

To: State Emergency Response Commission (SERC)

From: Cindy DeWulf, DAPC & SERC Co-Chair

Subject: December 11th, 2013 SERC Meeting Minutes

Date: January 30th, 2014

The December 11th, 2013 State Emergency Response Commission (SERC) meeting was called to order at the Ohio Emergency Management Agency in Columbus, Ohio by Cindy DeWulf, SERC Co-Chair (Ohio EPA).

11 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
- Steve Wagner, Ohio Department of Health
- Jeff Leaming, State Fire Marshal's Office
- Randy Van Dyne, Environmental Representative
- Doug Johnson, Ohio Department of Natural Resources
- Staff Lieutenant Kenneth Kocab, State Highway Patrol
- Clyde McKenzie, Fire Chief Representative
- Jennifer Klein, Industry Representative

7 Voting Members were not present

- Raenell Nagel, Environmental Representative
- Don McDonald, County Interest Representative
- Richard Hughes, Industry Representative
- Brian Galligher, LEPC Representative
- Rick Hoffman, Professional Firefighters' Representative
- Willie Brantingham, Volunteer Firefighters' Representative
- Al Phillips, Ohio Department of Transportation

Members not appointed by Governor

- Municipal Corporation Representative (Vacant)

Waive the 24 Hour Rule:

Clyde McKenzie made the motion, seconded by Nancy Dragani that the 24-hour rule be waived.

Record of Vote: 11 -For
 0- Against
 0- Abstain

Approval of October 9th, 2013 SERC Meeting Minutes:

Cindy asked for a motion to accept the August 14th, 2013 SERC meeting minutes. A motion was made by Randy Van Dyne. Motion to accept was seconded by Staff Lieutenant Kenneth Kocab.

Record of Vote: 11 -For
 0 -Against
 0 –Abstain

Cindy welcomed and introduced Jennifer Klein as the replacement for Jack Pounds as one of the industry representative. Jennifer has also replaced Jack Pounds as the Executive Director at the Ohio Chemistry Technology Council.

SERC Committee Reports:

Executive:

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

Cindy stated that the SERC now has just one remaining SERC membership vacancy. We still have a vacancy in the environmental spot on the Commission, but Raenell Nagel has not officially resigned from the Commission in a written format to the Governor's Board and Commission Office. In addition, we have 4-5 current members whose term expires in January 2014. Cindy shall send an e-mail to those individuals with a link to the web site to reapply for their current spot.

Ethics training is an annual event for all Board and Commission members statewide. The training is posted on-line and needs to be completed by end of the year.

The committee discussed the pending changes for the SERC exercise requirements and rules. A working group of Executive members and a county representative (Tim Flock- Crawford County) met to initiate discussions in this area. Goal is to find a means to merge the LEPC exercise requirements to the all hazards approach under the EMA. Ohio EMA will be drafting a white paper on the issue to further lay down a pathway for the group. The county EMA Directors have no significant push back on the intent and/or direction we seem to be moving toward. Nancy Dragani wants the issue to slow down and have it vetted thoroughly so that we can put a good exercise program in place here in Ohio.

Stark County has asked SERC for a review of an actual incident for eligibility for a full-scale exercise credit by the SERC. They had an incident that involved a facility that has been closed and previously used sulfur to treat cardboard containers. The incident was significant and required hazmat team response. There was a 21-block area evacuated that did involve overnight sheltering. There was no formal chemical inventory report(s) ever been filed by the facility. The reportable quantity of sulfur release most likely was exceeded. The issue for exercise purposes was if the facility was subject to the plan

and did the release exceed the reportable quantity and put it as a ORC Chapter 3750.06 release. All agreed that the local jurisdiction demonstrated a significant response to the chemical release incident. The SERC agreed that the question needs to be asked of Stark County as to if they knew the facility existed and based on what they know post incident would they have included them in the county LEPC Plan. If the answer is yes, then SERC shall concur with the actual exercise.

The committee discussed the current status with the oil and gas reporting under the program in response to the petition directed to USEPA by an environmental group. Ohio EPA worked with Tim Kern (AGO) to develop a letter addressing the issue and it was mailed out to approximately 1,150 oil and gas companies. An extension was given from November 15th to December 15th. The letter definitely has created a large number of phone calls. The entire issue still has long term solutions that need to be addressed between SERC and ODNR.

Ohio EPA sent out approximately 110 letters to statewide reporting facilities that claimed trade secret on their past chemical inventory report. Our intent is to make sure the facility that if they really do have a trade secret that they have gone through the proper procedures with USEPA. They cannot just check off the trade secret box on the form. Most responses received thus far have the company doing such and having to revise their form.

Administrative & Funding:

The committee met prior to today's SERC meeting.

The committee has received a funding request from Sandusky County seeking to use LEPC funds to purchase a MARCS console for the county Sheriff's Dispatch Center. The console shall enable the county to fully integrate the county MARCS radios to the Dispatch Center. The committee approved such purchase as long as the LEPC did not use funds to purchase the entire MARCS radio system for the county thus in essence this represents the LEPCs reasonable contribution to the entire system. The committee also recommends that the county LEPC make necessary changes to their LEPC Plan to account for this improved communication tool.

Ohio EPA has made updated changes to the SERC administrative rule 3750-30-20 to incorporate the new data elements that USEPA has added to the chemical inventory reporting forms. The group also has amended the state SERC forms to incorporate these new changes. As a result, the SERC, LEPCs and fire departments shall receive no "no change" inventory reports from our 7,800 plus statewide reporting facilities.

Operations & Issues:

Rick Warren (EMA) stated that the committee is in a position to discuss "what is our mission for the committee from here on out." The cross-walk document has been updated. Cindy DeWulf would like the SERC to schedule a planning and goal setting session early in 2014.

Training and Education:

The committee did not meet prior to today’s SERC meeting.

Randy Van Dyne mentioned that the LEPC Conference seemed to go well and most, if not all, liked the 1 day gathering held in conjunction with the EMA Director’s meeting.

Agency Reports:

EMA

Ohio EMA plans on adding a “No Change” column to the Checklist of Documents for SERC Member’s Consideration developed by Ohio EMA. The intent is to monitor the 4 year “no change” cycle.

Ohio EMA indicates that there are **5 LEPC Exercises up for SFY 2014 Exercise Concurrence**. Dan Fisher made a motion to approve **Resolutions 2013-117 thru -121** as documented. Steve Wagner seconded the motion. No discussion.

Record of Vote: 11/10- For
0- Against
0/1-Abstain (Randy Van Dyne- Hancock County)

Ohio EMA indicates that there are **70 LEPC Plans up for SFY 2014 Plan Concurrence**. Jeff Leaming made a motion to approve **Resolutions 2013-122 thru -192** as documented. Staff Lieutenant Kenneth Kocab seconded the motion. No discussion.

Record of Vote: 11/10- For
0- Against
0/1-Abstain (Van Dyne-Hancock; McKenzie/Trumbull)

EPA

Cindy DeWulf introduced “**2013-2115 LEPC Membership Appointment” Resolutions 2013-193 thru -206**, appointing new members for Coshocton, Fulton, Gallia, Geauga, Hocking, Logan, Lucas, Mahoning, Meigs, Ottawa, Ross, Vinton, Washington and Wayne counties. Nancy Dragani made a motion to approve. Steve Wagner seconded the motion.

Record of Vote: 11- For
0- Against
0- Abstain

LEPC meeting minutes were provided for Cuyahoga, Franklin, Knox and Montgomery-Greene planning districts.

ODNR: No Report.

PUCO: No Report.

Health: No Report.

SHP: No Report.

SFM: No Report.

ODOT: Not in Attendance.

AGO: No Report.

Other:
Meeting adjourned.