

STATE EMERGENCY RESPONSE COMMISSION

MEETING MINUTES

Multi-Agency State Office Building, Bonneville Room 4138
195 North 1950 West
Salt Lake City, Utah
July 7, 2010 @ 1:00 p.m.

Attendance List:

Everett, Brent Utah Department of Environmental Quality/DERR
Hamlet, Kris Utah Department of Public Safety/DHLS

Also Attending:

Bailey, Rick..... San Juan County
Bailey, Ty..... Utah Department of Public Safety/DHLS
Bekkemellom, Shane Utah Department of Environmental Quality/DERR
Bradford, Kent Westinghouse/Western Zirconium
Fifield, DeeEll..... Wasatch Front Regional Council
Gonzalez, Bernadette U.S. Environmental Protection Agency/Region VIII
Halladay, Brent Utah Department of Public Safety/SFMO
Morrison, Matt Salt Lake County LEPC
Peck, David U.S. Environmental Protection Agency
Scharman, Reed West Jordan Fire Department
Shinton, Harry..... Tooele County Sheriff’s Office
Taylor, Nadine Utah Department of Public Safety/DHLS
Taylor, Neil..... Utah Department of Environmental Quality/DERR
Urban, Dale..... Utah Department of Environmental Quality/DERR

Attending Telephonically:

Rigtrup, Don Utah County LEPC

■ **WELCOME AND INTRODUCTIONS..... Brent Everett**

On Wednesday, July 7, 2010, at 1:00 p.m., a State Emergency Response Commission (SERC or Commission) meeting was held at the Multi-Agency State Office Building in the Bonneville Room 4138. Brent Everett welcomed the attendees to the meeting and expressed appreciation for their taking the time to participate in the meeting.

Due to the fact that various attendees were participating in the meeting telephonically, introductions of the Commission and the other attendees were conducted.

■ **APPROVAL OF APRIL 14, 2010, MEETING MINUTES Brent Everett**

Minutes from the April 14, 2010, SERC meeting were distributed and reviewed by the Commission. A motion was made that the meeting minutes be approved, with the following correction: under the “EPA’s Joint Planning Initiative Update” section, page 2, 4th paragraph, last line, the subsequent change should be made: “The EPA has been in contact with Doug ~~Vespa~~ Becvar of the FEMA in order to move forward in participating with this exercise.” The SERC then unanimously approved the meeting minutes, with the corrections noted.

■ **EPA REGION VIII PLANNING UPDATEBernadette Gonzalez**

Bernadette Gonzalez provided an update to the Commission on the Environmental Protection Agency’s (EPA) Joint Planning Initiative with the State of Utah. In the last SERC Advisory Committee (Advisory Committee) meeting, the EPA discussed possible ideas for future joint planning processes. One idea that came out of the discussion, and was eventually accepted by both the EPA and the Advisory Committee, was working together in developing an earthquake response plan, which would be specific to the EPA’s response capabilities in the Wasatch Front. Since this meeting, the EPA has been working with the On-Scene Coordinator to start developing this response plan. However, the EPA does not want to exclude the State of Utah in the planning process and wants it to be equally shared between the two agencies. In addition to this, the EPA is also planning on sending at least three people to the chemical stockpile exercise that the Federal Emergency Management Agency is sponsoring.

■ **RECOMMENDED PROCESS FOR THE EVALUATION OF Kent Bradford
REQUESTS TO ESTABLISH ADDITIONAL LOCAL
EMERGENCY PLANNING COMMITTEES**

Kent Bradford explained that in the last SERC meeting, a recommendation was made to the Commission from the Advisory Committee regarding the recommended process for the evaluation of requests to establish additional Local Emergency Planning Committees (LEPCs). A “Utah Hazardous Chemical Emergency Response Commission Advisory Committee” handout was distributed to the SERC. (A copy of this handout is available with the meeting minutes.) The recommended process detailed that additional LEPCs could be established by the SERC on a case-by-case basis. If a jurisdiction were to request the formation of an LEPC, the jurisdiction would need to provide the following information along with the request:

- A plan on coordinating the proposed additional LEPC activities with the county LEPC(s) in which the jurisdiction is located.
- An assessment of the jurisdiction’s population and hazardous materials risk (including fixed facilities, rail, highways, hazardous materials pipelines, etc.).
- A determination of how the jurisdiction will meet all federal LEPC standards identified in 42 USC Chapter 116.

The Advisory Committee will then review the information submitted by the jurisdiction, determine the views of the county LEPC(s) in which the proposed additional LEPC is located, and provide a recommendation to the SERC. The SERC would then take into consideration the following in making a decision to approve or deny a request to form an additional LEPC:

- Information submitted by the jurisdiction;
- The Advisory Committee recommendation; and,
- Views of the county LEPC(s) in which the proposed jurisdictional LEPC is located.

After discussing this process preliminarily, the SERC decided to evaluate and review the recommendations further until the next SERC meeting. However, now that the review of the recommended process has been completed, and based upon the recommendations made by the Advisory Committee and the Utah Attorney General's Office, the SERC made a motion to approve the process for the evaluation of requests to establish additional LEPCs. The SERC also instructed the Utah Department of Public Safety (UDPS) to move forward in putting this approved process into actual rule, with the addition of some language regarding an appeals process if a request to establish a new LEPC were to be denied.

■ **PROPOSAL FOR THE CREATION OF A ONE TELEPHONE Ty Bailey
NUMBER SYSTEM FOR COMMUNITIES TO OBTAIN STATE
HAZMAT RESPONSE RESOURCES**

Ty Bailey reminded the Commission that in a previous Advisory Committee meeting, the topic of establishing one specific telephone number for communities to call in order to obtain State hazardous materials response resources was discussed. It was felt that when someone was in need of help regarding an emergency incident, they would be required to make multiple telephone calls to receive the assistance they needed. After discussing this topic with the SERC, the SERC decided to add this issue to the list of various items that the Advisory Committee would need to evaluate. Since that time, the Advisory Committee has reviewed this issue further and has determined that the current system to receive assistance is fundamentally a good system, but that adequate training and communication needs to be consistent and made available to all communities throughout the State when an emergency incident occurs.

Neil Taylor added that both the Utah Department of Environmental Quality and the UDPS have an education program to get the number out there for the general public to know who to call and to become more educated. Due to the fact that there are a number of various issues that crossover a variety of agencies when dealing with hazardous material issues, the SERC encouraged the Advisory Committee to focus on community outreach and to utilize this education program in order to adequately train and inform all entities and agencies throughout the State of Utah on the appropriate actions to take when requesting assistance during an emergency situation in order to get their situation resolved appropriately.

■ **PROPOSAL FOR THE SERC AND ASSOCIATED LEPCs TO Kent Bradford
RECEIVE EPCRA SUBMISSIONS FOR TRIBAL AREAS
WITHOUT AN ORGANIZED TRIBAL EMERGENCY
RESPONSE COMMISSION**

Kent Bradford explained that also in the last meeting of the Advisory Committee, a discussion was held in regards to the SERC and associated LEPCs possibly accepting and/or receiving Emergency Planning and Community Right-to-Know Act (EPCRA) submissions from Tribal areas that do not have an organized Tribal Emergency Response Commissions (TERC). In researching this topic further, the Advisory Committee discussed the issue with the Utah Attorney General's Office and with other states to see how they handle similar subjects. It was found that typically, other state SERCs within the nation are accepting EPCRA submissions from facilities on Tribal lands when there isn't an active TERC within the Tribe. However, if the SERC were to start accepting these submissions from facilities, these facilities would need to be aware that the SERC would only be accepting the EPCRA submissions as a repository for the information and would not be an agreement to respond if an incident were to occur at the facility that is located on Tribal lands.

■ **OTHER..... Brent Everett**

Mr. Bailey stated that when the Advisory Committee was first formed, the SERC tasked them with a number of various issues to research and review in order to bring them back before the Commission for discussion. The Advisory Committee requested feedback from the Commission on which issues were priority for them to evaluate and study for upcoming future SERC meetings. The SERC responded by stating that the highest priority for the upcoming meetings would be the establishment of criteria for how grant monies are distributed to the various LEPCs throughout the State of Utah.

Mr. Bradford also informed the SERC that Sandy City is possibly considering disbanding or dissolving their LEPC, and to start deferring all of their activities to the Salt Lake County LEPC.

■ **NEXT MEETING Brent Everett**

The next SERC meeting is scheduled for 1:00 p.m. on Wednesday, October 6, 2010. The meeting will be held in the Bonneville Room 4138 at the Multi-Agency State Office Building.

■ **ADJOURN Brent Everett**

The meeting adjourned at approximately 2:21 p.m.