

STATE EMERGENCY RESPONSE COMMISSION

MEETING MINUTES

Multi-Agency State Office Building, Bonneville Conference Room #4138
195 North 1950 West
Salt Lake City, Utah
November 29, 2012 @ 1:00 p.m.

Attendance List:

Bailey, Ty.....Utah Department of Public Safety/DEM
Everett, BrentUtah Department of Environmental Quality/DERR

Also Attending:

Bekkemellom, ShaneUtah Department of Environmental Quality/DERR
Byrnes, AndyUtah Valley University
Cobb, DonUtah Department of Public Safety/DEM
Dhieux, JoyelU.S. Environmental Protection Agency/Region VIII
Guy, KerryU.S. Environmental Protection Agency/Region VIII
Illum, MarkIM Flash Technologies
Miller, Mechelle.....Utah Department of Public Safety/DEM
Mortensen, DuaneUtah Department of Environmental Quality/DERR
Perank, Eldora.....Ute Indian Tribe
Porter, CoyUtah Department of Public Safety/SFMO
Pritchard, Jeff.....Seagull Environmental Technologies, Inc.
Rigtrup, DonIM Flash Technologies
Riley, MikeUtah Department of Public Safety/SFMO
Scharman, ReedWest Jordan Fire Department
Taylor, NeilUtah Department of Environmental Quality/DERR
Urban, DaleUtah Department of Environmental Quality/DERR
Zucker, Mike.....Utah Department of Environmental Quality/DERR

Attending Telephonically:

Figuroa, RayU.S. Environmental Protection Agency/Region VIII
Peck, DaveU.S. Environmental Protection Agency/Region VIII
Rose, BernadetteU.S. Environmental Protection Agency/Region VIII

■ **WELCOME AND INTRODUCTIONSBrent Everett**

On Thursday, November 29, 2012, a State Emergency Response Commission (SERC or Commission) meeting was held at the Multi-Agency State Office Building in the Bonneville Conference Room #4138. Brent Everett welcomed the attendees to the meeting and expressed appreciation for their attendance and participation. As a number of individuals were attending the meeting telephonically, introductions of the meeting attendees were conducted.

■ **APPROVAL OF AUGUST 30, 2012, MEETING MINUTES.....Brent Everett**

Minutes from the August 30, 2012, SERC meeting were distributed and reviewed by the Commission. With no changes needing to be made, the SERC unanimously approved the meeting minutes.

■ **ADVISORY COMMITTEEReed Scharman
MEMBERSHIP RECOMMENDATIONS**

Reed Scharman announced that with the retirement of Don Rigtrup on December 7, 2012, there will be four positions that will need to be filled on the SERC Advisory Committee (Advisory Committee). However, Mr. Rigtrup has requested to stay on with the Advisory Committee and fill one of the General Public positions. It was also announced that Mark Illum with IM Flash Technologies, Glen Jones with U.S. Pollution Control, Inc., and John Veranth with the University of Utah have submitted applications for the other three available positions. The Advisory Committee also recommended to include the applications for each position as part of the agenda for the next SERC meeting.

In addition, a discussion took place in regards to whether or not the Advisory Committee should ask for additional recommendations and/or applications for the vacant positions, and if there should be a formal closing period on when applications would be accepted. The SERC decided to stay with the current process already in place and to defer a formal vote on the membership acceptance until the next meeting. However, the individuals who have submitted their applications are more than welcome to attend as the SERC meetings are open to the public.

■ **ESF #10 PLAN DEVELOPMENT PROGRESS REPORTDon Cobb**

Don Cobb stated that a meeting was held on September 26, 2012, in which a lot of encompassing issues were noted and discussed. The following items were discussed, which are now being brought before the SERC for consideration:

- The State mapping of regions. It was found that different agencies are using differing mapping systems for the regions within the State and there is a need for coordination in order to minimize the confusion from the users' perspective. It was discussed that there is a need for a relationship built between the SERC, the Regional Chairs Group, and the Utah Department of Public Safety (UDPS) in order for a more coordinated effort to take place.
- Creation of Memorandum of Understandings (MOU) to work with the locals in situations where regional efforts might be made. There is a need for a formalized mutual aid structure between local regions, the Advisory Committee, and the SERC. In addition, agreements need to be memorialized in order for there to be no loss of continuity if political leadership changes occur in various areas.

- Better linkage within Tribal Emergency Response Commissions (TERCs). Currently, there is no formal method of information sharing with the TERCs, despite them being involved with some of the regions that are created.
- Post incident reporting needs to be clarified and process improvements made.
- A recommendation to move forward with the current plan, realizing that changes would always need to be made as the plan moves forward and evolves into a more coordinated and inclusive plan.

These items were brought before the Advisory Committee in order to be incorporated into the regular meeting agenda for the SERC for the formalization of outcomes.

■ **INTERSTATE MUTUAL AID AGREEMENT Coy Porter**

Coy Porter explained that two years ago, Senate Bill 67 – Public Safety Services Crossing State Borders, which was sponsored by Senator Lyle Hillyard, passed the Utah State Legislature. This Bill included a mutual agreement between the Utah Highway Patrol and the Idaho State Police for law enforcement purposes. The UDPS has been working with Representatives Curtis Oda and Richard Greenwood in an effort to modify the existing statute in order to broaden the scope of the law to include identified emergency responders, which are defined as a person whose duties include providing services to protect property or the life and safety of any person, that are employed by a government entity of the State, temporarily employed by a governmental entity, or a volunteer who is serving at the request of the government. In addition, this would also provide emergency responders with legal protections and funding when crossing state borders. However, a number of items need to be worked out before these statute changes can be brought before the Utah State Legislature.

■ **EPA CONTINGENCY PLAN UPDATE Kerry Guy**

Kerry Guy explained that the Environmental Protection Agency (EPA) is conducting outreach efforts with individual states in order to work on area planning. After providing a PowerPoint presentation, which showed wells, pipelines and tributaries, large facilities, and possible worst case scenarios, Mr. Guy explained that under the Oil Pollution Act, the EPA is required to identify sensitive areas, worst case scenarios, available equipment, and all responsibilities of the parties involved. This means that the EPA is required to respond to an oil release that could impact the waters of the nation. However, this could be accomplished with the assistance of a reliable contact on the local level. The EPA is also endeavoring to break up regions into a manageable number of response areas. This would allow the EPA the ability to assign on-scene coordinators that would visit and become very knowledgeable about the parties and the infrastructure of each area. The EPA is also endeavoring to establish area committees, which would be comprised of local and federal authorities, any Tribes, Local Emergency Planning Commissions, the SERC, the Advisory Committee, and industry. It is anticipated that this process will be lengthy and could possibly take a number of years to complete, but will hopefully result in a coalition that will be able to respond to releases effectively and efficiently.

■ **HMEP GRANT NEXT YEAR STATUS.....Ty Bailey**

Ty Bailey reported that with the closing out of last year's Hazardous Material Emergency Preparedness (HMEP) grant, the noticeable difference from prior years was the number of LEPCs that did not use their full grant money available. This was partially due to a no food requirement that was added. It is anticipated that in the future, Mr. Bailey will be visiting each region in order to provide training on the grant, some information sharing, and to offer ideas on what others things the regions could be doing with the money. Although this year's grant is for \$98,000.00, each LEPC will receive \$3,200.00. The application process for this grant will begin in January 2013, with a deadline of August 31, 2013, in order to deal with the reimbursement process. This will allow the review of what money has been spent by the LEPCs and to redistribute funding as appropriate. All monies must be spent by September 30, 2013.

Mike Riley also reported that the training portion of the grant is approximately \$140,000.00. Each state in the country can apply for this funding, but that larger states are given more money based on their populations and transportation routes, which includes pipelines and waterways. However, some states are not applying due to more stringent policies. The training and planning portion of the grant is an 80% to 20% split, which leaves the recipient to come up with 20% of what was awarded for the grant.

In addition, Mr. Riley reported that last year, the UDPS was able to provide one operations level class per month, three awareness classes per month, and three technician classes, which were funded in conjunction with the Fire and Rescue Academy.

A discussion also took place regarding the question of whether or not the Tribe could apply for this state grant, since it is eligible for federal funding on its own. The SERC decided that this issue would need to be researched further to see if the Tribe would be eligible to participate in these applications deadlines.

■ **OTHER DISCUSSIONBrent Everett**

It was announced that Brent Halladay, the State of Utah Fire Marshall, will be retiring on December 14, 2012. An open house will be held in his honor on December 11, 2012, from 11:30 a.m. to 2:00 p.m. at the UDPS.

■ **NEXT MEETING DATE AND TIMEBrent Everett**

The next SERC meeting is scheduled for 1:00 p.m. on Thursday, March 14, 2012. The meeting will be held at the Salt Lake Valley Health Department.

■ **ADJOURNBrent Everett**

The meeting adjourned at approximately 2:33 p.m.