

AGENDA
TUESDAY, APRIL 29, 2025 – 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. EPA On Scene Coordinator
5. Review and Approve Bylaws (Enc.)
6. 2025 Spill Report for Oconto County (Enc.)
7. Hazardous Material Response Team
8. Saputo- Lena Training
9. Hazardous Material Clean Up - Valley Environmental
10. Informational Items
11. Set Next Meeting Date
12. 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: 4/22/2025

JS/rmw

MINUTES
TUESDAY, JANUARY 28, 2025 – 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, Oconto County Public Health; Tim Cole, County Board Supervisor; Kathy Goldschmidt, Deputy County Clerk; Jay Heckel, City of Marinette Fire Chief; Jaelyn Scanlan, Oconto County Health & Human Services Manager; Tim Magnin, City of Oconto Falls Fire Chief; Beth McCormick, Valley Environmental Response; Travis Nummerdor, Valley Environmental; David Parmentier, County Board Supervisor; Bob Bake, LEPC Vice Chair; Jon Spice, Oconto County Emergency Management Director; Teresa Erler, WEM NE Director

ALSO PRESENT: Rachel Wilcox, Program Assistant LWCD/EM

Chair Magnin declared a quorum present at 8:31 a.m.

- 1. Approval of Agenda**
Change of Sequence – None
Removal of items – None
Motion by Cole/Bake to approve agenda. The motion was voted on and carried.
- 2. Approval of Previous Meeting Minutes**
Motion by Spice/Scanlan to approve amended minutes to state that County Board Supervisor Parmentier was present at the October 29, 2024, LEPC Meeting. The motion was voted on and carried.
- 3. Communication – NONE**
- 4. LEPC Members List Review and Approve**
Motion by Spice/McCormick to add Travis Nummerdor as an alternate for Valley Environmental. The motion was voted on and carried.
- 5. Review and Approve Bylaws**
Request to amend the by-laws to change chair and vice chair elections. Chair elections will be done on the even years and vice chair elections the odd years. Changes will be brought to the committee at the next LEPC meeting for approval.
- 6. Discuss and Approve EPCRA Compliance Inspector**
Motion by Cole/Parmentier to approve McCormick remaining EPCRA Compliance Inspector. Motion was voted on and carried.
- 7. Off-Site Plans Facilities List for 2025**
A new facility was added in 2025. Discussion held. Informational only, no formal action taken.
- 8. 2024 Spill Report for Oconto County**
Spice reviewed the spill report with the Committee. Informational only, no formal action taken.
- 9. Hazardous Material Response Team**
Chief Heckel reported about the Hazardous Materials Refresher was well attended, the equipment being purchased through the Computer Hazmat Grant, gave an update on the State Chiefs Meeting as it relates to the hazardous materials team.
- 10. Hazardous Material Clean Up – Valley Environmental**
McCormick reported that there were no spills in Oconto County that required Valley Environmental for clean-up in 2024.
- 11. Informational Items (No Action to Be Taken)**
NONE
- 12. Set Next Meeting Date**
April 29, 2025 @ 8:30.
- 13. Adjournment** - The meeting was adjourned by the Chair at 8:57 a.m.

Rachel Wilcox, Recorder

Date Posted 01-28-2025

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 1st LEPC meeting of the year, in even numbered years for chair and in odd numbered years for the vice chair, and said term of office shall commence on January 1st in even numbered years for the chair and in odd numbered years for vice chair and expire on December 31st. 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 (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 2024 to December 2025

2024

- 1- 1/26/2024 Wastewater, Saputo, Rosera St. unknown amount, (Village of Lena)
- 2- 2/12/2024 Hydraulic Oil, Brehmer Rd, 5 gallons, (Town of Abrams)
- 3- 3/20/2024 Diesel, 5908 Duame Rd, 15 gallons, Kwik Trip (Town of Stiles)
- 4- 3/26/2024 Gasoline, 5905 Duame Rd, 23 gallons, Kwik Trip (Town of Stiles)
- 5- 4/3/2024 Wastewater Sludge, Saputo, Rosera St. unknown amount (Village of Lena)
- 6- 4/5/2024 Mineral Oil, 414 E. Main St., 20 Gallons, (Village of Lena)
- 7- 5/21/2024 Wastewater, Saputo, Rosera St. unknown amount (Village of Lena)
- 8- 7/10/2024 Manure, 8348 Goldhorn Rd. 1,000 gallons (Town of Brazeau)
- 9- 7/18/2024 Sewage, 7864 CTH Y, unknown (Town of Little River)
- 10- 7/22/2024 Diesel, USH 41&CTH W, 80 Gallons (Town of Little River)
- 11- 9/13/2024 Manure, 6613 Mueller Hill Rd, 55 Gallons (Town of Gillett)
- 12- 9/20/2024 Fertilizer, 9446 STH 22, unknown, (Town of Gillett)
- 13- 12/08/2024 Gasoline, 5908 Duame Rd, 5 Gallons (Town of Stiles)
- 14- 12/11/2024 Diesel, 5908 Duame Rd, 25 Gallons (Town of Stiles)

2025

- 1- 2/2/2025 Sodium Chloride (brine) 41&Frog Pond Rd, 700 Gallons (Town of Oconto)
- 2- 3/10/2025 Propane / Natural Gas 820 Arbutus, unknown, (City of Oconto)
- 3- 3/17/2025 Cooking Oil, CTH E & CTH C, 10 Gallons, (Town of Morgan)
- 4- 3/22/2025 4108 Pensaukee Bayshore Rd, 20 Gallons, Gasoline (Town of Pensaukee)
- 5- 4/3/2025 815 School House Rd, 11 Gallons, Mineral Oil (Town of Little Suamico)
- 6- 4/3/2025 16627 E. Bass Lake Ln., 10 Gallons, Mineral Oil (Town of Townsend)
- 7- 4/9/2025 420 W Railroad St, unknown, Wastewater/sludge (Village of Lena)
- 8- 4/15/2025 517 Smith Ave, 4 Gallons, Gasoline (City of Oconto)

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