



Maricopa County Local Emergency Planning Committee  
 5630 E. McDowell Road  
 Phoenix, AZ 85008

**January 13, 2010-Summary Meeting Minutes**

A regularly scheduled meeting of the Maricopa County Local Emergency Planning Committee (MCLEPC) was held on January 13, 2010 at Tempe Fire Department Training Center located at 1340 E. University Drive, Tempe.

**Call Meeting to Order**

With a quorum being present, Chair Al Jensen called the meeting to order at 2:04pm and instructed the members to introduce themselves.

**Members/Designees Present:**

Bill Beebe	Metal Management
Larry Contreras (By Proxy)	City of Phoenix Fire –Special Hazards Unit
Gil Damiani	City of Mesa Fire – Emergency Management
Justin Dutmers	Honeywell Aerospace
Mike Fusco	City of Peoria, Safety Office
Chris Haupt	DPC Enterprises
Al Jensen	City of Tempe Fire – Hazardous Materials
Joan Minichiello	Maricopa County Environmental Services
Tim Newbill	City of Goodyear Emergency Management
Susan Nicholas	Maricopa County Public Health
Hal Rosen (By Proxy)	Envirosure Solutions
Kip Schlum (By Proxy)	City of Glendale Emergency Management
Gary Smith	KTAR
Michael Trapasso	Univar USA
Pete Weaver	Maricopa County Emergency Management
MaryAlice Witzel	Banner Good Samaritan Hospital
Tom Woodward	Red Cross, Phoenix Chapter

**Proxies**

Chris Buboltz (proxy for Hal Rosen)  
 Richard Winston (proxy for Hal Rosen)  
 Debra Sheff (proxy for Kip Schlum)

**Members Absent**

Tom Abbott City of Tempe Fire – Emergency Management

**LEPC Support Staff**

Cristina Herrera, Executive Director	Maricopa County Emergency Management
Meredith Bond, Recording Secretary	Maricopa County Emergency Management

## **Public**

Steve Howard  
Roger Parker  
Scott Kutia  
Dan Roe  
Aaron Welch  
Jeff Alderson

## **Approval of the meeting minutes for October 21, 2009:**

Justin Dutmers made a motion to approve the minutes as written. The motion was seconded by Mike Fusco. The motion was approved unanimously.

## **Grants Subcommittee Report:**

Mike Fusco reported the Grants Subcommittee met in November and looked at interoperability and how does one grant support the other. He reported the requests were reviewed to make sure they were attainable. Mr. Fusco reported the Subcommittee reviewed whether the total request was spread it out so that everyone got a piece of the pie and also who needed the money the most. Mr. Fusco reported that Tonopah Valley requested \$1,300 for splash suits; Harquahala requested \$1,300 for splash suits; Buckeye Fire requested \$10,773 for chemical warfare equipment; and Surprise Fire requested \$10,375 a thermal fissure monitor. He stated that the County requested \$1,500 for administrative costs (supplies) and to support ammonia safety day. Chairman Jensen stated that the application was forwarded to the AZSERC. Mr. Jensen stated he and Ms. Herrera attended a Grants Workshop with the AZSERC. He reported that the County's (\$1,500) request was approved but the other request for equipment purchase was pending. Ms. Herrera stated that the equipment grant requires the fire department to purchase the equipment and then submit receipts to the County and then forward to the State so they can pay the fire department directly. She reported that now the AZSERC wants to pay the County and then have the County reimburse the fire department. She stated this is something the County is going to have to work with our Finance Section to see if it's possible to do. Mr. Weaver stated that we may not want to do this because it would require a percentage overhead fee. Ms. Herrera stated that they were made aware of that and if there was an overhead fee they would have to cut the grant amount by 20%. Chairman Jensen stated that there are a lot of activities that LEPC is required to do in order to keep up with receiving funding such as meetings, outreach activities, keeping track of minutes and membership, and training. Ms. Herrera reported that the AZSERC will be conducting new commodity flow studies in the State.

## **Review/Approval of Rules Amendment:**

Joan Minichiello stated that the majority of the revisions are technical clarifications. She further stated that they did provide a new definition of proxy (7.8) which was requested from the Committee at the last meeting. Ms. Minichiello stated, it is a new clarification of what a proxy is, how they are authorized to attend meetings, and what they can do. She further stated that the proxy also needs to provide written notice and given to the Committee prior to the meeting. Ms. MaryAlice Witzel asked if there is some kind of form that all the members can be sent so we can fill out the information in the same format. Ms. Herrera asked if the proxy would be permanent or would the proxy be a

different person at each meeting. Ms. Minichiello further stated that ideally we want the same person to come as the substitute. Mr. Smith commented that there are two types of proxies; one is used if a member can't come to one meeting, and the other is when you have a member that never comes and rotates their proxy to people in their department. He further commented if you have a consistent voice speaking on your behalf do we need to have them fill out a paper every time for that one person or is our intention to drive that member to actually come to the meetings? Ms. Witzel commented that if you are a member of this Committee and you send a proxy to every meeting why be a member or why not make the proxy a member instead? Mr. Newbill stated that we meet quarterly and we have the dates a year in advance. He further stated if you are consistently not showing up and sending a proxy then you should give up your position or make your proxy the official member. Mr. Newbill stated if you miss meetings occasionally then it would be easier to just fill out a form and send your proxy with the form. He stated this has resulted from the Committee having trouble meeting quorums in the past. Mr. Fusco stated that this is supposed to be a tool, not a hardship but the problem with proxies is that when we vote on something and the proxy doesn't know the background. Mr. Fusco further stated that sometimes people in fire departments are rotated and especially in the summer would miss that meeting and what it says in the rules is well put because the form would ask why they need a proxy. Ms. Minichiello stated that if we are receiving a document that says this person is going to be my proxy we can keep track of who is coming consistently and who is sending a proxy every time. She further stated that then we can take some sort of action to send a letter to the person who is supposed to be on the committee and recommend that the proxy take over as a committee member. Bill Beebe stated that last time there was discussion as to what constituted a quorum. Mr. Beebe asked if the Committee decided what the definition of a quorum was. Ms. Minichiello replied that it was 50% plus 1. Mr. Smith stated that the only issue he had was that if the whole Committee is comprised of 20 people and the quorum is 11. When voting on something 2/3 of that 11 is less than half of the entire group. Mr. Fusco stated that it seems like we are getting more people to come to the meetings and it seems to be working so if it's working, don't change it. Mr. Smith stated that if you look at congress you need 2/3 of the members of congress to pass a vote. He stated it was not 2/3 of a quorum of 50% plus 1. Mr. Fusco stated that we are trying to keep business moving forward and if we set the numbers too high then nothing will get done. He further stated that he's balancing because we aren't voting on federal laws and no matter what decisions we make we are still bound by federal and state laws. Mr. Fusco stated the reason we discussed the 2/3 at the beginning is because we weren't meeting quorum and it was hard to get people come to the meetings and these rule changes should be annual and if it stops working then we can look at changing it. Mr. Fusco made a motion to approve the approval of the rules amendment. Motion was seconded by Mr. Trapasso. Two members opposed. Motion was passed with a majority vote.

### **Plans Subcommittee Report:**

Michael Trapasso stated that the Plans Subcommittee met on December 18 to review chemical release written notifications. He stated that there were six incidents that were reviewed and involved the following companies: Americold, Rousseau Farming, Hill Brothers, and Veolia. And, he stated that the releases were ammonia, PCB, and chlorine. Mr. Trapasso reported the details of each of the incidents to the Committee. He reported that all the written reports were approved with the exception of one in which

the company failed to describe the mitigation actions taken to correct the problem. Ms. Herrera will work with the company to amend their written report so that it includes this information. Mr. Trapasso stated that the Subcommittee instructed Ms. Herrera to create a review checklist with the required information for future reviews. Mr. Trapasso stated that the PCB release occurred during unloading of a transformer and the material spilled onto cement. Mr. Smith asked who in the State of Arizona handles the clean up and if all the materials have to be incinerated. Ms. Herrera stated that the spiller, Veolia, is an environmental company. Mr. Smith asked where their incinerator is located. Mr. Trapasso stated that it can be looked into at the next subcommittee. Mr. Weaver asked if we are responsible from cradle to grave. Mr. Smith stated that if it's being transported on the highways we should be concerned because small amounts can cause huge environmental impacts. Mr. Weaver asked if we are responsible or if it is more regulatory because we shouldn't create a liability for us if there isn't one. Mr. Smith stated that if it's not ours we shouldn't do the review and if it is we need to do it right. Mr. Jensen stated that we can look more into that and report back.

### **Presentation of the revised LEPC Response Plan:**

Ms. Cristina Herrera presented the revised and updated LEPC response plan and referred members to the presentation handout. Ms. Herrera stated that the Committee is required to review the plan and that Federal and State law requires an annual review of the plan for Maricopa County. She stated that last year the AZSERC created a LEPC plan template and our plan was converted. She further stated that the converted plan was reviewed by the Plans Subcommittee and this was now a revised draft plan. She stated that the AZSERC requested that the Committee review the Plan section by section at each meeting in order to obtain feedback from the Committee as well as from the public. She then presented a brief overview of the plan. Ms. Herrera stated that at the next meeting the Committee will review Sections 6.1, 6.2 and 6.3 and solicit comments.

### **Call to the Public/Public Comments on Plan:**

This is an opportunity for the public to make comments on the LEPC Plan or any other LEPC issues or activities. There were no public comments.

### **Good of the Order**

Mr. Justin Dutmers stated there were a lot of questions in the Grants Subcommittee regarding the jurisdictions such as capacity and equipment. He further stated that the Grants Subcommittee came to a consensus to poll the jurisdictions by developing a 7-10 question survey. Mr. Dutmers stated that they are going to send the survey primarily to fire agencies and hopefully use the results in the future to determine where the grant funds will go to. Ms. Herrera suggested that the Grants Subcommittee review the questions then obtain approval from the Committee in April to proceed. Mr. Jensen stated that the reporting requirements for the AZSERC have changed and more numbers are required which means the Committee needs to get out to the public more often and track everything. Mr. Jensen announced that Friday the 22<sup>nd</sup> is the ammonia safety day and the AZSERC is offering cameo training on Feb 9-11<sup>th</sup>. He then stated that one can register for the training on ERMA at [www.erma.az.gov](http://www.erma.az.gov).

**Announcement of next LEPC Meeting:**

The next meeting will be April 14, 2010 from 2-4 pm in Scottsdale. The location is to be determined.

**Adjournment:**

With no further business the Chair asked to adjourn the meeting. Mr. Fusco made a motion and it was seconded by Mr. Newbill. Motion passed unanimously and the meeting was adjourned at 3:26 p.m.

Minutes approved as written on April 14, 2010 by a majority vote.