



**April 11th, 2018-Summary Meeting Minutes**

A regularly scheduled meeting of the Maricopa County Local Emergency Planning Committee (MCLEPC) was held on April 11th, 2018 Mesa Fire Station 201-Community Room, 360 E. 1<sup>st</sup> St., Mesa, AZ 85201-6613.

**Call Meeting to Order**

At 1:05 PM Chair Jannine Wilmoth called the meeting to order. Members and guests were asked to introduce themselves.

**Members/Designees Present:**

Jared Grow (Via phone)	St. Lukes ER and Adeptus Health
Judy Martinez	Maricopa County Public Health
Jannine Wilmoth (Chair)	Glendale Emergency Management
Mike Fusco	Citizen at Large
Derek Williams (Proxy)	City of Mesa Fire Department
Scott Grane	City of Phoenix Fire Department
Ben Davis	Maricopa County Department of Air Quality
(Via phone, then arrived in person)	

**Members Absent**

Brian Hickey

**LEPC Support Staff**

Allen Young, LEPC Coord	Maricopa County Emergency Management
Maria Amaro, Recording Clerk	Maricopa County Emergency Management
Valerie Villa, Recording Clerk	Maricopa County Emergency Management
Jeff Cantrell, Attorney	AZ Attorney General's Office

**Public Attendees**

Wayne Bulsiewicz	Veolia North America
Rob Barnett	ADEQ
Rob Rowley	MCDEM
Scot Havir	ADEQ
Eduardo Camacho	Chandler Fire
EPA Representative	USEPA
Terry Nelson	Salt River Indian Community
Troy Lutrich	Avondale EM

**Agenda Items:**

**Old Business:**

- a) Discuss/ Propose/ Vote on Approval of Meeting Minutes:
  - i) Meeting Minutes of Apr 12, 2017

- Mike Fusco motioned for approval, seconded by Derek Williams, members approved.
- ii) Meeting Minutes of Jul 26, 2017
  - Scott Grane motioned for approval, seconded by Judy Martinez, members approved.
- iii) Special Meeting Minutes of Oct 11, 2017
  - Derek Williams motioned for approval, seconded by Scott Grane, members approved.
- b) Discuss/ Propose/ Vote on Acceptance of Past NRC Follow-Up Reports:
  - i) #1156639 (Pool Water Products)- LEPC Follow-Up requested at Jul 2017 Meeting
    - Mike Fusco motioned for acceptance, seconded by Judy Martinez, members approved.

**New Business:**

- a) LEPC Membership
  - i) Discuss Resignations
    - Jannine Wilmoth resigning as of 4/12/18
    - Larry Paulausky resigned due to time constraints
    - Michael Engle resigned due to new job
  - ii) Discuss/ Propose/ Vote on Approval of LEPC Chair and Vice-Chair Positions
    - Scott Grane motioned for Mike Fusco to become Chair, seconded by Derek Williams, members approved.
    - Brian Hickey nominated for Vice-Chair by Derek Williams, motioned by Scott Grane, seconded by Judy Martinez, members approved.

- (iii) Discuss/ Propose/ Vote on Approval for Recommendation(s) of  
New Membership to AzSERC
  - Derek Williams motioned for approval of Wayne Bulsiewicz,  
seconded by Scott Grane, members approved.
- iv) Discuss/ Propose/ Vote on Approval of Sub-Committee  
Assignments
  - Scott Grane motioned to table discussion due to Bylaw conflict  
with the newly elected vice-chair serving as a sub- committee  
chair, seconded by Jared Grow, members approved the motion  
to table this item.
- v) Discuss/ Propose/ Vote on Approval of Membership Roster
  - Derek Williams motioned for approval of the roster with Wayne  
Bulsiewicz, seconded by Judy Martinez, members approved.
- b) Discuss/ Propose/ Vote on Amending the Bylaws, Section 4.1 Committee  
Groups
  - Judy Martinez motioned to approve the Amendment of the  
Bylaws, seconded by Scott Grane, members approved with  
more than a 2/3rds majority.
- c) LEPC Plan 2017 Plan Review and Table Top Exercise
  - i) Discuss Exercise After Action Report and Improvement Plan
  - ii) Propose Assignment of Plan Improvements to Sub Committee
    - Mike Fusco motioned to authorize the Planning Committee to  
make corrections to the plan by July's meeting while allowing  
more time to re-organize it, seconded by Scott Grane, members  
approved.
- d) Available Training for LEPC Members
  - i) FEMA ICS 100, 200, & 700, and 800 (Online Course)

- ii) EPCRA Training for States, Tribes, and LEPC's
- iii) FEMA Training for LEPC's- June 12 and 13 in Phoenix
- e) Discuss/ Propose 2018 LEPC Meeting Locations
  - Jannine Wilmoth proposed next meeting to be held in Glendale in the evening and October's meeting to be held at Maricopa County Public Health.
- f) Discuss National Response Center (NRC) Reports
  - i) July 26, 2017 through April 10, 2018:

A copy of the quarterly NRC report was provided in each member packet. There were 29 incident reports since the last meeting on July 26, 2017. Allen Young (LEPC Coordinator) read 2 reports that were noteworthy.

    - Albertson's leak on 7/31/17 anhydrous ammonia 40lb release quantity for follow up is 100lb.
    - Rousseau Farming on 9/18/17 anhydrous ammonia release quantity of 156lb. Requires follow-up report.
- g) Discuss/ Propose/ Vote on Acceptance of Current NRC Follow-Up Reports
  - i) #1190676 (Rousseau Farms)- Anhydrous Ammonia Release Sept. 18, 2017
    - Derek Williams motioned to accept report, seconded by Judy Martinez, members approved.
- h) Discuss Tier II Reporting Requirements for Mineral Oil:
  - Jannine Wilmoth advised that SRP representative requested on 4/09/18 to postpone report until the July meeting.
- i) Discuss Animal Waste Release Reporting Change
  - i) Allen Young briefed that, per the EPA, LEPC has no jurisdiction over the concerns of animal waste release and there is no need for continuous reporting.

ii) Update per EPA;

On March 23, 2018, the Consolidated Appropriations Act, 2018 (Omnibus Bill), was signed into law. Title XI of the Omnibus Bill, called the “Fair Agricultural Reporting Method Act” or “FARM Act” exempts the reporting of “air emissions from animal waste at a farm” under CERCLA. When the D.C. Circuit Court of Appeals issues its mandate vacating the 2008 final rule (expected as soon as May 1, 2018), farms will remain exempt from the CERCLA reporting requirements as a result of the Omnibus Bill.

On February 1, 2018, the DC Circuit Court of Appeals granted EPA’s motion to further stay issuance of the mandate until May 1, 2018. No reporting is required until the Court issues its order, or mandate, enforcing its decision to eliminate the reporting exemptions for farms on May 1, 2018. The resources below are being updated for accuracy.

iii) Jannine Wilmoth informed that after this meeting LEPC no longer has any jurisdiction on chemical releases via animal waste and is no longer involved in the reporting process. After today’s meeting LEPC will not address questions or statements on this topic until advised differently from the EPA.

- Derek Williams motioned to accept the updates, seconded by Scott Grane, members approved unanimously.

**Good of the Order:**

- Nothing to report.

**Call to the Public:**

- Mike Fusco would like to thank Jannine Wilmoth, Chair for her service on the LEPC Committee.
- Next meeting to be held in Glendale in the evening.

**Adjournment:**

- Mike Fusco motioned for adjournment, seconded by Derek Williams, members approved.
- Meeting adjourned at 2:01 PM