



State of Utah

Department of
Environmental Quality

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DIVISION OF ENVIRONMENTAL
RESPONSE AND REMEDIATION
Brad T Johnson
Director

OLENE S. WALKER
Governor

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Lieutenant Governor

STATE EMERGENCY RESPONSE COMMISSION

MEETING MINUTES

Kroger/Smith's Distribution Center
500 North Sugar Street, Building #4
Layton, Utah

October 19, 2004 @ 9:30 a.m.

Attendance List:

Rolfe, Nanette Utah Department of Public Safety/DES

Also Attending:

Bailey, Rick.....San Juan County Emergency Services
Bekkemellom, Shane Utah Department of Environmental Quality/DERR
Bradford, Kent Westinghouse Western Zirconium
Dewsnup, Wes T.W. Company
Everett, Brent Utah Department of Environmental Quality/DERR
Ford, Glenn U.S. Environmental Protection Agency/Region VIII
Francis, Wade Utah National Guard
Garrett, Brian Utah Department of Public Safety/DES
Gilmore, Tom.....Kroger/Smith's Distribution Center
Grover, Terry Lincoln Environmental Services
Loveridge, Bernell Utah Department of Natural Resources/UEO
Maxwell, Dan..... Tesoro Refining and Marketing
Thiriot, Steve..... Utah Department of Environmental Quality/DERR
Wilden, Randy Murray City Fire Department

Excused:

Fifield, DeeEll..... Utah Department of Public Safety/DES
Johnson, Brad..... Utah Department of Environmental Quality/DERR
McGarvey, Delane Davis County Health Department
Millett, Mark Utah Department of Public Safety/DES
Repp, Kris Utah Department of Public Safety/DES
Shinton, Harry..... Tooele County Sheriff's Office
Smith, Terry Utah Trucking Association
Taylor, Neil..... Utah Department of Environmental Quality/DERR
Zucker, Mike..... Utah Department of Environmental Quality/DERR

■ **WELCOME/OVERVIEW Brent Everett**

On Tuesday, October 19, 2004, at 9:30 a.m., a State Emergency Response Commission (SERC) meeting was held at the Kroger/Smith's Distribution Plant, Building #4. Brent Everett (sitting in for Brad Johnson) welcomed everyone to the meeting and thanked the Kroger/Smith's Distribution Plant for hosting the meeting.

■ **APPROVAL OF MINUTES**

Minutes from the September 7, 2004, meeting were distributed and reviewed by the SERC Commission. A motion was made by Nanette Rolfe and seconded by Brent Everett that the SERC meeting minutes be approved. The Commission then unanimously approved the meeting minutes with no changes.

■ **ADVISORY BOARD STATE HAZMAT PLAN UPDATE Terry Grover**

Terry Grover stated that the SERC Advisory Board continued on with reviewing the state's Hazardous Materials Response Plan, in which they have almost completed their review. The Utah Department of Transportation (UDOT) is the last state agency that needs to review and comment on the plan. A copy of the plan had been given to them previously and as of yet, no comments have been received. As such, the Commission determined that the UDOT has until January 1, 2005, to submit their comments and changes to the SERC Advisory Board. If no changes are received by that due date, their portion of the plan will remain unchanged.

Mr. Grover also explained that the Board carried on with their discussion regarding the reorganization of the Advisory Board. Part of the discussion that took place dealt with concerns that members had with the open nature of the SERC Commission, the involvement of law enforcement personnel, and the control of who is appointed to the Advisory Board. After having discussed these concerns, members of the Board were in full support of the new organization.

Mr. Grover also stated that the Board talked with Wade Francis of the Utah National Guard about how the Guard should be one of the agencies listed on the state's Hazardous Materials Response Plan. Ms. Rolfe stated that this was an issue currently being discussed and that it would need to be addressed formally in future meetings.

Mr. Grover then stated that the Board also discussed the issue of how local fire departments can now charge for their time in dealing with hazardous material responses. Problems are being encountered as the fire departments are taking advantage of the private sector by using this income to fund their whole program. The Board strongly suggested that if the SERC Commission is given the opportunity to conduct administrative rule changes, some type of control should be placed on the local fire departments in the charging of their time in handling hazardous material responses.

■ **PROPOSED CHANGES TO ADVISORY BOARDBrian Garrett**

As mentioned previously, the proposed changes to the Advisory Board organization was once again discussed in the Advisory Board meeting. The purpose of this discussion was to go over the philosophy of the Board, to discuss where the Board is headed, and to go over the proposed bylaws after last month’s meeting. A draft copy of the “Bylaws of the Utah Hazmat/WMD Advisory Board” was distributed to the Commission members. As of right now, three responses have been received. Once these changes have been incorporated, it is anticipated that the bylaws will be officially approved and adopted at next month’s meeting.

Brian Garrett stated that one of the things that the Board is trying to accomplish with these bylaws is to make sure that anyone who wants to join the Board has the opportunity to do so. They are also trying to ensure the organization is set up to allow the existing members the chance to finish out their term, while driving voter membership.

The next meeting to discuss the reorganization of the Advisory Board has been scheduled for Wednesday, November 3, 2004, at the Midvale Fire Station #22, which is located at 607 East Fort Union Boulevard, Midvale, Utah. It is anticipated that finalization of these bylaws will take place, as well as discussions regarding certification and the makeup of response teams. In the interim, the Advisory Board will continue to work on the state’s Hazardous Materials Response Plan.

■ **EPCRA UPDATEBrent Everett**

Mr. Everett stated that all of the Tier II data for 2003 has been entered into the database in preparation of creating the Annual Tier II Report. It is expected that this report will be available early next year. The Commission members will be notified as to when this report is completed.

Mr. Everett also stated that the TRI and Tier II reports for 2002 that Mr. Johnson had indicated would be finalized and distributed at the last meeting would soon be finalized and available for distribution to the SERC Advisory Board and the Local Emergency Planning Committees by the next meeting.

■ **OTHER BUSINESS.....**

No other business was conducted during the SERC meeting.

■ **NEXT MEETING.....**

The next SERC meeting is scheduled for Tuesday, November 9, 2004, at the Division of Emergency Services and Homeland Security.

■ **ADJOURNED**

The meeting adjourned at 9:50 a.m. Members of the Commission were then given the opportunity to stay for an overview of the Kroger/Smith's RMP and Safety Plan, and a tour of the Kroger/Smith's Distribution Plant.