



KENTUCKY EMERGENCY RESPONSE COMMISSION

BIMONTHLY
NEWSLETTER

ISSUE 8
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Updated List of KERC Approved Expenditures for LEPC Grant Funds:

Video Teleconference (VTC) Software:

With the current in-person meeting guidelines from the Governor's office, the KERC approved, at the May 21, 2020 meeting, the purchase of VTC software for use by LEPCs. VTC software has been added to the Approved Expenditures list. **NOTE:** LEPCs are required to have written minutes of VTC meetings as well as in-person meetings submitted to SharePoint.

Aristatek PEAC Software:

At the July 15, 2020 meeting, the KERC voted to allow LEPCs to purchase Aristatek PEAC Software with LEPC funding up to 100%. PEAC Software has been added to the Approved Expenditures list.

New Annual Certification Letter (ACL) Plan Status Terminology:

At the July 15, 2020 meeting, the KERC approved eight (8) ACL plan status definitions. The definitions are:

Minor Technical Change: A plan that has prior KERC approval, but includes changes in chemical information that do NOT materially affect response operations in the event of a release of an EHS. Example - A change in the quantity of the EHS chemical that does not affect the Vulnerable Zone (VZ)

Major Technical Change: A plan that has prior KERC approval, but includes changes in chemical information that materially affect response operations in the event of a release of an EHS. Example - A change in the quantity of the EHS chemical that may cause an increase or decrease in the radius of the Vulnerable Zone (VZ). **Requires KERC Approval

Under Development: A new plan that is not complete, or is complete but has not been reviewed, approved by the KERC Planning Committee, and ratified by the KERC. Example- A new facility reports a Tier II during the current Tier II reporting year and is above the Threshold Planning Quantity (TPQ). **Requires KERC Approval

Administrative Change: A plan that has prior KERC approval, but has changes in Personal Identifiable Information that do not materially affect response operations in the event of a release of an EHS. Example - A change in the name and phone number of an emergency contact for the facility

No Change: A plan that has prior KERC approval and has not been changed since its last plan review. Example - A plan that has been submitted and approved by the KERC Planning Committee. The plan should have a KERC approval date listed

Deleted: An obsolete plan. ACL should include the date and reason the plan was deleted. Deleted plans do not count toward the KERC Fee Account Grant distribution formula. Deleted plans should remain on the ACL for one year. Example - A closed facility

No EHS: An optional plan created by the LEPC for a facility that does not house any EHSs. These plans do not count toward the KERC Fee Account Grant distribution formula. Example- A plan created for a facility close to a school

Reserved: A plan that has prior KERC approval, but cannot be reviewed due to a lack of current Tier II reporting from the facility. The plans remain in active status until the facility submits the necessary Tier II and the LEPC can review for new status. LEPC must work with State EHS Planner to encourage compliance from facility. Plans do not count toward the KERC Fee Account Grant distribution formula

State Emergency Operations Center (SEOC) COVID-19 Response

Director Michael Dossett shared at the July 2020 KERC meeting the SEOC has been activated for 130 days of which 100 days were at Level 3. The SEOC is now at Level 4. The SEOC has assisted and supported ESF 8 Department of Public Health (DPH), DPH Commissioner Dr. Steven Stack, and Governor Andy Beshear. DPH's State Health Operations Center (SHOC) relocated to the SEOC during the Level 3 activation.

Notes from the 2020 KERC Meetings:

- Tier II Manager Accounts have been purchased for fire departments. Of 798 fire departments, 233 have registered. The remaining 565 departments need to register as their licenses have been paid for by the KERC. ***Please encourage the fire departments in your jurisdiction to register if they have not done so***
- Deadlines for Tier II Documentation and Distribution have been extended due to COVID-19
 - * **September 28, 2020: Annual Certification Letter due**
 - * **September 28, 2020: LEPC Budget due**
 - * **October 28, 2020: LEPC Tier II Funds Distribution**
- For a complete listing of LEPC requirements by date, please see the LEPC Documentation Calendar on page 3 of this newsletter
- At the July 2020 KERC meeting, the KERC approved to allow LEPCs to reallocate their remaining 2020 funds to their 2021 budget cycle

KERC Meeting Minutes: To request a copy of KERC meeting minutes, email Russell Cole at russell.cole11.nfg@mail.mil. Minutes must be approved by the KERC before release



Upcoming KERC Meeting Dates:

Wednesday, September 23, 2020 @ 10:00am

Due to considerations for the COVID-19 pandemic the KERC meeting will be held in a virtual Zoom format.

Wednesday, November 18, 2020 @ 10:00am

Due to considerations for the COVID-19 pandemic the KERC meeting will be held in a virtual Zoom format.

KERC Contacts:

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KENTUCKY EMERGENCY RESPONSE COMMISSION



LEPC Documentation Calendar:

January

- Upload documentation of expenditures, bank statements, and update the LEPC Bank Ledger in the WebEOC LEPC Dashboard at least quarterly. Invoices and receipts should be uploaded with bank statements for the timeframe the money was spent. All bank statements should be uploaded individually. The final due date for submissions of documents from the final quarter of the preceding year shall be no later than January 31

**Note: LEPCs must meet at least twice per year (once if no EHS in the planning district) and upload meeting minutes to the WebEOC LEPC Dashboard within thirty (30) days of the meeting, including video teleconference (VTC) meetings

February

- No later than February 28, fill out the LEPC Grant Application in the WebEOC LEPC Dashboard. Print, sign, and upload the application

March

- Facilities must submit by March 1: 1) Their annual Tier II Reports; AND 2) A Facility Annual Certification Letter (FACL)

**Note: The FACL must state: 1) There are no changes to the EHS Plan; OR 2) The EHS Plan has been revised and the revisions are included with the FACL

April

- **EXTENDED TO September 28, 2020** No later than April 1, review the EHS Facility Emergency Response Plans and fill out an Annual Certification Letter (ACL) in the WebEOC LEPC Dashboard stating: 1) There were no changes; OR 2) The plan has been revised and revisions are included with the ACL

May

- **EXTENDED TO July 30, 2020** No later than May 31, the KERC will email the Eligible / Ineligible letter to LEPC

June

- **EXTENDED TO SEPTEMBER 28, 2020** No later than June 30, fill out the LEPC Detailed Budget in the WebEOC LEPC Dashboard identifying how the funds requested on the LEPC Grant Application are to be spent

June-July

- The KERC Fee Account Grant Fund Contract will be emailed to all eligible LEPCs. Print, sign in blue ink required pages, and mail the contract to the LEPC Program Coordinator

July

- **EXTENDED TO OCTOBER 28, 2020** No later than July 30, the KERC will distribute KERC Fee Account Grant awards

November

- No later than November 30, publish public information on committee activities entitled "Public (Legal) Notice Advertisement"
- No later than November 30, in the WebEOC LEPC Dashboard, update the LEPC Membership List and LEPC Membership Cover Page. Name, agency, email address, phone number, and LEPC role should be entered for all members
- No later than November 30, in the WebEOC LEPC Dashboard, upload the LEPC Bylaws, with certification stating: 1) There were no changes; OR 2) The LEPC Bylaws have been revised and the revisions are included. Bylaws or certification must be signed and dated by the Chair of the LEPC each year
- No later than November 30, in the WebEOC LEPC Dashboard, update the LEPC Personal Property Inventory for all items valued over \$500

December

- No later than December 31, in the WebEOC LEPC Dashboard, upload a photocopy of the "Public (Legal) Notice Advertisement" published or "Affidavit of Publishing." The name and the date of the newspaper must be clearly shown