

MONTGOMERY/GREENE COUNTY
LOCAL EMERGENCY RESPONSE COUNCIL

MINUTES OF MEETING

FRIDAY, JANUARY 26, 1996
MIAMI VALLEY REGIONAL PLANNING COMMISSION
40 WEST FOURTH STREET
DAYTON, OHIO 45402
8:30 A.M.

MEMBERS PRESENT

Jeff Adams - Regional Air Pollution Control Agency
(Alt. for Jim Gross)

Gerald Alcorn - Mont. Co. Fire Chiefs

Sue Anderson - Quality Chemicals, Inc.
(Alt. for Jack Pagendarm)

Jeanna Bailey - American Red Cross, Greene County

Tim Ballard - Montgomery Co. Sanitary Engineering

Robert Bauer - Southwestern Portland Cement

Patricia Bernitt - Greater Dayton Area Hospital Assn.

Delmer Bone - Greene County Commission

Gary Caprarotta - Miami Valley Emergency Management

Jeffrey DeVoe - Greene County Law Enforcement Assn. **ALT. WITH MEMBERS PRESENT**

JoAnn Fritz - Montgomery County Township Association
(Alt. for Doug Zink)

Nancy Glidden - United Way of Greater Dayton

Douglas Hall - Dayton Water Department

Karen Hawk - Greene County Sanitary Engineering
(Alt. for Timothy Denger)

Rita Johnson - Greene County Health Department
(Alt. for Thomas Servens)

Ed Kovar - Miami Valley Emergency Mgmt. Agency

Ken LeBlanc - Miami Valley Regional Planning Commission
(Alt. for Nora Lake)

Pete Lane - Montgomery County Agricultural Extension

Jim Lawrence - Miami Valley Regional Transit Authority

Gerald Mahan - Greene County Agricultural Extension

Robert Marshall - Wright Patterson Air Force Base

Barbara Maguire - American Red Cross, Dayton Area

Dennis McCloskey - Dayton Fire Department

Ron Moorefield - Amateur Radio Emergency Services

J. Michael Phillips - Mont. Co. Health District

Mary Porter - Greene Memorial Hospital/HERO

Beverly Priest - WKEF-TV Channel 22

Tim Reichard - Ashland Chemical

Kurt Rinehard - Miami Conservancy District
(Alt. for Douglas N. Johnson)

John Scholmer - Montgomery County Commission
(Alt. for Vicki Pegg)

Bruce Suher - Dayton Area Managers Network

Ed Wroblewski - General Motors Corporation

MEMBERS NOT PRESENT

Wray Blattner - Thompson, Hine & Flory

Michael Dickey - Mont. Co. Police Chiefs Assn.

Stewart Hacker - Sierra Club

Dennis Nagel - Buckeye Countrymark

Donald Organ - E G & G Mound

David Price - Greene County Fire Chief's Assn.

Janice Richards - Cargill, Inc.

Billy Ring - Dayton Regional Haz/Mat

Robert Sponseller - Fairborn Fire Department

Marian Simmons - League of Women Voters

Ernie Hudson - Amateur Radio Emergency Services

NONMEMBERS PRESENT

Jim Augustine, M.D. - Miami Valley Hospital

Jan DeVeney - Montgomery County Health District

Michael E. Foley - Greene County Prosecutor's Office

Fred Ralston - Amateur Radio Emergency Services

Robert L. Zickler - Dayton Fire

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- I. **Call to Order:** Mr. Bone, MGCLERC Chair, called the meeting to order at 8:34 a.m. Mr. Bone noted a quorum was present.
- II. **Introductions:** Mr. Bone asked everyone in attendance to introduce themselves.
- III. **Approval of October 27, 1995 Meeting Minutes:** Mr. Kovar moved, seconded by Ms. Hawk, that the minutes of the October 27, 1995 quarterly meeting be approved as written. The motion was unanimously approved 32-0-0.
- IV. **Election of Officers:** Mr. Bone asked Mr. LeBlanc to proceed with the election of officers. Mr. LeBlanc announced that according to the By-Laws the January meeting is the organizational meeting. The recent change in the By-Laws allows for the rotation of Chair and Vice-Chair positions. The Executive Subcommittee met on January 22, 1996. Mr. LeBlanc referred everyone to the handout from the Subcommittee listing the recommendations for 1996 officers, coordinators, and subcommittee chairs. Mr. LeBlanc reviewed the following recommendations with the membership:

POSITION	1995 CURRENT	1996 RECOMMENDED
Chair	Del Bone	Mike Phillips
Vice-Chair	Mike Phillips	Bruce Sucher
Secretary	Robert Bauer	Robert Bauer
Emergency Coordinator	Billy Ring	Billy Ring
Information Coordinator	Ken LeBlanc	Ken LeBlanc
Subcommittee Chairs		
Emergency Planning	Dave Price	Dave Price
Compliance/Enforcement	Ed Kovar	Ed Kovar
Training	Mary Porter	Billy Ring
Exercise	Bob Sponseller	Bob Sponseller

Mr. Mahan moved, seconded by Mr. DeVoe that the recommendations be approved. Motion was unanimously approved 32-0-0

Mr. Bone thanked everyone for his years as Chair and turned the meeting over to new Chair, Mr. Phillips. Mr. Kovar expressed MGCLERC's gratitude for Mr. Bone's dedication and work since 1990, followed by a round of applause from the membership. Mr. Bone again thanked the membership for their work and support. Mr. Bone specifically thanked Mr. LeBlanc for his leadership, making MGCLERC one of the best organizations in the State.

- V. **Allocation of 1995 SERC Grant:** Mr. Phillips presented Resolution #96-01. This resolution establishes the allocation for 1995 SERC grant awards. Mr. Bauer moved,

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seconded by Mr. Adams that the resolution be adopted. The motion was unanimously approved 29-0-2.

- VI. **Submission of 1996 SERC Grant Application:** Mr. Phillips presented Resolution #96-02. This resolution allows for submission of the 1996 SERC grant application. Mr. Mahan moved, seconded by Mr. Bauer that the resolution be adopted. The motion was unanimously approved 31-0-0.

VII. **Subcommittee Reports:**

Executive Subcommittee: Mr. Phillips announced that at the Executive Committee meeting they discussed the possibility of a MGCLERC retreat. The Committee chairs expressed a desire for more direction from the membership. The retreat would address the past, present and future of the Committees, goals and objectives for MGCLERC as a whole, facilities registration, reporting, compliance and enforcement efforts, response plan, training possibilities, and what has been done and needs to be done regarding exercising. After discussion with the membership, it was decided that an all-day retreat for members, alternates and subcommittee members was a good idea. Bergamo was mentioned as a possible location and Wednesday, May 1, 1996 was decided upon as the date. The MGCLERC budget will pay for the facility and lunches will be kept under \$10. The retreat will be an excellent opportunity to give an orientation to new members, outlining the history and mission of MGCLERC. More information on the retreat will be forthcoming.

Compliance/Enforcement Subcommittee: Mr. Kovar recognized the new Dayton Fire Chief. He reported that the Compliance/ Enforcement Subcommittee has been meeting regularly.

Mr. Kovar announced that some wording changes have been made in the Compliance Document. A change was made allowing for fines "up to \$500" instead of having the fine set at \$500.

In reviewing release reports, it was noted that many times the facilities do not report the release. The release is reported by a fire fighter, etc. instead of the facility. They will try to correct this.

There has been a decline in release reports in 1995. They are looking into this and trying to determine the reason.

Mr. Kovar reported that Gary Caprarotta had an opportunity to speak with a representative of the Attorney General's office regarding Title III. There has been an unpublished decision by a judge in one of the northern courts. The judge stated that he would only look at cases that were not more than a year old, whatever the violation. The law does not state the statute of limitations on a release or any violation concerning Title III. We have cases that are several years old. The Montgomery County Prosecutor's office

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advises that local judges would also probably look at one year. Mr. Kovar asked the group if they wanted to set an in-house statute of limitations. The seriousness of the violations involve everything from paperwork violations to fish kills. A typical case can be ready to present at court within a couple of months. Mr. Foley discussed the importance of notification procedures and also the support documentation or paper trail necessary in order to win a case. If the case is prosecuted by the Attorney General rather than locally, it is not as likely MGCLERC would receive benefit of the fines. After discussion, it was decided that the Compliance/Enforcement Committee bring back a recommendation to the April meeting.

All facilities have reported and are compliant as far as paperwork requirements.

Mr. Kovar reported that he attended the December County Commissioners Association of Ohio meeting where MGCLERC received an award. He passed around the award, which will be added to the existing plaque. Mr. LeBlanc announced that copies of the letter listing the ten requirements necessary to receive this award were available on the table.

Mr. Caprarotta stated that some facilities still do not know the proper reporting requirements. To help address this, a pamphlet is being developed which lists emergency numbers, how facilities are to report, what the requirements for the 30-day follow-up report are, what to do if you are involved in a chemical release and a list of most commonly found chemicals in Montgomery and Greene Counties. Approximately 3,000 will be distributed at cost of around \$800. The Greene County Career Center was identified as an additional distribution location because of their contact with small businesses. Mr. Kovar added that a few years ago similar information was printed in the "blue pages" of the phone book but became cost prohibitive. The phone book was identified as the best way to get this information out but too costly.

Training Subcommittee: Ms. Porter stated that the next meeting of the Training Subcommittee would be Monday, January 29, 1996. Mr. Ring will be taking over as Chairperson but she will continue to be active in the Subcommittee. Ms. Porter reviewed activities of the past several years, such as developing the yearly survey of the fire and police departments to determine training needs. She indicated that the Training Subcommittee would start out with about \$2,400 in funds with an additional \$2,000 in federal funds. The Subcommittee also has been looking at the training needs of others involved in emergency planning, including, hospitals, industries and government. They will continue to work towards an OSHA Compliance Training for governmental officials. They will also continue education regarding treatment of hazardous materials. Mr. Phillips thanked Ms. Porter for her years of service as Chair of the Subcommittee, followed by a round of applause by the membership.

Emergency Planning Subcommittee: Mr. Caprarotta, representing, Mr. Price, reported that the hazardous analysis is complete with the exception of five sources. They have not been modeled because the request for information went to the wrong individuals. There is

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also additional information needed from WPAFB, through no fault of WPAFB. He expects to receive this information soon to complete the 1995 hazardous analysis. In March, the process will start over again for new reporters and chemicals in 1996.

Mr. Caprarotta reported that in accordance with Title III planning requirements, MGCLERC has developed and maintained a resource database. This quarter the following resources were combined with our database: the City of Kettering; the Regional Haz/Mat database; the Ohio EPA clean-up contractors list; and the resources of the Ohio National Guard.

Mr. Caprarotta discussed the feedback from the fire departments regarding the hazard analysis training. Comments received indicated that the analysis was written with SERC in mind and not very response oriented. The form will be revised to work with a first responder while the format is still in compliance with SERC requirements. The Subcommittee will ask for additional input from the fire departments.

The appendix has been completed to a plan in Title III for the U.S. Department of Energy Mound facility in Miamisburg. Mr. Caprarotta discussed the additional requirements necessary because the Mound is a federal facility.

During the truck survey the most common placards seen in Montgomery and Greene Counties were identified. They now plan to determine what chemicals are being transported on the highways. The information will be distributed to local fire departments. A demonstration of this system could be presented at a future meeting if anyone is interested.

Exercise Subcommittee: The exercise planned at Wright Patterson has been delayed. Mr. Marshall gave a brief update and stated the exercise will take place in the spring. He indicated he would share information when it was available. Mr. LeBlanc reminded him that the exercise had to take place before June 30. Mr. Marshall indicated there would not be a problem accomplishing the exercise prior to this date. The need for a full scale exercise was discussed and decided that a full scale exercise could wait until next year.

Mr. LeBlanc reported that Chief Sponseller was trying to get a group together to develop a procedure in case of an actual incident. MGCLERC can receive credit for an exercise if an actual incident occurs, as long as the proper documentation is completed. Anyone interested in participating in this should contact Mr. LeBlanc. Ed Kovar and Jeff Adams expressed interest.

- VIII. **Community Emergency Coordinator Report:** Mr. Kovar reported that Mr. Ring has been the new Haz/Mat Coordinator for the last three months. Mr. Ring has been making a lot of contacts and becoming very familiar with SARA Title III. He is currently working on a release that occurred a few days ago. There was a question whether the release was heating oil or diesel fuel. It is still being investigated.

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- IX. **Information Coordinator Report:** Mr. LeBlanc reported that emergency planning and community right-to-know were mentioned in the "State of Union Address."

Mr. LeBlanc reported that the State Emergency Response Commission has approved the membership revision. They have added Billy Ring with David Guinn as his alternate, representing the Haz/Mat Team. He welcomed Beverly Priest of Channel 22, our media representative, with William Kuntzman as her alternate. The alternate for Red Cross of Greene County has been changed to Robert Zerbe.

New instruction booklets are out, there was a mass mailing in January. Facilities received tan booklets and gasoline dispensing facilities received pink ones. MGCLERC will be checking our database against theirs and we will mail to those that the State may have left off their list. Mr. LeBlanc reported that there are 1,410 facilities in Montgomery and Greene Counties.

SERC voted to keep the 1996 funding formula the same.

A computer survey of LEPCs showed that all MVRPC counties have Cameo and the IBM format.

Governor Voinovich will be appointing individuals to the vacant positions on SERC. In the past we have had Shirley Heintz, Larry Foreman, and Craig Zimmers. It has been a long time since Montgomery or Greene County have had a representative on the State Emergency Response Commission. There is a volunteer fire position open, an environmental group opening, and the League of Women Voters representative is stepping down. With no representatives on SERC from southwestern Ohio, now might be an opportunity to have someone from this area appointed.

The State has worked up a speaker and video kit "What LEPCs Are and What They Should Be Doing." The kit should be available in March. This might be used at a future meeting or the retreat if it is available.

USEPA is planning a training workshop for building inspectors in large population areas. They want to train them in 311/312 Facility Reporting Chemicals Compliance so they are more familiar with Title III.

- X. **New Business:** Mr. Mahan updated MGCLERC regarding the pesticide collection - 70,000 pounds of chemicals were turned in for disposal.

Mr. Phillips distributed copies of several articles from "Energy and Transportation Network" regarding LEPCs. Mr. Phillips also ordered several copies of a report entitled "Unwritten Goals for LEPCs" to share with the Executive Committee. Mr. Phillips welcomed all the new members and encouraged participation on the subcommittees.

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- XI. **Other Business:** None.
- XII. **Next Meeting:** It was noted that the next meeting is scheduled for Friday, April 26, 1996.
- XIII. **Adjourn:** Mr. Sucher moved, seconded by Mr. Adams, that the meeting be adjourned at 9:45 a.m. Motion unanimously passed 31-0-0.