

To: State Emergency Response Commission (SERC)

From: Cindy DeWulf, OEPA/DAPC

Subject: December 9th, 2015 SERC Meeting Minutes

Date: January 27th, 2016

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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)

Ohio EPA Director Butler asked everyone around the table to introduce themselves to all members sitting at the table today.

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 signed by both SERC Co-chairs Butler and John Born, Ohio Department of Public Safety.

**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:**

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

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

**SERC Committee Reports:**

**Executive:**

On behalf of Director Butler, Cindy DeWulf provided the committee update. Mrs. DeWulf first stated that the committee discussed the letter from Don McDonald, Stark County LEPC, that outlined recommendations for improvement to the program and issues for SERC thought and consideration. Mr. McDonald did provide additional follow-up information to his original letter to the SERC Co-Chairs. Ohio EPA team has been tasked to look into the recommendations from a legal perspective and review and shall draft up a draft response for our discussion at the February 2016 Executive Committee meeting. Director Butler thanked Mr. McDonald for taking to heart his challenge to think about the SERC program and identify areas that we as a commission can possibly improve upon for the benefit of the statewide program.

The committee then discussed the issue of committee meetings and if they can be handled through conference calls. Sarah Miles, attorney with the Ohio EPA stated that her legal review indicates that without legislative language that addresses such issue, then the answer is no and that the committees have to meet in person and have the meeting public noticed. 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 nor get involved with the meeting discussion.

Cindy continued in that the SERC enforcement policy was distributed to the executive members prior to their meeting and was discussed at length for comments. The committee voted to amend the document with the addition of some additional language on page 11 of the document. Cindy mentioned that she will incorporate the new language as adopted and redistribute back to the committee.

Lastly, Cindy stated that the committee adopted a motion to move forward with the new draft SERC public information rule. The rule now shall go out for early stakeholders outreach and review where comments are solicited. After that the rule then goes through the formal rule making process with the Joint Committee on Agency Rule Review (JCARR).

### **Administrative & Funding:**

Cindy DeWulf mentioned that the committee discussed their upcoming goals for the year. One project is the development of informational outreach “palm cards” which the Ohio EPA incorporates into all of their agency programs. The cards are informational and brief with key program and contact type information. Committee shall 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 back in July 2015. Overall the reports were acceptable and compliance was great. The committee wants to focus on how to better design and/or improve upon how the LEPCs are reporting the fire department expenses.

Willie Brantingham wanted clarification on the chemical inventory reporting palm cards and the oil and gas reporting sector. We have old well sites, domestic use only wells and those in production. The issue 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.

### **Operations and Issues:**

Tim Flock stated that the committee is getting the LEPC Membership handbook in a WORD format with hyperlinks incorporated. Goal is to get document updated by summer 2016. In addition, the committee is interested in possibly merging committees with the Training and Education Committee since the most members serve on both. Further discussion shall take place at the next meeting scheduled for January 13<sup>th</sup> in Ashland, Ohio.

### **Training and Education:**

Willie Brantingham commented that the Training and Education Committee did not meet prior to today’s meeting. Committee deferred its members to the Operations and Issue committee meeting that was held in its’ place.

### **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**. Cliff 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 respectively by the County Commissioners. Cliff 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.

**ODNR:** No report.

**PUCO:** No report.

**Health:** No report.

**SHP:** No report.

**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.

**ODOT:** No report.

**AGO:** No report.

**Other:**

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

Cindy stated as a reminder that annual ethics training must be completed by end of the year. Cindy sent out an e-mail reminder with web site link for the training.

Meeting adjourned.