

To: State Emergency Response Commission (SERC)

From: Cindy DeWulf, OEPA/DAPC

Subject: December 9th, 2015 SERC Meeting Minutes

Date: January 27th, 2016

The December 9th, 2015 State Emergency Response Commission (SERC) meeting was called to order at the Ohio Emergency Management Agency in Columbus, Ohio by Ohio Environmental Protection Agency Director Craig Butler.

14 Voting Members were present:

Craig Butler, Ohio EPA, SERC Co-Chair
John Born, Ohio Department of Public Safety, SERC Co-Chair
Frederick Nelson, Attorney General's Office
Jack Everson, Municipality Representative
Doug Johnson, Ohio Department of Natural Resources (alternate)
Randy Van Dyne, Environmental Representative
Willie Brantingham, Volunteer Firefighters' Representative
Jeff Leaming, State Fire Marshal's Office
Dan Fisher, Public Utilities Commission of Ohio
Tim Flock, LEPC/EMA Representative
Kevin Crist, Environmental Representative
Leslie Bricker, Ohio Department of Transportation
Don McDonald, County Interest Representative
Cliff Mason, Fire Chief's Association

4 Voting Members not present:

Tamara McBride, Ohio Department of Health
Larry Lindrose, Industry Representative
Staff Captain Kenneth Kocab, State Highway Patrol
Jennifer Klein, Industry Representative

1 Member(s) not appointed by Governor:

Professional Firefighters' Representative (Vacant)

Director Butler called the meeting to order.

Director Butler stated that this SERC meeting will be the last for Jack Everson as the municipality representative on the SERC. Mr. Everson also was a member of the SERC Administration and Funding Committee. Director Butler presented Mr. Everson with a Certification of Recognition, thanking him for his participation on the SERC.

Waive the 24 Hour Rule

Cliff Mason made the motion, seconded by Jeff Leaming that the 24-hour rule be waived.

14- For

0- Against
0- Abstain

Approval of October 14th, 2015 SERC Meeting Minutes

Director Butler asked for a motion to accept the October 14th, 2015 SERC meeting minutes. A motion was made by Director John Born to approve the minutes. The motion to accept was seconded by Dan Fisher.

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

SERC Committee Reports

Executive

Cindy DeWulf provided the committee update. Cindy stated that the committee discussed the letter from Don McDonald, Stark County LEPC that outlined recommendations for improvement to the program and issues. Mr. McDonald provided additional detail regarding recommendations regarding changes to the law for the SERC’s consideration. The Executive Committee has requested that Ohio EPA staff look into the recommendations from a legal perspective for discussion at the February 2016 Executive Committee meeting. Director Butler thanked Mr. McDonald for his comments and his commitment to the SERC.

Cindy reported that the committee discussed the recommendation of using conference calls for committee. Sarah Miles, Ohio EPA Legal, had reported that unless conference calls are included in the SERC law as the method for committee meetings, Ohio’s open meetings law requires that the committees meet in person. Don McDonald asked if a member can listen in on a committee meeting if they cannot attend. Sarah Miles indicated that they technically can, but cannot vote and cannot participate in the meeting discussions.

Cindy reported that the Executive Committee had reviewed the SERC Enforcement Policy. The committee voted to amend the policy with the addition of language on page 11. Copies of the proposed changes were provided to the SERC members. A motion was made by Jeff Learning to accept the changes to the Enforcement Policy. The motion was seconded by Randy Van Dyne.

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

Cindy reported that the committee voted to move forward to begin the formal rulemaking process with the new draft SERC public information rule. The draft rules include the procedures for public record requests as outlined in the statue. A motion was made by Don McDonald to begin the formal rulemaking process with the draft public record rules. The motion was seconded by Dan Fisher.

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

Administrative & Funding

Jack Everson reported that the committee met prior to the SERC meeting. The committee continues to work on outreach material or “palm cards.” The committee will develop cards on spill/release and chemical inventory reporting requirements. Once finalized, the cards shall be used for outreach and the agency shall initially focus the spill/release reporting to the transportation sector.

The committee reviewed and discussed the completed LEPC Fiscal Reports submitted. The reports which were reviewed were acceptable and program activities were impressive. The committee wants review the report to re-examine how funding for fire department training is reported in order to promote consistency.

Willie Brantingham requested clarification on the chemical inventory reporting palm cards and the oil and gas reporting sector. He noted that there are many types of oil and gas wells, including traditional, producing wells, domestic wells, and fracking sites. Reporting can get confusing. Director Butler stated that the palm cards can also be shared not only with the LEPCs but with the ODNR field inspectors as well, in order to assist the oil and gas industry.

Operations and Issues

Tim Flock reported that the committee is getting the LEPC Membership handbook in a Word format with hyperlinks incorporated. The goal is to get the document updated by the summer of 2016. The committee is exploring merging with the Training and Education Committee since most members serve on both committees. Further discussion shall take place at the next meeting scheduled for January 13, 2016 in Ashland, Ohio.

Training and Education

Willie Brantingham reported that the Training and Education Committee did not meet prior to today’s SERC meeting. Committee members participated in the Operations and Issues Committee instead.

Agency Reports

Department of Public Safety/EMA

Ohio DPS Director Born indicated that there are **7 LEPC Exercises recommended for SFY 2016 Exercise Concurrence**. Willie Brantingham made a motion to approve **Resolutions 2015-131 thru -137**. Clifford Mason seconded the motion. No discussion.

Record of Vote: 13- For
0-Against
1-Abstain (Don McDonald)

Ohio EMA indicated that there are **53 LEPC Plans recommended for SFY 2016 Plan Concurrence**. Jack Everson made a motion to approve **Resolutions 2015-138 thru -**

190. Randy Van Dyne seconded the motion. No discussion.

Record of Vote: 14/13- For
0-Against
0/1-Abstain (McDonald-Stark;Brantingham-Columbiana and Van Dyne-Hancock)

EPA

Cindy DeWulf provided the update. Cindy introduced **LEPC SFY 2015-17 LEPC Membership Appointments: Resolutions 2015-191 thru -197**, appointing additional members to the Auglaize, Clermont, Jackson, Knox, Mercer, Ottawa and Washington LEPCs. The names for the county LEPCs were submitted by the County Commissioners. Clifford Mason made a motion to approve. Tim Flock seconded the motion.

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

LEPC meeting minutes were provided for Allen, Geauga, Knox, Montgomery-Greene and Williams County designated planning districts.

State Agency Reports

SFM

Jeff Leaming stated that today's meeting will be his last. Mr. Leaming is leaving the SFM and going back to Greene County to be the new fire chief in his hometown.

Updates from Appointed SERC Members

Jack Everson commented that it was pleasure serving on the SERC over the last year. He enjoys seeing where policy meets practice. He is especially proud of the Chillicothe fire and police departments.

Additional Business

Cindy DeWulf reminded the SERC members that annual ethics training must be completed by end of the year. Cindy sent out an e-mail reminder with a link for the web-based training.

Meeting adjourned.