

To: State Emergency Response Commission (SERC)

From: Cindy DeWulf, DAPC & SERC Co-Chair

Subject: February 13th, 2013 SERC Meeting Minutes

Date: March 26th, 2013

The February 13th, 2013 State Emergency Response Commission (SERC) meeting was called to order at the Ohio Emergency Management Agency by Cindy DeWulf, SERC Co-Chair (Ohio EPA).

13 Voting Members were present:

- Cindy DeWulf, Ohio EPA, SERC Co-Chair
- Nancy Dragani, Ohio EMA, SERC Co-Chair
- Tim Kern, AG Office
- Dan Fisher, Public Utilities Commission of Ohio
- Brian Galligher, LEPC Representative
- Steve Wagner, Ohio Department of Health
- Al Phillips, Ohio Department of Transportation
- Jeff Leaming, State Fire Marshal's Office
- Jack Pounds, Chemical Manufacturer Representative
- Clyde McKenzie, Fire Chief Representative
- Randy Van Dyne, Environmental Representative
- Willie Brantingham, Volunteer Firefighters' Representative
- Doug Johnson, Ohio Department of Natural Resources (Alternate)

4 Voting Members were not present

- Raenell Nagel, Environmental Representative
- Richard Hughes, Industry Representative
- Staff Lieutenant Kenneth Kocab, State Highway Patrol
- Rick Hoffman, Professional Firefighters' Representative

Members not appointed by Governor

- County Interest Representative (**Vacant**)
- Elected Official Representative (**Vacant**)

Waive the 24 Hour Rule:

Jack Pounds made the motion, seconded by Willie Brantingham, that the 24-hour rule be waived.

Record of Vote: 13 -For
 0- Against
 0- Abstain

Approval of December 12th, 2012 SERC Meeting Minutes:

Cindy asked for a motion to accept the December 12th, 2012 SERC meeting minutes. A motion was made by Jeff Leaming. Motion to accept was seconded by Al Phillips.

Record of Vote: 13 -For
 0 -Against
 0 -Abstain

SERC Committee Reports:

Executive:

Cindy DeWulf stated that the Executive Committee met prior to today's meeting.

Cindy mentioned that the financial disclosure report for SERC members is due by May 15th, 2013. The form(s) should be available on line and the SERC will be billed for the filing fee associated with this submission.

SERC has a few expired appointments that we are working on getting people reappointed or slots filled. Raenell Nagel has taken a new position within her organization and will be unable to continue serving on the SERC.

The committee discussed the draft language regarding the proposed change(s) to the exercise program under Chapter 3750. These changes shall be addressed under the EMA portion of the agenda.

Cindy gave an update to the committee on the web based E-Plan system. Ohio EPA has developed an E-Plan implementation guide, fact sheet, and will be setting up the authorization pathway to get people access to the system within their planning district. The method will be to have the state program authorize 1 or 2 people within each county to then in turn have the authorization authority to set-up people within their planning district jurisdiction. Outreach activities will have to take place and be coordinated with the LEPCs. LEPCs will have to formally adopt the E-Plan system to accept the web based system as a reporting option for facilities to report to the LEPC directly. These activities will continue throughout 2013. Nancy Dragani stated that the Ohio EMA liaisons can assist the outreach efforts since the field staff liaisons are out in the counties on a routine basis. Brian Galligher offered to draft up a sample LEPC resolution that we can share with the LEPCs to adopt the E-Plan system.

The SERC goal setting session may be scheduled for the April 2013 SERC meeting so that the committees can incorporate the E-Plan and exercise changes that are being proposed can be incorporated in their respective discussions.

Administrative & Funding:

The committee met prior to today's SERC meeting.

Cindy stated that the committee discussed a funding request from Brown County LEPC. They would like to use LEPC funds to contribute funding to sustain their county WebEOC within the regional WebEOC program. The cost is based on population per capita within the region and is approximately \$673 per year. Committee approved that the Brown County LEPC can provide a reasonable amount of funding to support the request as long as the system addresses hazmat issues and information management related activities.

Cindy mentioned that the SERC letter that will be drafted and eventually will be sent to the County Commissioners is slated for August 2013. The intent of the letter is to reintroduce the LEPCs and their activities that they are accomplishing within their planning district to their respective County Commissioners.

The committee was updated by Cindy on the E-Plan system that has been discussed earlier in this meeting.

Cindy noted that the committee discussed the impacts of the changes to the exercise program. If implemented, the committee will need to propose changes the funding formula.

Operations & Issues:

Brian Galligher stated that he had a recent conversation on cost recovery under 3745.13 of the Revised Code with Mark Rafeld (Ashland County). Brian requested Tim Kern (AGO) to contact the Ashland County Prosecutor to further assist Ashland County regarding this matter.

The committee decided to update the Ohio Hazardous Material Planning Document as the current program dictates, knowing that it can change once again when we see how the proposed change(s) to the exercise program come into play. Nancy Dragani moved the motion to adopt the document as presented by Brian Gallagher and knowing that it may be amended in the future based on the possible future changes to the exercise program under SERC. Jack Pounds seconded the verbal motion. Vote carried by a 13-0 majority. No discussion.

Training and Education:

The committee discussed the LEPC Conference questionnaire that was sent out. 62% felt that the SERC meeting held prior to the conference was of no value. 73% would like to see the LEPC Conference be coordinated with the statewide EMA Director's Conference timeframe in the fall. Location still would be at the State Fire Academy. Potential topics requested center on E-Plan, Commodity Flow Study, Facility Inspection,

Exercise Design, Railroad Incident regarding Ethanol and Grant Funding. Please contact the Committee if there is any other topics for agenda consideration.

Agency Reports:

EMA

Nancy Dragani stated that SERC members and the LEPCs, have received a draft copy of the proposed changes to the exercise language under both 3750 and 5502 of the Revised Code for comment. The purpose of the changes is to decrease the exercise requirements of the LEPCs to once every four years. Because the majority of County EMAs conduct the exercises with the LEPCs, Nancy stated that hazardous materials are being over-exercised, while other hazards are being under-exercised. County EMAs will continue to have annual exercise requirements under ORC 5502, and will have the flexibility to exercise other hazards, such as pipelines, floods, tornados, and terrorism. If the changes are adopted, the SERC will still have to address numerous administrative issues such as funding concerns that have been raised. EMA has outlined a 30-day written comment period and comments are directed to Rick Warren (EMA) and/or Cindy DeWulf (EPA). EMA's intent is to take the comments and have a final draft copy to present SERC at the April 10, 2013 meeting.

Ohio EMA indicates that there are **2 LEPC Exercises up for SFY 2013 Exercise Concurrence**. Dan Fisher made a motion to approve **Resolutions 2013-1 thru -2** as documented. Brian Gallagher seconded the motion. No discussion.

Record of Vote: 13- For
0- Against
0- Abstain

Nancy Dragani continued that there are **3 LEPCs up for SFY 2013 Plan Concurrence**. Clyde McKenzie made a motion to approve as documented. Randy Van Dyne seconded the motion. No discussion.

Record of Vote: 13- For
0-Against
0-Abstain

EPA

Cindy DeWulf introduced "**2011-2103 LEPC Membership Appointment**" **Resolutions 2013-6 through -15**, appointing new LEPC members for Clark, Coshocton, Gallia, Fulton, Hardin, Mercer, Morrow, Ross, Shelby and Tuscarawas County LEPCs. Willie Brantingham made a motion to approve. Brian Galligher seconded the motion.

Record of Vote: 13- For
0- Against
0- Abstain

LEPC meeting minutes were provided for Brown, Hardin, Darke, Gallia, Montgomery-Greene and Wayne.

ODNR: Nothing to Report.

PUCO: Nothing to Report.

Health: Steve Wagner indicated that Health Department is looking into the issue of critical incident review framework for exercises they do and are trying to get a better grasp on root causes for what they are investigating or exercising. There seems to be no standard way to collect lessons learned. Ohio is to participate in a pilot project regarding meningitis.

SHP: Not in Attendance.

SFM: Jeff Leaming mentioned that the Fire Academy will have the training schedule posted up through June 2013 for courses paid for under the HMEP grant.

The SFM has a forensics field lab capability for post blast analysis to offer the counties. In addition, the office has a bomb sniffing dog that can be used as a potential resource in Ohio.

ODOT: Two web sites have been updated www.ohgo.com that has traffic information and www.quickclear.ohio.gov for addressing the issue of clearing up a traffic accident in a quick time in order to get traffic back flowing on the roadway. The Quick Clear program now uses the title name of "Traffic Incident Management." The Department is working on a train the trainer program to help out with the statewide training effort to this newly named program.

AGO: Tim Kern briefly talked about the cost recovery issue discussed earlier and will contact the Ashland County Prosecutor.

Other: Melissa English from the Ohio Citizen Action asked to address the SERC. She presented information regarding the oil and gas drilling taking place in Ohio and concerns regarding: (1) the chemical disclosure requirements of SB315, (2) the challenges that she believes the requirements create for medical personnel, and (3) the differences between the Emergency Planning and Community Right-to-Know Act (EPCRA), the information maintained by ODRN and the requirements for reporting by the oil and gas industry under Ohio law. She noted that Ohio Citizen Action is attempting to address and correct these issues through a bill that has been introduced in the Ohio Legislature.

Meeting adjourned.