

STATE EMERGENCY RESPONSE COMMISSION

MEETING MINUTES
UDEQ, Building #1, Main Conference Room
150 North 1950 West
Salt Lake City, Utah
October 7, 2009 @ 10:30 a.m.

Attendance List:

Davenport, Lance Utah Department of Public Safety/CO
Johnson, Brad..... Utah Department of Environmental Quality/DERR

Also Attending:

Ariea, Jody CH2M Hill
Bailey, Rick..... San Juan County
Bailey, Ty.....Utah Department of Public Safety/DHLS
Bekkemellom, Shane Utah Department of Environmental Quality/DERR
Conklin, Meagan.....Americorp Vista
Everett, Brent Utah Department of Environmental Quality/DERR
Fielder, J.L. Universal Field Services
Ford, Glenn U.S. Environmental Protection Agency/Region VIII
Fornelius, Chris..... Holly Corporation
Gubler, Cindy.....Wilkinson Ferrari and Company
Halladay, Brent Utah Department of Public Safety/SFMO
Hammer, KimUtah Department of Public Safety/DHLS
Harrison, ScottUtah Department of Public Safety/DHLS
Johnson, JeffUtah Department of Public Safety/DHLS
Miller, Mechelle.....Utah Department of Public Safety/DHLS
Riley, Mike Utah Department of Public Safety/SFMO
Scharman, Reed West Jordan Fire Department
Shinton, Harry..... Tooele County Sheriff’s Office
Taylor, Neil Utah Department of Environmental Quality/DERR
Thomas, Patrice.....Utah Department of Public Safety/DHLS
Townsend, Jim Holly Corporation
Townsend, Paula.....General Public
Urban, Dale Utah Department of Environmental Quality/DERR
Zucker, Mike..... Utah Department of Environmental Quality/DERR

Attending Telephonically:

Brown, Brent.....U.S. Department of Transportation
Reineke, Ross.....U.S. Department of Transportation

■ **WELCOME & INTRODUCTIONSBrad Johnson**

On Wednesday, October 7, 2009, at 10:30 a.m., a State Emergency Response Commission (SERC) was held at the Utah Department of Environmental Quality, Building #1, in the main conference room. Brad Johnson welcomed the attendees and expressed appreciation for their willingness to participate in the meeting.

In view of the fact that many of the attendees of the meeting do not routinely attend SERC meetings, introductions of the Commission and the other attendees were conducted.

■ **APPROVAL OF AUGUST 4, 2009, MEETING MINUTESBrad Johnson**

Minutes from the August 4, 2009, meeting were distributed and reviewed by the SERC. A motion was made that the meeting minutes be approved, with the following correction: under the “Next SERC Meeting” section, page 8, item 1, the subsequent change should be made: “DEQ will host the meeting at DEWQ State Building #21.” The SERC then unanimously approved the meeting minutes, with the corrections noted.

■ **UTAH/NEVADA PETROLEUM PIPELINE OVERVIEWJim Townsend**

In previous SERC meetings, the Commission was informed of a pipeline that is being built in the State by the Utah-Nevada Pipeline, L.L.C., (UNEV Pipeline) and about concerns by Tooele County if the pipeline were to leak. While discussing this issue, it was suggested that it would be beneficial to invite representatives from the UNEV Pipeline to a future SERC meeting in order to provide information on the proposed pipeline and what protocols they have in place if a leak were to occur. In response to this suggestion, Jim Townsend, Senior Vice President of the Holly Corporation, which is the operator of the pipeline, provided a PowerPoint presentation on the pipeline that will run from Salt Lake City, Utah to Las Vegas, Nevada. (A copy of this presentation is available with the meeting minutes.) This presentation included an overview of the project, the construction process, facts about the pipeline, its safety preparedness, and the timeline for completion of the project.

Following a lengthy discussion, Mr. Johnson thanked Mr. Townsend and the other representatives of the UNEV Pipeline for attending the meeting and for their presentation, as it was beneficial and answered a number of the Commission’s questions regarding the pipeline.

■ **STATUS OF ADMINISTRATIVE RULESBrent Halladay**

Brent Halladay informed the SERC that the Hazardous Chemical Emergency Response Commission rules, R698-5, which were discussed in previous SERC meetings, became effective on August 26, 2009. A final version of the rules were distributed to the Commission. (A copy of this final version of the rules is available with the meeting minutes.)

■ **ESTABLISHING CRITERIA FOR EVALUATING..... Brent Halladay
LEPC CREATION REQUESTS**

Mr. Halladay then stated that in the last SERC meeting, a proposal was made to develop rules which would establish the criteria for the creation, modification, or dissolution of a Local Emergency Planning Commission (LEPC). A draft version of the R698-5-4 rules were distributed to the Commission. (A copy of the draft rules is available with the meeting minutes.) After reviewing the proposed rules and discussing possible changes, the SERC decided to develop another draft of the proposed rules, which would incorporate the edits suggested in the meeting. These draft rules would then be brought back before the SERC for further review.

■ **SERC ADVISORY COUNCIL REPRESENTATION Neil Taylor**

Neil Taylor explained that since the last meeting held on August 4, 2009, additional individuals have accepted invitations to submit applications to become members of the SERC Advisory Council. A “SERC Advisory Committee Potential Members” handout was distributed to the Commission. (A copy of this handout is available with the meeting minutes.) However, not all individuals who were invited have responded, despite having been asked for a second time. It is the recommendation that the Advisory Council for the SERC be established with the representatives that have accepted in order to move forward, while continuing to strive to fill the other positions on the Council. Official notifications will be sent out appointing those individuals to the Council that have already submitted their applications.

■ **HMEP GRANT UPDATE.....Mike Riley**

Mike Riley informed the Commission that according to State rules, the SERC shall supervise the overall planning and direction of the LEPCs. The SERC shall also approve grant funding to be given to each LEPC and shall establish criteria for funding to be awarded. Beginning October 1, 2009, the Utah Department of Public Safety, Division of Homeland Security, will begin to take a portion of the Hazardous Materials Emergency Preparedness grant that was awarded to the State of Utah. This grant had been traditionally reserved for the LEPCs. This portion amounts to approximately \$103,000.00 and will be used for planning purposes. The second portion of this grant, which relates to approximately \$143,000.00, will be used for training purposes throughout the State.

■ **STATE CODE REVIEW (CHAPTER 53 & 63) STATUS UPDATE..... Ty Bailey**

Ty Bailey stated that the review of Chapters 53 and 63 of the State Code will be deferred until the SERC Advisory Council has been established and is fully functional.

■ **OTHER.....Brad Johnson**

Harry Shinton asked that according to all applicable statutes, how long do LEPCs need to keep Tier II reports that are submitted from the industry. After a brief discussion, the Commission made the decision to add this as an agenda item for the next SERC meeting.

■ **NEXT MEETING.....Brad Johnson**

The next SERC meeting is scheduled for 10:30 a.m. on Wednesday, January 13, 2010. It will be held in room 1112 at the Division of Homeland Security, located in the State Office Building.

■ **ADJOURN.....Brad Johnson**

The meeting adjourned at approximately 12:51 p.m.