

To: State Emergency Response Commission (SERC)

From: Cindy DeWulf, OEPA/DAPC & SERC Co-Chair

Subject: December 10th, 2014 SERC Meeting Minutes

Date: January 21st, 2014

The December 10th, 2014 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).

17 Voting Members were present:

- Cindy DeWulf, Ohio EPA, SERC Co-Chair
- Sima Merick, Ohio EMA, SERC Co-Chair (alternate)
- Michael Idzkowski, Attorney General's Office (alternate)
- Dan Fisher, Public Utilities Commission of Ohio
- Jeff Leaming, State Fire Marshal's Office
- Russ Decker, LEPC/EMA Representative
- Michael Snee, Ohio Department of Health (alternate)
- Jack Everson, Municipality Representative
- Toby Wagner, Ohio Department of Natural Resources
- Jennifer Klein, Industry Representative
- Don McDonald, County Interest Representative
- Richard Hughes, Industry Representative
- Carl Merckle, Ohio Department of Transportation
- Cliff Mason, Fire Chief's Association
- Randy Van Dyne, Environmental Representative
- Willie Brantingham, Volunteer Firefighters' Representative
- Rick Hoffman, Professional Firefighters' Representative

1 Voting Members were not present

- Staff Lieutenant Kenneth Kocab, State Highway Patrol

1 Member(s) not appointed by Governor

- Environmental Representative (Vacant)

Waive the 24 Hour Rule:

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

Record of Vote: 17- For
 0- Against
 0- Abstain

Approval of October 8th, 2014 SERC Meeting Minutes:

Cindy asked for a motion to accept the October 8th, 2014 SERC meeting minutes. A motion was made by Dan Fisher. Motion to accept was seconded by Cliff Mason.

Record of Vote: 17 -For
 0 -Against
 0 -Abstain

SERC Committee Reports:

Executive:

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

There is no update to the pending issue regarding the SERC exercise program.

Cindy stated that Substitute House Bill 90 had language that addressing chemical inventory reporting to ODNR for the oil and gas industry. It appears that the bill will not be acted upon by the legislature. The language may be introduced in the state's biennium budget bill. The oil and gas industry will be reporting their annual inventories directly to the SERC, LEPCs and fire departments come March 1, 2015.

Cindy mentioned that the oil and gas incident in Monroe County was discussed briefly, as Ohio EPA gathers information.

The Executive Committee recommends that at the February 11th, 2015 SERC meeting be used as the goal setting meeting. The committee would like to solicit a few stakeholders for their input and Jennifer Klein will contact her membership with the Ohio Chemistry Technology Council. Our intent is to have the committees meet in the morning and submit their goals to the Executive Committee for review and finalization. Goal setting session shall then be discussed to all members at the afternoon SERC meeting.

As some may know, the federal CFATS (Chemical Facility Anti-Terrorism Standards) program has reached out to the SERCs with intent to conduct outreach activities regarding their program. Several state agencies were contacted as part of this outreach.

Administrative & Funding:

Cindy stated that the committee met prior to today's meeting.

The committee discussed a funding purchase request for some hazmat equipment from Ross County LEPC. Specifically, the request was made from the Chillicothe Fire Department for Hazmat Equipment ABS Polar Pad Solvents and for Lid Lock Dome Clamp Kit. The committee felt that the equipment was appropriate, and confirmed that Ross County LEPC had a concurred plan and exercise.

Committee discussed the LEPC fiscal reports, specifically to make it a more formalized process for submittal. All LEPCs have submitted their LEPC Fiscal Report for SFY 2014. More than a few were late and multiple e-mails and phone calls were needed. Committee shall incorporate adding certified letter for delinquent LEPC submissions.

Willie Brantingham raised HMEP grant eligibility issues for LEPCs. The issue centered on whether a person was employed by the LEPC or working under a service contract. Kathleen Nelson (Ohio EMA) resolved the issue to everyone's satisfaction with USDOT.

Cindy stated that the committee shall be streamlining the LEPC membership form for appointment and will eliminate the current individual forms and shall be moving to a 1-page submittal form to be signed by the County Commissioners. The new form will be put into place for the upcoming statewide LEPC reappointments in August for the 2015-2017 two year appointments.

The committee will be drafting a rule to address fiscal reductions in grant awards for non-performing LEPCs. The basis of the reductions in awards is proposed to be in a staggered tier approach of 10%/15%/20%/100% over a 4 year cycle if the LEPC does not do what is required such as, but not limited to plan submittal, conducting exercise and fiscal report being submitted on time. The committee is also proposing a 50% loss in grant shall be incurred by an LEPC if it does not do a full scale exercise within a 4 year cycle. Once the rule is drafted, it shall be sent out for comment period.

Operations & Issues:

Russ Decker and Dan Wittingham (Ohio EMA) met in November 2014 to start review of the LEPC Membership Handbook (2002 version). Goal of the committee is to update the manual before the August 2015 LEPC membership appointments.

Training and Education:

Willie Brantingham commented that the committee discussed the LEPC Conference for the upcoming year. The meeting was more of a brainstorm type gathering at this point. We are looking at a theme for next year's conference and intend to focus more on planning issues and topics as opposed to emergency response. We plan on holding it again in coordination with the Fall Ohio EMA Director's Conference and may be looking at a different venue, possibly at the new State Highway Patrol training facility in Columbus next to the Ohio Fairgrounds.

Agency Reports:

EMA

Ohio EMA reported that the Morgan County LEPC completed their exercise (table top) for SFY 2014 and the exercise report is being worked on by Ohio EMA for the next meeting.

Ohio EMA indicates that there are **6 LEPC Exercises up for SFY 2015 Exercise Concurrence**. Jeff Learning made a motion to approve **Resolutions 2014-141 thru -**

146 as documented. Rick Hoffman seconded the motion. No discussion.

Record of Vote: 17- For
0-Against
0-Abstain

Ohio EMA indicates that there are **67 LEPC Plans up for SFY 2015 Plan Concurrence**. Cliff Mason made a motion to approve **Resolutions 2014-147 thru -213** as documented. Jennifer Klein seconded the motion. No discussion.

Record of Vote: 17/16- For
0-Against
0/1-Abstain (Abstain: Decker-Allen; McDonald-Stark;
Brantingham- Columbiana and Hoffman-Fairfield)

EPA

Cindy DeWulf introduced “**2013-2115 LEPC Membership Appointment**” **Resolutions 2014-214 thru -221**, appointing new members for Athens, Clermont, Geauga, Lucas, Ottawa, Ross and Wood counties. Russ Decker made a motion to approve. Randy Van Dyne seconded the motion.

Record of Vote: 17- For
0- Against
0/1- Abstain (Abstain: Everson –Ross)

LEPC meeting minutes were provided for Columbiana, Defiance, Knox, Mahoning and Williams planning districts.

ODNR: No Report.

PUCO: No Report.

Health: No Report.

SHP: Not in attendance.

SFM: The State Fire Marshal has mailed out award letters to emergency responders under the Marcs Radio grant. In all, 106 agencies are being funded with an over-all grant totaling 3 million dollars. The Marshal hopes to have the grant again for next year.

ODOT: All ODOT snow plow trucks are now equipped with the Marcs radios. They will now have direct communications with ODOT and State Highway patrol Headquarters and field offices.

AGO: No Report.

Other: Cindy stated that this is the last meeting for Richard Hughes, industry representative. Mr. Hughes served on the SERC from August 2011 to current date. Cindy presented Mr. Hughes with a certificate of recognition.

Cindy commented that Nancy Dragani (Ohio EMA) is no longer with the SERC in that she has taken another position within the Ohio Department of Public Safety. Mrs. Dragani served on the SERC from February 2005 through October 2014. Sima Merick will make sure Nancy gets her certificate of recognition signed by both SERC Co-chairs.

Melissa English, Ohio Citizen Action requested to address the SERC. Ms. English has spoken to the SERC in the past regarding the issue of oil and gas reporting, and her comments were regarding fracking issues and concerns and the vital fracking chemical information that needs to be readily available to our emergency responders in real time. Her group and others are on record as supporting the SERC to remain the first and primary recipient of hazardous chemical inventory reporting and the primary planning entity for addressing the oil and gas and fracking sector. She noted that this should not be transferred to ODNR per the pending language as outlined in House Bill 490. Her group is looking at the SERC to find ways to improve the current system as a whole regarding oil and gas involving fracking and public disclosure.

Meeting adjourned.