

AGENDA
MONDAY, JANUARY 29, 2024 – 8:30 A.M.
LEPC COMMITTEE OF
OCONTO COUNTY BOARD OF SUPERVISORS
LEC CONFERENCE ROOM – NORTH/SOUTH
301 WASHINGTON STREET, OCONTO WI 54153
www.co.oconto.wi.us

This is an open meeting of a Standing Committee of the Oconto County Board of Supervisors. Notice of this meeting was given to the public at least twenty-four hours prior to the meeting, by forwarding the complete agenda to the newspapers and to all news media who have requested the same as well as by posting. Copies of the complete agenda were available for inspection at the Office of the County Clerk and from the County's website calendar: www.co.oconto.wi.us

- 1.** Approval of Agenda
Change of Sequence
Removal of items
- 2.** Approval of Previous Meeting Minutes (Enc.)
- 3.** Communications
- 4.** LEPC Members List Review and Approve (Enc.)
- 5.** LEPC Chair and Vice Chair Elections
- 6.** Review and Approve Bylaws (Enc.)
- 7.** Discuss and Approve EPCRA Compliance Inspector
- 8.** Off-Site Plans Facilities List for 2024
- 9.** 2023 Spill Report for Oconto County(Enc.)
- 10.** Hazardous Material Response Team
- 11.** Hazardous Material Clean Up - Valley Environmental
- 12.** Informational Items
- 13.** Set Next Meeting Date
- 14.** Adjournment

"If you are an individual with a disability and need a special accommodation while attending this meeting, as required by the Americans with Disabilities Act, please notify the County Clerk, Kim Pytleski, Oconto County Courthouse (920) 834-6806 at least 24 hrs. Prior to the meeting in order to make suitable arrangements." Thank you. (TDD # 920-834-7045)

c: Committee, County Board Chair, County Board Vice Chair, Bulletin Board (Post), Media, County Clerk, County Website, Sheriff, Emergency Management Director & Safety Manager

Date Posted: 1/18/2024

JS/rmw

MINUTES
MONDAY, SEPTEMBER 25, 2023 – 8:30 A.M.
LEPC COMMITTEE OF
OCONTO COUNTY BOARD OF SUPERVISORS
LEC SOUTH CONFERENCE ROOM
301 WASHINGTON STREET, OCONTO, WI 54153-1699
www.co.oconto.wi.us

Draft minutes, not approved by Committee

COMMITTEE PRESENT: Heather Blum, Tim Cole, County Board Supervisor; Kathy Goldschmidt, Deputy County Clerk; Jay Heckel, City of Marinette Fire Chief; Brandon Hytinen, Oconto County Highway Commissioner; Larry Kaszynski, WOCO Radio; Debbie Konitzer, LEPC Chair, Oconto County Health & Human Services Manager; Tim Magnin, City of Oconto Falls Fire Chief; Beth McCormick, Valley Environmental Response; David Parmentier, County Board Supervisor; Al Sleeter, County Board Chair; Jon Spice, Oconto County Emergency Management Director

ALSO PRESENT: Sharon Aubry, Administrative Assistant III ADM/HR/EM; Erik Pritzl, County Administrator

Chair Konitzer declared a quorum present at 8:30 a.m.

- 1. Approval of Agenda**
Change of Sequence – None.
Removal of items – None
Motion by Parmentier/Cole to approve agenda as amended. The motion was voted on and carried.
- 2. Approval of Previous Meeting Minutes**
Motion by Sleeter/Parmentier to approve the minutes of the April 24, 2023 meeting as presented. The motion was voted on and carried.
- 3. Communication** – None
- 4. Off-Site Plans Discussion and Possible Action**
McCormick reviewed the off-site plans completed and walked the Committee through what the plans contain. McCormick reports there has been a struggle getting accurate up to date information from Bel Gioioso. Discussion followed. Motion by Parmentier/Sleeter to schedule an on-site walk through at Bel Gioioso in 2024 and to schedule/pay for McCormick to attend the walk through as well. The motion was voted on and carried.
- 5. 2023 Spill Report for Oconto County**
Spice reviewed the spill report with the Committee. Spice also reports that since the agenda was sent out there is one additional spill to report at the BP in Lakewood, approximately 7 gallons of gasoline was spilled but never left the paved area.
 - 5.1 Saputo**
Spice reports he has not been notified of any further spills/issues at Saputo. Discussion followed.
- 6. Hazardous Material Response Team**
Chief Heckel reports that the computer and equipment has been ordered and received that was paid for as part of the Haz-Mat grant.
- 7. Hazardous Material Clean Up – Valley Environmental**
McCormick reports no clean ups as of yet this year.
- 8. Informational Items (No Action to Be Taken)**
 - Strategic Plan Update – Nothing to update
 - IPP (Integrated Preparedness Planning) – Spice
 - Konitzer reports she will be retiring from Oconto County the first week of January. Committee thanked Konitzer for her years of service.
- 9. Set Next Meeting Date**
January 29, 2024 @ 8:30. Pennings will bring equipment and trailer for review.
- 10. Adjournment** - The meeting was adjourned by the Chair at 9:36 a.m.

Counsel LOCAL EMERGENCY PLANNING COMMITTEE (LEPC) MEMBERSHIP

Name	Group	Agency / Organization	Appointment Date	LEPC Position
WI. NE Regional Office	1	WEM	9/29/2020	State Guidance
Al Sleeter	1	Oconto County Board Chair	9/29/2020	Elected Official
Erik Pritzl	1	Oconto County Administrator	1/1/2022	County Administrator
Todd Skarban	2	Sheriff	9/29/2020	Law Enforcement
Jon Spice	2	Oconto County Emergency Management	9/29/2020	LEPC Sec. & Info.
Debra Konitzer	2	Oconto County HHS	9/29/2020	LEPC Chair
Josh Bostedt	2	Oconto Fire & Rescue Department	9/29/2020	EMS First Aid
Jaelyn Staidl	2	Oconto County HHS	9/29/2020	Preparedness & Health
Paula Bake	2	St. Clare Hospital Oconto Falls	9/29/2020	Health-Hospital
Brandon Hytinen	2	Oconto County Highway Commisioner	9/29/2020	Transportation
Tim Cole	2	Oconto County Board	8/1/2022	Local Environmental
Larry Kaszynski	3	WOCO Radio	9/29/2020	Broadcast Media
Kim Pytleski	3	Oconto County PIO	1/31/2022	Print Media - County PIO
Mike Rehberg	4	Oconto Police Chief	9/29/2020	Community Groups
Bob Bake	5	Oconto-Local Facilities	9/29/2020	LEPC Vice Chair
Gene Prellwitz	2	Valley Environmental	9/29/2020	Resource Maintenance-Haz-Mat
Jay Heckel	2	Marinette Fire Chief	9/29/2020	Resource Maintenance-Haz-Mat
John Pennings	2	Marinette Fire Assistant Chief	9/29/2020	Alt. Resource Maintenance- Haz-Mat
Darren Laskowski	2	Oconto Sheriff's Office	8/1/2022	Alt. law Enforcement
Troy Sherman	2	Oconto Sheriff's Office	8/1/2022	Alt. law Enforcement
Tim Magnin	2	Oconto Falls Fire Department	9/29/2020	Alt. EMS First Aid
Vanessa Hasenberg	2	Oconto County Highway Department	9/29/2020	Alt. Ttransportation
Dave Parmentier	2	Oconto County Board	9/29/2020	Alt. Local Environmental
Kevin Strom	5	KCS International Oconto	9/29/2020	Alt. Local Facilities
Kathy Goldschmidt	3	Oconto County PIO	1/31/2022	Alt. Print Media - County PIO
Beth McCormick	2	Valley Environmental	1/31/2022	Alt. Resource Maintenance - Haz-Mat/Compliance Inspector
Heather Blum	2	Oconto County HHS	1/31/2022	Alt. Oconto County HHS

OCONTO COUNTY

LOCAL EMERGENCY PLANNING COMMITTEE

Rules of Operation and By-Laws

1. Preface:

The County Local Emergency Planning Committee (LEPC) serves the Oconto County Local Planning District which was established by the Wisconsin State Emergency Response Commission on 17 July 1987. The LEPC was confirmed on 9 September 1987 by the State Emergency Response Committee, presently known as the State Emergency Response Board (SERB). These rules of operation are promulgated under directive of SARA, Title III, Section 301(c). All meetings will be held in conformance with Wisconsin's Open Meetings Laws and County Ordinances.

2. Legal Basis:

The LEPC By-Laws have been developed and formatted from the following mandates:

- Emergency Planning and Right-to-Know Act (EPCRA) of 1986, Superfund Amendment Reauthorization Act (SARA), Title III 42 U.S.C. 11001-11050
- **10/21/2009 State of Wisconsin Statutes 323.14** Emergency Planning – Duties of Counties
- **10/21/2009 State of Wisconsin Statutes 323.60** Emergency Planning – Duties of Committees
- Oconto County Code of Ordinances – The Governing Body 2.115 Reference to Procedures and Rules during County meetings

3. Definitions:

“Board” means the State Emergency Response Board (SERB) created under s. 15.105(20), Wis.Stats.

“Committee” means a local emergency planning committee created pursuant to s. 59.54(8) (a) 1997-98 Wis. Stats.

“County Emergency Management Committee” means the committee created under **323.14** Wis. Stats.

4. Positions, Appointments, and Elections:

a. Chairperson and Vice Chairperson

In accordance with the requirements of Title III, Section 301 (c) a Chairperson and Vice-Chairperson will be elected by the committee. The Chairperson and Vice-Chairperson of the LEPC shall serve a two-year term unless replaced earlier according to the terms of these by-laws. Elections for these two offices shall be held at the July meeting of the LEPC in even numbered years, and said term of office shall commence on August 1st in even numbered years and expire on July 31st. in even numbered years. LEPC meetings will be presided over by the Chairperson who must be a member of the Committee. Only one elected position in the LEPC will be held by the Chairperson.

The Vice-Chairperson will carry out the duties and responsibilities in the absence of the Chairperson and will hold only one elected position in the LEPC. In the event the Chair and Vice-Chair are absent and there is a quorum, a Temporary Chairperson may be elected by members present to Chair the current meeting.

b. Oconto County Emergency Coordinator

In accordance with the requirements of SARA Title III, Section 301 (c) (3) Emergency Planning and Notification, the Oconto County Emergency Coordinator will be designated by the (LEPC) Committee per **323.60** Wis. Stats. and will serve at the pleasure of the Committee. The Oconto County Emergency Coordinator will undertake those duties as assigned by the county's hazardous material plan created under SARA Title III, and other responsibilities and duties assigned by SARA Title III, Section 303 (Notification) and the (LEPC) Committee. The Oconto County LEPC has designated the County Emergency Management Director as the Oconto County Emergency Coordinator due to the Coordinator's involvement with the LEPC through County funding of SARA monies issued by the State and reviewed by the County Emergency Management Committee.

c. Coordinator of Information

In accordance with the requirements of SARA Title III, Section 301 (c), a Coordinator of Information will be designated by and serve at the pleasure of the Local Emergency Planning Committee. The Coordinator of Information will undertake those duties as outlined under SARA Title III, Section 301 (c) and other responsibilities and duties assigned by the Committee. A Deputy Coordinator of Information may also be designated by the LEPC. The Oconto County LEPC has designated the County Emergency Management Director or Deputy as the Oconto County Coordinator of Information due to the Coordinator's involvement with the LEPC through County funding of SARA monies issued by the State and reviewed by the County Emergency Management Committee.

d. Secretary

The Committee Chairperson or head of any Committee or Sub-Committee shall designate a Secretary to assure proper minutes are kept of all meetings. Such minutes shall be forwarded to the Coordinator of Information for the required distribution. These minutes will include a roll call and all motions made during the open meeting as protocol designates through Roberts Rules of Order, Oconto County Code of Ordinances (2.115).

5. Meetings:

a. Policy

All meetings conducted by the LEPC, its Committees or Sub-Committees, in order to ensure an informed public, will be conducted in conformance with the Wisconsin State Statutes pertaining to the Open Meetings Laws. These laws include providing a public meeting notice issued 24 hours in advance (Wis. Stat. 19.84 (3)), and preserving the minutes of each meeting (Wis. Stat. 19.88 (1)).

b. Location

The LEPC will establish a normal meeting location within Oconto County. Meetings which require jointly related business or coordination of activities with other LEPCs of the SERB will be the exception. All meetings will be held in conformance with the Open Meetings Laws.

c. Dates and Times

A normal meeting time and date will be selected by the Committee and may be held quarterly January, March, July, and September, (or at least annually per state or federal requirements). The Chairperson may call special meetings with at least seventy-two (72) hours public notice prior to the event.

d. Emergencies

When a release of a substance covered by the notification requirements of Title III, Section 304 has occurred, is occurring, or is imminent, an emergency meeting (in accordance with WI Stats. 19.84 (3)) of the LEPC may be called by the Chairperson. All reasonable attempts will be made

through the media to notify the public of the meeting and the agenda of such meetings will be limited to the present emergency conditions.

6. Agenda Items:

Agenda items will be submitted at least five (5) working days prior to meetings to the Coordinator of Information. The agenda will be organized and distribution made to Committee Members, the media and others upon request at least twenty-four (24) hours prior to the meeting.

7. Public Involvement:

The agenda of every LEPC meeting will include time for public input and comments on a first-come, first-served basis. Comments may be limited to a certain time frame and public input above thirty (30) minutes per meeting approved by a majority roll call of the committee. The LEPC shall not act on comments made during public comment section of the agenda and that if action is needed, shall place the matter on the next agenda for discussion and action in compliance with the open meeting laws.

8. Quorum:

Fifty percent (50%) of the Members should be in attendance at any meeting of the LEPC to constitute a quorum. In the absence of a Member causing an Alternate Member to be entitled to vote, the Alternate Member shall count towards the quorum. In the event that less than 50% of Members and Alternate Members as stated above are present, but at least 33 1/3% of them are in attendance, the Chairperson or Vice-Chairperson may, for the purpose of conducting LEPC business at that meeting, declare a quorum to be present.

9. Voting:

A majority vote of Members present where a quorum exists will be needed for passage. Alternate Members approved by the SERB who are attending a committee meeting in the absence of primary Members will have voting rights. Associate members are non-voting members of the LEPC.

10. Membership:

a. Nominee

Any member of the LEPC may, orally or in writing, nominate a person for membership following annual appointment by County Board, provided that such nominee shall have the qualifications to represent one of the following groups: Group I: Elected Officials; Group II: Law Enforcement, Emergency Management, Firefighting, Health Services, First Aid, Hospital, Environmental Organizations, Transportation; Group III: Print and Broadcast Media; Group IV: Community Groups; Group V: Facility Owner/Operators. Upon approval by the LEPC, the person's name shall be submitted to the SERB and upon confirmation by the SERB shall become a member of the LEPC. The membership, excluding alternates, on the LEPC may not at any given time exceed 30 persons.

b. Automatic Membership

By virtue of office, the person holding the position of Oconto County Emergency Management Director shall automatically become a member of the LEPC. Also, the person holding the position in charge of the Hazardous Materials Response Team (representative of contracted service Marinette Fire Haz-Mat and Valley Environmental) will automatically become a member of the LEPC. This will ensure continuous representation of the HazMat Team.

c. Status

Full membership and Associate membership is recognized in the LEPC. Due to time constraints and distance traveled, the LEPC Chairperson may award some members an Associate member title to remain on the committee. The status of an Associate membership is given to keep open, two-way communications in the fields represented. This associate status

fulfills federal requirements and also provides a continuous flow of information to and from local LEPC members.

d. Attendance

Any member who shall fail to attend four (4) consecutive meetings of the LEPC without being excused from any such meeting by an officer, or without having been represented by his or her alternate, shall cease to be a member of the LEPC. The member shall be notified by the Committee Chairperson, in writing, of their removal from the committee. A copy of the letter shall also be sent to the individual's sponsoring agency.

11. Alternates:

Each member of the LEPC may nominate one Alternate Member from his or her Group, who, upon confirmation by the LEPC and SERB, shall be entitled to attend and participate in all meetings of the LEPC. Alternate Members may not vote on LEPC matters unless the LEPC member who nominated him or her is absent.

12. Minutes of Meetings:

Once approved, distribution of minutes of all meetings conducted by the LEPC, its Committees or Sub-Committees, will be filed by the Coordinator of Information to Committee Members, Heads of Government within Oconto County including the County Clerk Office, the County Administrative Coordinator Office, the Chairman of the County Board and the Northeast Regional Coordinator of Wisconsin Emergency Management and others upon request.

13. Amendments of the Rules of Operation:

Amendments to the subject rules can be made at any regularly scheduled or special meeting of the LEPC as an agenda item with a majority roll call vote of an established quorum.

14. Hazardous Materials Emergency Plan (HMEP):

Distribution of the Emergency Plan: The HMEP manual is maintained in the Emergency Management Office, 301 Washington Street, Oconto, WI. It is available for review during normal business hours. Two copies are available to be signed-out to LEPC members.

Off-site plans to the HMEP are also maintained at the Emergency Management Office for public review. Completed off-site plans shall be distributed, at a minimum, as follows:

- a. A copy to the facility for which the plan was written
- b. A copy to the local fire department with jurisdiction over the planning facility
- c. A copy to the appropriate NE WEM Regional Office
- d. A file copy for the appropriate County Emergency Management Office(s)
- e. Copies to other entities as appropriate

The HMEP is reviewed annually per requirements of 42 CFR, §11003 (Section 303).

15. Designation of LEPC Compliance Inspector:

The LEPC designated compliance inspector is selected from the Wisconsin Emergency Management State Agency list. These inspectors are state trained for local enforcement of federal fixed facility sites. LEPC members can **volunteer** to go through certification to meet the requirements of an inspector and be added to this list. Each designation is a two-year term from date of certification. The State list is revised annually.



Oconto County Spill Summary January 2022 to December 2023

2022

- 1- 3/13/2022 Gasoline/Oil spill, 4925 Spirea Ln. 25 gallons (Town of Stiles)
- 2- 3/16/2022 Gasoline spill, 13937 Silver Hill Rd. 35 gallons (Town of Mountain)
- 3- 3/26/2022 Gasoline spill, 5070 HWY 141. 6 gallons (Town of Stiles)
- 4- 4/26/2022 Gasoline spill, 274 McDonald st. Unknown (City of Oconto)
- 5- 5/09/2022 Hydraulic Oil spill, Liegeois Rd. 5 gallons (Town of Abrams)
- 6- 6/28/2022 Sewage Leak, 7828 County Rd Y. Unknown (Town of Little River)
- 7- 8/10/2022 Treated Waste Water, Saputo, Rosera St. unknown (Village of Lena)
- 8- 8/22/2022 Firefighting Foam, Barn Fire, 5100 Cty Rd R (Town of Underhill)
- 9- 8/25/2022 Concentrated Lactose, Saputo, Rosera St. unknown (Village of Lena)
- 10- 8/30/2022 Wastewater, Saputo, Rosera St. 80 gallons (Village of Lena)
- 11- 8/30/2022 Wastewater, Saputo, Rosera St. 50 gallons (Village of Lena)
- 12- 9/03/2022 Synergex diluted wastewater, Saputo, Rosera St. 6000 gallons (Village of Lena)
- 13- 10/16/2022 Mix Gas and Oil, Co Rd S and Fish House Rd, 2 gallons (Pensaukee)
- 14- 11/17/2022 Diesel Fuel, 41 S. of Erdman Rd NB, 60 gallons (Pensaukee)
- 15- 11/29/2022 Wastewater, Saputo, Rosera St. unknown amount, (Village of Lena)
- 16- 12/09/2022 Sewage, 3217 HWY 32, unknown amount, (City of Gillett)
- 17- 12/13/2022 Wastewater 420 W Railroad St. 100 gallons (Village of Lena)

2023

- 1-2/12/2023 Waste oil , Sundew Rd & Lower Rd. unknown (Village of Little Suamico)
- 2-4/15/2023 Unkn substance (pos. Hyd. Oil), 5250 CTH N, unknown (City of Oconto)
- 3- 5/11/2023 Wastewater, Saputo, Rosera St. unknown amount, (Village of Lena)
- 4- 5/18/2023 Liquid Fertilizer, STH 22@Highland Dr. 15 gallons, (City of OF)
- 5- 5/31/2023 Liquid Fertilizer, 6712 CTH G, 100 gallons, (Town of Gillett)
- 6- 7/16/2023 Hydraulic Oil, STH 22 @ Larsen Rd., 17 gallons, (Town of Stiles)
- 7- 8/01/2023 Gasoline, 8814 STH 22, 10-15 gallons, (Town of Oconto Falls)
- 8- 8/07/2023 Mineral Oil, 128 STH 32, 6 gallons, (Village of Suring)
- 9- 9/18/2023 Misc. gas and oil, Iron Horse recycling, unknown, (City of Gillett)
- 10- 9/21/2023 Gasoline, 15236 STH 32, 9 gallons, (Town of Lakewood)

**Complete Reports of all Spills on File at the Office of Oconto County
Emergency Management 920-834-6850**