I. Call to Order, Introduction of Members and Guests
   a. John Grimes called the meeting to order at 1:00 PM CDT and verified public
      notice and availability of a copy of—NEB. REV. STAT. §§ 84-1407
      request.
   b. Member Roll Call —
   c. Introduction of Guests —

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<th>Member</th>
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<td>Director:</td>
<td>Jim Macy</td>
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<td>Designee:</td>
<td>Jeff Edwards</td>
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<td>Director:</td>
<td>John Selmer</td>
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<td>Designee:</td>
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<td>Director:</td>
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<td>Designee:</td>
<td>Jason Prante</td>
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<td>Director:</td>
<td>Christopher Cantrell</td>
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<td>Designee:</td>
<td>Bill Pfeifer</td>
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<td>Director:</td>
<td>Daryl Bohac</td>
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<td>Designee:</td>
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<td>Director:</td>
<td>Dannette Smith</td>
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<td>Designee:</td>
<td>Brenda Soto</td>
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<td>Alyssa Sanders</td>
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<td>Mark Lohnes</td>
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<td>Rod Buethe</td>
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Meeting Minutes July 12, 2022
I. Approval of Agenda for July 12, 2022, meeting.
   Erv Portis motioned to approve the agenda; Bill Pfeifer seconded the motion. The motion passed by unanimous acclimation with no abstentions or dissenting votes.

II. Approval of the minutes from the April 12, 2022, meeting.
   Erv Portis motioned to approve the minutes; Chris Cantrell seconded the motion. The motion passed by unanimous acclimation with no abstentions or dissenting votes.

III. New Business
   LEPC Membership Applications Approval
   a. Bill Pfeifer motioned to approve April applications; Rick Grauerholz seconded the motion. Motion passed by unanimous acclimation with no abstentions or dissenting votes. Review subcommittee assignments

   HazMat Plan for Review
   b. Alyssa reported 30 counties have submitted Hazardous Materials Emergency Response Plans to be reviewed by the commissioners. A sign-up sheet was passed around for the commissioners to indicate what counties they would like to review.
      a. Bill Pfeifer asked what the turnaround time should be on reviews.
      b. John Grimes said a month should be more than enough time.

IV. Member and Stakeholder Reports
   a. Dahlia Lewis – CFATS -- We finished out our year with 95 inspections. We continue doing outreach to regulated industries. Our new outreach event is Chemlock to help stakeholders that possess dangerous chemicals and hold exercises to protect those chemicals. We are also working on Operation Flashpoint. Next big thing in
September is our big chemical event, the 2022 Chemical Security Summit.

b. **Jeff Edwards – NDEE**—We have been doing work related to hazardous waste. Responding to fires across the state and working on complaints to handling waste. We have also responded to the Knox Crete Fire in Omaha.

c. **Rick Grauerholz**—I assisted Alyssa at Fire School. It was a very worthwhile event. In the future I recommend a pamphlet to describe this organization and local emergency planning committees.

d. **Rick Grauerholz** and **Tim Hofbauer**'s last meeting was noted.

V. **Guest Presentation - Timothy Gablehouse**

If you want LEPCs to be relevant they must fit in with all-hazards planning.

Plans that do not adequately cover people with disabilities are subject to civil rights violations.

People will sue because your emergency planning does not adequately meet their situation.

Adequate notice must be given. Litigation is over whether the plan can be successfully implemented.

There will always be second guessing following a disaster. People will complain. We will never avoid it. We are not creating adequate expectations. We need to communicate what cannot happen. We need to let them know what they must do. What are their responsibilities. Their plan can’t be only to call 911. LEPCs are the tool that will help us address all these issues.

**From a civil rights point of view, elected officials have a duty to prepare, plan for emergencies.**

**Potential for liability is clear.** “In the nation’s system of emergency management, the local government acts first to address the public's emergency needs.”

Look at ada.gov. It’s important to make an effort.

**Hazmat Roundtable Report:**

- Locally based strategic planning to identify, prioritize and fill capability gaps.
- There is a growing emphasis on the need to better address community hazard awareness, and to directly involve the public in community preparedness planning.
- Role of LEPC and Tribal Emergency Response Council is a critical and foundational element in providing the hazard, risk and capability assessments need by the response community.
- This assessment should be followed by strategic planning at the community level to prioritize and fill capability gaps.

**Sources of liability in the planning process.**

- Civil rights claims
- Can’t do planning from your desks.
- Must include those impacted by the plan
LEPCs are very useful—collect hazard data.

Role of LEPC
- What is unique about LEPCs?
- What are the legal authorities?
- Community-based assessment of risks and capabilities
- Forum for discussion and communication
- Do not have to lead but must participate
- Opportunity to limit liability

Must leverage community support and must be honest about what you can’t do.

Golden Rules
- Know the Risks/capabilities in your community.
  - What are the risks, manmade and natural?
  - What are the response capabilities?
  - What are the public capabilities?
  - Strategically plan to fill gaps
  - Have a vision of success and measure progress.
- Educate public and business
  - What can happen to you?
  - What are their obligations?
- Create participation and cooperation
  - Public, authorities and industry
  - Have high expectations.

Path Forward
Measure success of the planning process.
- Vision of success. Create strategic plan and close capability gaps
- Prioritization is necessary but must be community based
- Require broad involvement across the entire community
- High expectation of public and business preparedness
- Measure progress.

Measure Success
- Progress and success are demonstrated by measurable results
- Pick projects from the strategic plan design to close gap
  - Meaningful and relevant
- Why commodity flow studies? Why train and what for?
- Actually measure and evaluate exercises.

Tim Gablehouse
tgablhouse@att.net
303-572-0050

Ervin Portis- All disasters are local. We must engage locals. Response can be poor, but for planning there must be buy-in from leadership. When regulatory agencies take on role of
facilitator they will get better buy in.

Tim Gablehouse- the Nation is now seeing a lot of legislation around this. Local governments and facilities are sued because of planning problems/ineffective planning. Talk with LEPC about what their mission should be. Sit down with LEPCs.

Ervin Portis Round table report is worth reading. I will ask Alyssa to send to members of the SERC.

John Grimes- How do other states fulfil the hazmat plan requirement?

Tim Gablehouse- it’s highly variable.

Ervin Portis says LEOPs include a hazmat component.

VI. Public Comments
Tonya Ngotel-OPPD- On August 31st we are holding an emergency management meeting within a 13-county area.

VII. Adjournment
A motion to adjourn was made by Ervin Portis, seconded by Bill Pfeifer. The meeting adjourned at 2:37 p.m. Next Meeting will be in October, date TBD.