

To: State Emergency Response Commission (SERC)

From: Cynthia DeWulf, Ohio EPA/DAPC

Subject: August 14, 2019 SERC Meeting Minutes

Date: September 26, 2019

The August 14, 2019 State Emergency Response Commission (SERC) meeting was called to order at the Ohio Emergency Management Agency in Columbus, Ohio by Ohio EMA Operations Administrator Andrew Elder.

12 Voting Members were present:

Laura Factor, Ohio EPA Assistant Director, SERC Co-Chair (alt)

Andrew Elder, Ohio EMA Operations Administrator, SERC Co-Chair (alt)

Doug Johnson, Ohio Department of Natural Resources

Randall Schumacher, Public Utilities Commission of Ohio

Mike Fitchet, Ashtabula County EMA/LEPC

Randy Van Dyne, Environmental Representative

Captain Kenneth Kocab, State Highway Patrol

Chris Smith, Municipality- Portsmouth Health

David Whiting, Professional Firefighters' Representative

Leslie Prater, Ohio Department of Transportation

Tamera McBride, Ohio Department of Health

Sean Miller, Delaware County EMA Director

7 Voting Members not present:

Willie Brantingham, Volunteer Firefighters' Representative

Jennifer Klein, Industry Representative

Cliff Mason, Fire Chief's Association

Larry Lindrose, Industry Representative

Kevin Crist, Environmental Representative

Jeff Hussey, State Fire Marshal

Jonathan Fulkerson, Ohio Attorney General's Office

Introductions

Ohio EMA Operations Administrator Andrew Elder asked the members and visitors to introduce themselves.

Waive the 24-Hour Rule:

Mike Fitchet made the motion, seconded by Captain Kocab that the 24-hour rule be waived.

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

Approval of June 12, 2019 SERC Meeting Minutes:

Ohio EMA Operations Administrator Andrew Elder asked for a motion to accept the June 12, 2019 SERC meeting minutes. David Whiting made a motion to accept. Motion to accept was seconded by Doug Johnson.

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

SERC Committee Reports:

Executive:

Ohio EMA Andrew Elder asked Cindy DeWulf to brief the SERC members on the Executive Committee meeting.

Cindy started with (and as discussed over the last few meetings) the high-hazard flammable train shipping and Information sharing pursuant to the February 28, 2019 final rule from the USDOT Pipeline and Hazardous Materials Safety Administration. The rule requires railroad companies to provide rail shipping information involving the transporting of 20 or more loaded railcars of flammable liquids to SERCs. This notification is similar to the railroad sharing of information a few years ago regarding the balken oil shipments. The intent is to have these notifications be directed to the Ohio Department of Public Safety's Office of Homeland Security Fusion Center who in turn shall push the information out to vetted local responders and public planning entities such as the LEPCs.

Cindy introduced Emily Mayfield with the Ohio Office of Homeland Security who provided an overview of their Communication and Information Management System (CIMS) that is a password protected, secured web-based application that they use as a repository for the notifications and serves to disseminate the information outward to those vetted and approved to receive such sensitive information. CIMS uses email address SAIC.IP@dps.ohio.gov to receive such sensitive information and that email is monitored 24/7/365. David Whiting asked for more clarity on how the information gets out to the local responders. Emily stated that through CIMS, local responders who wish to receive information submit a request application and the Office of Homeland Security shall vet the individual(s) for access or not. Once approved, then access is granted and the vetted individual will be given email notification(s) when information has been received that is of interest to them.

Having no further questions on subject, Andrew Elder asked for a motion to accept **SERC Resolution 2019-71, High-Hazard Flammable (HHFT) Train Shipping-Information Sharing** that outlines having the SERC designate the Ohio Office of Homeland Security to serve as the repository and distributor for the notifications and any revisions/updates for the railroad shipments of the high-hazard flammable train shipments. Sean Miller made a motion to accept the resolution as presented. Motion to accept was seconded by Tamara McBride.

Record of Vote: 12 -For
0 -Against

0 –Abstain

Cindy DeWulf continued that on behalf of the SERC, Ohio EPA is handling the 5-year rule review of all the SERC administrative rules. The agency has completed the early stakeholders outreach efforts with no comments and the process now moves forward to the interested party review phase. Ohio EPA has made a few minor changes to fix typos and/or add federal rule language due to USEPA guidance on how to calculate solid amounts in mixtures for threshold quantity calculations.

Next, in 2020 the National Association of State Title Three Program Officials (NASTTPO) shall be having their annual conference in the Cincinnati/Northern Kentucky area. Cindy will email out to SERC members the agenda once she receives such. There is a cost to attend and if members wish to attend then we'll have to possibly use HMEP grant funds for such. Andrew Elder stated that HMEP can pay for such, but somebody will have to come up with the 20% match.

The committee received an update on the October 9, 2019 LEPC Conference and the need to have a brief SERC meeting prior to the conference. There will two (2) resolutions that must be acted on with one being the 2019-2021 LEPC membership appointments for those LEPCs that will not be voted on late in the meeting and the other second pending resolution being the Wayne County LEPC pipeline request to make the Rover pipeline and compressor station subject to their plan for exercise credit only.

Administrative & Funding:

Cindy DeWulf continued that the Administration and Funding Committee plans on reviewing the current LEPC Funding Guidance document for updating based on what the committee is noticing when they review the LEPC fiscal reports. Committee shall also ask the LEPCs to review such document and seek comments.

The committee finished up reviewing the SFY 2019 LEPC Fiscal Reports and a few follow-ups will need to be made seeking clarification and/or additional information.

Operations and Issues:

Sean Miller stated that the review of the Exercise Evaluation manual (EEM) has been completed and review comments and edits have been incorporated into the working draft. LEPCs and local support groups were emailed draft copies and asked for their review and comments. The draft EEM will now be on the 2019 LEPC Conference agenda to formally present and seek further discussion to and from the attendees. The intent afterwards is to take the EEM on a short road show involving local industry and responders for one last review and comment period.

Training and Education:

Randy Van Dyne stated that Anita Stechschultie (Ohio EMA), Jeff Beattie and himself had a brief tour of the WigWam Conference Center where the LEPC Conference will be held. The group discussed with the venue representative's IT support and breakout rooms. The agenda has been finalized and all looks good for this year.

Agency Reports:

Department of Public Safety/EMA

Andrew Elder (Ohio EMA) indicated that there are **36 LEPC Exercises recommended for SFY 2019 Exercise Concurrence**. David Whiting made a motion to approve **Resolutions 2019-72 through -107**. Leslie Prater seconded the motion. No discussion.

Record of Vote: 12/11- For
0- Against
0/1-Abstain (Fitchet/Ashtabula; Miller/Delaware)

EPA

Cindy DeWulf provided the update. Cindy introduced **LEPC Appointment of LEPC Members Under 3750 (ORC) Two Year 2019-2021 Cycle; Resolution 2019-108**, appointing member(s) to the 72 County LEPCs as noted in the resolution plus Lake County. The names for the county LEPCs are submitted by their respective County Commissioners. Captain Kocab made motion to approve the resolution as presented. Motion seconded by Randy Van Dyne.

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

Ohio EPA will be working with the remaining 15 LEPCs to get the memberships for the October 2019 SERC meeting.

LEPC meeting minutes were provided for Belmont, Darke, Franklin, Fulton and Putnam county designated planning districts.

Statement(s) from SERC Membership

PUCO representative Randall Schumacher briefed the membership and audience regarding the Federal railroad Administration's (FRA) proposal for the public collection of data on blocked railroad crossings in a proposal within 84 Federal Register 27832. Mr. Schumacher passed out a letter on PUCO letterhead that addresses their agency perspective on the proposal. Blocked railroad crossing notification and the time length of such is an important issue for local responders. There have been 940 plus blocked railroad crossing reported to date in Ohio. Notifications are to be made if a crossing is to be blocked for 5 minutes or longer. Texas and Illinois have major blocked crossing issues. Their thought is if it is blocked it is blocked. Sheldon Lustig (Cuyahoga County LEPC) commented that Ohio at times have serious long trains in length that need to be manned by 2 crews that are held for convenience and/or mechanical issues that block multiple crossings due to their length. It is an issue out there in our communities.

Other Business

Motion made to adjourn the August 14, 2019 meeting.