

MINUTES
OKLAHOMA HAZARDOUS MATERIALS
EMERGENCY RESPONSE COMMISSION
DEQ Tenth Floor Conference Room
November 27, 2012

Official after OHMERC Approval
 On February 19, 2013

| Members Present | Members Absent | Staff Present | Others Present |
|------------------------|-----------------------|----------------------|-----------------------|
| Gary Davis | Robert Doke | Jami Murphy | Keith Williams |
| Bonnie McKelvey | Dennis Gann | Tom Bergman | |
| Steven Niswander | | Quiana Fields | |
| Monty Elder | | | |
| Michael Galloway | | | |

Ms. Monty Elder called the meeting to order. Ms. Quiana Fields called roll and Ms. Elder confirmed that a quorum was present. Ms. Elder welcomed new OHMERC member Mike Galloway, Emergency Manager in Custer County, who took the place of Mr. Kary Cox. Ms. Elder mentioned Mr. Cox was appreciated for his service and dedication to the Commission. Captain Keith Williams came to the meeting and stood in for Major Dennis Gann.

(See transcript pages 3 – 5)

Motion for approval of August 14, 2012 Minutes was made by Mr. Davis and the second by Mr. Galloway. Approval by members was with “aye”. No one opposed.

(See transcript pages 5 – 6)

Oklahoma Emergency Management (OEM) Update: Ms. McKelvey gave an update on the OEM Report stating the Hazardous Materials Emergency Preparedness (HMEP) training is waiting on the final numbers from OSU Fire Service Training to provide the total amount for the past fiscal year. Ms. McKelvey mentioned there are no recent disasters but are closing out last fiscal year disasters. OEM sponsored 8 individuals through HMEP this fiscal year for HotZone. Two individuals attended NASTTPO and OEM sponsored the 2 attendees’ attendance. Ms. McKelvey has sent out all Local Emergency Planning Committee (LEPC) applications for fiscal year 2012 and 2013 and has received 3 back. Ms. McKelvey will touch basis with the counties to encourage them to apply.

(See transcript pages 6 – 9)

Data Management Report: Mr. Bergman provided a copy and an update of the Data Management Report. Mr. Bergman mentioned Tier 2 season is January, February and March. There will be no CAMEO training the first quarter of next year due to Tier 2 season. Once a year the staff from EPA and NOAA meet to discuss plans for the CAMEO Suite. Mr. Bergman stated this year’s discussion was focused on a new version of the MARPLOT. The MARPLOT program is being revised. Mr. Bergman stated he was able to have significant input into the CAMEO Suite development process, and will keep OHMERC informed on CAMEO program developments. Mr. Bergman anticipates implementation for the new revised MARPLOT program that will likely be used in 2014. Ms. Murphy stated the final deadline for Toxic Release Inventory (TRI) was July 1. The press release for 2011 TRI data will go out the first week in December to coincide with EPA’s National TRI Data Analysis.

(See transcript pages 9 – 19)

Report of NASTTPO Meeting: Ms. Elder and Ms. McKelvey attended the NASTTPO meeting in October. Ms. Elder stated that most of the meeting pertained to PHMSA grant activities.

(See transcript pages 19 – 44)

Report of OK Mini Hazmat Conference: Ms. Elder stated the Mini Hazmat Conference was in September. Ms. McKelvey mentioned at the conference she received good evaluation feedback on the speakers.

(See transcript pages 44 – 47)

Affirm Inclusion of Phillips 66 Research Center into Washington County LEPC: Ms. Elder entertained a motion to affirm the inclusion of Phillips 66 Research Center into the Washington County LEPC. Ms. McKelvey moved that motion and Mr. Niswander made the second. All members in favor were with “aye”. No one opposed.

(See transcript pages 47 – 57)

Proposed Dates for 2013 Meetings: February 19, May 14, August 20 and December 3; Mr. Niswander moved approval of suggested dates and Mr. Davis made the second. Approval by members was with “aye”. No one opposed.

(See transcript pages 58 – 63)

Roundtable Discussion of Emergency Responses: Members

(See transcript pages 63 – 80)

New Business: None

Ms. Elder entertained a motion to adjourn. Mr. Galloway made the motion and Mr. Davis made the second. Meeting adjourned at 2:30 p.m.

Enclosures: Data Management Report

The transcript and sign-in sheet becomes an official part of these Minutes.

* * * * *

TRANSCRIPT OF PROCEEDINGS
OF THE OKLAHOMA HAZARDOUS
MATERIAL EMERGENCY RESPONSE
COMMISSION MEETING
NOVEMBER 27, 2012, AT 1:30 P.M.
HELD IN OKLAHOMA CITY, OKLAHOMA
* * * * *

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MEMBERS OF THE COMMISSION

MONTY ELDER
BONNIE MCKELVEY
GARY DAVIS
MICHAEL GALLOWAY
ROBERT DOKE
DENNIS GANN
STEVEN NISWANDER
KEITH WILLIAMS (FOR DENNIS GANN)

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1 PROCEEDINGS
2 MS. ELDER: Okay. So I'm
3 going to call this meeting of the
4 Oklahoma Hazardous Materials
5 Emergency Response Commission to
6 order on November 27th, 2012 at 1:30
7 p.m. Before we do a roll call, I do
8 want to introduce everybody to our
9 new OHMERC member, Mike Galloway.
10 MR. GALLOWAY: Hello.
11 MS. ELDER: Mike is the
12 emergency -- long-time emergency
13 manager and LEPC Chair at Custer
14 County.
15 MR. GALLOWAY: Emergency
16 Manager for ten years but the LEPC I
17 did it when it started --
18 MS. ELDER: Right.
19 MR. GALLOWAY: -- for about
20 ten years, and then I had a couple
21 of people in between and now I've
22 done it ten years, again.
23 MS. ELDER: Right. An
24 experienced LEPC Chair. Mike has
25 been appointed by the Governor to

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1 represent the emergency response
2 community and he does take the place
3 of Kary Cox, who served on this
4 Commission for at least a decade --
5 MR. BERGMAN: Uh-huh.
6 MS. ELDER: -- and we
7 really appreciate Kary's service and
8 considering he always had to come in
9 from Bartlesville, that was a big
10 deal and he always added lots of
11 value to our discussions and I know
12 that Mike will do the same. So
13 we're very excited for this change.
14 We welcome a new member so that we
15 can a fresh new perspective on what
16 we're doing. So, thank you, very
17 much.
18 If we can have a roll call
19 please.
20 MS. FIELDS: Gary Davis.
21 MR. DAVIS: Here.
22 MS. FIELDS: Chief Robert
23 Dokes is absent. Mike Galloway.
24 MR. GALLOWAY: Here.
25 MS. FIELDS: Keith Williams

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1 --
2 CAPTAIN WILLIAMS: Here.
3 MS. FIELDS: -- is standing
4 in for Major Dennis Gann.
5 Bonnie McKelvey.
6 MS. MCKELVEY: Here.
7 MS. FIELDS: Steven
8 Niswander is absent.
9 Monty Elder.
10 MS. ELDER: Here.
11 So we do have a quorum.
12 That's great, so given that we have
13 a quorum I'm going to ask for a
14 motion for approval of the August
15 14th Minutes. Does anybody have any
16 corrections or additions to those
17 before we make such a motion?
18 Okay. Then, I'm going to ask
19 for a motion.
20 MR. DAVIS: So moved.
21 MS. ELDER: Thank you.
22 Second.
23 MR. GALLOWAY: Second.
24 MS. ELDER: Second from Mr.
25 Galloway. All in favor --

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1 MR. GALLOWAY: All in favor
2 --
3 MS. ELDER: -- all in favor
4 of approving the Minutes, say aye.
5 COMMISSIONERS: (Unanimously)
6 Aye.
7 MS. ELDER: Opposed same
8 sign.
9 COMMISSIONERS: (No verbal
10 response).
11 MS. ELDER: Okay. They're
12 approved. Thank you.
13 Okay. We will move into our
14 Status Reports. Bonnie, do we have
15 OEM Update?
16 MS. MCKELVEY: I do. It's
17 a very short one. As far as the
18 HMEP training I'm currently waiting
19 on the final numbers from OSU Fire
20 Service Training as to total amounts
21 for the past fiscal year which ended
22 September 30th.
23 No recent disasters. We are
24 able to be in the catch-up mode at
25 the moment, closing out older

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1 disasters, which, you know, we have
2 still 50-plus that are open, that's
3 public assistance and mitigation.
4 That's not counting even the FMAGs
5 that we do have open. So we're
6 plenty busy. We like to have a nice
7 warm winter.
8 MR. BERGMAN: Uh-huh.
9 MS. MCKELVEY: No ice
10 storms. We sponsor through HMEP this
11 fiscal year, eight individuals for
12 hotzone and two of those individuals
13 attended NASTTPO also and we
14 sponsored that attendance.
15 I have sent out all of the
16 LEPC applications for FY 12/13. So
17 far I've received three back. So I
18 am in the process of going back and
19 touching base with those counties
20 again and encouraging them to apply.
21 I am making -- scheduling attendance
22 to make as many LEPC meetings as
23 possible in the counties to guide
24 them through the process as needed.
25 And so far -- that's really all I

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1 have.
2 MS. ELDER: Thank you.
3 Bonnie, if you could kind of jog OSU
4 on those numbers. We had a
5 conference call -- the NASTTPO Board
6 did. They had -- our President had
7 a call with PHMSA. And the Director
8 of that program needs to give a
9 report to congress in January on the
10 number of the people trained --
11 MS. MCKELVEY: Uh-huh.
12 MS. ELDER: -- so we're
13 trying to get those numbers --
14 MS. MCKELVEY: Okay.
15 Led -- as quickly as
16 possible.
17 MS. MCKELVEY: Okay. And I
18 did send our a -- send a reminder to
19 Sally Knot (phonetic) this morning.
20 MS. ELDER: Okay.
21 MS. MCKELVEY: So I expect
22 her to get that to me within the
23 next day or so --
24 MS. ELDER: Okay. Thank
25 you.

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1 MS. MCKELVEY: -- so I'll
2 forward it to you.
3 MS. ELDER: Does anybody
4 have question for Bonnie?
5 Okay. Data Management Report
6 from DEQ. Tom and Jami.
7 MR. BERGMAN: I have one,
8 pretty much closed out our year on
9 future reports. There were a few
10 hundred locations that came in since
11 the last of them were to report.
12 Lots of CAMEO training on the books
13 as usual, especially in the fall,
14 including some dates for OHP Mobile
15 Command One and Two and I'll be
16 going back to visit with them
17 periodically. We decided that rather
18 than trying to ram everybody through
19 a single 24-hour delivery of
20 training, that we would do a series
21 of four-hour segments every other
22 week or every other month or so
23 just, you know, as we're going along.
24 So I expect that just to be an
25 ongoing project. And they're right

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1 here in town so that makes it real
2 easy. I just drive down to their
3 place and spend an afternoon with
4 them and come back a couple of weeks
5 later and do it again.
6 Of course, I don't really do
7 any CAMEO training in the first
8 quarter of next year. (Inaudible)
9 three, those are no training -- CAMEO
10 training (inaudible) Tier 2 season.
11 So January, February and March busy
12 with Tier 2.
13 Michael, I don't have Clinton
14 on the schedule. Perhaps you didn't
15 get the email note on that but I
16 hadn't heard anything back from you
17 whether you wanted to -- Custer
18 County wanted to sponsor a Tier 2
19 presentation like they did the last
20 couple of years -- or not. But
21 that's why you're not on the list is
22 I just hadn't heard back from you
23 relative to that.
24 Item 4, from my perspective
25 anyway, was a pretty important item

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1 for all of us who use the CAMEO
2 suite to do anything. As the item
3 says, once a year the staff from EPA
4 and NOAA, who actually write the
5 programs and manage the programs,
6 have a meeting just between
7 themselves. They almost never --
8 very, very rare that they would
9 invite anybody from the outside to
10 attend that. It's just their folks.
11 There are six programmers and a
12 couple of managers and that's all
13 that goes to that. But they -- a
14 couple of days before their meeting,
15 I was visiting with them via email,
16 and one of the managers said, boy,
17 you ought to come to the meeting,
18 because we could really use some of
19 this.
20 So we hustled up around here
21 and I got to travel and went up. So
22 it was a last minute item, but I was
23 able to not only see what the --
24 their development for the future is
25 on the programs, but have some

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1 significant impact into -- at least,
2 I believe, some significant positive
3 impact into how those programs are
4 going to work. Because at the end
5 of the day, no matter what we do in
6 our work with programmers, people who
7 actually create the software, we're
8 stuck with what they give us.
9 Right? I mean, at the end of the
10 day no matter how -- you know, they
11 can implement whatever they say
12 they're going to implement, but we
13 get what they give us. If it -- if
14 we want an operation or a function
15 to work then it has to be programmed
16 in.
17 So I considered that to be a
18 very important and very worthwhile
19 effort. It's also been my experience
20 that people who write computer
21 programs are not people who use those
22 programs and very often they could
23 use a little input from those of us
24 out there who are actually using the
25 darn thing. They don't -- they

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1 don't tend to see things the same
2 way that we do. They're just
3 looking at it from the creation of
4 the software point of view.
5 MS. MCKELVEY: Uh-huh.
6 MR. BERGMAN: I don't have
7 anything to show you on that but
8 perhaps by -- when we get to the
9 next OHMERC meeting I'll have a beta
10 version, test version, of it that
11 I'll be able to run by you and let
12 the OHMERC look at it.
13 And one of the things that I
14 have a plan for would be when I do
15 finally get the beta test that I'll
16 probably invite lots of Michael's
17 cohorts, compatriots, from around the
18 state and try to have a day here at
19 DEQ where we can bring in a lot of
20 folks that use the software and let
21 them play with it for a day and
22 direct any comments that I can direct
23 back up to the programmers. Because
24 I -- there is a limited amount of
25 people they are going to let beta

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1 test it, probably only four or five
2 of us. So that's a limited
3 opportunity to get some input. I'd
4 like to get as much as I can from
5 the people around the state that use
6 it -- the Betty Ron's (phonetic), and
7 Harry Trottier's (phonetic) and Kary
8 Cox's, and get their comments in
9 because they won't be able to do it.
10 MR. GALLOWAY: (Inaudible)
11 still using these at the state?
12 MR. BERGMAN: Oh, my
13 goodness, yes. He's got a bunch of
14 those guys over there using it now.
15 MS. MCKELVEY: Uh-huh.
16 MS. MURPHY: Do you get the
17 sense, Tom, that it's going to be
18 significant from the existing
19 MARPLOT?
20 MR. BERGMAN: The existing
21 -- there is no resemblance to the
22 existing MARPLOT.
23 MS. MURPHY: Okay.
24 MR. BERGMAN: Zero. The
25 fact that you know how to operate

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1 the MARPLOT program now will mean
2 nothing when you get the new one.
3 MR. GALLOWAY: But if you
4 know how to use (inaudible)?
5 MR. BERGMAN: GIS, the
6 principals are the same. But now,
7 for example, I would say -- the
8 closest thing I can compare it to is
9 moving from a PC to a Mac. It's
10 going to be that big of a change.
11 And when we went from the MARPLOT
12 333 version to the MARPLOT 4 series,
13 that was more like going from Windows
14 XP to Windows 7. Okay. Still all
15 of the stuff was in there, not too
16 much of it had changed its name but
17 you didn't know where it was anymore.
18 Right. You had to go find it. This
19 is like going from a Windows to a
20 Mac because, for example, there is no
21 menus anymore. Zero menus.
22 Everything is pushbutton. And that's
23 the way most modern maps work.
24 There are no, for those of you who
25 would understand this, there's no

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1 base map builder; there is no overlay
2 manager. That's all gone. So it's
3 -- it's going to be a very -- a
4 major change. Everybody's --
5 (Multiple voices)
6 MR. BERGMAN: Well, that's
7 Aloha.
8 MR. GALLOWAY: Yeah, I know,
9 but --
10 MR. BERGMAN: See, they're
11 not changing that. We're just
12 talking about the map. Yeah. I
13 think in most respects this will be
14 a lot easier for folks to use, you
15 know. But everybody that wants to
16 use it is going to have to go
17 through learning how, so I'm sure it
18 will -- my kind of long-term plan --
19 they tell me they might release this
20 in, like, April, next year; right?
21 Which I don't believe. I don't
22 think they'll make April. They've
23 never made any of their deadlines on
24 releasing products that I've ever
25 seen. I don't know why they would

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1 start now. So relative to, you
2 know, the Harry's and the Betty's --
3 MR. GALLOWAY: What's
4 (inaudible).
5 MR. BERGMAN: -- you know,
6 and everybody -- I expect we're just
7 going to keep right on using MARPLOT
8 422 until, I and the people that
9 count, are satisfied that the new
10 program is functional, dependable,
11 bug-free, and we can make that
12 transition. So I wouldn't expect to
13 see us in Oklahoma make any big
14 changes, you know, like Command One.
15 They needed a dependable piece of
16 software. We're not going to run
17 down there and just throw it on
18 there because it's new. We're going
19 to make sure things work. So we'll
20 be doing a lot of testing. I would
21 imagine implementation for us would
22 be looking more like 2014. They may
23 get it out in the summertime and
24 give us six months or so to see how
25 it works and what it does and make

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1 sure that it does everything properly
2 and dependably before we start
3 actually counting on it in an
4 emergency response situation. And it
5 will still be (inaudible). No -- no
6 changes on that.
7 Jami.
8 MS. MURPHY: Well we're
9 going to look at some TRI numbers,
10 just briefly. The filing deadline
11 for 2011 reporting was July 1st and
12 what you see there are the numbers
13 for 2011. And you can see in the
14 discussion that the total production
15 (inaudible) wastes went down very
16 slightly. The good news is we saw
17 an increase in the total number of
18 reports and also in the total number
19 of facilities reporting. That could
20 be attributed to improved compliance,
21 which is always a good thing. It
22 could also be indicative of rebound
23 in the manufacturing sector in
24 Oklahoma in 2011. Regardless, it's
25 good news.

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1 Of the total releases of that
2 38 million pounds of total releases,
3 less than three percent of those were
4 persistent violations of toxic
5 chemicals. And, of course, that's
6 always good news, too.
7 The press release will go out
8 early next month to coincide with
9 EPA's National Data Analysis. If you
10 have any questions about these
11 numbers, if you would like a better
12 breakdown, please contact me.
13 MS. ELDER: Thank you. Any
14 questions for Tom or Jami?
15 In October, Bonnie and I did
16 attend the mid-year NASTTPO meeting
17 and Tom Bergman was there for part
18 of that as well.
19 From my perspective, almost the
20 entire meeting was devoted to PHMSA,
21 to BOT PHMSA grant activities. I
22 was disappointed in that they have a
23 new person in the PHMSA management
24 who came and gave a presentation just
25 generally on grants. Not

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1 specifically on PHMSA. The only --
2 the problem with that was that he
3 said many things were allowable which
4 are generally allowable under grants,
5 that are not allowable under PHMSA
6 and so, you know, that caused a lot
7 of discussion because people were
8 going, oh, we can buy equipment?
9 No. You can't.
10 You just --
11 MS. MCKELVEY: He hadn't
12 read the guidance document.
13 MS. ELDER: He had not read
14 the guidance so he didn't know that
15 that was -- so that -- I truly was
16 --
17 MS. MCKELVEY: That was
18 disappointing.
19 MS. ELDER: -- disappointed
20 in that. Since then, the President
21 of NASTTPO has had a conversation
22 with a little higher management in
23 PHMSA and there are a couple of
24 things.
25 One is, I don't know if they

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1 will be able to do so, but DOT and
2 PHMSA are looking to try to make
3 some legislative changes to the PHMSA
4 grant. They would like to have it
5 run in 24-month cycles instead of the
6 12-month cycle. That's because they
7 get money returned right at the end
8 of the grant cycle and under the
9 current law they can't give it out
10 again. In other words, there's some
11 states that use all their money and
12 could use some more and other states
13 don't use theirs and, you know, it
14 would be nice to be able to
15 redistribute that. And they would
16 not be able to do that unless they
17 went to a 24-month program instead of
18 a 12-month program. So again, that's
19 just in the talking stages for
20 legislative changes. I do think that
21 would be positive.
22 MR. GALLOWAY: Would it be
23 a 24-month cycle for the grant period
24 but they still issue a new one every
25 year so there would be overlap?

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1 MS. ELDER: Yes. Uh-huh.
2 Yes.
3 MR. GALLOWAY: Okay.
4 Because otherwise you would still
5 have a deadline at the end of the
6 two-year program.
7 MS. ELDER: No. No. They
8 would issue it every year but you
9 would have 24 months, basically --
10 MR. GALLOWAY: Uh-huh. To
11 complete it.
12 MS. ELDER: -- to complete
13 the grants.
14 MR. GALLOWAY: Gotcha.
15 MS. ELDER: Which I think
16 would be a positive thing and it
17 would help them utilize turn-back
18 funds.
19 MR. GALLOWAY: Uh-huh.
20 MS. ELDER: And the truth
21 is that more states are turning back
22 more money since they --
23 MR. GALLOWAY: Changed the
24 rules.
25 MS. ELDER: -- changed the

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1 rules.
2 MR. GALLOWAY: Uh-huh.
3 MS. ELDER: Since they
4 changed the rules more states are --
5 and so we're trying to work to
6 better understand those rules. We
7 are currently trying to get -- now
8 in Oklahoma this isn't a problem for
9 us.
10 MR. GALLOWAY: Yeah, as I
11 started to say --
12 MS. ELDER: We have really
13 good -- the training portion isn't a
14 problem for us. You know, our
15 contract with OSU Fire Training
16 Academy to deliver classes works very
17 well and we use that training money.
18 However, in other states they don't
19 have a contract with a single entity,
20 so they're always trying to have
21 people come in and give classes and
22 so those states would like kind of a
23 list of what had been some of the
24 approved classes. So we're trying to
25 put that together. More importantly,

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1 from Oklahoma's perspective is with
2 the new emphasis on projects for
3 LEPCs and some different grant
4 managers for different regions if
5 PHMSA had approved different projects
6 and disapproved -- I mean, one region
7 will approve a project and the next
8 region will disapprove the same or
9 similar project. So we're also
10 trying to get a list of projects.
11 In other words, it's not a guarantee
12 -- you know, here's just an example
13 of what some other states have done
14 with their planning money to help the
15 states that --
16 MR. GALLOWAY: Call it best
17 practices.
18 MS. ELDER: Right. They
19 kind of need a best practice so
20 we're --
21 MR. GALLOWAY: Absolutely.
22 MS. ELDER: -- so we're
23 really trying to get PHMSA to come
24 up with that. We think it will make
25 it better for all of us including

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1 PHMSA, because they need to -- my
2 impression is they need to get on
3 the same page.
4 MS. MCKELVEY: Uh-huh.
5 MS. ELDER: And supposedly
6 the grant specialist is supposed to
7 be having a monthly conference call
8 --
9 MS. MCKELVEY: Yes.
10 MS. ELDER: -- with each
11 state. Are you having those calls?
12 MS. MCKELVEY: Yes.
13 MS. ELDER: Good.
14 MS. MCKELVEY: But they just
15 changed their grant specialist once
16 again.
17 MS. ELDER: Yes.
18 MS. MCKELVEY: So I have to
19 train some else over again --
20 MS. ELDER: -- the grant
21 specialist. And then EPA did give a
22 presentation of -- I think we talked
23 last time, they updated some Tier 2
24 rules. It won't really have an
25 effect on Oklahoma because we, one,

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1 have electronic reporting; and, two,
2 we already require lat-long, that
3 sort of thing.
4 One of the things that will be
5 different is that the range codes
6 will be narrower so you're no longer
7 looking at between 100,000 and 10
8 million as a range -- or a million,
9 really, as a range. It will be a
10 closer range. The law specifically
11 says it reports in ranges which is
12 why you can't have somebody -- you
13 can't -- or EPA can't say, a state
14 could say. But EPA can't say, tell
15 me the exact amount of pounds that
16 you have maximum storage.
17 MR. GALLOWAY: Yeah.
18 MS. ELDER: The law says
19 it's range, so the best they can do
20 is narrow the range so that it makes
21 more sense. And also they're going
22 to require lat-longs which, of
23 course, we we've required in Oklahoma
24 for a long time.
25 MR. GALLOWAY: Do the

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1 lat-longs specify the accuracy? In
2 other words, if you do decimals, how
3 many decimals are -- if they do the
4 current lat-longs as opposed to the
5 (inaudible).
6 MR. BERGMAN: Not to mention
7 is it the driveway, the front door,
8 the office, the center of the
9 facility? There may be some guidance
10 but there's not going to be anything
11 in the rule that I've seen --
12 MS. MCKELVEY: No.
13 MR. BERGMAN: -- that's
14 going to specify what's an accurate
15 lat-long. In fact, you know, our
16 own DEQ rule just leaves the word
17 accurate out.
18 MS. ELDER: Right.
19 MR. BERGMAN: We just
20 specify that there's a lat-long.
21 MR. GALLOWAY: But as a
22 first responder I would like to have
23 it within ten feet of the tank.
24 MR. BERGMAN: Well, yeah,
25 but there again, I mean it's so

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1 facility specific. Right. You want
2 it at the center of the facility?
3 That depends on what kind of facility
4 it is.
5 MR. GALLOWAY: Right. I
6 understand.
7 MR. BERGMAN: Yeah.
8 MR. GALLOWAY: I'm on the
9 911 Board.
10 MR. BERGMAN: Right. It's
11 a mess.
12 MR. GALLOWAY: We end up
13 going at the intersection of the
14 driveway to the road but you get to
15 the place.
16 MR. BERGMAN: But if it's a
17 refinery the driveway probably isn't
18 as good as the center of the
19 facility.
20 MR. GALLOWAY: Right.
21 MR. BERGMAN: You know, it
22 depends -- but if it's a propane
23 dealer you want it wherever the tank
24 is. The driveway isn't any good
25 either. It needs to be more -- you

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1 know. It's all different. It's
2 hard to say. Our guidance in
3 Oklahoma is for -- for whatever it's
4 worth, why don't you use some common
5 sense --
6 MR. GALLOWAY: Well, I --
7 MR. BERGMAN: -- and if
8 that doesn't work --
9 MR. GALLOWAY: I tell them
10 to just --
11 MR. BERGMAN: -- call me
12 and we'll try to figure it out.
13 MR. GALLOWAY: -- do a
14 Google earth picture.
15 MR. BERGMAN: You know,
16 really.
17 MS. ELDER: Right.
18 MR. GALLOWAY: Show me the
19 dot that you're talking about.
20 MR. BERGMAN: I mean instead
21 of trying to put something down as a
22 rule let's try to use our head, you
23 know, what makes sense for your
24 facility.
25 MR. GALLOWAY: But when it's

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1 the instructions on filling out --
2 what does it say, just lat-long?
3 MS. ELDER: Just lat-long.
4 MR. BERGMAN: Just lat-long.
5 MS. ELDER: Also EPA is
6 trying to develop some online
7 training like in LEPCs and Clean Air
8 Act 112 R reporting, so that should
9 be coming up, hopefully in the near
10 future and we'll let people know
11 about that when it comes out.
12 MR. GALLOWAY: Is there
13 training available for emergency
14 coordinators for the facilities, so
15 they would be better at reporting?
16 I mean, I was an emergency
17 coordinator and I had to learn on my
18 own. (Inaudible).
19 MS. ELDER: Right. You
20 know, I don't know that there is.
21 MR. BERGMAN: Are you
22 talking about for --
23 MR. GALLOWAY: For the
24 people that send the two forms to
25 you.

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1 MS. ELDER: Right.
2 MR. BERGMAN: Oh. Yeah.
3 We've done workshops and outreach for
4 years and years. And what we
5 currently do is offer them via either
6 going to a presentation at an LEPC
7 meeting or they can come in and do
8 the one-on-one assistance. All those
9 locations on the report, I'll be at
10 all those locations for at least a
11 half a day. Depends on how many
12 people sign up.
13 MS. ELDER: But -- to get
14 what you were asking, I think, Mike,
15 is --
16 MR. GALLOWAY: Like in the
17 associations. Like going to the
18 propane associations.
19 MS. ELDER: -- right. Now
20 Tom does go to the propane
21 associations to the --
22 MR. BERGMAN: To the
23 marginal wells.
24 MS. ELDER: -- Marginal
25 Wells Association. We try to pick

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1 those ups. Sort not every year on
2 propane but every so many years
3 because people forget that sort of
4 thing. But as far as EPA having an
5 effort on that they haven't had -- I
6 mean, 20 years ago Region 6, from
7 EPA -- you know, Steve Mason used to
8 come up and do workshops but those
9 haven't been going on. So it's
10 really been up to the state to do
11 that. And again, Tom spends a lot
12 of time -- well --
13 MR. GALLOWAY: Well, I
14 remember one of Tom's --
15 MS. ELDER: -- I wish
16 somebody would see him during Tier 2
17 season. Literally --
18 MR. BERGMAN: It's busy.
19 MS. ELDER: -- thousands of
20 phone calls; people in here to talk
21 -- you know, we're hopeful that we've
22 got some staff that can give him a
23 little bit of help this season, but
24 we'll see how that goes.
25 MR. NISWANDER: How much

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1 time do you have for a minimum
2 meeting on Tier 2?
3 MR. BERGMAN: Well, there's
4 -- when I do a personal assistance
5 workshops, I allow 30 minutes per
6 client, but sometimes it doesn't take
7 that long.
8 MR. NISWANDER: So if we
9 had, like Oklahoma Safety -- not --
10 like the Oklahoma Safety Management
11 Council -- Oklahoma Trucking
12 Association wanted to have you in for
13 an hour --
14 MR. BERGMAN: A 30 to 45
15 minute presentation in --
16 MR. NISWANDER: That would
17 give you an hour.
18 MR. BERGMAN: Yes. We can
19 do that. When I go do marginal
20 wells, you know, typically I'm on the
21 agenda for about an hour. But
22 that's usually 40 minutes with time
23 for questions and so forth.
24 MR. NISWANDER: Well, I need
25 to talk with you. We need to set

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1 that up.
2 MR. BERGMAN: Okay.
3 MR. ELDER: That's great.
4 MR. BERGMAN: Yeah.
5 MS. ELDER: So Tom or
6 Bonnie, do you all have anything else
7 about NASTTPO that comes to mind?
8 MS. MCKELVEY: I don't think
9 so.
10 MR. BERGMAN: No.
11 MS. MCKELVEY: I think you
12 covered it.
13 MS. ELDER: Yeah, it was
14 very heavy on PHMSA. Very heavy.
15 MR. GALLOWAY: I would --
16 I'd like the list for those --
17 MR. BERGMAN: Yeah.
18 MR. GALLOWAY: -- or
19 whatever you're going to come up
20 with.
21 MS. ELDER: Oh, we would
22 like it too.
23 MR. BERGMAN: We would like
24 that too.
25 MS. ELDER: We would like

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1 it too. We are really trying to
2 push PHMSA in that direction.
3 MR. BERGMAN: The exact same
4 project will fly in Region 9, and
5 they try it in Region 8, and they
6 deny it, and you just go --
7 MR. GALLOWAY: I mean just
8 between last year and this year, what
9 was the dropout rate for grant
10 applications?
11 MR. BERGMAN: We don't even
12 talk about it.
13 MS. MCKELVEY: Oh. Uh-huh.
14 We went from 28 to -- to 15
15 applications. Out of those 15
16 applications only five were eligible
17 projects.
18 MR. BERGMAN: Yeah.
19 MS. MCKELVEY: And out of
20 those --
21 MR. GALLOWAY: I was one of
22 them.
23 MS. MCKELVEY: Yeah.
24 MR. BERGMAN: Yeah. Five
25 eligible projects.

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1 MS. MCKELVEY: Well that --
2 some of them were asking to have dog
3 rescue training, you know, things
4 like that.
5 MR. GALLOWAY: Well that's
6 what I -- give me at least guidance.
7 I mean don't give me a yes/no list
8 --
9 MS. MCKELVEY: Uh-huh.
10 MR. GALLOWAY: -- but at
11 least give me guidance for best
12 practices.
13 MS. MCKELVEY: Uh-huh.
14 MS. ELDER: Right. And we
15 are really trying to get PHMSA to do
16 that. I mean --
17 MR. BERGMAN: Well, Mike,
18 you know, you talk to the emergency
19 manager guys regularly, are any of
20 them coming to you and saying how
21 did you get your grant or --
22 MR. GALLOWAY: I had about
23 eight ask what I was doing.
24 MR. BERGMAN: Yeah.
25 MR. GALLOWAY: And about

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1 four of them fell on that 14 that
2 didn't -- they said this is too much
3 work and they just didn't even apply.
4 MR. BERGMAN: Uh-huh.
5 MS. ELDER: Uh-huh.
6 MR. GALLOWAY: They backed
7 out.
8 MS. ELDER: Uh-huh.
9 MR. GALLOWAY: And part of
10 the problem is -- or the reason they
11 weren't concerned is the monies they
12 received in the past, some of that's
13 just been sitting in an account
14 because the list was so short on
15 what they could spend it on. Well,
16 they've still got two or three more
17 years of spending and not worry about
18 their budget.
19 MS. ELDER: Uh-huh.
20 MR. GALLOWAY: I mean,
21 there's only -- training is really
22 the only 100 percent thing you can
23 spend on that's allowed.
24 MS. MCKELVEY: Yeah. But
25 the list is -- there's a pretty good

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1 list on what you can spend it on to
2 use as a project, but a lot of them
3 look at those projects as too much
4 work, too much paper.
5 MR. BERGMAN: Yeah.
6 MS. MCKELVEY: You're going
7 to have to -- they don't have time
8 to do it even though, you know, I've
9 told them they can use that money to
10 hire someone to do that.
11 MR. GALLOWAY: Someone else
12 to do it. Yeah.
13 MS. MCKELVEY: But they just
14 look at it and --
15 MR. GALLOWAY: That's what
16 I've --
17 MS. MCKELVEY: There really
18 is a pretty good list.
19 MR. GALLOWAY: What I've
20 looked at in the future is regional
21 solutions. And I always come up
22 with a contractor that would have
23 liked to bring industry and the LEPCs
24 together and then they would drone,
25 kind of like what the pipeline people

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1 are doing already with their
2 awareness thing --
3 MS. MCKELVEY: Uh-huh.
4 MR. GALLOWAY: -- and they
5 would do these -- they were doing
6 every county and now they're trying
7 to do three counties at a time.
8 MS. MCKELVEY: Right.
9 MR. GALLOWAY: And they do
10 a little oilfield pipeline exercise
11 in that meeting and now we've got
12 three groups doing that so we're kind
13 of getting a --
14 MS. MCKELVEY: Uh-huh.
15 MR. GALLOWAY: -- three
16 times a year show. But on this end
17 I would like to see -- you know,
18 let's say we're going to do a hazmat
19 -- the inventory-thing they want you
20 to do, counts. Well do three
21 counties at once and have a
22 contractor and then take care of
23 three LEPCs at one project.
24 MS. MCKELVEY: Uh-huh.
25 Uh-huh.

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1 MR. GALLOWAY: But I don't
2 know how you would do that
3 regionally. I would think each LEPC
4 would have to apply for the grant.
5 MS. ELDER: Or you could do
6 it from the state and still --
7 MS. MCKELVEY: Or from
8 (inaudible).
9 MS. ELDER: -- make it as a
10 LEPC project, you could make it a
11 state project.
12 MR. BERGMAN: And there are
13 examples of multiple LEPCs getting a
14 grant. I know I've seen some up in
15 Kansas that did some that way.
16 MS. MCKELVEY: Right.
17 MR. BERGMAN: They went
18 together and got one grant for six
19 counties, I know for sure, because I
20 saw the paperwork on that.
21 MS. MCKELVEY: Uh-huh.
22 MR. BERGMAN: So it is
23 possible to do.
24 MR. GALLOWAY: Well, I'd
25 like to see the process so that it

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1 would open the door. For instance,
2 like Tulsa and Oklahoma County using
3 the urban area initiatives, you know,
4 you do Oklahoma County and all the
5 counties that touch it that would be
6 one region and --
7 MR. BERGMAN: Uh-huh.
8 MR. GALLOWAY: -- they would
9 do a hazmat study of whatever, just
10 for those -- and that would -- that
11 would take care of 50 percent of
12 your inventory right here in
13 Oklahoma.
14 MS. MCKELVEY: Uh-huh.
15 MR. GALLOWAY: In Tulsa and,
16 you know, that would be two big
17 projects, I would think, right off
18 the bat.
19 Yeah, I know, but it would --
20 it would be good information.
21 MS. ELDER: It would be.
22 MR. GALLOWAY: And then if
23 we get our little website for LEPCs
24 --
25 MS. ELDER: Uh-huh.

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1 MR. BERGMAN: Uh-huh.
2 MR. GALLOWAY: -- that stuff
3 would be nice to have up there for
4 people to see. It would help the
5 industry and the LEPCs.
6 MS. MCKELVEY: Right.
7 MR. GALLOWAY: But I'm a
8 dreamer.
9 MS. ELDER: That's good.
10 MR. GALLOWAY: (Inaudible)
11 up there.
12 MS. ELDER: That's good.
13 That's what you really need and
14 really need ideas and -- I wonder if
15 there's -- probably not feasible.
16 But I wonder if there is a way you
17 could write up a little bit of money
18 out of planning to setup an LEPC
19 website so that LEPCs could interact
20 and share ideas and put up their
21 (inaudible).
22 MS. MCKELVEY: I think that
23 could very easily fall under
24 planning. Yeah.
25 MS. ELDER: Right.

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1 MS. MCKELVEY: I think so.
2 MS. ELDER: I mean I -- you
3 could do that at the state level and
4 maybe --
5 MR. GALLOWAY: I mean if we
6 just put it on Google documents.
7 You know, not even a website. Just
8 -- where only LEPCs could share it
9 and, you know -- I don't know how
10 open you want it but that -- that is
11 planning. I did that with Red
12 Cross. We just setup all the Red
13 Cross managers across the state and
14 submitted their plans on Google
15 Documents and then they each looked
16 at it and upgraded it and then they
17 came out with a statewide plan for
18 all the Red Cross Chapters in
19 Oklahoma. And we did it on Google
20 Documents.
21 MR. BERGMAN: Well, we
22 certainly want to check into that.
23 We were visiting before the meeting
24 --
25 MS. ELDER: Yeah. Yeah.

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1 MR. BERGMAN: -- and maybe
2 we'll have some updates --
3 MS. ELDER: Right. We're
4 going to --
5 MR. BERGMAN: -- for the
6 next OHMERC.
7 MS. MCKELVEY: Right.
8 Because we really need to check into
9 that.
10 MR. GALLOWAY: And I thought
11 they came up with a good plan by
12 doing it --
13 MS. MCKELVEY: Uh-huh.
14 MR. GALLOWAY: -- because
15 they could add the input of every
16 Red Cross Chapter across the state.
17 MS. ELDER: Right. Now we
18 did have the mini-hazmat conference
19 way back in September. I don't know
20 if you remember it --
21 MR. BERGMAN: Yeah.
22 MS. ELDER: -- well enough
23 to say anything about it, Bonnie.
24 MS. MCKELVEY: Well, I did
25 receive a lot of good feedback. I

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1 thought with all of your help we had
2 some really interesting and good
3 speakers and with pertinent topics
4 and the evaluations feedback were all
5 good on all of the speakers.
6 MR. GALLOWAY: The
7 surprising part that I liked about
8 it, you know, at first it was so
9 small, but I thought, man, are we
10 really having a conference or a
11 workshop?
12 MS. MCKELVEY: Uh-huh.
13 MR. GALLOWAY: But the fact
14 that it was small like that, I
15 thought that's what made it valuable.
16 MS. MCKELVEY: Uh-huh.
17 MR. GALLOWAY: I mean people
18 seemed to talk in a discussion as
19 opposed --
20 MS. ELDER: Right.
21 MR. GALLOWAY: --(inaudible)
22 --
23 MS. ELDER: Uh-huh.
24 MR. GALLOWAY: -- you know,
25 the big conference where you listen

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1 to somebody do --
2 MS. ELDER: Right.
3 MR. GALLOWAY: -- a
4 PowerPoint. There was actually --
5 MR. DAVIS: Uh-huh. More
6 like a workshop.
7 MR. GALLOWAY: -- an
8 interactive discussion between --
9 yeah.
10 MR. DAVIS: I thought it
11 was great.
12 MR. GALLOWAY: There was
13 more interaction between the audience
14 and the speaker. That's the part I
15 liked.
16 MS. ELDER: Yeah.
17 MS. MCKELVEY: One thing
18 I've thought about and I think Monty
19 and I have talked about is having
20 the mini workshops and maybe Gary
21 too. Maybe it was your idea, Gary,
22 having the workshops in the different
23 the regions of the different
24 quadrants for -- to have something,
25 just like you were talking about,

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1 have it small enough so that everyone
2 has input and they share ideas --
3 MR. GALLOWAY: The small
4 LEPCs weren't afraid to speak up.
5 MS. ELDER: Uh-huh. Right.
6 MR. GALLOWAY: They were not
7 intimidated by all the experts in the
8 room.
9 MS. MCKELVEY: Right.
10 MR. GALLOWAY: And so I saw
11 it as a good learning experience.
12 MS. ELDER: I agree, so
13 we'll see how that goes forward.
14 We do have a couple of action
15 items. Now we have done this in the
16 past, but I got a letter from the
17 Washington County LEPC. The Phillips
18 66 Research Center is actually in the
19 city of Bartlesville but it's in
20 Osage County, and so the first
21 responders, in the case of an
22 accident, would come from
23 Bartlesville. But since they're in
24 Osage County they're included in the
25 Osage County LEPC, not in the

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1 Washington County LEPC. And so
2 basically, Washington County LEPC is
3 asking us to include, which the
4 OHMERC can do, include the Phillips
5 Research Center in the Washington
6 County LEPC. And we have done that
7 in the past, they just want a
8 reaffirmation of that. In the past
9 what we've done is we've said to the
10 Research Center, they should still
11 submit information to Osage County,
12 but they should also submit to
13 Washington County LEPC and
14 participate in their LEPC meetings.
15 So is there is any discussion
16 on that? Okay.
17 I'd entertain a motion to
18 affirm the inclusion of Phillips 66
19 Research Center in the Washington
20 County LEPC.
21 MS. MCKELVEY: I so move.
22 MR. NISWANDER: Second.
23 MS. ELDER: Second. All in
24 favor say aye.
25 COMMISSIONERS: (Unanimously)

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1 Aye.
2 MS. ELDER: Opposed same
3 sign.
4 (No verbal response)
5 MS. ELDER: Okay. So I
6 will send a letter to the LEPC
7 Chairman giving them that
8 information.
9 MR. GALLOWAY: While you're
10 on that subject --
11 MS. ELDER: Yes.
12 MR. GALLOWAY: -- point of
13 information -- I don't know what the
14 order is -- but I mean, we have a
15 lot of issues like that where, like
16 Clinton, in my county, responds to a
17 whole industry park that's in Washita
18 County --
19 MR. BERGMAN: Uh-huh.
20 MR. GALLOWAY: -- and all
21 those folks are in Washita County but
22 if they call 911, it's my fire
23 department, my police -- well, not
24 the police, but the fire does and
25 the ambulance does.

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1 MR. BERGMAN: Right.
2 MR. GALLOWAY: And so,
3 they're not part of my LEPC but
4 that's where I was getting at the
5 regional thing it -- you know,
6 Washita -- I invite all the counties
7 around me because we have this
8 overlap. Half of my fire districts
9 in my county, the fire department is
10 not in my county.
11 MS. ELDER: Right.
12 MR. GALLOWAY: You know,
13 there's -- in fact, the counties
14 around me come and fight the fires
15 in my county and the ambulances do
16 the same thing. The police are
17 pretty good at staying in their
18 jurisdiction but when it comes to a
19 spill, you know, mutual aid kicks in,
20 it'd be nice if the mutual aid
21 partners planned together as well as
22 (inaudible).
23 MS. ELDER: Absolutely.
24 MR. GALLOWAY: And so --
25 MS. ELDER: You know, so if

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1 you need encouragement for that, I
2 think the OHMERC could encourage
3 that. I think just what you're
4 doing though, the first step is to
5 invite them to the LEPC meeting.
6 The second step might be to go to
7 the industries and say, you know,
8 you're part of -- you're in Washita
9 County but if you could also give us
10 your Tier 2 information or you could
11 work with Tom some way --
12 MR. GALLOWAY: And we do.
13 I have -- I have all their
14 information (inaudible).
15 MR. BERGMAN: Right.
16 MS. ELDER: But if you
17 wanted to -- you know, if you invite
18 some -- tell them it would be good
19 if they came to the LEPC meeting to
20 be part of the planning process.
21 MR. GALLOWAY: Well, I
22 haven't invited them, per se. I've
23 invited their First Responders but
24 not the facilities.
25 MS. ELDER: So that's

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1 something that you might do is invite
2 the facility to the meeting, if they,
3 you know, were planning for the
4 response and the response is going to
5 come from Custer County so you might
6 want to come to our LEPC meeting.
7 MR. GALLOWAY: Well, we've
8 got a good working relationship.
9 MS. ELDER: Sure. I know
10 you do.
11 MR. BERGMAN: Yeah.
12 MR. GALLOWAY: They donate
13 equipment. They're my first
14 responders.
15 MR. BERGMAN: Well, there
16 are several situations that are
17 similar to yours around the state.
18 Port of Catoosa, for example, goes to
19 Rogers County but also Tulsa County
20 gets that information from me. But
21 Washington County is a special case
22 in that they actually request and
23 have always had that special status
24 for that one facility since the
25 inception of the OHMERC in 1992, as

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1 far as I remember without looking at
2 the paperwork.
3 MS. ELDER: Uh-huh.
4 MR. BERGMAN: So I guess --
5 and you guys can correct me if I'm
6 wrong, maybe we want to support all
7 those sorts of activities and efforts
8 without maybe having to go through
9 actual --
10 MR. GALLOWAY: Action items.
11 MR. BERGMAN: -- action
12 items.
13 MR. GALLOWAY: Right.
14 MR. BERGMAN: And, you know,
15 I can take care of a lot of that by
16 just -- I'm going to send Custer
17 County what's required by law. Like,
18 you can get anything else from me of
19 what you want and you know that and
20 that's the way we work with all the
21 counties.
22 MR. GALLOWAY: Yeah. Yeah.
23 To make this a little bit more
24 fuzzier -- muddier, when you talk
25 about the counties in another state

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1 -- that touch another state.
2 MR. BERGMAN: Same thing.
3 MR. GALLOWAY: I mean the
4 Panhandle gets more mutual aid from
5 Kansas and Texas than they do
6 Oklahoma.
7 MS. ELDER: Right.
8 MR. GALLOWAY: And so I
9 didn't know how we can spend grant
10 money and that kind of thing --
11 MS. ELDER: You know, you
12 can --
13 MR. GALLOWAY: -- with those
14 kinds of partners.
15 MS. ELDER: -- you could do
16 an exercise which would be across
17 state border exercise --
18 MR. GALLOWAY: Uh-huh.
19 MS. ELDER: -- if people
20 were willing to come up with that.
21 MR. GALLOWAY: Uh-huh.
22 MS. ELDER: I had people in
23 the block that's right before Carter
24 County that's right on the border
25 with Texas.

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1 MR. BERGMAN: Love.
2 MS. ELDER: Love. Love
3 County always wants to do an exercise
4 in Texas with closing down I-35,
5 because what happens if there's --
6 what happens if there's spill on the
7 bridge. What happens if there is a
8 spill on the bridge? Whoop. You
9 know, we're in trouble for a long
10 ways --
11 MR. BERGMAN: Yeah.
12 MS. ELDER: -- in both
13 states. So, you know, I think those
14 types of exercises can certainly be
15 part of LEPC grants.
16 MR. BERGMAN: Right. And
17 we've done lots of times, done across
18 state line CAMEO classes. Bunches of
19 them. You know. Fort Smith is a
20 great example. Man, they're sitting
21 right there on the border. Leflore
22 County and Fort Smith do a lot of
23 things together. They need to do a
24 lot of things together.
25 MS. ELDER: Right.

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1 MR. BERGMAN: That's their
2 support system down there.
3 MR. GALLOWAY: What's our
4 equivalent -- what's the OHMERC for
5 the states around us? In other
6 words, who is your point person in
7 Kansas and --
8 MS. ELDER: Right. Well,
9 there are point -- I do have point
10 people in each of those states. You
11 know, Arkansas, it's Kenny, and
12 Kansas it's --
13 MR. BERGMAN: Swapon
14 (phonetic).
15 MS. ELDER: Yeah.
16 MR. GALLOWAY: Because, I
17 mean, we did -- Homeland Security
18 does this with other states and I
19 know highway patrol does it with
20 other states. I didn't know if
21 (inaudible).
22 (Multiple voices)
23 MS. ELDER: Yeah. Right.
24 Sure they can. Absolutely.
25 Absolutely.

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1 MR. GALLOWAY: We did that
2 stop animal movement with Kansas.
3 MS. ELDER: Right.
4 MR. GALLOWAY: Did the
5 exercise at the same time.
6 MR. DAVIS: We just did an
7 exercise with five states with
8 (inaudible) a few months ago.
9 MS. ELDER: Yeah. Yeah.
10 And that was good.
11 MR. GALLOWAY: I was just
12 checking to see if EPA was willing
13 to do that?
14 MS. ELDER: Yes. EPA and
15 mainly PHMSA, because that's where
16 the money comes from, DOT.
17 MR. GALLOWAY: Well, it
18 comes from the truckers that pay the
19 fees.
20 MS. ELDER: Right. Exactly.
21 That's where it comes from. It's
22 administered through --
23 MR. GALLOWAY: I used to
24 pay the fee. That's why I
25 (inaudible).

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1 MS. ELDER: That's where it
2 comes from. Okay. There are -- and
3 I know these may change but if you
4 want to look at the proposed dates
5 for next year. Right off the bat
6 does anybody see big conflict?
7 Although you know when a conflict
8 comes up we'll work around it.
9 MR. GALLOWAY: I appreciate
10 you moving this one in there. I've
11 been trying to go to that AC class
12 for five years in a row. It was on
13 December 4th, 5th, and 6th.
14 MS. ELDER: I know. I was
15 going to go but I've got to go mess
16 around with EPA on the 4th.
17 MR. NISWANDER: I have two
18 conflicts.
19 MS. ELDER: Okay.
20 MR. NISWANDER: The 12th of
21 February, if we could move that to
22 the next week after it would be
23 fine.
24 MS. ELDER: Uh-huh.
25 MR. NISWANDER: And on the

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1 13th of August, I will be at the
2 National Truck Driving Championship
3 as a Judge, so I'll be out that
4 whole week. It would be the week
5 after.
6 MS. ELDER: Okay. So does
7 anybody have a calendar --
8 MS. MURPHY: Unfortunately,
9 Monty, I don't. The 12th, I think
10 if we move that forward we -- won't
11 we run real close to President's Day?
12 MS. ELDER: Well, I think
13 we were talking about moving it back
14 --
15 MR. NISWANDER: To the 18th
16 or --
17 MS. MURPHY: To the 5th?
18 MS. ELDER: No. From the
19 12th that would be --
20 MR. NISWANDER: The 19th.
21 MS. ELDER: -- the 19th.
22 MS. MURPHY: Yeah. Won't
23 that run us right up next to
24 President's Day. I think.
25 MR. BERGMAN: Well,

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1 President's Day will be on Monday.
2 MS. MURPHY: Right. But it
3 will be the day after.
4 MR. BERGMAN: Yeah. The
5 day after.
6 MS. ELDER: I don't think
7 that's a problem.
8 MR. BERGMAN: The 18th is
9 President's Day.
10 MS. ELDER: Do you want to
11 try to for the 19th of February,
12 then?
13 MR. NISWANDER: (Inaudible).
14 MS. ELDER: Or does somebody
15 want to move it forward to the 5th?
16 MS. MURPHY: Gary, do you
17 have a calendar?
18 MR. DAVIS: I do. The 5th
19 would get me. The 19th would work
20 perfect.
21 MS. ELDER: For -- let's
22 try the 19th.
23 MR. GALLOWAY: That's a yes
24 from me.
25 MS. ELDER: Okay. Let's

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1 try the 19th.
2 MR. GALLOWAY: (Inaudible).
3 MS. ELDER: And then on --
4 in August, do you want to try the
5 20th? Backwards? I mean, going
6 forward one.
7 MR. GALLOWAY: I got the
8 20th. Yeah.
9 MS. ELDER: 20th.
10 MR. DAVIS: Works for me.
11 MS. ELDER: 20th. Okay.
12 Try the 20th of August.
13 MR. DAVIS: Oh, I know I
14 don't (inaudible).
15 MS. ELDER: No.
16 MS. MURPHY: Steve, I really
17 appreciate you looking at your
18 calendar and checking these dates out
19 before we approve them.
20 MR. NISWANDER: That's all I
21 have to do anymore. I'm on the road
22 so much, I just --
23 MS. ELDER: Right.
24 MR. NISWANDER: -- yeah.
25 That --

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1 MS. ELDER: Right.
2 MR. NISWANDER: -- and I've
3 got -- I'm scheduled out through 2014
4 right now. So --
5 MS. ELDER: Goodness.
6 MS. MURPHY: We can
7 reschedule meetings, that's true and
8 we've always been --
9 MR. NISWANDER: You have
10 always been very helpful with that.
11 MS. MURPHY: -- and we're
12 very glad to do it, but the closer
13 it gets to a meeting date, the more
14 difficult it becomes --
15 MR. NISWANDER: Sure.
16 MS. MURPHY: -- to find
17 dates that works for everyone. So
18 --
19 MR. NISWANDER: Well, it's
20 one of those things that if you're
21 on the calendar first then I work
22 around it.
23 MS. ELDER: Right. Exactly.
24 That's the thing. Get on the
25 calendar first. Okay. So the new

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1 proposed dates are February 19th, May
2 14th, August 20th, and December 3rd.
3 Do I have a motion to accept
4 those dates?
5 MR. NISWANDER: I move.
6 MS. ELDER: Second?
7 MR. DAVIS: Second.
8 MS. ELDER: And all in
9 favor signify by saying aye.
10 COMMISSIONERS: (Unanimously)
11 Aye.
12 MS. ELDER: Opposed same
13 sign.
14 (No verbal response)
15 MS. ELDER: Okay. We'll
16 give that a shot for next year.
17 That's -- that's the best we can say
18 about that.
19 (Multiple voices)
20 MS. ELDER: So the last
21 item actually is discussion. Does
22 anybody have anything they need to
23 bring up for the good of the body?
24 MR. DAVIS: I've got a
25 couple of unusual courses --

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1 MS. ELDER: Okay. Yeah.
2 MR. DAVIS: -- that might
3 be of benefit to some of us sitting
4 here.
5 MS. ELDER: Right.
6 MR. DAVIS: I've got a bomb
7 making-materials course. It's an
8 awareness course. And it's not even
9 the public -- private sector that
10 have precursors to do bombs --
11 MS. ELDER: Uh-huh.
12 MR. DAVIS: -- with the
13 response world so that they -- they
14 see something that some of these
15 precursors going into place --
16 MS. ELDER: Right.
17 MR. DAVIS: -- that kind of
18 thing. We're getting a lot more
19 bombs in Oklahoma than we have in
20 previous years. We just had six in
21 Tulsa in the last four months.
22 These things are going on. So I've
23 got one in Oklahoma City and one in
24 Tulsa, and I probably will do more
25 later on next year. Tulsa is the

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1 11th and Oklahoma City is the 13th
2 and it is at (inaudible) just down
3 and across the street.
4 MR. NISWANDER: Who do you
5 expect to go to these classes, Gary?
6 MR. DAVIS: Actually who
7 we're wanting there is bomb squads,
8 firefighters, that kind of stuff.
9 But this group would be, you know,
10 LEPC group. It's united.
11 public/private partnerships so that
12 we're aware of what we -- each other
13 do. That's key. It is a DHS or
14 Department of Homeland Security and
15 FBI project.
16 MS. ELDER: And would
17 industry folks come? People who have
18 those precursors?
19 MR. DAVIS: That must be on
20 the other side of the post, because
21 I don't know how the invites are --
22 how that's working.
23 MS. ELDER: Okay.
24 MR. DAVIS: Our security
25 officer came in yesterday. It was

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1 kind of a quick deal, and talked
2 about it. We -- they've been in the
3 state before. It was a couple of
4 years ago. You've heard --
5 MS. ELDER: Uh-huh.
6 MR. DAVIS: -- did you go
7 to the course?
8 MR. GALLOWAY: Yeah. I
9 went to one in Madison. It was a
10 week long on bomb-making.
11 MR. DAVIS: Yeah. This is
12 just a one-day deal. It is an
13 awareness course.
14 CAPTAIN WILLIAMS: What are
15 you calling the course, Gary?
16 MR. DAVIS: Bomb Making
17 Materials Awareness. And it's all
18 about precursors. That's really what
19 it's about.
20 MS. ELDER: Uh-huh.
21 MR. DAVIS: They aren't
22 going to teach you how to make a
23 bomb.
24 MR. GALLOWAY: No.
25 MS. ELDER: They're going to

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1 teach you to look out for those --
2 MR. DAVIS: Exactly.
3 MS. ELDER: -- if someone
4 comes in and --
5 MR. GALLOWAY: Suspicious
6 activities, purchases?
7 MS. ELDER: Somebody has
8 purchased --
9 MR. DAVIS: For the good of
10 the group, also --
11 MR. GALLOWAY: Is it
12 (inaudible) that stuff? Because
13 that's how they get the business.
14 MR. DAVIS: Well, I just
15 did -- he was only in the office
16 about 15 minutes (inaudible), so I
17 don't know how that private side is
18 worded.
19 MR. NISWANDER: I do.
20 MR. DAVIS: Suppose to be
21 both in the same meeting. I'll make
22 contact and send you --
23 MR. NISWANDER: (Inaudible)
24 probably would be a good person to
25 contact with Infraguard (phonetic).

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1 MR. DAVIS: Yeah. I'll
2 check it. They may have already
3 been down that route with what
4 they're doing.
5 MS. ELDER: Okay.
6 MR. DAVIS: Also the
7 Homeland Security is working with the
8 63rd CST (phonetic). We got -- we
9 have one exercise, it's through
10 drills and in Chickasha in June
11 worked out perfect so that's kind of
12 our pilot kickoff with this thing.
13 Our next one is in January in Enid.
14 And I think it is going to be a very
15 good exercise too, to get those two
16 working together on the same platform
17 so that one can't work together it
18 will -- I think it's going to be
19 great. We'll be doing the next one
20 after that in the spring over in the
21 Tulsa area somewhere in one of those
22 towns over there.
23 MR. NISWANDER: And it's
24 going to be on what? The one in
25 Enid is going to be on what?

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1 MR. DAVIS: It's -- it will
2 be on WMD or SEABRN (phonetic) or
3 hazardous materials.
4 MR. NISWANDER: Okay.
5 MR. DAVIS: It will be
6 full-blown lab type process, where
7 someone has got a lab set up will
8 kind of be the scenario. It will be
9 decontamination and the whole works.
10 It's kind of -- there's a lot of
11 labs in the state still, especially
12 on the east side of the state. But
13 that's one of the things they wanted
14 to do -- to do and actually my
15 hazardous materials course for next
16 year is all labs. Not only are
17 there meth labs, there's bomb labs.
18 MS. ELDER: Yeah.
19 MR. DAVIS: And there is
20 bio-labs and --
21 MS. ELDER: Yeah.
22 MS. MURPHY: Excuse me,
23 Gary, do you have a schedule for
24 those?
25 MR. DAVIS: The courses next

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1 year? No, I don't. I will in a few
2 weeks but --
3 MS. MURPHY: Uh-huh. If
4 you will forward it to me I will
5 send it out to the --
6 MR. DAVIS: Okay. Sounds
7 good.
8 MS. MURPHY: -- okay.
9 MR. DAVIS: And I can send
10 this information to you too, about
11 what I just talked about.
12 MS. MURPHY: Yes, please.
13 All right.
14 MR. NISWANDER: Yeah. I
15 would like the stuff on that because
16 my son is head of the -- my
17 son-in-law is the -- kind of the
18 weirdo guy that walks around kicking
19 up the drug labs, so I'd be
20 interested in Grant being in that
21 meeting.
22 MS. ELDER: Yeah.
23 MR. DAVIS: Now the drug
24 lab funding has really changed in
25 Oklahoma -- well, in the United

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1 States and jurisdictions are
2 responsible for the cleanup. You
3 know, what happens when that happens.
4 No more bombs -- or there's no more
5 meth labs.
6 MR. BERGMAN: Yeah.
7 MS. ELDER: Uh-huh.
8 MR. DAVIS: It just kind of
9 went away. So I don't know what's
10 going to happen to that but that's a
11 bad deal.
12 That's all I have.
13 MS. ELDER: Anybody else?
14 MR. GALLOWAY: I did a
15 project -- when did I do this?
16 Anyway, I cleaned up the high school
17 labs and the university lab -- and
18 Southwestern in Weatherford, never
19 cleaned up their labs since it was a
20 teacher's college. And we found
21 picric acid that crystallized so we
22 had to get the bomb squad --
23 MS. ELDER: Yeah.
24 MR. GALLOWAY: -- in first
25 and then EMI cleaned up the rest of

Page 72
1 the stuff. But I've had several
2 people ask me that they would like
3 to do that in different places.
4 Just cleanup the chemistry labs at
5 the schools and I think there's a
6 requirement. I didn't check to see
7 it in writing, I think they're
8 required now to do that every year.
9 But I haven't ever -- I haven't
10 followed up to see if they're
11 actually doing it. But I was really
12 surprised to see a state university
13 -- they knew not to put it down the
14 drain, but they never disposed of it
15 and so they just kept storing it in
16 the basement and every time there was
17 a different change of Dean, they
18 would change the program and they
19 would order new chemicals and
20 anything they didn't want, well, it
21 just went down in this basement.
22 I haven't checked any other
23 universities to see how they do their
24 cleanup but it stirred a lot of
25 interest because they -- shortly

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1 thereafter, you know, (inaudible) was
2 cleaning up about 20 other high
3 schools and --
4 MS. ELDER: Right.
5 MR. GALLOWAY: -- I didn't
6 know if they did other universities
7 --
8 MR. NISWANDER: Yeah. It
9 did.
10 MR. GALLOWAY: -- it's --
11 it -- I think it -- I remember
12 talking to Johnson about it and I
13 think it went to all the universities
14 eventually to setup a policy.
15 MS. ELDER: Uh-huh.
16 MR. GALLOWAY: But I never
17 followed up, you know. Do a walk
18 through. You know, they tell you
19 one thing and then I like to go look
20 in the basement to see how clean it
21 really is.
22 MS. ELDER: Right.
23 MR. GALLOWAY: But I didn't
24 know if -- I used a civil support
25 team one time to clean up an old

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1 barn that had ten drums of DDT in it
2 and nobody wanted the DDT and they
3 used it for a training exercise.
4 MS. ELDER: Uh-huh.
5 MR. GALLOWAY: But it was
6 -- that would be some projects I
7 would like to see.
8 MS. ELDER: Right.
9 MR. GALLOWAY: And I would
10 be -- we could use it as training or
11 planning or whatever. But we'd
12 actually get something done. I mean
13 we could clean up a university of
14 whatever --
15 MS. ELDER: Right.
16 MR. GALLOWAY: -- you know,
17 we should know where are stuff is at
18 and just see when is the last time
19 it's been cleaned up. Industry tends
20 to do a better job at it.
21 MS. ELDER: Uh-huh.
22 MR. GALLOWAY: There's some,
23 what I call in-between folks, that
24 don't always clean up their chemicals
25 like you would expect.

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1 MS. ELDER: Right. Right.
2 MR. GALLOWAY: What
3 triggered that was I saw the
4 pesticide removal that the AG's do.
5 Once a year they -- you can bring in
6 your unwanted pesticides and there's
7 a process to dispose of it properly
8 and so forth, they use the same
9 chemical companies we do.
10 MS. ELDER: Uh-huh. Yeah.
11 MR. GALLOWAY: But just pick
12 a industry or a segment and do
13 projects with them or do exercises
14 with them, you know.
15 MS. ELDER: Well, you know,
16 I think what you need to do is just
17 come up with a plan and --
18 MR. NISWANDER: I think he'd
19 be shocked at how many schools have
20 stuff. And the reason I say that is
21 what he said, a new principal or
22 whatever comes in and they buy new
23 chemicals, the old is put in the
24 basement, A, because they know they
25 can't dispose of it; they don't want

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1 to pay to dispose of it.
2 MS. ELDER: Right.
3 MR. NISWANDER: So it sets
4 down there until somebody has a
5 better idea.
6 MR. GALLOWAY: Well, what
7 happens when you -- well, they can
8 do lab packs, which they can get rid
9 of a bunch of things all at once
10 instead of disposing each one as a
11 separate container. And that's a lot
12 cheaper and then if they do it every
13 year they have less volume.
14 MS. ELDER: Right.
15 MR. GALLOWAY: And then it
16 becomes a budget item instead of an
17 expense --
18 (Multiple voices)
19 MR. GALLOWAY: -- where they
20 clean it up all at once. So I --
21 those are just some ideas, you know,
22 I was talking about the prevention
23 side as opposed to --
24 MS. ELDER: Yes.
25 MR. GALLOWAY: -- we'd be

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1 cleaning up something before it
2 happens instead of getting good at
3 responding after it happens.
4 MS. ELDER: Right.
5 MR. GALLOWAY: That's just
6 an idea.
7 MS. ELDER: And that's a
8 great idea, we'll just have to think
9 about if there is a way to implement
10 that. Well --
11 MR. NISWANDER: I will get
12 with you on dates in January --
13 February or maybe you can give me a
14 Thursday that you have open and I'll
15 get you in that -- take advance of a
16 Council meeting.
17 MR. BERGMAN: Okay.
18 MR. NISWANDER: We have
19 trucking companies from all over the
20 state there.
21 MR. BERGMAN: And do they
22 meet every month?
23 MR. NISWANDER: Yeah.
24 MR. BERGMAN: They meet
25 every month.

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1 MR. NISWANDER: Every month.
2 MR. BERGMAN: So -- okay.
3 MR. NISWANDER:
4 January/February would work great
5 because in March and April we start
6 doing stuff for the Truck Driving
7 Championship, which takes place the
8 end of May. So I kind of got those
9 filled up.
10 MR. BERGMAN: And they have
11 a specific Thursday each meeting?
12 MR. NISWANDER: The third
13 Thursday.
14 MR. BERGMAN: Third
15 Thursday.
16 MR. NISWANDER: But we can
17 all move our date to get you in --
18 MR. BERGMAN: And is it
19 always Oklahoma City?
20 MR. NISWANDER: It's
21 Oklahoma City or Tulsa.
22 MR. BERGMAN: Oklahoma City
23 or Tulsa.
24 MR. NISWANDER: Those two
25 months usually are Oklahoma City at

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1 the OTA building on 38th and Lindsay
2 or 36th and Lindsay.
3 MR. BERGMAN: Okay.
4 MR. NISWANDER: Right behind
5 the old (inaudible) bank.
6 MR. BERGMAN: I will -- I'm
7 sure that we have Steve's email,
8 don't we? I'll send you an email.
9 MR. NISWANDER: Okay.
10 MR. BERGMAN: And we can
11 start that discussion. Generally
12 January and February are a little
13 tough for me to get extra time.
14 MR. NISWANDER: If we have
15 to have it in March we can do it in
16 March, too.
17 MR. BERGMAN: But it might
18 be good in January and February
19 because there might be some Tier 2
20 reporting that's not happening.
21 MR. NISWANDER: That's what
22 I was thinking.
23 MR. BERGMAN: Yeah.
24 MR. NISWANDER: It might be
25 interesting because we have new

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1 people in there that have taken over
2 jobs from trucking companies that
3 probably have heard of Tier 2 but
4 have no clue --
5 MR. BERGMAN: No clue.
6 MR. NISWANDER: -- what --
7 MR. BERGMAN: So probably
8 better do it in January.
9 MR. NISWANDER: Yeah. That
10 would be interesting.
11 MR. BERGMAN: Okay. Well,
12 I'll send you an email soon --
13 before the days out on that one.
14 MR. NISWANDER: Okay.
15 MS. ELDER: Okay. So we
16 have no further discussion.
17 Do we have any new business?
18 Okay.
19 I'll entertain a motion to
20 adjourn.
21 MR. GALLOWAY: I'll make the
22 motion.
23 MS. ELDER: Okay. Do I
24 have a second?
25 MR. DAVIS: Second.

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1 MS. ELDER: All in favor
2 signify by saying aye.
3 COMMISSIONERS: (Unanimously)
4 Aye.
5 MS. ELDER: Opposed same
6 sign.
7 (No verbal response)
8 MS. ELDER: All right. We
9 are adjourned.
10 (Meeting Adjourned)

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1 C E R T I F I C A T E

2 STATE OF OKLAHOMA)

3) ss:

4 COUNTY OF OKLAHOMA)

5 I, CHRISTY A. MYERS, Certified

6 Shorthand Reporter in and for the

7 State of Oklahoma, do hereby certify

8 that the above meeting is the truth,

9 the whole truth, and nothing but the

10 truth; that the foregoing meeting was

11 taken down in shorthand and

12 thereafter transcribed by me; that

13 said meeting was taken on the 27th

14 day of November, 2012, at Oklahoma

15 City, Oklahoma; and that I am neither

16 attorney for, nor relative of any of

17 said parties, nor otherwise

18 interested in said action.

19 IN WITNESS WHEREOF, I have

20 hereunto set my hand and official

21 seal on this, the 11th day of

22 December, 2012.

23 *Christy Myers*

24 CHRISTY A. MYERS, C.S.R.

25 Certificate No. 00310

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**OKLAHOMA HAZARDOUS MATERIALS
EMERGENCY RESPONSE
COMMISSION
Attendance Record
November 27, 2012
Oklahoma City, Oklahoma**

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