

STATE EMERGENCY RESPONSE COMMISSION
SERC Advisory Committee

APPROVED MEETING MINUTES
DHS Room - Admin 1019A
Multi Agency State Office Building (MASOB)
195 North 1950 West - Salt Lake City Utah
December 6, 2016 | 10:30 – 12:15 PM

Attendance List:

Urban LEPC

Reed Scharman (present) West Jordan Fire Department

Rural LEPC

Cody Barton..... (present) Sevier County Sherriff's Office

Hazardous Materials Advisory Council

Art Deyo (present) Utah Department of Public Safety/SFMO

Hazardous Chemical Transportation Industry

Dale Ipson (absent) DATS Trucking

Federal and State Agency Representatives

- Judy Watanabe Utah Department of Public Safety/DEM
- Jona Whitesides Utah Department of Public Safety/DEM
- Kim Hammer Utah Department of Public Safety/DEM
- Michelle Miller Utah Department of Public Safety/DEM
- Kimberly Giles Utah Department of Public Safety/DEM
- Angelia Crowther Utah Department of Public Safety/DEM
- Scott Alvord Utah Department of Public Safety/DEM
- Jeff Gallacher Utah Department of Public Safety/DEM
- Christian Martin..... Utah Department of Environmental Quality/DERR
- Neil Taylor Utah Department of Environmental Quality/DERR
- Lori Reed United States Environmental Protection Agency

Fixed Site Regulated Industries (2)

- Kent Bradford (present) Westinghouse
- Mark Illum..... (present) IM Flash Technologies

National Guard

- Colonel Andy Owens (present)
- MSG Joe Parker..... (present)
- SMSG Wayne Ormond (present)

Local Health Departments

Teresa Gray(present)

Environmental Interest Groups

Kathy Van Dame(absent)

Environmental Cleanup Contractors

John Hart(present)

General Public (2)

James Buchanan.....(present)

John Veranth(absent)

Action Items

Approval of September 29, 2016 Meeting Minutes

The meeting minutes for the September 29, 2016 meeting were approved without changes.

Approval of the General Public Representative, Mr. Jim Buchanan

Mr. Jim Buchanan was approved by the committee.

Approval of the SERC Advisory Vice Chair, Mr. John Hart

Mr. John Hart was approved by the committee.

Informational Items

Domestic Nuclear Detection Office presentation – Mr. Art Deyo, SFMO

Mr. Art Deyo explained that the Domestic Nuclear Detection Office (DNDO) postponed the delivery of their presentation since the DEQ executive director and DPS commissioner were unable to attend the meeting. The DNDO office will present in the future. The Preventative Radiological Nuclear Detection (PRND) program has been approved and a memorandum of understanding has been signed between the Division of Public Safety and the Department of Homeland Security. The Rural Utah Hazmat Program has also been established recently to assist with implementing the PRND program in Utah’s rural areas.

Recommendation to establish sub-committee to create SERC/LEPC program guidance and presentation – Ms. Kim Hammer, DEM

The SERC advisory committee discussed the organization and role of the sub-committee composed of Mr. Buchanan, Mr. Reed Scharman, Ms. Teresa Gray, Mr. Dale Ipson, Mr. Jona Whitesides, and Ms. Kim Hammer. Mr. Buchanan described his plan as a three tiered approach including an education package and a toolbox to utilize at local LEPC meetings. The education package and toolbox could be incorporated in to the LEPC handbook in the future. The overall objective is to determine the best way to support the LEPCs. Mr. Buchanan also stressed the importance of involving the private sector in the LEPC meetings. The final product may be presented to officials at the City and County Director’s Conference, League of Cities and Towns, and Association of Counties.

Discussion of the Utah DEM Strategic Plan for 2016-2021 – Ms. Judy Watanabe

Ms. Judy Watanabe distributed copies of the Utah DEM strategic plan for 2016 – 2021 to the Advisory Committee and provided an overview of the plan. The plan is a requirement of EMAC grant funding. Each section within the Division of Emergency Management has certain duties that drive work for the year. The duties and accomplished goals are incorporated into the strategic plan. Milestones are assigned to each of the goals. The strategic plan will be reviewed again in January to determine appropriate metrics. Feedback from the emergency management community is requested to ensure all needs are met.

Other Items

HAZMAT scene cleanup – Mr. Barton and Mr. Deyo discussed two recent hazmat events near Central Utah which involved a towing company taking over the environmental response cleanup. On both occasions, the company was unable to properly complete the cleanup. DEQ has a contractor listing but it is no longer maintained due to questions about company licensure through the State. The only certifications in the State for cleanup work would be the Occupational Safety and Health Administration (OSHA) 40-hour HAZWOPER training and any other additional OSHA requirements. Typical notifications by Mr. Cody Barton during a response include Mr. Richard Moseley (State Fire Marshall's Office) and the local health department. A potential notification might be made to the Utah OSHA but they would state that the training is self-directed by the employer. Documentation should be held by the individuals performing the work showing they have proper training. The training at a minimum should include the 40-hour HAZWOPER training. Then the 40-hour HAZWOPER training can be supplemented with respiratory protection, confined space entry, HAZWOPER supervisor, trench safety, or other similar training. The documentation should be provided to the local health department or DEQ district engineer depending on the location within the State. Documentation may not be required if the responsible agency has prior experience working with the cleanup contractor. Most competent cleanup contractors will also have a plan in place prior to performing the work.

The local health departments often provide additional assistance with proper notifications and determining potential companies for environmental response. Ultimately, the local health departments rely upon the State for cleanup requirements. Comprehensive cleanup plans are needed to ensure that the work is completed according to appropriate standards. Verification of cleanup is often determined through the service and delivery contracts between the State and County governments. In certain rural areas of the State, the DEQ district engineer assists with the cleanup efforts rather than the local health department. A notification matrix is already in place identifying the areas of responsibility for the local health department and the DEQ district engineer. In one of the incidents, a cleanup company was contacted but it was cancelled. Then, a towing company was able to convince the owners that they could perform the cleanup. Ultimately, the owner of the road is responsible especially when certain chemicals degrade the asphalt and compromise the integrity of the road.

Some of these incidents are now being handled through an environmental crimes task force in Salt Lake County. The framework for the task force is being expanded to include multiple

counties. Also, the issue could be raised with the Utah Environmental Health Association where it could be tracked and possible solutions could be developed.

EO 13650 quarterly meeting – Mr. Neil Taylor provided an overview of EO 13650 which is related to the West, Texas incident. The meeting focused on the hazardous waste generator improvements rule finalized on October 28, 2016. The most significant changes to the rule includes: provisions to increase flexibility for generators of hazardous wastes; improvements of environmental protection; provisions to improve generator compliance; reorganization of the hazardous waste generator regulations; and technical corrections. The National Association of SARA Title III Program Officials (NASTTPO) issued an interpretation of the rule in a letter dated November 29, 2016. In response to the letter, the Utah Department of Environmental Quality, Division of Waste Management and Radiation Control issued a response letter to the NASTTPO guidance regarding the hazardous waste generator improvements rule. The letter provides clarification and information regarding the regulations discussed in the document.

Western SERC annual meeting – Mr. Taylor discussed the upcoming Western SERC meeting to be held from January 31 to February 1, 2017 in Denver, Colorado. Several representatives of the SERC advisory committee are planning to attend the meeting. EPA funding is not available this year.

2017 UDEQ Emergency Response Workshop – Mr. Chris Martin explained that the UDEQ Environmental Response Workshop is tentatively scheduled for April 4, 2017. He asked the group if they knew of any conflicts with this date. None were identified during the meeting.

Schedule 2017 Meetings – Mr. Martin stated that the meeting is typically held on the third Thursday of the month but it was changed due to conflicts with the SERC Chair's schedule. The meetings are now held on the third Tuesday of the month. The potential dates for next year's meetings are March 21, June 20, September 19, and December 19. No conflicts were identified during the meeting but these dates will be depend on the SERC Chair's schedule.

Member Attendance and Membership Expiration – Mr. Martin explained that Mr. John Veranth has been absent for the past three meetings. He asked if Mr. Barton could contact him about his role with the SERC Advisory Committee. Mr. Martin also mentioned that the terms for Mr. Veranth and Mr. Mark Illum with the SERC Advisory Committee will expire by the next meeting in March. Preparations need to be made to find replacements.

Next Meeting Date and Time: The next meeting date and time was set for March 21, 2017, at 10:30 a.m. This date and time is tentative until we determine if it works with the DPS Commissioner and DEQ Executive Director. The meeting will be held in Room 1019A of the Multiple Agency State Office Building located at 195 North 1950 West, Salt Lake City, Utah.