select a new Chairman because he will be gone to Florida for good after the meeting. Mr. Fusco suggested selecting a Vice-Chair to sit in place of the Chairman, until the position is filled. Mr. Brittle pointed out that the Vice-Chair is more of a commitment than the Chairman because 2 years are spent as Vice-Chair and 2 years as Chairman. Mr. Fusco stated that you don't want anyone to just jump in and/or get hog tied into that position without understanding and accepting the responsibilities.

Dr. Thomas suggested that three people be placed on an Ad Hoc Committee. Mr. David Jones stated that the Executive Director should be included on the committee because he has the best estimate of the duties and time commitments required. Glen Jones stated that the Executive Director is a non-voting member no matter what and is just a gatherer and facilitator of information.

Mr. David Jones made a motion that the Maricopa County Department of Emergency Management provide an Interim Chair for the next meeting, form an Ad Hoc committee of three voting members to develop a slate officers to be voted on at the next meeting, and the Executive Director provide input to the Ad Hoc as far as the commitments and time needed for the Chair and Vice-Chair position. Dr. Thomas seconded the motion and it was passed.

Dr. Thomas stated that by default the current Chairman needs to select those Ad Hoc committee members. Mr. Aloyo stated that he would select those sometime soon.

Call to Public

Ron Friesen thanked the committee for holding the meeting in the evening because it is difficult for people who hold day jobs to get to any daytime meetings. He stated that the APEX training was excellent. Mr. Friesen declared that he gave up a day of salary day to attend the course and walked away a better-informed citizen. He declared that a promise was made by the committee to have a public meeting in the community of Northwest Phoenix related to the spill. The meeting has yet to happen. Mr. Larry Fallis will address this issue further.

Mr. Fallis of the Cordova Neighborhood Association stated that at the January 2004 LEPC meeting, the first meeting after the DPC spill, a motion was made that a committee would be formed and x-number of months later a meeting would be held in the community to inform the public pertaining to the spill. Six members of the public spoke out about their concerns at the meeting. Our president Diane Post sent a letter to the LEPC, which I am here to follow up on. Glenn Jones stated that he did reply to Ms. Post. The letter was addressed to the Maricopa County Department of Emergency Management. Mr. Brittle stated that he also never saw the response letter. Mr. Jones stated that he would provide a copy of the letter and the reply for anyone who requests it.

Mr. Aloyo stated that there are have been several meetings on the DPC spill. Mr. Friesen maintained that community members also need to be kept informed. Mr. Roe stated that just a couple of weeks ago he was expecting a visit from Chemical Safety Board for a follow up

visit. The Chemical Safety Board changed their plans to come out because he believes they were denied a visit with DPC. The EPA may be involved in ongoing actions with the company that he is unaware of. It is up to the committee to decide how that would be approached. It would be very difficult for the committee to meet when there are other investigations going on. Mr. Roe suggested developing a community planning exercise in the community.

Mr. Friesen asserted that as he understood, the promised response was not directly related to DPC, but to chlorine in the whole community. The meeting should address community concerns and education on chlorine. Mr. Aloyo stated the education subcommittee needs to have a chair before we can move forward.

Mr. Brittle stated that he is working with Councilman Tom Simplot's office regarding railcar issues. When we originally started the subcommittee, we thought it would meet with the community. He has a meeting with the Councilman on Monday.

Hal Rosen stated that he takes care of about fifty facilities in Tempe regarding emergency response and Tier Two reporting, so it is near and dear to his heart. He pointed out that sometimes people may not want to know about the hazards in their backyard and certain people you may not want to inform about what is in the community. Living in our day and age with terrorism, there are so many different scenarios that could happen. Mr. Rosen volunteered to take the position of Chairman for the Education subcommittee. He requested the assistance of Mr. Brittle and Mr. Jensen for the subcommittee and they accepted. Mr. Rosen proposed developing a community exercise for Glendale, just like the one held in Tempe.

Mr. Aloyo officially appointed Mr. Rosen to the position of Chairman for the Education Subcommittee. The motion was seconded by Mr. Fusco and approved.

Next, Gretta Rogers expressed her concerns about emergency evacuation. She stated that in light of recent events on the Gulf Coast we have seen government demonstrate complete lack of control. I am most worried about cooks coming to this area with no purpose other than to be destructive, create chaos and death among a wide segment of the population. It seems to me that the prime targets would be Palo Verde and the dams. A huge problem seems to be evacuation and issues like turning a freeway into a massive parking lot during evacuation. These issues need to be worked out by yourself and government entities. There is no media publication available that provides evacuation information to the public. Mr. Aloyo stated that the Maricopa County has completed an evacuation study and is in the process of revising their emergency operations plan. If you go to www.maricopa.gov/emerg_mgt you can view the study.

Mr. Scott Meyer imparted that under EPCRA one of the statutes states that the LEPC's need to provide a way to respond to the public. The public should have a time to provide meaningful input and it sounds like the steps taken today start working toward that. There also still needs to be a procedure to make sure that letters are responded to in a timely manner, and maybe this could be directed at the rules committee. Also, I understand that there is no way to go out and do an assessment when a catastrophic chlorine release happens; the only way to deal with it is to have an educated public that knows what shelter in place means. The public does not know that the committee exists. Mr. Friesen insisted that even government officials do not know about the committee.

Mr. Aloyo asked if money is available for PSA's. Mr. Roe stated that the LEPC can seek monies creatively through grant applications. Mr. Roe stated that it is unfortunate that

something terrible must be happening in a person's backyard before they become aware of it. If that is not your issue for the day, you are focused on feeding your family and earning a living. This does not stop us from publishing Gatekeeper or Arizona Peer Exchange. Innovative ideas are welcomed by the LEPC and SERC.

Mr. Fusco stated that at the strategic planning session the committee can discuss ways to market the committee. We know it is not a matter of having information available but getting people to understand. Mr. Brittle announced that the Public Information Officer from Arizona Division of Emergency Management had a refrigerator magnet with how to develop your own individual family emergency plan. We need to tap those resources. Mr. Fallis asked if anyone knew what percentage of the population has access to the Internet. Mr. Fusco said that is a very valid point, and cable television is another outlet. Mr. Rosen stated that distributing information through churches is also a possibility and his company would also pay for the next year for a shelter in place website. He stressed that he is committed to helping the public and passionate about the work that is being done in the field.

Susan Ransdell indicated that individual responsibility is key and she is in the process of taking CERT training. Activities need to be coordinated neighborhood-by-neighborhood, street-by-street through Block Watch's and Neighborhood Associations. Mr. Glenn Jones stated that people forget that this is also the neighborhood we live in too. Everyone up here is a volunteer. We have just as big of concerns about our own families.

Adjournment

Chairman Aloyo adjourned the meeting at 8:00 pm.

Dated this 5th day of October 2005.

Local Emergency Planning Committee

Submitted by: _____
Holly Carpenter, Recording Secretary

Reviewed By: _____
Osman Aloyo, LEPC Chairman