

MEETING NOTES

**STATE EMERGENCY RESPONSE COMMISSION
SERC Advisory Committee**

Bonneville Room #4138
Multi Agency State Office Building (MASOB)
195 North 1950 West
Salt Lake City Utah
December 11, 2014 11 a.m.

DRAFT

In Attendance:

Urban LEPC

Reed Scharman (by phone)West Jordan Fire Department

Rural LEPC

Cody BartonSevier County Sherriff's Office

Hazardous Materials Advisory Council

Michael Riley Utah Department of Public Safety/SFMO

Coy Porter Utah Department of Public Safety/SFMO

Hazardous Chemical Transportation Industry

Dale Ipson(absent) DATS Trucking

Federal and State Agency Representatives

Bailey, Ty Utah Department of Public Safety/DEM

Don CobbAbsent

Christian MartinUtah Department of Environmental Quality/DERR

Neil TaylorUtah Department of Environmental Quality/DERR

Michael ZuckerUtah Department of Environmental Quality/DERR

Fixed Site Regulated Industries (2)

Kent Bradford(absent) Westinghouse

Mark IllumIM Flash Technologies

National Guard

LTC Michael SilverAbsent

Local Health Departments

Teresa GrayAbsent

Environmental Interest Groups

Kathy Van DameAbsent

Environmental Cleanup Contractors

General Public (2)

Don Rigtrup (by phone)Private Citizen

John Veranth(absent) University of Utah

Joyel Dhieux, USEPA

Kerry Guy USEPA

Rick Bailey Grand County LEPC

Action Items

Approve previous meeting minutes – November 6, 2014

Two changes were made to the minutes. Teresa Grey was mistakenly listed as representing urban LEPCs rather than local health departments. Mark Illum should have been listed as attending. The minutes were approved unanimously with the modifications.

Actions Approved

Follow-up from last meeting

The cost recovery ordinance is still in development. Salt Lake County, Provo and West Jordan City have cost recovery ordinances. Inglewood Colorado also has such an ordinance. Idaho and Florida have state ordinances that are being reviewed. There is also the federal local government reimbursement program that is direct reimbursement from the EPA to the local government. Unfortunately, the federal reimbursement program will only reimburse for costs exceeding local resources. Reed was concerned that with how long it might take to get reimbursement if the program went through a state ordinance. He would prefer that state establish a model ordinance.

SERC Commission Handbook

It has been determined that both the SERC and SERC Advisory Committee meet the definition an “executive board” as defined by Utah Code Annotated § 67-1-2.5. As such the previously reviewed *Handbook for the State of Utah Boards and Commissions* applies to the SERC Advisory Committee. Therefore, there is not a need to create a separate SERC Advisory Committee handbook. Neil is working with the governor's office to ensure that the SERC Advisory Committee is included and listed with the other state boards and commissions on their website.

Utah Pipeline Association

Mike Riley contacted the Utah Pipeline Association to see if they want to be included as a member of the SERC Advisory Committee and receive notifications on SERC meetings. They have asked that we let them know in advance if there are pipeline issues that will be discussed and they asked that we continue to forward them minutes. Mike will take care of that for us.

Changes in SERC Administrative Support and the DEQ/DPS MOU

The leadership of the DERR and DEM met previously and discussed how the DPS/DEQ SERC MOU should be modified. The most significant changes to the MOU developed in that meeting are summarized in the table below.

DEQ	DPS
Audio record and type SERC and SERC Advisory Committee meeting minutes.	Process requests from the SERC Advisory Committee for per diem and travel cost reimbursement.
Provide a record repository for SERC and SERC Advisory Committee meeting minutes and agendas	Prepare SERC and SERC Advisory Committee meeting agendas.
Post pending minutes, approved minutes, and audio recordings on the SERC website as required by Utah Code 52-4-203	Post notice of SERC and SERC Advisory Committee meetings on the Utah Public Notice website.
	Annually DPS will provide a report to the SERC concerning the status of each LEPC and recommended SERC assistance efforts.

Both agencies have agreed to coordinate requests for public information from the SERC as follows:

Requests for information from the media will be routed through the public information officer of the agency whose responsibilities most closely follow those identified in this agreement. Public information officers of each agency will coordinate a response to a media request for information when the responsible agency is not clearly defined by this agreement.

The MOU will be updated at least every four years. The SERC Advisory Committee was provided with a copy of the modified MOU for their review. Mike Riley and Coy Porter with the Fire Marshal's Office were concerned that additional recommended changes to the MOU had not been incorporated. They were concerned that the MOU does not clearly specify which agency within DPS will be providing the services listed in the MOU and that some of the services listed are inappropriate. It was decided that SFO and DEM will discuss how the MOU should be modified and will provide their comments to Neil. The modified MOU will be discussed at the next SERC Advisory Committee meeting

Other Items

Kathy Van Dame mentioned that administrative rules review committee of the legislature are working on a bill entitled local ordinances oversight amendment to receive anonymous citizen complaints that ordinances to justify city or county ordinances. The bill is still being developed. She suggested this was something the SERC should keep an eye on. Kathy was concerned that the legislature is inserting themselves in roles traditionally taken by the courts.

The EPA LEPC workshop is being scheduled for March. This will be a one-day workshop. Ty suggested that the SERC Advisory Committee and the SERC meeting be held in conjunction with this workshop.

Joyel mentioned that EPA is the process of scheduling a fast and slow water oil spill response course for sometime in June. EPA is also continuing to update the Green River subarea contingency plan. A Great Basin subarea contingency plan is under development as well.

Next Full Meeting Date and Time: Will be determined by the SERC. Ty recommended March 19.