SERC MEETING MINUTES – 5/11/21

Via Microsoft Teams

**In Attendance:** Bellemare, Katy; Brantley, Dawn; Carnevale, Pat; Carol Snyder; Castro, Mike; Child, Nick; Christopher Coleman; Colley, Charles; Cunnie, Christian; Dearborn, John; Devlin, James; DiGregorio, David; Eig, Sarah; Flaherty, William; Galligan, Kevin; Gifford, Lorri; Gilbert, Aaron; Goldberg, Andy; Illingworth, John; Kocis, Desiree; Lord, Spencer; Mahr, David; Mannion, James; McDonough, Bud; Gomes, Meghan; Josti, Michael; Mittelstaedt, Martha; Mulveyhill, John; Munroe, Mark; Nascarella, Mark; Quintana, Mayra; Roy, Bonnie; Russas, Mike; Sleiman, Ally; Tecce, Heather; Trice, Andrew; Viveiros, John; Wallace, Len; Walsh, Tom; Zalieckas, Sara

**Welcome:**

General Counsel Spencer Lord reviewed the Governor’s executive order regarding public meetings RE virtual environment.

* All members will be participating remotely
* Recording is allowed, Katy Bellemare from MEMA will be recording the meeting
  + All others who would like to record should identify themselves (no committee member stated that they will be recording)

Deputy Director Patrick Carnevale welcomed the group to the May SERC meeting. He suggested having future meetings using a hybrid approach to make them more accessible for folks to attend – open to comments regarding this.

**Review and Approve Meeting Minutes**:

Deputy Director Carnevale asked for a vote on the previous meeting minutes.

Meeting minutes for 2/9/21 – Nick Child motioned to approve, and Mark Munroe 2nd the motion. Unanimously approved (one voting member was not in attendance and could not vote).

**EPC Certification Applications Presentation:**

John Viveiros, Tech Hazards Unit Supervisor, reviewed the following community’s certification applications, which were approved by the SERC members.

City of West Springfield – William Flaherty, Fire Chief/EMD, presented to the membership for full 5-year recertification. Nick Child motioned to approve, and Bud McDonough 2nd the motion. Unanimously approved.

* Tech Hazards Unit Supervisor John Viveiros asked Chief Flaherty if West Springfield has ever applied for HMEP funding and if so whether it has benefited their program. He also asked if the fire department or the EPC receive an annual list of Tier II hazardous chemical reports. Chief Flaherty explained that they have received grant funding and used it to send two members from the fire department to a hazardous material conference. Chief Flaherty confirmed they do receive CSX reports and others. The LEPC notifies them on incidents which are recorded on their system and they are provided to engine companies when they go to a scene.

Town of North Attleborough – Christopher Coleman, Fire Chief/EMD, presented to the membership for start-up application. Nick Child motioned to approve, and Bud McDonough 2nd the motion. Unanimously approved.

* Chief Coleman explained that the town manager wanted North Attleborough EMAC certified, and they are starting to develop policy and procedures to work toward that goal. David DiGregorio told Chief Coleman to get in touch with the District 1 Hazmat team to attend or speak at any LEPC meetings.

John Viveiros thanked the REPCs for being thorough and complete in their applications.

**Tier II:**

John Viveiros went over the Tier II report. The Tier II system was rolled-over in late December to facilitate the opening of the 2021 reporting period, beginning January 1 going until March 1. To date, the Tier II system has received over 4,000 reports from reporting facilities. We will continue the discussion regarding Tier II system and what it should look like in the future when SERC Chair Phillips returns. The intent is to create a system/program that dos not just collect information as required by EPCRA but also analyzes and synthesizes data so that it can be used in a meaningful way to inform emergency planning.

Patrick Carnevale brought up including David DiGregorio, Nick Child, and additional fire chiefs to give guidance on what fire chiefs are looking for in terms of useful Tier II information for EPCs. John Viveiros suggested having them present at a future SERC meeting. Nick Child expressed interest in the project and explained that there are several things that need to be fixed to lessen confusion, such as pounds versus gallons. Tier II Submit program is used to gain access to certain information and must be used because there are not enough licenses for each person to have their own usernames and passwords – which Nick Child pointed out is a major block and limits who can directly access information. Decisions on vendor and program are a work in progress.

Len Wallace, EPA, brought up that NASTTPO announced a series, how people around the country are using the CAMEO system and its data. They have some webinars on different topics regarding how to use the CAMEO system. Len will re-send the link.

[**www.NASTTPO.com**](http://www.NASTTPO.com)

**HMEP Grants:**

Lori Gifford provided a grant status report for the Hazardous Material Emergency Preparedness (HMEP) Grants. HMEP is a 3-year roll-over grant and the 2019-2020 HMEP application process has closed - any remaining funds will be rolled-over into 2021. There is approximately $200,000 obligated for EPC’s projects. We continue to work with the Massachusetts Hazmat Tech Conference, retaining funding and passing it through with the goal of having a conference in 2021. 2021 Award will potentially come out September, early October the latest.

David DiGregorio clarified that the Massachusetts Hazmat Tech Conference is planning to do an in-person conference in September, with back-up plan (potentially hybrid option) in case anything comes up. Lori Gifford confirmed that the conference funding hold is guaranteed and that they will provide as much assistance as needed to get the conference going. Kevin Galligan from MAHMT also confirmed the conference will be in-person and they are actively booking people for September 15-16 in Plymouth.

Grant Sub Committee requested that for the 2021-2022 grant cycle the SERC remove EPC Certification requirements and allow all EPC’s to apply for funding. John Viveiros asked Lorri Gifford if SERC voting members could have time to think and then decide on their vote, or if this was time-sensitive. Lorri Gifford explained that the vote can be held-off but that there are only 11 EPC’s that are SERC certified. However, $200,000 has been obligated and failing to remove the certification requirement will eliminate many community/organizations from applying for the grant. The Hazmat Grant rolls out in July/August and the next SERC meeting is in August, so SERC would need to let her know before then.

Heather Tecce stated that many communities/EPCs have not submitted applications for SERC Certification because MEMA employees in the field have been discussing that the program may be revised. Lorri Gifford agreed that there is confusion on local side on whether current process is still in place or not.

Patrick Carnevale asked that voting be held off until it could be run by SERC Chair Phillips. Nick Child made a motion that it be dropped from requirements. Bud McDonough stated that if the removal of the requirement to have a certified EPC to be eligible to apply for HMEP grant funds was for this year only then it seems reasonable. Nick Child made a proposal that it be allowed for this year’s funding cycle and then be revisited.

Martha Mittelstaedt asked why the requirement was instituted. John Viveiros responded that the requirement to have a state certified EPC to be eligible to apply for HMEP funding provides an incentive for local communities to build strong and active EPCs throughout the Commonwealth.

It was motioned and seconded - Nick Child/Bud McDonough – to remove the certification requirement for one year only. Unanimously approved.

Nick Child asked Lorri Gifford if the AEL list from FEMA was updated this year, and Lorri Gifford explained that FEMA does not update their AEL list anymore and it does not apply to HMEP. Lorri Gifford brought up that the HMEP Grant group put together an activity guide of all the different projects that have been approved and it will be forwarded to all EPC’s.

**Administrative Sub Committee Updates:**

John Viveiros and General Counsel Spencer Lord are working with EOPPS to discuss several proposals. One is to create legislation to allow SERC to accept a nominal fee from reporting facilities. The second is to get an executive order in place to establish the SERC and update the by-laws from there.

Spencer Lord explained that the draft legislation would impose a filing fee on Tier II facilities between $50 to $100. Based on the approximately 4,000 facilities in Massachusetts it would potentially generate fee revenues between $100,000 to $200,000 per year, which would then be placed in a trust and the trust would roll-over each year and would not revert back to the general fund. These funds would be used for the administration of the SERC program and expand information gathered regarding the Tier II facilities.

Nick Child stated that DEP would get behind the proposals as well. Nick Child also asked if there is a representative from the chemical industry. Martha Mittelstaedt clarified the acronym for the organization is MACA, and that she would follow up on the conversation.

**Planning Sub Committee**

The Planning Sub-Committee consists of staff from Regions III and IV (west) and I and II (east), as well as local community and MEMA Headquarters personnel. Initial goal is to look at the current certification process to determine if it has become an obstacle to awarding grant funds and if it is helping to increase compliance with EPCRA laws.

John Viveiros is tasked with putting together a draft process to send to the planning group to provide recommendations and comments. The goal is to get as much feedback as possible to create a more streamlined process that is easier for communities to follow and does not impede the ability to award grant funding.

**Regional Report Out:**

James Mannion, Eastern Massachusetts MEMA Region I & II: Heard from communities of Plympton, Hudson, Brookline, and Wayland that they would like assistance putting LEPC’s together. They have a meeting with these communities to cover the process and determine if they would like to begin with start-up or full certification. James Mannion spoke about Bill Fisher, a new local coordinator, and his background. James also discussed that there are several communities in Region 1/2 talking about joining existing REPC’s.

Bob Barry, Western Massachusetts MEMA Region III & IV: Northeastern Worcester County has a possible start-up and he will be working on Nashoba Valley REPC, with Lancaster, Harvard, Devens, Bolton, Berlin, and possibly Clinton coming together to form an REPC. Their local coordinator is also working on one in Northwestern Worcester County that would consist of about ten communities. Two REPC’s, Central Berkshire REPC and Northern Berkshire REPC, looking for recertification for the upcoming August SERC Committee meeting.

**Facilitated Discussion**

John Viveiros opened the floor for facilitated discussion to get feedback and observations from the group on the SERC process.

John Viveiros stated that the next meeting would be on August 10, 2021 at MEMA Headquarters, 10 AM to 11:30 AM. The next meeting may be in person or hybrid. Patrick Carnevale clarified that per the Governor’s Executive Order, the committee would potentially be looking at a hybrid model for the August meeting.

**End of Meeting**:

Bud McDonough motioned to adjourn the meeting, Mark Munroe 2nd the motion. Motion approved

Next SERC meeting date is August 10, 2021.