

State Emergency Response Commission
On-Line Meeting Minutes

October 13, 2020

Members present: Joe Legee (for Director Peter Rogers), Sam Hurley, Sean Goodwin, Bill Hussey, Steve Greeley, Dwight Doughty, Jeff Squires, Ken Brilliant and Mike Nixon.

Members absent: Aaron Hayden, Butch Asselin, Bill Jenkin, and Mike Williams.

Staff: Faith Staples, Matt Fournier and Steven Mallory.

Guests: Andrew Seiler, Steve Jacobsen, Dale Rowley, Skip Pratt, Tim Hardy, Joyce Findlen, Tom Caparo, Len Wallace, Angela Molino, Spencer McKeown, Art Ture, Teresa Glick, Andrew Sankey, James Helma, Grainne Shaw, Chris Wheeler, Roger Hooper and Jim Fraser.

Welcome by Joe Legee (standing in for SERC Chair & MEMA Director Peter Rogers) and Faith Staples. Quorum was established.

The July meeting minutes passed by unanimous vote.

Faith Staples gave the financial report. She updated the SERC regarding the use of training funds coupled with the COVID-19 social distance restrictions caused a lot of planned trainings to be cancelled or postponed beyond the end of the budget year. Training funds for state training classes like Propane IQ and Tank Truck Rollover training will be used next spring instead of the this fall due to COVID-19.

Faith Staples talked about the training update. The SERC Training Committee had met last week. There were no new training vendors to approve. Most trainings have been postponed due to COVID. The committee did discuss thoughts on SERC reimbursement for confined space training. The HMEP Grant Program can allow 80% to be reimbursed. We discussed more about where the remaining 20% should come out of SERC funds (from the county LEPC's annual training allotment or Team training funds) or if the requesting agency should cover the 20%.

Matt Fournier gave the facility reporting update. To date we have 2,580 Tier 2 Reports for 2019. We are missing approximately 21 reports due to COVID-19 impacts on facilities, closings or ownership change. Two EHS facilities with offsite consequences still haven't reported.

Old Business

Matt Fournier talked about the Strategic Plan update. We are still assessing tentative deadlines due to COVID impacts. As we move forward with the plan, some of the remaining 2020 deadlines will have to be pushed back to 2021. Benchmarks like, response coverage that has been identified as achieved but further updates in the State's All Hazard Plan, including specific appendix ESF 10 Oil and Hazardous Materials. Matt will work with MEMA Planning and DEP for those updates. An amended strategic plan will go out with meeting minutes.

Faith Staples talked about the EPCRA fee increase update. Due to the process of rule making the Legislature will not be taking on any new items until Spring of 2021. We are hoping to move forward with the process during that time.

New Business

Chris Wheeler gave the Cumberland County LEPC Presentation. The LEPC has 17 members. Some of their goals include increases LEPC participation, improve the county's LEPC plan, and connect first responders with facility managers. Cumberland County has 414 reporting facilities, with 128 of those being EHS facilities, and 22 of their EHS facilities have offsite consequences. Chris provided a detailed breakdown of different chemical types of facilities. A training overview for the various fire department and State funded hazmat teams was given. The LEPC has detailed mapping of their facilities and other facilities showing their proximity of the effected area in the event of a chemical release.

Piscataquis County EMA Director Tom Capraro gave the Piscataquis County LEPC presentation. Piscataquis LEPC has 29 members and meetings this year have been challenging due to COVID but they normally meet every 2 months at the County Commissioner's Office, which is centrally located. Piscataquis has 52 reporting facilities, 11 of those are EHS with no offsite consequences. They routinely get full compliance with reporting. They conduct one to two site visits a year. Past visits include Brownville & Dover Foxcroft water treatment facilities and the Piscataquis Ice Arena. LEPC accomplishments include utilizing HSGP funds to supplement additional needs of multi-gas meters for their rural fire departments, along with training free training opportunities on the use of those meters. In July 2018 they conducted a tabletop exercise at the Greenville Airport which helped prepare first responders for a real event that happened two weeks later. Future goals include working with Canadian Pacific Railroad who has taken over CM&Q Railway at Brownville Jct. There has been significant increase of rail traffic and Tom is starting to meet with their staff for future operations.

York County LEPC Chair Andrew Seiler presented for York County LEPC. Membership is represented by more than 16 facilities and organizations. He gave a breakdown of the past meetings and presentations. Training activities include Hazmat refresher trainings, operations level certifications, and propane training. Andrew provided a breakdown of the York County Hazmat Team's activity for COVID support. Some goals of the LEPC include maintaining 100% reporting compliance by all facilities, review and updates of emergency response plans as required, support public education activities to promote awareness of protective actions and support training and education for local first responders.

Faith Staples talked about the LEPC plan review status. Androscoggin, Aroostook, Cumberland, Hancock, Kennebec, Knox, Lincoln, Penobscot, Sagadahoc, Somerset, Waldo and Washington Counties LEPC plans have been previously accepted. Franklin, York, Oxford and Piscataquis LEPC plans have been reviewed and sent a checklist on each plan for corrections. York and some others should be finalized and ready for SERC approval by the next meeting.

Faith Staples talked about the LEPC membership applications from Aroostook and Somerset Counties. Jeff Squires gave a motion to accept all applications. There was no further discussion and the SERC voted unanimously on the approvals. Approvals are listed below.

Aroostook County: Brittany Clark McGillicuddy, Jay Kamm, Donald Pratt Sr., Bruce Thibeault,
Dan Soucy, James McAulay, and Daniel Swallow.
Somerset County: Michael Hatch

Faith Staples talked about requests for confined space training reimburses from the SERC. Feedback from the SERC Training Committee members was also shared. 80% of the cost is allowable under HMEP, SERC was asked if the other 20% should be covered under SERC training funds or be pushed to the department requesting the training. Some argued the training would not be suited for all fire departments due to personnel size and lack of equipment. This type of training would be better suited to the RRTs. Jeff Squires made a motion to allow SERC training funds for confined space for State funded RRTs and Ken Brilliant seconded the motion. The SERC voted and the motion passed unanimously.

Faith Staples talked about the allowable expenses document for county LEPCs stipends. Items on the list was last updated in 2015 but some counties have asked for a review. It was decided this would be tabled until the January meeting.

Faith Staples updated the SERC on the two EHS facilities that have not reported for 2019. Those facilities are Kate's Creamery in York County and Central Maine Cold Storage in Hancock County. She added that we have tried to contact them numerous times by email and phone and they have failed to respond. The EPA also tried to contact these facilities where they have offsite consequences. Faith request approval to draft a letter on behalf of the SERC, as in years past, officially establishing a timeframe to submit the required report by the facility. Failing to do so at that time would result in further action from the State Attorney Generals office. Jeff made the motion to have Faith draft a letter and then send to the SERC for review and approval, the motion was second by Bill Hussey. The SERC voted and the motion passed unanimously.

Faith Staples talked about the SERC member appointments. Currently we have two vacancies and some members terms will be ending in December. She is currently seeking recommendations for appointments. She will send out a full list of appointments due to all SERC members by the coming week.

Members Topics

Mike Nixon will be retiring from Portland Fire Department next month and taking a Fire Chief position in South Carolina. This will be his final SERC meeting. Mike expressed how much he has enjoyed the opportunity of serving on the SERC and working with everyone. Congratulations and farewells were exchanged by those in attendance.

There were no other questions or comments from attendees.

The meeting adjourned at 10:54 AM

Next Meetings: October 12th, 2021