



**Cuyahoga County
Local Emergency Planning Committee
July 8, 2019 Meeting Minutes**



- **Roll Call-** Bryan Sloan conducted roll call and led the meeting.
 - **LEPC Members in Attendance:** Jim Armstrong, Wade Balser, Scott Broski, John Jurcsisn, Roger Klein, Bryan Kloss (Sara Lippi), Chief Chris Kostura, Sheldon Lustig, Herb Mausser, Dennis O'Neil, Tony Passalacqua, Darla Rivera, Bryan Sloan, Randy Solganik, Ingrid Wagner
 - **Guests:** Austin Holsinger- CCOEM intern, Nancy Veley- Cuyahoga Co. Public Safety, Fred Romeo- ODNR Oil & Gas, Eric Pohl- US EPA, Grace Wasyluk- NASA, Ed Earley- Transflo CSX
- **Guest Speaker-** Eric Pohl, US EPA On-Scene Coordinator
 - Provided an overview of USEPA response programs and capabilities.
 - Two programs: remedial program- cleaning up Superfund sites, and removal program- emergency spill response
 - Can provide reimbursement to local fire departments to replace equipment for certain hazmat incidents
- **Minutes**
 - The Committee approved the minutes from the May 6, 2019 meeting.
- **Financial Report** for the period ending June 30, 2019:
 - Payment to Traumatic Players (actor victims) for Hazmat Exercise in May- \$270.00
 - Reimbursement to John O'Donnell for NASTTPO expenses- \$524.35
 - Reimbursement to Alan Finkelstein for NASTTPO expenses- \$1,302.20
 - Current balance - \$397,670.94
- **Resolutions Approved-**
 - #07082019-1: Accept & File Financial Report Period ending June 30, 2019
- **Management Subcommittee**
 - Discussions to update Bylaws to include language regarding emeritus membership
- **Facilities Security and Accident Prevention Subcommittee**
 - Working with CCOEM to review ReadyEx materials for chemical facilities
- **Transportation Subcommittee**
 - Norfolk Southern Safety Train will be in Cleveland July 30-Aug 1. Multiple sessions each day. Visit <https://www.transcaer.com/events.aspx> for details and to register.
 - Amtrak accident in Dupont, WA in 2017- NTSB released final report
 - Canadian National Rail overturned in Canada/Michigan tunnel- 40 cars, including sulfuric acid tank. Depending on exact location of derailment, NTSB/FRA or Canadian Board of Transport Commissioners would take lead
 - Domestic maritime incidents in 2018- 27 barges released in Pittsburgh during flooding, barge and tug boat dragged anchor through Straits of Mackinaw (MI) which caught on underwater pipelines and electric transmission lines
 - NTSB finally released report for NY Transport incident from 2016
 - Discussion of rerouting trains with assistance from US EPA
- **Spills Subcommittee**
 - Past spills:



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- 2 unresolved historical spills: 2 year statute of limitations on spills
 - A1 Top Soil from 2017- Prosecutor's Office has engaged with spiller, group had discussed penalties. Submitted report but was rejected due to illegibility and incompleteness.
 - All State Logistics from August 2018- leaked various fluids into retention pond- Prosecutor's Office sent letter to spiller. Submitted report for review, Spills Subcommittee to review. Prosecutor's Office to request penalty on behalf of LEPC
- 2 spills still open from previous period (March/April), have been sent reminder letters
- Current period spills (May/June)
 - 11 reportable spills: 5 submitted reports, 5 not yet past 30-day deadline, 1 past due
- Scheduled to speak with County Fire Chiefs in September to discuss Spills/LEPC to educate/refresh chiefs regarding responsible party duties, required calls, etc.

- **Emergency Preparedness and Response**
 - Annual exercise conducted May 16 at NASA Glenn Research Center. SERT Hazmat were main players. Evaluations submitted to Ohio EMA for concurrence.
 - 9 objectives: Initial Notification of Response Agencies, Incident Assessment, Incident Command, EOC, Resource Management, Communications, Response Personnel Safety, Emergency Public Information, EMS
 - Looking to potentially tweak exercise schedule to involve US EPA and facilities along Cuyahoga River for next year. Will work with hazmat teams to resolve.
 - Suggestion to send Thank You letter to players and evaluators

- **CCOEM Report**
 - Records Requests- 8 since last meeting. Yearly total- 73
 - LEPC nominations- new term in 8/14/19 through 8/10/21. The list was emailed out to everyone several weeks ago. If you have any issues with spelling, title changes, etc., please let us know ASAP. SERC will approve nominations at their Aug 14 meeting, so due to SERC before 8/14.
 - LEPC Fiscal Report due July 31. Working with Nancy and will submit once complete.
 - Norfolk Southern Safety Train- July 30-Aug 1, multiple sessions each day. Can register at <https://www.transcaer.com/events.aspx>.
 - Held 4 kickoff Evacuation Planning Workshops, 26 communities represented. Looking to work with local municipalities to develop city-specific evac plans.
 - Reached out to surrounding counties to gauge interest in regional LEPC meetings. Reached out to the following: Ashtabula, Geauga, Lake, Lorain, Medina, Portage, Summit. Have received interest from Geauga, Lake, Portage, and Summit. Will reach out to the others again. Meeting potentially to be in Sept/Oct, meant for LEPC leadership.
 - SERC and Ohio Attorney General's Office developed fact sheet outlining requirements of LEPCs and the Open Meetings Act. To summarize: ORC Section 3750.03 requires that each LEPC must meet at least annually. LEPCs are considered public bodies and are subject to Ohio's Open Meeting requirement. Full fact sheet is attached to packets.
 - SERC also worked with AGO to clarify authority for LEPC members to visit chemical facilities. Summary: ORC 3750.16 addresses the right of entry, and clearly provides the authority for the right of entry to a member of the LEPC having territorial jurisdiction who is also an officer or employee of the state or a political subdivision, or the designated representative of the fire department having territorial jurisdiction, upon proper identification and upon stating the purpose and necessity of an inspection. The law does not grant the right of entry to LEPC members who are not employees of the state or a political



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subdivision, or the designated representative of the jurisdictional fire department. Moving forward, we must formally obtain the consent of the facility for non-public entity members to enter a facility via a form created by the SERC (attached to the packets).

- Finalizing ReadyEx for chemical facilities. Going through final revisions before being sent to all chemical facilities in County.
- Conducted Hazmat FSE at NASA with SERT on May 16. Received concurrence from Ohio EMA. SERC to formally review at meeting on Aug. 14
- Re-launching ReadyNotify system with new company. Asking all users to re-register.
www.readynotify.us

- **New Business**

- Looking to modify Bylaws to include language to identify emeritus membership. Discussion regarding language and what constitutes emeritus status. Discussion tabled to next meeting.

- **Next Meeting:**

- LEPC Spills Subcommittee meeting: Monday September 9, 2019 at the Northeast Ohio Regional Sewer District at 12:30pm
- Main LEPC meeting: Monday September 9, 2019 at the Northeast Ohio Regional Sewer District at 1:30pm