

To: State Emergency Response Commission (SERC)

From: Cindy DeWulf, DAPC & SERC Co-Chair

Subject: October 10th, 2012 SERC Meeting Minutes

Date: November 28th, 2012

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The October 10th, 2012 State Emergency Response Commission (SERC) meeting was called to order at the Ohio Emergency Management Agency by Cindy DeWulf, SERC Co-Chair (Ohio EPA).

**14 Voting Members were present:**

- Cindy DeWulf, Ohio EPA, SERC Co-Chair
- Sima Merick, Ohio EMA, SERC Co-Chair (Alternate)
- Tim Kern, AG Office
- Dan Fisher, Public Utilities Commission of Ohio
- Staff Lieutenant Kenneth Kocab, State Highway Patrol
- Randy Van Dyne, Environmental Representative
- Willie Brantingham, Volunteer Firefighters' Representative
- Raenell Nagel, Environmental Representative
- Rick Hoffman, Professional Firefighters' Representative
- Toby Wagner, Ohio Department of Natural Resources
- Richard Hughes, Industry Representative
- Brian Galligher, LEPC Representative
- Steve Wagner, Ohio Department of Health
- Al Phillips, Ohio Department of Transportation
- Jeff Leming, State Fire Marshal's Office

**3 Voting Members were not present**

- Jack Pounds, Chemical Manufacturer Representative
- Clyde McKenzie, Fire Chief Representative

**Members not appointed by Governor**

- County Interest Representative (**Vacant**)
- Elected Official Representative (**Vacant**) – **Who is this?**

**Waive the 24 Hour Rule:**

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

Record of Vote:      12 -For  
                                 0- Against  
                                 0- Abstain

**Approval of August 8th, 2012 SERC Meeting Minutes:**

Cindy asked for a motion to accept the August 8th, 2012 SERC meeting minutes. A motion was made by Dan Fisher. Motion to accept was seconded by Randy Van Dyne.

Record of Vote:     12 -For  
                          0 -Against  
                          0 -Abstain

**SERC Committee Reports:**

**Executive:**

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

First item discussed centered on pending SERC enforcement orders to the Jefferson County LEPC for their LEPC Plan being out of concurrence. The orders were not issued because the LEPC submitted their Plan to be reviewed. Tim Kern (AGO) stated that the strategy of issuing orders or the threat of such issuance seems to be working in our favor. Steve Wagner (Health) asked if the SERC should accelerate the timeliness of issuance of orders to non-compliant LEPCs. Cindy DeWulf noted that a template for orders has been developed so that future orders should be issued quickly.

Cindy stated that the Committee needs to formally organize and kick-off the ad hoc committee that will be identifying potential changes to the ORC. Cindy noted that this activity could take one year.

The Committee briefly discussed the past LEPC Conference and wanted to thank Willie Brantingham and his Training and Education Committee for another wonderful conference.

Cindy stated that a topic for future discussion is a proposal to move the SERC meetings to quarterly. The committee is reviewing key voting issues and dates as called for under our statute. Cindy requests the working committees to evaluate their timelines as well and it is the committee's intent to try and finalize at the December 2012 SERC meeting. Vikki Bunting (Ohio EMA) has strong concerns to this proposal due to issuance of orders to LEPCs and the 60-day corrective action plan guidelines. Cindy stated that the issuance of orders is an action of the Executive Committee. The Executive Committee could schedule additional meetings as needed to address orders. Willie Brantingham stated that the Training and Education Committee needs to meet at least quarterly with Randy Van Dyne commenting that the committee can set additional meetings as needed.

Cindy advised the membership that the financial disclosure is an annual reporting requirement and the forms can be found on-line. SERC pays the filing fee associated

with such report. Ethics training also is required and it is our hope to have ethics training following the December 2012 SERC meeting for those interested to attend.

As most are now aware, Mel House (EMA) and Frank Conway (SFM) are no longer members on the SERC. Mel has taken a new job within the Department of Public Safety and Frank Conway has been moved over within SFM to oversee the Prevention Program at the Marshal's Office.

**Administrative & Funding:**

The committee met prior to today's SERC meeting.

Cindy stated that the committee discussed three LEPC funding requests. Clark County LEPC seeks approval to contribute a fair share to the countywide multi-level communication system being installed within the county. The request was approved. Summit County requested if LEPC funds could be used to deal with asbestos removal at a building donated to a fire department for training purposes. The committee denied this request due to falling outside the intent of EPCRA program. Darke County LEPC requested if LEPC funds can be used to support hazmat physicals for the responders. This request was denied in accordance to the SERC approved LEPC Funding Guidance document.

Cindy continued with the committee reformatting and making proposed changes to the LEPC Grant Application and LEPC Fiscal Report. The committee will e-mail the drafts to LEPCs seeking comment and it is our intent to finalize at the December 2012 SERC meeting.

**Operations & Issues:**

Brian Galligher stated that the committee is at a standstill with the draft/update to the LEPC Planning Document. Committee needs to have direct dialogue with either Sima Maerick or Nancy Dragani to get their input and on how to proceed.

**Training and Education:**

Willie Brantingham and his committee reviewed and discussed the evaluations from the past LEPC Conference. Over-all the feedback was good and comments were favorable. The negative feedback mostly centered on the SERC meeting that lasted only 30 minutes and many SERC members had nothing to report. LEPCs traveled a good distance to observe a SERC meeting as part of the Conference and this was indeed not a good mark for SERC.

Willie then continued in the meeting discussed a need to identify program priorities for training or in need of statewide coordination. The committee may talk to Ohio EMA field liaisons to determine what is going on in the counties that can be addressed at the conference.

The committee then discussed the idea of moving the LEPC Conference to another month eliminate the conflict with summer vacations. Willie wants the committee to get back to the annual goal setting and seek LEPC feedback.

Don McDonald (Stark County) stated that SERC does a good job in plans and exercise, but could enhance the interaction with the LEPCs on other issues. Few LEPC representatives attend SERC meetings. The items discussed at the SERC meetings often do not apply to the LEPCs. Training, a rail/highway/trucking safety event, communication regarding how the regulations apply to the oil and gas industry, and attendance of SERC members at an LEPC meeting were identified as potential topics and activities for the future.

### **Agency Reports:**

#### **EMA**

Ohio EMA indicates that there is **1 LEPC Exercises up for SFY 2013 Exercise Concurrence**. Rick Hoffman made a motion to approve **Resolution 2012-124** as documented. Al Phillips seconded the motion. No discussion.

Record of Vote: 14- For  
0- Against  
0- Abstain

Sima Merick continued that there are **7 LEPC Plans up for SFY 2013 Plan Concurrence**. Willie Brantingham made a motion to approve as documented. Kenneth Kocab seconded the motion. No discussion.

Record of Vote: 14- For  
0-Against  
0-Abstain

#### **EPA**

Cindy DeWulf introduced "**2011-2103 LEPC Membership Appointment**" **Resolutions 2012-132 through -137**, appointing new LEPC members for Franklin, Ross, Marion, Morrow, Paulding, and Stark County LEPCs. Dan Fisher made a motion to approve. Brian Galligher seconded the motion.

Record of Vote: 14- For  
0- Against  
0- Abstain

LEPC meeting minutes were provided for Cuyahoga, Gallia, Lawrence, Morrow and Wayne Counties.

**Other:** Dr. E. Douglass Harris, Associate Dean and Research Professor with the Erik Jonsson School of Engineering and Computer Science at the University of Texas at Dallas gave a call-in webex presentation on the “E-Plan Information Management Software.” [www.eplannews.utdallas.edu/](http://www.eplannews.utdallas.edu/)

Rick Warren from EMA briefly discussed the process for LEPC Plan review. Rick said that each LEPC must submit updates to their plans. Each LEPC can submit up to 3 “no change” letters. He also stated that every LEPC plan must be updated during the four year cycle.

**ODNR:** No Report

**PUCO:** No Report

**Health:** No Report

**SHP:** No Report

**SFM:** No Report

**ODOT:** No Report

**AGO:** No Report

**Other SERC members and Attendees:** Raenell Nagel discussed the Ohio Environmental Council’s community based training programs. A public forum was held with Hardin County’s LEPC and was very successful. This model program can be used with any LEPC. She would be happy to share information with other LEPCs that are interested in holding this training with the Ohio Environmental Council

Meeting adjourned.