

DRAFT MINUTES  
OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY  
OKLAHOMA HAZARDOUS MATERIALS EMERGENCY RESPONSE COMMISSION  
DEQ Tenth Floor Conference Room  
August 14, 2007

Ms. Monty Elder called the meeting to order at 1:30 p.m.

Ms. Bruce called the roll. Members attending were: Monty Elder, Terry Bobo, Major Dennis Gann, Kary Cox, and Dale Magnin. Gary Davis and Robert Doke were absent. Others present included Betty Reaties, Bob Rabatine, Jami Murphy, and Kyle Arthur.

Ms. Elder called for a motion to approve the May 15, 2007 Minutes. Mr. Bobo made the motion to accept as presented and Major Gann made the second. Motion approved with no opposition.

Mr. Dale Magnin provided a copy of the OEM report and fielded questions and discussions.

Ms. Jami Murphy discussed the Data Management Report.

Copies of Ms. Elder's discussion items are attached.

Members discussed possible changes to Chapter 27A-4-1-101 The Oklahoma Emergency Response Act and will continue to work on firming up the rule.

New Business - The date of the November OHMERC meeting was changed from the 6th to November 13th at 1:30 in the Tenth Floor Conference Room.

Adjournment -- With no further discussion, Mr. Magnin made a motion to adjourn and Mr. Bobo made the second.

Attachments: Data Management Report  
OEM Report  
LEPC White Paper, draft letter, Golden Rules for Committees  
August 14, 2007 Sign-In Sheet

Please note that the transcript and sign-in sheet become an official part of these Minutes.

OKLAHOMA HAZARDOUS MATERIALS  
EMERGENCY RESPONSE COMMISSION

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TRANSCRIPT OF PROCEEDINGS  
OF THE  
QUARTERLY MEETING

HELD ON AUGUST 14, 2007, AT 1:30 P.M.

IN OKLAHOMA CITY, OKLAHOMA  
\* \* \* \* \*

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MEMBERS OF THE COMMISSION

MONTY ELDER CHAIR  
MAJOR GANN MEMBER  
TERRY BOBO MEMBER  
KARY COX MEMBER  
DALE MAGNIN MEMBER  
BOB RABITINE MEMBER

STAFF MEMBERS

BETTY REATTIE  
JAMIE MURPHY  
MYRNA BRUCE

ALSO PRESENT

ANGELA BURKHALTER

MEETING

MS. ELDER: I would like to call  
to order the regular meeting of the  
Oklahoma Hazardous Materials Emergency  
Response Commission on August 14th, 2007,  
at 1:30. And can we have a roll call,  
please.

MS. BRUCE: Major Gann?

MAJOR GANN: Here.

MS. BRUCE: Terry Bobo?

MR. BOBO: Here.

MS. BRUCE: Kary Cox?

MR. COX: Here.

MS. BRUCE: Dale Magnin?

MR. MAGNIN: Here.

MS. BRUCE: Monty Elder?

MS. ELDER: Here.

MS. BRUCE: Absent, for the record, is Robert Doke, Gary Davis, but we do have a quorum.

MS. ELDER: Okay. First item of business is approval of the May 15th, 2007 meeting minutes. Has everybody had an opportunity to look over the minutes?

Would you like to take a few minutes?

MR. BOBO: Make a motion to approve the minutes.

MS. ELDER: Do I have a second?

MAJOR GANN: I second.

MS. ELDER: All in favor, aye?

ALL COMMISSIONER: (Unanimously)  
Aye.

MS. ELDER: Opposed.

(No verbal response)

MS. ELDER: Okay, the minutes have passed. Thank you very much. And I don't think we have any action items, except for that, but we will go to our regularly scheduled status reports.

Mr. Magnin, you're up.

MR. MAGNIN: I really don't have that much to say. For the FY-08 application for the LEPC's, we've sent those out. You got your's, Kary?

MR. COX: Yes.

MR. MAGNIN: Last year we ended up with 19 LEPC's that were still using the grant and we sent out applications in a complete packet to them and we've received

back three, so far.

Also, it looks like there's probably going to be about three more counties participating. I think Woodward is going to come back into it. I'm thinking, Okmulgee, is looking at it and Kiowa County, I think, and so we might have about three more, which is good.

The deadline on getting those back to me is September 1st and the final report for '07, is actually the initial report for '08, and hopefully I'll get all those in on time.

Of course, I know that people have been scattered all over the state with

disasters. We've all been stretched kind of thin.

HMEP training, I got a report today from OSU that, for numbers, 754 personnel in 47 classes. So we're still kicking off that. I've got Steve George working on the agreement for '08.

The application for '08, that was kind of slick, this year. We had to use grants.gov and I had to help the people at

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Certified Shorthand Reporter

the US Department of Transportation understand how to use that. We were the first ones to get the application in, and then about two months later, they asked us to send all paper copies, because they couldn't figure out how to use grants.gov.

So basically, instead of improving the process, it doubled the process of getting the grants in. But that's in there, and supposedly, we're on track with that.

Again, we won't know the status of that grant until the end of September, and they'll shoot us a note and tell us how much we're going to get. And then shortly after that is when we will notify the LEPC's that applied and we'll get together.

The NEMA Conference, again, there is a notice on that thing. It's coming the 28th of September through 3 October. We've got some scholarships that OEM is paying for, and I urge you local emergency managers to come to that. Gary Thornton is working that and I think we're trying to get 15 to 20 people at locals to

participate in that.

It might be interesting -- this is a state director conference, so it kind of appeared to even that a little bit on some of the meetings they have. But they usually have some important people come in and heads of FEMA and Homeland Security come in and give their position on the world in general. So that's -- that's going to be a good one coming up.

And also, we're having our Emergency Management Conference, 18, 19 and 20. Kary, here, is working with the vendors for that. That's going to be in Tulsa at the Marriott, on 71st Street, and I've also invited our liaisons, who are paying their own way.

MR. COX: A sore subject.

MR. MAGNIN: And now, I guess the final note there. We've got 5 presidential declarations for this year that we're currently working, so rumor has it we might be putting in some more people. I think we're currently at 27, we're authorized 31, and to my knowledge, we've never been above

27. So that might be pretty good.

MS. ELDER: Dale, I would like to ask you a question. How's it going on that Emergency Operations -- the State Emergency Operations Plan? I know we had sent information to you.

MR. MAGNIN: The plan -- on the plan is, we're going to work on updating the plan in the November-December time frame.

MS. ELDER: Okay.

MR. MAGNIN: So I will be -- I will be sending out notices to all the liaisons, asking them to review the plan. I've gotten the information from DEQ and OHP and the Military Department, the Health Department, and the Department of Agriculture, already on some of the stuff. So I am going to put that into the -- update that into the plan.

And then I am also looking at the other liaisons -- we've got like 26 agencies --

MS. ELDER: Yeah.

MR. MAGNIN: -- have part of the

plan and I put it out and asked them to provide me comments and I hope to print right at the end of December, similar to what we did last year. We'll have a complete reprint of the book, a different cover and we'll shoot that out, probably, in early January. So that's that, on that.

MS. ELDER: Okay. Thank you.  
Okay, Ms. Murphy, Data Management Report.

MS. MURPHY: Okay, I'm not going to read this to you verbatim. If you have any questions about it, please contact Tom or me. There are just a few things that I want to highlight to you.

One, is that 99 percent of all the Tier II sites are into MARPLOT. This is a very good thing. And as you know, this was the first year for us to have a Memorandum of Agreement with the LEPC's and about the sharing of Tier II data. And Tom anticipates we'll have at least 60 counties to participate. This is very good. And all of those who do, will receive a \$1,000 grant.

Item No. 4, the DOD doing risk

analysis. We've provided information for those. These are very significant.

Under Item No. 5, upcoming CAMEO training classes in Tulsa, if this impacts anyone.

Item No. 6 is TRI, that's me. This is our second year to have a Memorandum of Understanding with EPA on EPA sharing data through the data exchange. This data exchange, eventually, will expand to include more than TRI reports. I'm not exactly sure what the complete scope of it is, but TOSCA data, water quality data, et cetera.

We have still got a few problems with it. We're short the data for 44 facilities. Last year at this time, that was 76. One thing that you should note here, is that we are one of only 18 states to participate in this, and we're the only one in Region 6.

Item No. 8, Oklahoma County LEPC will be distributing, or actually will be out there with the State Health Department at the State Fair to distribute 1000 of the

shelter-in-place pamphlets.

MS. ELDER: Anybody got a question about that?

(No audible response)  
Okey-doke. We'll wait until Dale gets back in here to do the discussion, Item A. Although, I think, actually, what's happened is that with all the various disasters occurring around the state, probably nothing has moved forward on this, and we might want to discuss how to move

that forward.

I have a couple of things, just to hand out to the people for their information. Tim Gablehouse, from Colorado, who has been visiting us before, he likes to visit people, is the new President of the National Association of (unintelligible) Program Officials, and has not let the grass grow under his feet. He is already out doing stuff.

And one of the things that NASTTPO has done, under his leadership, is put together a white paper for, basically, LEPC's and local emergency preparedness,

and this was submitted to the Chemical Safety Board, actually. So I've got some copies of that. I'll pass those around.

(Copies handed out)

MS. ELDER: And I think there are some interesting things in this one. You know, it sort of talks broadly about LEPC's functioning, maybe, as more than just simply doing that hazard plan, but taking on sort of some broader things to do than just collect paper.

It talks about membership. It talks about dealing with the public, but maybe the most interesting thing is they do this -- they have adopted this in Colorado. At the last page it has, "Golden Rules for Committees," and it's what they think LEPC's should be doing.

And it's sort of a broad thing, and I don't know that we would want to endorse it, but I just think it's nice to be aware of the fact that some people have a broader view of LEPC's. And we may want to -- might want to share this with our LEPC's in maybe the newsletter or something like

that, just to give them some ideas for some of the things that -- you know, some of the ways they might be participating in their communities. Although we know that they have so much to do.

MR. MAGNIN: I get lots of requests from guys saying, "If you have anything that says what an LEPC is or does or should be doing?"

MS. ELDER: Right. So this is just sort of some ideas on that.

MR. MAGNIN: Did you mention Tim is coming?

MS. ELDER: I haven't yet, but we're talking about all the things that I -

-have a million pieces of paper to pass out from Tim.

MR. MAGNIN: Okay.

MS. ELDER: Tim is going to come in a couple of weeks, I think, to speak to Albert Ashwood -- and I'm going to talk about that in just a little bit, because I think that's an important thing that we need to talk about.

So anyway, this -- I'm just showing

you that this is one of the things that NASTTPO has been looking at and looking at ways that LEPC's who are interested, could broaden their scope.

I think one of the things that

LEPC's -- first of all, some of them -- their volunteers have too much to do and they can't do what's assigned to them, but then there are LEPC's out there, who look for things to do, and, you know, the more interesting projects you have, the more chance you have of actually having people come to an LEPC. And this just sort of has some ideas on that.

Then another thing that Tim did on behalf of NASTTPO, is the Senate committee on environment and public works -- the minority -- the ranking minority member in that is Senator Inhofe, and they had a committee meeting -- a staff committee meeting, on July 10th. Really, about the Texas City explosion at the refinery -- that sort of thing. And Tim was invited to testify at that committee. And so, this is his written testimony.

And I just thought you all might be

interested in that. If you go to the US Senate web page and click on committee's and go to Environment and Public Works, and then go to the July -- calendar of July 10th, you can actually see videos of the entire testimony. And the folks who testified were, Carolyn Merritt, who's the outgoing -- or I think she actually has retired now, as the president of the Chemical Safety Board. Debbie Dietrich, who is head at EPA. She is the chief the effort is under. And then, Tim, and a woman whose husband was killed at Texas City and some other industry folks.

I think what's interesting in this is that Tim points out that in the past, EPA was very active with LEPC's, sending out information for LEPC's and that they have virtually disappeared from the face of the earth.

I'm not sure that the EPA will be happy with Tim's testimony, but, you know,

he talks quite specifically about what EPA could be doing for LEPC's and that's, you

know, putting out some of those lessons learned, that it's really been years since EPA produced anything for --

MR. MAGNIN: Money also dried up from the EPA, LEPC's --

MS. ELDER: Right.

MR. MAGNIN: -- annual meetings that we used to have and --

MS. ELDER: Right.

MR. MAGNIN: -- it's been two years ago, I guess, that money just went away.

MS. ELDER: Yeah. And so, it's interesting when you watch the -- if you watch a video of the testimony. Senator Lautenberg, is the chairman of the subcommittee that they testified for, and for those of you who don't know, Senator Lautenberg is the person who wrote EPCRA.

And so, he is very interested in it and he is -- he was quite pointed in his remarks to EPA, that he, you know, he felt that EPA had not done a sufficient job doing inspections, especially the Risk Management Plans. That they hadn't been

participating and so, I don't know if anything will come of this.

Senator Lautenberg is proposing some legislation that would have some regulatory consequences. So I just felt he hit on --

and I'd be happy to send you a link to that testimony, if you'd like to spend two hours watching people testify before Congress. It's kind of interesting, but again, this is just sort of an FYI and I'd be -- I don't know that I can answer questions on it, other than that.

But I think it's interesting that under Tim's leadership, I think, NASTTPO is clearly going to take a more prominent role in activities with EPA, with the Chemical Safety Board and with Congress. So I think that's interesting.

MR. MAGNIN: Kind of along the same vein, I don't know if you saw it or not, a couple of weeks ago Albert testified before --

MS. ELDER: Yes.

MR. MAGNIN: -- before Congress and he basically blew FEMA out of the

water, and FEMA basically is more concerned about working with the Office of Management and Budget and in doing all that side of the house, as opposed to helping people.

And he had a very intense discussion there and basically, when I went to Georgia, and I was in Georgia, I guess, the day after that, and in meeting with the people there, they all wanted Albert to run for president. He had a great job of explaining, you know, what FEMA is now and what FEMA used to be. So -- and then shortly after that, we started getting our IA's approved.

MS. ELDER: Yep. There you go, probably just a coincidence. One of the things I wanted to bring up, is that the reason that Tim is coming to visit with Albert, is Albert is, of course, head of

NEMA.

And for those of you -- I think you need to be aware of the fact that HMEP, Hazardous Materials Emergency Preparedness, program is coming up for re-authorization with Congress. And this is where we get

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the money to do the training from OSU. This is where we get the money to support our LEPC's, aside from the \$1000 that DEQ is raising now for folks. This is where we get the money.

And there's been a lot of talk that there is a segment that does not want that legislation re-authorized. And were we to lose that authorization, we would basically lose what funding we have for emergency planning.

MR. MAGNIN: The only funding that LEPC's have, other than what you guys are providing.

MS. ELDER: Right, right, and it's the only funding really out there for training. It's really a vitally important piece of legislation. And so, Tim is going to come to talk to Albert, basically, to see if NEMA will also -- you know, so we can get support from several groups.

The comments on re-authorization are due September 6th, and so what I will be doing is putting together comments for the OHMERC and I'll send it around to each of

you by e-mail to get your approval on that. And then, you know, you may also want to write individual comments or have LEPC's write comments, but we're going to try to put together an effort to comment on how important re-authorization of HMEP funds

are.

And there's nobody from -- it's really going to go through the Transportation House Committee and nobody from Oklahoma is on that committee, because if there were, we'd be talking about going to knock on doors. So we're currently looking at -- NASTTPO is looking at what House Members are on there -- on that committee. And those states, I think, will make a special effort to contact their representatives on that, because it really is important. Were we to lose this funding, we just -- it would be extremely difficult to do planning at the local level and I don't know where we'd get training. I just don't know where we'd get training for those.

MR. MAGNIN: Charles has been

fighting this for several years. Apparently, the impression I got from him, was that Homeland Security was trying to suck it in.

MS. ELDER: You know, I think there are a number of things going on with that. I think industry is not happy to be paying fees. It comes as no surprise to anybody. And so, I think there are -- I think there is some push not to re-authorize HMEP, and I think that those of us who benefit from that and who use those funds, need to make a push back.

And so, that's just what's going on, heads up, and what I'll be doing, again, is I'm going to prepare some comments and send them out to you and please edit, or let me know what you think about them. But it will happen before that September 6th deadline.

And the last thing I have, again, from Tim Gablehouse, is for any LEPC whose

interested, because he was, of course, chair of a LEPC -- well, it's really Denver LEPC. But anyway, so their LEPC is sending

out to their facilities that might be covered under the Department of Homeland Security, Chemical Security Act, sending out a letter just to those folks saying, "Oh, we checked our Tier II database and you've got chemicals that are listed in the Security, and you might want to have a head's up."

And that's just an example of a letter that an LEPC might, you know, send out. Of course, the LEPC would have to take the time to look at their, you know, run a query on CAMEO, of those chemicals, and -- but --

MR. MAGNIN: Is this something that we can do at the OHMERC level?

MS. ELDER: We could do it -- I mean, if assuming, staff had time to do it, we could do that sort of thing. You know, what we would do is, we'd look for folks that had chemicals reported to us that are on that list and then the OHMERC could send out this type of letter, also.

MS. MURPHY: I think it probably wouldn't be bad for the OHMERC to get a

little publicity out of that and then somewhere in there, we could mention them contacting their local LEPC.

MR. BOBO: I'll second the motion that Dale just recommended.

(Motion made and seconded)

MS. ELDER: Okay. Tom Bergman is going to be thrilled about this one.

MR. RABITINE: Well, he was telling me he's getting an assistant.

MS. ELDER: We had -- right, and I know about Robert's Rule of Order, but I think we can decide to do things of this magnitude. So until I'm told differently, those of you who are in favor of the OHMERC providing this information to the facilities in Oklahoma, say aye.

(Unanimous Aye)

MS. ELDER: Okay.

MS. REATTIE: Monty, what is it specifically, so I can relate to time, or -  
-

MS. ELDER: I'll pass that down to Major Gann and I will visit with him about that. Oh, on sort of -- actually,

for those of us at DEQ, a very sad thing. Bo Baggett, who had been working with Tom, and really doing a fabulous job with MARPLOT and GIS had better employment opportunities and so, he has left the Agency and hopefully, we will be able to get some more help in for Tom and Jamie.

So I think that's all I have. Dale, we skipped over, because you were out in the hall.

MR. RABITINE: Before we leave that, can I make one announcement?

MS. ELDER: Yes.

MR. RABITINE: May be of interest to folks. There is a COEMA, Central Oklahoma Emergency Managers Association. That meeting is this Thursday at 9'00. They're meeting at 4600 N. Martin Luther King. And I only bring it up, because Albert Ashwood has requested the opportunity to speak at their meeting, to address some of the concerns that have been trickling up from that -- from the last three or four meetings.

So if anybody is interested in

hearing him speak and address some of the -  
-

MR. GANN: Where was that at again?

MR. RABITINE: It's 4600 Martin Luther King. The new EOC Building.

MR. MAGNIN: The Oklahoma City and Oklahoma County EOC, which used to be a 911 Center and before that, it was the EOC. It is a very nice facility and if nothing else, go to see what the facility looks like.

MR. RABITINE: Well, and that's what -- Gaylon has invited everybody to see the facility and enjoy that. He's --

MR. MAGNIN: There's five counties there -- or five or six, whatever. It's Oklahoma, Canadian, Cleveland, Pottowatomie, Lincoln --

MR. RABITINE: I don't think it's Lincoln.

MR. COX: No, I don't think Lincoln is there.

MR. RABITINE: No, and it's not

Logan.

MR. COX: There's about five counties in the central connecting there.

MR. RABITINE: Did you say Canadian?

MR. COX: Yeah, Canadian. It's supposed to be Oklahoma County and any county that borders it.

MR. RABITINE: That's it. But Gaylon, in his little email to me, you know, he just says he's -- Albert has requested to come in and speak. So that sounds pretty positive. So I thought I'd just pass it on, since that was mentioned by UMEA.

MS. ELDER: Okay, thank you. We skipped over the proposed changes to 27A. What I think is, that we haven't done anything on it, because we've gotten sidetracked with disasters, but --

MR. MAGNIN: I think the last thing we did, was we passed it out to everyone and everyone was supposed to -- ya'll was supposed to review it and see if you had any thoughts on the subject. And then, based upon those thoughts, then, I

think, we were supposed to give Betty a task there to delve into it a little bit more deeply to see whether or not we want to go ahead and make changes to 27A and what changes we want to make.

MS. ELDER: All right. So --

MR. MAGNIN: And I didn't hear anything back from anybody.

MS. ELDER: Would you like a little longer to --

MS. MURPHY: Do we have anyone to sponsor (unintelligible)?

MR. MAGNIN: We have been pretty busy in the last few months.

MS. ELDER: You know, this is the -- we understand that it takes about a year to get any changes done, and this is the initial thing, and that we need to make some decisions among ourselves and our agencies, before we go to that step.

MR. MAGNIN: I don't really have anything to say, because I said it.

MS. ELDER: Pope was the last guy.

MR. MAGNIN: Eventually, what

we've got in here -- I was trying to emphasize on the emergency managers out there and working with the LEPC and their responsibility in training and exercising. We'd all want them to be chairs.

And I was also moving in the direction of -- I wanted, right now, I infer to 27A, there's nobody in charge. The county commissioners are not responsible and the cities are not responsible. It's volunteer organizations and I wanted to figure out some way that we could get that responsibility tag on there.

The federal law says that the OHMERC is responsible, so I played around for words in here where the OHMERC delegates that authority down to the county

commissioners to have that responsibility.

MS. ELDER: But isn't it --

MR. MAGNIN: Legally, I don't know if that's wise.

MS. ELDER: Didn't you write that as the county commissioners could elect to have responsibility for that. That it wasn't automatically delegated?

MR. MAGNIN: Yeah, the OHMERC could delegate.

MS. ELDER: And I thought they would --

MR. MAGNIN: Not, "shall".

MS. ELDER: Right.

MR. MAGNIN: You know, they, "could" delegate and, you know, if they don't want -- the county commissioners don't want to accept that responsibility, I guess, they can't be forced, but if they were delegated that responsibility, then that would give them a little bit more leverage in who's on the committees down there, because they would be selecting the people.

Right now, the OHMERC is supposed to appoint members to the LEPC's and we can't do that.

MS. ELDER: No circa in the United States does that. They don't, you know, that's what the law says and in all practicality, no state emergency response commission anywhere does that. Obviously we (unintelligible).

MR. MAGNIN: So we could kind of

clean up the act on that, if we get the -- if we delegate that authority to the county commissioners and then they would have the responsibility of appointing people to their LEPC in their county, if they chose to accept that responsibility.

I just -- my concern is that if we need to put a finger on somebody at an LEPC, you know, "Are you guys meeting, not meeting, why are not you doing your job." There's no one to put that thumb on.

MS. ELDER: Yeah, and I don't know that you're ever going to get there. I know this is sort of feel of thought kind of thing.

MR. MAGNIN: It would really be nice if everyone read this thing, you know, paragraph-by-paragraph, before the next meeting, maybe.

MR. COX: It's been a long time since I've looked at 27A, but I, if memory serves me, there's -- I think there's probably several areas that, in my opinion, need to be firmed up.

MS. ELDER: Right, exactly.

I think there are lots of things, and there are things other than that. For example, there are things that it says that DEQ shall do, which DEQ doesn't have the technological capability to do, so I think we need to -- I've always thought we needed to clean that up.

Now that we have the Highway

Remediation Act, I think that impinges on 27A and the -- you know, that. DEQ keeping a list, is probably not -- you know, that's probably been taken care of by that Highway Remediation Act.

So I think that there are a number of things, and I don't think, you know, we necessarily have to do everything. I mean, Dale is trying to put together all of those different kinds of things and, you know, I don't think it's a matter of, "Yes, we want to take this just the way it's written," or, "No, we don't want to make any changes." I think we can look at some other things and maybe other people want to have some input into that.

So how about if, by the next meeting, November --

MR. MAGNIN: Excuse me, scout's honor, we'll deal with this.

MS. ELDER: We'll email it to you. We'll email you a copy.

MR. MAGNIN: Do you still have

it, Jamie?

MS. MURPHY: I do.

MS. ELDER: We'll email it -- another copy out and we'll -- I'll tell you what let's do. What we'll do, is maybe have people send me comments or suggestions by a certain date, and then I'll sort of remind people that, that date's coming up.

And then, when it passes, I'll say, "Wait a minute, does that mean you didn't have anything to say"? And so, we'll all be a little more active on that too. Hopefully, I'll have more time (unintelligible) that sort of thing.

So we'll continue to work on this. It may take us a little while to get it

done, but we need to know what we want to do about it, then we need to at least talk

to our -- those of us who are in agencies need to make sure that our agencies are supportive, and then we need to go out to the folks that are going to be impacted, stakeholders and that sort of thing.

MR. MAGNIN: And when we do get down to the ADHOC, we need to get the OEMA involved in this, so we get the Emergency Management perspective on it as well.

MS. ELDER: Absolutely.

MR. MAGNIN: I did do a -- you know, a quick little survey and I shot this out to, you know, everyone that we've got in our directory of emergency managers, and I got like ten or twelve comments back. And like, you know, nine of the ten said, "Yeah, it looks good." And I had one county that said, "Well, we kind of like it the way it is."

MS. ELDER: Yeah.

MR. MAGNIN: So we can expand on that and get more people to read through this. I think in every case on the emergency management side of the house, the emergency managers are already doing a lot

of this any way.

MS. ELDER: Right.

MR. MAGNIN: And we'll just firm it up with the law that we currently have on the books and make it accurate.

MS. ELDER: Right.

MR. BOBO: I think we need to put some pressure on the commissioners or the sheriff's office, one or the other, to get somebody that has -- that can take a position of authority to get something done. That's the best convenience that we could have.

MR. MAGNIN: This would help us, if nothing else, we have the state commission that's talking to these county commissioners and reminding them of their responsibility. You know, right now we can't do that, because they have no responsibility.

MS. ELDER: So -- well, we'll continue to work on this. We're still thinking about it.

MR. RABITINE: I was just going to ask, again, procedurally, I know OHMERC

is a different body than a lot of the other counsels that I deal with, and the other counsels it's always the DEQ that is sort of the width behind the changes.

MS. ELDER: Yeah, but those -- right, and those are like rules --

MR. RABITINE: 27A. Right.

MS. ELDER: -- rules rather than statute. You know, since this actual statute effects not just DEQ, but a number of agencies, what I think that we'll need to do is, we'll make the proposals that OHMERC sees as good proposals, then we'll have to go to each of those agencies --

MR. RABITINE: And enlist their

support.

MS. ELDER: -- right, and enlist their support and see what each agency's needs are from highway patrol, emergency manager, fire marshal, you know. We've got a lot of people who are impacted by that.

Then, you know, that may take some period of time and then, you know, we need to go out to stakeholders. Clearly, if we are going to say something about county

commissioners, we need to make sure the county commissioners know this and, you know, we may have to have lots of discussions there and that may or may not be. We'll see what goes with that.

MR. MAGNIN: And again, there are numerous counties out there that have already done legislation's where they are collecting fees and to support the LEPC. So even though they don't have the responsibility, they've stepped forward and taken that responsibility.

MS. ELDER: Right.

MR. MAGNIN: They understand, too -- I just want to clean up the laws and make sure that we're supporting this (unintelligible).

MS. ELDER: Do I have any more discussion on this?

MAJOR GANN: You will email that out again?

MS. ELDER: Absolutely.

MAJOR GANN: I've got a bunch of

stuff on my table.

MS. ELDER: Sure. We will email

it out to everybody again. Thank you. Any items of new business?

(No verbal response)

MS. ELDER: Okay, our next meeting, then, is Tuesday, November 6th. Is that -- that's right? Okay. And we meet here, or at -- up here? Okay. So we're up here on the 10th floor and that is it. I will entertain a motion to adjourn.

MR. MAGNIN: So moved.

MR. BOBO: I'll second.

MS. ELDER: All in favor say,  
Aye.

ALL COMMISSIONERS: (Unanimously)

Aye.

MS. ELDER: That's it. Thank

you.

(Meeting adjourned at 2:15 p.m.)

Christy A. Myers  
Certified Shorthand Reporter

C E R T I F I C A T E

STATE OF OKLAHOMA )

) ss:

COUNTY OF OKLAHOMA )

I, CHRISTY A. MYERS, Certified Shorthand Reporter in and for the State of Oklahoma, do hereby certify that the above meeting is the truth, the whole truth, and

nothing but the truth; that the foregoing meeting was taken in stenography by me on August 14th, 2007, and thereafter transcribed under my direction; that said meeting was taken in Oklahoma City, Oklahoma; and that I am neither attorney for nor relative of any of said parties, nor otherwise interested in said action.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this, the 13th day of September, 2007.

CHRISTY A. MYERS, C.S.R.  
Certificate No. 00310

Christy A. Myers  
Certified Shorthand Reporter