

**STATE EMERGENCY RESPONSE COMMISSION**

**MEETING MINUTES**

Multi-Agency State Office Building, Bonneville Conference Room #4138  
195 North 1950 West  
Salt Lake City, Utah  
August 30, 2012 @ 1:00 p.m.

**Attendance List:**

Davenport, Lance ..... Utah Department of Public Safety/CO  
Mortensen, Duane ..... Utah Department of Environmental Quality/DERR

**Also Attending:**

Appawoo, Audie ..... Ute Indian Tribe  
Bailey, Ty ..... Utah Department of Public Safety/DEM  
Blackhair, Leallen ..... Ute Indian Tribe  
Booth, Marianne ..... Utah Department of Environmental Quality/DERR  
Byrnes, Andy ..... Utah Valley University  
Cobb, Don ..... Utah Department of Public Safety/DEM  
Figueroa, Ray ..... U.S. Environmental Protection Agency/Region VIII  
Hamlet, Kris ..... Utah Department of Public Safety/DEM  
Jimenez, Jill ..... Utah National Guard  
Miller, Mechelle ..... Utah Department of Public Safety/DEM  
Mixco, Joaquin ..... Utah National Guard  
Porter, Coy ..... Utah Department of Public Safety/SFMO  
Rigtrup, Don ..... IM Flash Technologies  
Rose, Bernadette ..... U.S. Environmental Protection Agency/Region VIII  
Scharman, Reed ..... West Jordan Fire Department  
Smith, Elisa ..... Utah Department of Environmental Quality/DERR  
Taylor, Lana ..... Utah Attorney General’s Office  
Taylor, Neil ..... Utah Department of Environmental Quality/DERR  
Urban, Dale ..... Utah Department of Environmental Quality/DERR  
Zucker, Mike ..... Utah Department of Environmental Quality/DERR

**Attending Telephonically:**

Gray, Teresa ..... Salt Lake Valley Health Department

■ **WELCOME AND INTRODUCTIONS ..... Duane Mortensen**

On Thursday, August 30, 2012, 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 Conference Room #4138. Duane Mortensen, sitting in for Brent Everett, welcomed the

attendees to the meeting and expressed appreciation for their willingness to participate in the SERC. As an individual was attending the meeting telephonically, introductions of the meeting attendees were conducted.

■ **APPROVAL OF MAY 16, 2012, MEETING MINUTES .....Duane Mortensen**

Minutes from the May 16, 2012, SERC meeting were distributed and reviewed by the Commission. With no changes needing to be made, the SERC unanimously approved the meeting minutes.

■ **PUBLIC MEETING ACT TRAINING .....Lana Taylor**

Lana Taylor, Assistant Attorney General for the Utah Attorney General’s Office and lead counsel for the Utah Department of Public Safety (UDPS), provided training to the SERC regarding the requirements and responsibilities associated with the Open and Public Meetings Act (Act). An “Open and Public Meetings Act” handout was distributed to the Commission. (A copy of this handout is available with the meeting minutes.) It is a requirement of the Act that any public body within the State of Utah receive this type of training on an annual basis.

Neil Taylor inquired if the SERC Advisory Committee (Advisory Committee), which advises and makes recommendations to the Commission on certain matters, and has no authority for decision making, is subject to the Act. Ms. Taylor stated that under the definitions provided for in the Act, the Advisory Committee does fall under the requirements of the Act.

■ **REPORT ON SERC WEBSITE MODIFICATIONS .....Neil Taylor**

Mr. Taylor explained to the Commission that in the last meeting, the SERC discussed making modifications to the website associated with the SERC to include a number of pertinent items. These modifications have now been completed. This website, which can be found at [www.superfund.utah.gov/serv.htm](http://www.superfund.utah.gov/serv.htm), will now including the following:

- A description of the SERC, including its history and duties;
- A description of the Advisory Committee and its member agencies
- Minutes for both the SERC and the Advisory Committee meetings;
- Listings of Local Emergency Planning Commissions (LEPCs) within the State;
- Instructions on how to submit Tier 2 and Toxic Release Inventory (TRI) data;
- How to report environmental spills and access to spills data; and,
- Links to the Environmental Protection Agency (EPA) and Tribal websites.

■ **ESF #10 PLAN DEVELOPMENT PROGRESS REPORT .....Don Cobb**

Don Cobb stated that a draft version of the newly revised Emergency Support Function (ESF) #10: Oil and Hazardous Materials Response document, which is part of the State Emergency

Operations Plan (EOP), has now been developed. An “ESF #10: Oil and Hazardous Materials Response” document was then distributed to the Commission. (A copy of this handout is available with the meeting minutes.) This document was developed to ensure that the language and content of the ESF #10 plan were appropriate and contained all of the necessary information. The Advisory Committee has discussed this document at length and all comments and/or edits have been incorporated. The substantive changes from the previous version include removing redundancies within the document, eliminating references to the State on-scene coordinator, and the consolidation of the functional roles and responsibilities of various agencies. It is anticipated that another meeting will be held on September 26, 2012, for the planning group to continue in implementing suggested edits in order to make a more refined document.

■ **HAZARDOUS MATERIALS RESPONSE PLAN..... Don Cobb  
TEMPLATE DEVELOPMENT**

Mr. Cobb continued by informing the Commission that the template that will be utilized by LEPCs in developing regional and local Hazmat Response Plans has also been completed. An “ESF #10: Local Planning Template – Short Version” handout was also distributed to the Commission. (A copy of this handout is also available with the meeting minutes.) This template was put together in order to assist LEPCs in meeting the various requirements associated with the State EOP. The Advisory Committee then requested that the SERC review this template in order to provide any comments and/or edits that are necessary.

■ **TIER II DATA ACCESS GUIDANCE DOCUMENT ..... Mike Zucker  
PROGRESS REPORT**

Mike Zucker explained that the Utah Department of Environmental Quality (UDEQ) is in the process of streamlining the protocols on how to allow access to Tier II data and information. The streamlining of this process is in response to there being discrepancies on how the UDEQ and the LEPCs have been releasing this type of information. The UDEQ is in the final stages of developing a Tier II database, which will assist in eliminating these discrepancies. However, the UDEQ still needs to define the protocols associated with who will be allowed to have access to the Tier II information. Another obstacle also being encountered in streamlining this process is defining how to handle Government Records Access and Management Act requests for Tier II information. To help alleviate these obstacles in order to find positive solutions, the UDEQ will be discussing this issue with the Advisory Committee in future meetings. It was also decided that it would advantageous to establish a data sharing agreement between the UDEQ and the UDPS, including all other agencies involved with the handling of Tier II data.

■ **TOXIC RELEASE INVENTORY REPORT..... Mike Zucker**

Mr. Zucker continued by stating that facilities within the State of Utah are required to submit TRI data by July 1<sup>st</sup> of each year to the EPA and to the UDEQ. However, under new federal statutes, facilities will no longer be required to submit this data to the UDEQ. Despite these new

federal statutes, the UDEQ will continue to receive this data electronically from the EPA through a dataflow process. The preliminary data for reporting year 2011 was recently released from the EPA on July 30, 2012. In addition to this, it is expected that the State of Utah will release their final TRI report prior to December 13, 2012, which is the anticipated date for the EPA to release the final national analysis report. Some of the changes that occurred to the report during this reporting year included the addition of 16 new chemicals and that facilities could now identify the quantities of chemicals that they have sent to publicly owned treatment works. During the 2011 reporting year, approximately 198 million pounds of chemicals were released from 174 facilities, which is a 7% decrease from the 213 million pounds that were reported in the previous year.

■ **OTHER DISCUSSION.....Duane Mortensen**

Reed Scharman informed the Commission that the Advisory Committee has received word from Harry Shinton, who represented urban area LEPCs, that Tooele County was doing away with his position within the Tooele County Sheriff's Office. As such, this will create another opening on the Advisory Committee, along with the vacant hazardous waste response and citizen positions.

Mr. Scharman also stated that the Advisory Committee was pleased to have representatives from the Ute Tribe attend the SERC meeting. At this time, there is a gap in the interaction between the State and Tribal nations in utilizing the mutual aid network in responding to emergency events. In order to minimize this gap between the various agencies, the SERC tasked the Advisory Committee to look at this issue further, which would include defining where this gap specifically occurs and researching the possibility of entering into memorandums of understanding between the State and Tribal nations.

Bernadette Rose explained that the EPA Region VIII has a contract in place with Seagull Industries to develop a Geographic Response Plan, which will focus on watersheds instead of individual waterways, and will include the Green River in Utah. It is anticipated that the work will begin in the fall of 2012.

■ **NEXT MEETING DATE AND TIME.....Duane Mortensen**

The next SERC meeting is scheduled for 1:00 p.m. on Thursday, November 29, 2012. The meeting will be held in the Bonneville Conference Room #4138 at the Multi-Agency State Office Building.

■ **ADJOURN.....Duane Mortensen**

The meeting adjourned at approximately 2:16 p.m.