

MONTGOMERY/GREENE COUNTY
LOCAL EMERGENCY RESPONSE COUNCIL

MINUTES OF MEETING

FRIDAY, APRIL 28, 1995
MIAMI VALLEY REGIONAL PLANNING COMMISSION
40 WEST FOURTH STREET
DAYTON, OHIO 45402
8:30 A.M.

MEMBERS PRESENT

Jeana Bailley - American Red Cross, Greene County
Robert Bauer - Regulated Facilities - Retired
Patricia Bernitt - Greater Dayton Area Hospital Association
Daniel Bever - Greater Dayton Area Hospital Association
Delmer Bone - Greene County Commission
Gary Caprarotta - Miami Valley Emergency Management Agency
Vern Copeland - Montgomery County Sanitary Engineering
Karen Hawk - Greene County Sanitary Engineering
Michael Dickey - Montgomery County Police Chiefs Association
Nancy Glidden - United Way of Greater Dayton
James Gross - Regional Air Pollution Control Agency
Dusty Hall - Dayton Water Department
Douglas Johnson - Miami Conservancy District
Barbara Maguire - American Red Cross - Dayton Area
Ken LeBlanc - Miami Valley Regional
Pete Lane - Montgomery County Agricultural Extension Association
Dennis McCloskey - Dayton Fire Department
Bill Pearson - Dayton Priority Boards
J. Michael Phillips - Montgomery County Combined Health District
Mary Porter - Greene Memorial Hospital
Tim Reichard - Ashland Chemical
Janice Richards - Cargill, Inc.
Thomas Scrivens - Greene County Combined Health District
Stephanie Smith - Montgomery County
Robert Sponseller - Greene County Fire-At-Large
Bruce Suher - Dayton Area Managers Association
Richard Webster - General Motors

MEMBERS NOT PRESENT

Gerald Alcorn - Mont. Co. Fire Chiefs Association
Wray Blattner - Thompson, Hine & Flory
Martha Dunskey - WDTN - Channel 2
Daniel Matulka - City of Dayton Risk Management
John Grigsby - Regional Transit Authority
Stewart Hacker - Sierra Club
Gary Heeg - Greene County Law Enforcement Assn.
Ed Kovar - Miami Valley Emergency Mgmt. Agency
Rita Krasnonski - E G & G Mound
Sandra Kulik - University of Dayton
Jerry Mahan - Greene County Agricultural Extension
Michael Merker - Wright Patterson Air Force Base
Ron Moorefield - Amateur Radio Emergency Services
Dennis Nagel - Buckeye Countrymark
Curtis Nielson, Jr. - Quality Chemicals, Inc.
David Price - Greene County Fire Chiefs Association
Jane Forrest Robin - Ohio Citizen Action
Marian Simmons - League of Women Voters
Doug Zink - Montgomery County Trustees Assn.

NONMEMBERS PRESENT

Tim Ballard - Montgomery County Sanitary
Jan DeVeny - Montgomery County Health District
Michael Foley - Greene County Prosecutors Office
Scott Glum - MVRPC
Nathan Meyer - MVRPC

I. **Call to Order:** Mr. Bone, MGCLERC Chair, called the meeting to order at 8:47 a.m. Mr. Bone noted a quorum was present.

II. **Introductions:** Mr. Bone asked everyone in attendance to introduce themselves.

III. **Approval of January 27, 1995 Meeting Minutes:** Mr. Dickey moved, seconded by Chief Sponseller, that the minutes of the January 27, 1995 quarterly meeting be approved as written. The motion was unanimously approved 27-0-0.

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IV. **Proposed By-Laws Amendment:** Mr. LeBlanc reviewed the proposed MGCLERC By-Laws Amendments regarding participation in the MGCLERC by both Boards of County Commissioners and the rotation of the Chairperson position. He stressed the importance of attendance at the July meeting because 60% of MGCLERC membership must approve the amendments. Memberships expire in August. Mr. Dickey moved that the proposed by-laws amendments be presented for a vote at the July meeting, seconded by Mr. Bauer. The vote to approve the motion was unanimous 27-0-0.

V. **Subcommittee Reports:**

Executive Subcommittee: Mr. Bone indicated that he had nothing to report in addition to the proposed by-laws amendments previously discussed.

Compliance/Enforcement Subcommittee: Mr. Caprarotta stated that the Compliance/Enforcement Subcommittee has been meeting monthly. They have improved the notification procedures for chemical releases by revising the form used by Sheriff dispatchers to be more Auser friendly@ and having the release notices faxed monthly. The three options for enforcement are: (1) settlement at the LEPC level; (2) settlement with the County Prosecutor=s office; or (3) settlement with the Ohio Attorney General=s office. A format for enforcement hearings has been established, as well as prioritizing the pursuit of enforcement cases. They are prioritized in the following order: warning letters to late filers, investigating questionable negative reports, previous EHS facilities that no longer report such substances, facilities not notifying the LEPC of releases, facilities never having contacted the LEPC, and others. Official MGCLERC identification to use during inspections was discussed. The inspection form will be considered at the next Compliance/Enforcement Subcommittee meeting. Mr. Caprarotta discussed a \$40,000 grant from USEPA to foster better communication and gather quality control information on reporting facilities. It has not been decided whether it will be cost effective for MGCLERC to take advantage of this offer.

Mr. Caprarotta discussed a continuous release that has been occurring at Appleton Papers since early winter. There has been a continuous release of chlorine due to a malfunctioning scrubber that exceeds the CERCLA reportable quantity. Any questions on this should come to MGCLERC or the Compliance/Enforcement Subcommittee. Mr. Dickey asked if there is any action required. Mr. Caprarotta said as far as he knows the release is not prohibited, but it must be reported. The plume footprint has not left the property of Appleton Papers at ground level, but it is not stable in quantity and rate, thus the company has been required to report each day. They plan to replace the scrubber in July. Mr. LeBlanc said if it continues for a protracted period of time with no evidence the company is trying to correct the problem, RAPCA may end up getting involved.

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Training Subcommittee: Ms. Porter reported that the committee's focus in the past quarter has been in three general areas: (1) Survey responses for training levels - 80 percent of the police departments returned their survey and 55 percent of the fire departments. They will send surveys again to all those who did not respond. In the future they plan to develop a routine time of year to send the surveys with a deadline, possibly asking the full MGCLERC to establish the reporting as a requirement. (2) Development of a Workshop for Public Officials - the Cleveland State University OSHA workshop was canceled. There has been a subcommittee formed to work with the Dayton Area Chamber of Commerce to establish a workshop for public officials. ERATech Environmental, American Society of Safety Engineers, and Curtis Management & Resources will also be helping in the planning. (3) Reimbursements to local fire departments for 5 Haz/Mat Awareness classes and 2 Haz/Mat Operations classes totaling \$880. A total of \$1,500 is still available for training reimbursement.

Mr. LeBlanc noted there will probably be LEPC training money lost if local fire departments do not submit additional HMTA training reimbursement requests. A number of departments may have banked on the proposed Cleveland State University training that was canceled. Mr. McCloskey said a letter needs to be sent to State Senator Rhine McLin to request revision of the legislation requiring 50% of PUCO Haz/Mat registration fees be directed to Cleveland State University. Many local departments perceive southwest Ohio has not received a fair share of attention from CSU.

Mr. Webster suggested LEPC training funds be tied to the ability of local fire departments to demonstrate knowledge of how to use the information facilities are required to submit under SARA Title III. His perception is that some departments may not be using the information to pre-plan. Mr. McCloskey said we have regionally improved our training in CAMEO and the next Regional Haz/Mat Coordinator should be charged with helping the situation.

Emergency Planning Subcommittee: Mr. Caprarotta reported that after discussion it was decided to have quarterly subcommittee meetings wherein planning would encompass an all-hazards plan and not just SARA Title III chemical emergency response planning. The Committee will focus on a single issue at each meeting and invite the appropriate people. Resources will be discussed and public sector resources will be identified.

The next meeting will be with the County Commissioners representatives from both counties to brief them on Title III requirements and talk about emergency management software. Software will be donated to Montgomery and Greene Counties for the Emergency Operation Center in each county. The second meeting will focus on updating the resources annex and will attempt to include government resources into current

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resources (Plan Bulldozer, Haz-Mat, private sector, military.) Ms. Glidden expressed interest in making sure the resources of United Way of Greater Dayton are included in the plan update.

The next required Plan Update is due June 30. The sections that will be updated include: EHS Facilities Map; Sensitive Institutions (schools mostly); MGCLERC Officers, Subcommittee Chairs; MGCLERC Membership; Incident Information Summary; SARA Regulated Facilities List/Emergency Coordinators; Adjacent Community Coordinators; Telephone Roster; Hazards Analysis; Hospital Information Update; Resource Updates; Lab Consultants; and Technical Library. Approximately 50 new hazards analyses are due this year because of changes in chemical inventory reporting by local facilities. Twelve are completed at this time with the remainder due June 30.

Exercise Subcommittee: Chief Sponseller announced that a table-top exercise has been decided upon and scheduled for 1:00 p.m. on June 1, 1995 at the City of Fairborn offices. The chemical is chlorine and the facility involved will be Wright State University. Six objectives have been selected with three core objectives. The next Committee meeting is May 3, 1995, at 1:30 p.m. at the Fairborn Fire Department, Station 1. They are soliciting two or three more evaluators.

VI. **Community Emergency Coordinator Report:** Gary Caprarotta announced there was nothing to report in addition to the Appleton Paper release previously discussed.

VII. **Information Coordinator Report:** Mr. LeBlanc reported an increase in reporting facilities in 1995.

<u>Facility Reporting</u>	<u>1995</u>	<u>1994</u>	<u>Change</u>
Farms	16	16	0
Retail Gasoline	300	291	+9
Schools	51	51	0
Manufacturing	226	205	+21
Utilities	100	98	+2
Other Types	104	172	-68
SIC Not Reported	<u>509</u>	<u>185</u>	+324
TOTAL	1,386	1,018	+368

Mr. LeBlanc noted the SERC is becoming concerned about the ways in which some LEPCs have or are wanting to use their grant money. Pike County requested SERC funds to begin construction of a EOC at the County Airport. SERC funds were denied for use as construction costs. Crawford County has requested and received approval to purchase a satellite dish with SERC funds. That was approved because it was linked to increasing access to training programs. The State will begin to audit LEPC accounts dealing with grant monies.

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There is still no final word from the Attorney General's office regarding House Bill 308. The EPA is requesting that public facilities file reports but no fees to be paid at this time.

Mr. LeBlanc briefly reviewed highlights of the SERC Retreat minutes. The main purpose of the retreat in January 1995 was to review and evaluate goals, objectives and recommendations to form SERC's priorities for 1995. He also mentioned copies are available for a new proposed rule for granting variances to LEPCs to require reporting of a special facility or chemical within its emergency planning district. This was triggered by a request by Cuyahoga County for a variance to require a medical materials facility to report radioactive waste that either has or has the potential to enter the county's sewer system. The variance will be considered at next SERC meeting.

SERC will be mailing out a survey to all MGCLERC members and fire departments. This should happen in about a month.

IX. **New Business:** None.

X. **Other Business:** None.

XI. **Next Meeting:** It was noted that the next meeting is scheduled for Friday, July 28, 1995 at 8:30 a.m. at the Greene County Human Services Media Center. Sixty percent of MGCLERC membership is necessary to approve proposed by-law amendments.

XII. **Adjourn:** Mr. Bever moved, seconded by Ms. Smith, that the meeting be adjourned at 10:15 a.m. Motion unanimously passed 27-0-0.