

**STATE EMERGENCY RESPONSE COMMISSION  
ADVISORY COMMITTEE**

**MEETING MINUTES**  
July 7, 2010 – 10 a.m.  
Multiagency State Office Building  
Bonneville Conference Room - Room (4138)  
195 North 1950 West  
Salt Lake City, Utah

**Attendance List:**

Bailey, Rick..... San Juan County Emergency Management  
Bailey, Ty.....Utah Department of Public Safety/DHLS  
Bob Carey .....Utah Department of Public Safety/DHLS  
Bradford, Kent ..... Westinghouse  
Rose, Bernadette ..... U.S. Environmental Protection Agency/Region VIII  
Peck, Dave ..... U.S. Environmental Protection Agency/Region VIII  
Halladay, Brent ..... 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  
Taylor, Nadine .....Utah Department of Public Safety/DHLS

**Attending Telephonically:**

Rigtrup, Don ..... IM Flash Technologies

John Hunt with Sevier County, Kathy Van Dame with Utah Moms for Clean Air and Mike Riley with Utah Department of Public Safety/SFMO were excused.

- **WELCOME AND INTRODUCTIONS..... Kent Bradford**
- **APPROVAL OF JANUARY 13, 2010, MEETING MINUTES ..... Kent Bradford**

Minutes from the June 16, 2010 conference call were distributed and reviewed by the Committee. With two small changes, the Committee unanimously approved the meeting minutes.

- **REVIEW OF THE ADVISORY COMMITTEE'S ROLE IN TODAY'S SERC AGENDA ..... Kent Bradford**

Kent asked that a copy of the committee's recommended process for the evaluation of requests to establish additional LEPCs be available at the SERC meeting for discussion. Kent asked for an evaluation of whether this recommended process could move forward for adoption by the SERC as a guideline or if the process needed to be adopted as rule. Ty indicated that the Division of

Homeland Security's legal opinion was that a guideline would be adequate. Ty indicated that Matt Morrison, chair of the Salt Lake County LEPC, would be present for the SERC meeting to provide input concerning West Jordan City's application to be approved as a new LEPC. Neil replied that DEQ's legal opinion was that because the process involved municipal rights and processes, rulemaking would be advisable. It was decided that the two options will be presented to the SERC for their decision.

■ **EPA REGION 8 PLANNING UPDATE** – Bernadette Rose and David Peck (USEPA)

Bernadette discussed EPA's new National Approach to Response. EPA Region 8 staff was asked to speak to each state to identify EPA and state response capabilities and limitations concerning five scenarios: chemical release-blister agent, biological release-anthrax, hurricane/tornado, earthquake, radiological device detonation. Response capabilities were to be identified for the scenarios individually and if the five scenarios occurred simultaneously. The planning may be conducted as part of an area contingency plan (ACP) or as a general plan. EPA's goal is for each state to become familiar with EPA's capabilities and response staff. The response plan ideally would be a five to six page short plan containing contact information and agency organizational information. EPA would also like to identify locations along the Wasatch front with a higher potential for chemical release. Bernadette Rose and that Kerry Guy will be the lead EPA staff in these planning efforts in Utah.

Harry Shinton posed the question of what happens if the responsible party does not call the National Response Center (NRC). Both Bernadette and Neil responded that local response agencies should feel free to notify the NRC in order to document the event or to request federal resources or enforcement action. Neil provided an example of how EPA provided technical assistance during a chemical manufacturing facility fire. Bernadette commented that EPA reserves the right to take over an event, if necessary, but rarely does. Bernadette indicated that she hoped to receive a designation from the SERC of contact people from DHS and DEQ for future planning activities.

Reed Scharman recommended that EPA also examine companies one level below those with adequate self responding capability. Bernadette indicated EPA would be reaching out to LEPCs to determine their capabilities, plans, and equipment available and to make sure both states and LEPCs are tied in to the Emergency Management Assistance Compact (EMAC) system.

Ty asked if EPA had any way of providing financial support to state SERCs. Bernadette indicated that occasionally responsible parties will be asked, as part or all of an environmental settlement, to do something environmentally friendly or provide equipment for local responders. Neil Taylor then asked if this planning effort would tie in to the ongoing 2012 earthquake planning. DHS staff is significantly involved in this planning and another planning forum would be difficult to incorporate. Bernadette responded that EPA recognized this need and would attempt to coordinate with the FEMA planners in place.

■ **PRESENTATION BY STATE AGENCIES CONCERNING CURRENT PROCESSES FOR PROVIDING 24-HOUR ACCESS TO HAZMAT RESPONSE RESOURCES/ DISCUSSION OF THE CREATION OF ONE TELEPHONE NUMBER FOR COMMUNITIES TO OBTAIN STATE HAZMAT RESPONSE RESOURCES**

Discussion on these two issues was combined in the meeting.

Neil reported that DEQ's 24-hour number was primarily designed as a regulatory compliance and reporting number, not a number for providing emergency response assistance. Nevertheless, DEQ provides technical assistance and coordinates with EPA and other agencies to ensure proper notifications are made. Neil recommended that, because DEQ does not provide on-site hazardous materials response resources, the DEQ 24-hour regulatory reporting number remain separate from numbers responding agencies call for state response assistance and resources.

Brent Halladay reported that the Fire Marshal's Office has reorganized their hazmat helpline (801-256-2477). Requests after hours now go to Salt Lake UHP dispatch (801-887-3800). Four persons are available to provide hazardous material advice. Fire agencies are required to notify the Fire Marshal's Office whenever there is a fire related death. Rural fire agencies often require assistance from the Fire Marshal's Office when arson is suspected. Reed recommended that notifications go one level beyond the agencies that are responding to an event, to an agency that is just monitoring, so that the agency can respond if the incident escalates.

Ty Bailey explained that DHS has modified its protocols to ensure staff immediately responds to the call when calls come in under the DHS emergency telephone number. With a 24-hour number 536-3400 now goes directly to operations. After hours, the number rings at UHP dispatch who then calls DHS. Neil asked if the 538-3400 number could be used to contact the Fire Marshal's Office. Bob Cary responded that was possible. Kent Bradford recommended that whether one number or two numbers are used, it is important to train the appropriate agencies concerning what numbers to call and what assistance they should expect. Reed Scharman made a motion that DPS and DEQ provide options to the SERC and explain the advantages of the various emergency response numbers now available and that whatever options are selected appropriate efforts are made to educate local agencies concerning the use of the numbers. Don Rigtrup seconded the motion which passed unanimously.

■ **STATUS OF EFFORTS TO DETERMINE SERC AND LEPC RESPONSIBILITIES WHEN RECEIVING EPCRA SUBMISSIONS FOR TRIBAL AREAS WITHOUT AN ORGANIZED TERC**

Neil Taylor reported that DEQ legal staff believes that LEPC and SERC liability would be minimal for receiving Tier II submissions and other data under the EPCRA program from facilities located on tribal areas where TERCs are not functional. The key is making it clear in

TERC agreements that SERC and LEPCs do not assume additional emergency responsibilities by receiving this information.

■ **OTHER** .....

■ **NEXT MEETING** .....

The next SERC Advisory Committee Meeting is scheduled for 10 a.m. on September 8. The meeting will be a conference call.

■ **ADJOURN** .....

The meeting adjourned at approximately noon.