

**LOCAL EMERGENCY PLANNING COMMITTEE  
JANUARY 5, 2009 MEETING MINUTES**

**Roll Call**

Mrs. Carney conducted roll call.

Attendance: Bill Belardo; Reggie Brown\*; Brandy Carney\*; Jim Carrel; Bob Gahr\*; Alan Finkelstein\*; Frank Foley\*; Bob Gahr\*; Stu Greenberg\*; Felicia Harrison; Randy Helmick\*; Barbara Hermes\*; Gary Holland\*; Chief Dennis Kancler\*; Sheldon Lustig\*; Herb Mausser\*; Don Obermeier; Tony Passalacqua\*; Bob Patton\*; Tony Passalacqua\*; Mary Jane Pavlick\*; Brenda Phifer\*; Melissa Rodrigo\*; Chief Bryan Sloan\*

\* - LEPC member

**Administrative**

Mr. Patton called the meeting to order at 1:30 PM.

The December 5, 2008 minutes were amended where needed per Mr. Patton's, Mr. Foley's, Mrs. Carney's and Mr. Greenberg's requests.

The minutes from the December 1, 2008 meeting were approved by a motion of Mr. Helmick and seconded by Mr. Finkelstein.

Mr. Patton motioned to accept nominations for the new LEPC Chair and Vice Chair positions:

Chief Kancler and Mr. Finkelstein nominated Chief Bryan Sloan for Chair.

Mrs. Carney and Mrs. Hermes nominated Sheldon Lustig for Chair.

Chief Kancler and Mr. Brown nominated Al Finkelstein for Vice Chair.

Mrs. Carney and Mr. Brown nominated Sheldon Lustig for Vice Chair.

Mr. Helmick and Director Holland nominated Melissa Rodrigo for Vice Chair.

Director Holland motioned to close nominations, seconded by Mr. Gahr.

Each nominated candidate for both Chair and Vice Chair spoke about their respective experience with the LEPC before ballots were distributed.

**Financial Report**

Mrs. Harrison provided the Financial Report. Reports that have been transferred from the LEPC to the Emergency Management General Fund include: Population Protection Training PI, HAZMAT IQ Trainings, Cuyahoga County Planning Commission, Spills Seminar and OREIS Software. HMEP Planning Reimbursement was received in the amount of \$21,903 and the HMEP Training Reimbursement was received in the amount of \$2,000. New LEPC account balance equals \$356,689.49. Mrs. Pavlick motioned to receive and file the Financial Report; motion seconded by Mr. Gahr and approved.

Mrs. Carney announced the results of the election. Chief Bryan Sloan was elected as the new LEPC Chairperson and Mrs. Rodrigo was elected as the new LEPC Vice Chairperson.

Director Holland thanked Mr. Patton for his many years of service and dedication to the LEPC as its' Chairman.

Chief Kancler motioned for a "Resolution Of Appreciation" for the Chair and Vice Chair's hard work throughout the years; motion seconded by Mrs. Rodrigo.

Mr. Patton thanked the committee for the accolade and acknowledged his appreciation for the committee's exceptional performance and dedication throughout the years.

### **Public Information Requests**

Mr. Belardo reported 28 public information requests since the last meeting, totaling 129 for 2008.

### **Management Subcommittee**

Mrs. Carney gave an update on the SERC Grant that she sent to the State. The LEPC is requesting \$133,589 from this grant. Mr. Mausser made a motion for to accept the terms of the SERC Grant; motion seconded by Mr. Foley.

Mr. Greenberg gave an updated report on the Population Protection Project Task Force. General Physics will be meeting with three target groups this week and anyone from the LEPC is encouraged to participate. Mr. Greenberg mentioned that the purpose of these sessions is for General Physics to gather information to develop training for population protection utilizing shelter-in-place. Discussion pursued on the process that General Physics would use to gather and distribute data to the appropriate recipients.

Mrs. Rodrigo discussed the restructuring of CCESAB. Currently the board has 64 members, which is lacking in participation. The goal is to have different working groups from different disciplines to discuss their target capabilities. This, in turn, would identify any gaps in the County, which would then be our focus on spending.

Another goal is to limit the board to 24 people and form subgroups within the board. Discussion pursued regarding the LEPC's role on the CCESAB.

Mr. Patton stated that the Management Subcommittee passed a resolution for the LEPC to fund the General Physics project. Mr. Patton also discussed the issue of nominating a new Chair and Co-Chair for the LEPC. A few LEPC members showed interest, but the positions are still not filled. Mr. Patton noted that the Management Subcommittee approved the SARA Plan v. 20. Mrs. Pavlick motioned to receive and file the SARA Plan v. 20; motion seconded by Mr. Holland and approved. Mr. Foley abstained.

Mr. Finkelstein mentioned that when the County sends out the new SARA Plan v. 20 we should ask for the old copy, v. 19, back. Conversation pursued as to whether both a hard copy and an electronic copy should be sent out to recipients.

Mrs. Carney explained the HMEP Grant to the LEPC. The HMEP Grant is a USDOT grant that awards funds to LEPC's for training and planning purposes. The Cuyahoga County LEPC received \$35,685 for planning, with an LEPC match of 20% totaling \$42,822. Mrs. Carney also submitted an application for supplemental funds totaling around \$17,000.

Mrs. Rodrigo discussed how the CAT Committee requested \$150,000 from the city of Cleveland for the Population Protection Project. OBM cannot take money via credit cards. Most companies have credit cards to distribute donations for project, but there is not a system in place to accept credit card payments.

### **Facilities Safety and Security Subcommittee**

Mr. Mausser discussed the brochures that will be sent out for the "Spills 101" Seminar that is taking place February 19, 2009. The seminar will be held at the NEORSD's Environmental and Maintenance Service Center. The schedule of speakers and their topics are inscribed in a brochure that will be sent out to an estimated 800 facilities. Mrs. Carney sent the brochures to the print shop and they will be mailed at once.

Mr. Mausser mentioned that the Subcommittee would meet directly after the LEPC Meeting.

### **Transportation Subcommittee**

Mr. Lustig reported that the Federal Railroad Administration published their safety statistics for the first half of the year: Reportable train accidents were down; Train crossing collisions were down, but there has been a 100% increase in the amount of on-duty employee fatalities so far this year.

FRA released the *Essential Elements of Railroad Bridge Management Program*, which describes around 100 railroad bridges that are at, or over, 100 years old still being used on a daily basis.

Mr. Lustig described how legislation was passed as a result of the major California train accident forbidding the use of electronic devices/cell phones while operating trains. Mr. Lustig noted that railroad companies have had rules similar to the new legislation in place, but apparently have not been enforcing them. This poses a problem because radios used by train operators sometimes do not receive a signal in remote areas while in transport, leading them no other option but to use their personnel cell phone.

Mr. Lustig also discussed how the four major railroad companies came to an agreement on interoperability standards for positive train control technology. This agreement discusses how toxic inhalation substances will be transported through cities by the year 2015.

Mr. Lustig also mentioned that Lake County received a Hazmat Credit from the State for their real-life experience regarding the Painsville derailment incident.

A discussion pursued concerning the 17 car train derailment that occurred under the Crain Avenue Bridge in Kent, OH. Mr. Brown gave an in depth recount of the incident from the OEPA's perspective. A major sewer line was ruptured in the incident, which is delaying the opening of the bridge.

Mr. Greenberg discussed the criticism surrounding the final ruling on railroad rerouting. Main criticism: Railroads made decision, no city/state officials or organizations participated. Mr. Greenberg suggested that the Transportation Subcommittee should write a letter of reconsideration to our congressional delegation and to the Obama Transition Team regarding this issue. Resolutions and letters will be drafted for next LEPC meeting in January.

Discussion pursued regarding railroad company regulations.

### **Spills Subcommittee**

Mr. Foley reported on the Spills Subcommittee's progress regarding the Atlantic Aviation Enforcement. Mr. Foley noted that all pertinent documents have been sent to Tim Kollin, the County Prosecutor, for his analysis. He will let the Subcommittee know what to do subsequently.

### **Emergency Preparedness and Response**

Mr. Finkelstein reported on the changes that have been made to EPCRA: Tier I & Tier II Reports will no longer use SIC codes, but instead will now use the North American Classification (NAC's) codes; Facilities containing chemical mixtures

with an EHS must report mixture as an EHS and the mixture must also be reported separately; A facility must report a change in their chemical inventory, or the way in which a chemical is stored, to the LEPC within 30 days of that change.

### **Compliance and Tier II Submissions**

Ms. Phifer stated that she is waiting for concurrence from the state for the SARA Plan, which contained 224 EHS facilities.

### **Other Business**

Mrs. Carney mentioned that all ORIES Software packages have been distributed to the respective recipients. Also, all software and supplies have been delivered to Mrs. Carney for ID tags. Mrs. Carney discussed the full-scale exercise that will occur on May 23, 2009 at the Transflow site.

Mr. Greenberg handed out and discussed the Center For American Progress's "*Chemical Security 101: What You Don't Have Can't Leak, or Be Blown Up by Terrorists*" article. The report is intended to influence the new administration and the new Congress on the importance of chemical safety and security. Mr. Lustig asked if Cuyahoga County harbors neighboring counties hazmat facility information. Mrs. Carney and her staff will look into this issue.

Mr. Brown made the suggestion that counties surrounding Cuyahoga should meet in order to get an idea of how each operates and if new ideas can come from one another. All LEPC members were enthusiastic about the idea. Discussion pursued on how to get everyone together.

Mr. Patton adjourned the meeting.

**Next meeting set for January 5, 2008 at 1:30pm at NEORS.**