

**STATE EMERGENCY RESPONSE COMMISSION
SERC Advisory Committee**

MEETING NOTES
Bonneville Room #4138
Multi Agency State Office Building (MASOB)
195 North 1950 West
Salt Lake City Utah
November 6, 2014 10 a.m.

Electronic Attendance:

Rural LEPC

Cody Barton Sevier County Sherriff's Office

Hazardous Materials Advisory Council

Michael Riley Utah Department of Public Safety/SFMO

Hazardous Chemical Transportation Industry

Dale Ipson DATS Trucking

Federal and State Agency Representatives

Bailey, Ty Utah Department of Public Safety/DEM

Christian Martin Utah Department of Environmental Quality/DERR

Neil Taylor Utah Department of Environmental Quality/DERR

Fixed Site Regulated Industries (2)

Mark Illum IM Flash Technologies

Local Health Departments

Teresa Gray Local Health Department

Environmental Interest Groups

Kathy Van Dame Wasatch Clean Air Coalition

Environmental Cleanup Contractors

General Public (2)

Don Rigtrup Private Citizen

John Veranth University of Utah

Action Items

Approve previous meeting minutes – September 18, 2014

Approved

Actions

Ty will resend his summary of how states responded to the recent railroad notification of the shipment of Bakken crude oil. States have now decided that these notifications are public information, and cannot be held as confidential. Utah has decided that we will provide any notification information to the LEPCs. Kathy spoke to one of the refinery managers about the volatility and hazards of Uintah Basin crude oil and confirmed that the Uintah Basin waxy crude does not have the same hazardous characteristics as the Bakken crude oil. Nationally, the "term of art" is now oil by rail" rather than "Bakken oil".

Mike Riley confirmed that the shipment notification must be made by the company that owns the rail and that an additional notification needs to be made if the amount shipped changes by 25% or more. Fifty miles per hour is the maximum speed the shipment can travel through populated areas.

Neil reported that state statute 67-1-2.5 Utah Code Annotated states require the governor to prepare a database of state executive boards. The statute defines an "executive board" to mean "any executive branch board, commission, council, committee, working group, task force, study group, advisory group, or other body with a defined limited membership that is created to operate for more than six months by the constitution, by statute, by executive order, by the governor, lieutenant governor, attorney general, state auditor, or state treasurer or by the head of a department, division, or other administrative subunit of the executive branch of state government."

Both DEQ and DEM legal counsel have advised us that the SERC advisory committee meets this definition of an "executive board". Thus, the SERC advisory committee meets the definition of an "executive board". The *"Handbook for Members of the State of Utah Boards and Commissions"* was prepared for these executive boards. Thus, this handbook, previously distributed to members of the SERC advisory committee, can and should be used as official guidance for SERC advisory committee members. The SERC advisory committee does not need to develop a separate advisory handbook.

Over the next few months the directors of DEM and DEQ will get together to discuss proper procedures for reimbursement of advisory committee member's travel and per diem, ongoing administrative support for the SERC advisory committee and SERC, and modification on the DEQ/DEM interagency agreement. No recommendations for modification of the DEQ/DEM interagency agreement have been received from advisory committee members. Comments are due to Neil Taylor by the end of November. Both Ty and Neil are also asking for comments concerning SERC administrative practices such as:

- Should the agencies continue to alternate years for administrative support?

- Should the responsibility for reimbursement of travel and per diem costs remain with one agency or alternate from year-to-year?

New Member Application Process

The SERC advisory committee webpage has been modified to include a table of the advisory committee members, their affiliations, and their term expiration dates. A link is provided on the webpage to permit persons wishing to apply for membership on the advisory committee to email Neil Taylor for further information.

Next Meeting Time and Place

The DEQ Executive Director and the Commissioner of Public Safety will be attending the next SERC meeting. The SERC meeting will be held at 2:30 p.m. at DEQ in the Bonneville room. Therefore, the SERC advisory committee will be held at 12:30 p.m. at DEQ in the Bonneville room.

Kathy Van Dame recommended that we investigate responsibilities of the Utah Division of Public Utilities pipeline safety group to determine if a representative might be appropriate on the SERC advisory committee. Neil reported that he had contacted the pipeline safety group and discussed membership on the SERC advisory committee. The contact indicated that their responsibilities were limited to natural gas pipelines and felt that their responsibilities did not mesh well with the SERC advisory committee. Teresa recommended contacting the Utah Pipeline Association and see if they would be interested in participating on the advisory committee. Ty indicated that the association is active in LEPCs around the state. Mike Riley will approach the Association to determine if they are interested.

LEPC Training

Ty indicated that EPA is still planning on the 1st Wednesday in March 2015 for LEPC training. A location has not been selected. EPA still interested in bringing another oil response training session to the Wasatch front. The timeframe has not been decided. Teresa is aware of a large auditorium that would likely be available for the LEPC workshop. Teresa suggested the Great Salt Lake Marina for the oil spill response training session. Ty will follow up with EPA about these training sessions.

Assignment Review

- Ty will provide cost recovery ordinance examples.
- Ty will resend his summary of state's response to the Bakken crude oil shipment notification.
- Teresa will get a copy of the Salt Lake County cost recovery ordinance.
- All members should preview the DEQ/DEM interagency agreement and get comments back to Neil by the end of November.
- Review the state board and commission handbook to ensure you are following proper procedures.

- Mike Riley will contact the Utah State pipeline Association determine if they are interested in participating in the SERC advisory committee.
- Kim Hammer will present a draft copy of the LEPC guidance to the SERC advisory committee and SERC.