

STATE EMERGENCY RESPONSE COMMISSION
SERC Advisory Committee

MEETING MINUTES

Bonneville Room #4138
Multi Agency State Office Building (MASOB)
195 North 1950 West
Salt Lake City Utah
September 17, 2015 1 p.m.

In Attendance:

Urban LEPC

Reed Scharman West Jordan Fire Department

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 (absent) DATS Trucking

Federal and State Agency Representatives

Patrick Reid Utah Department of Public Safety/DEM
Kim Hammer Utah Department of Public Safety/DEM
Jona Whitesides Utah Department of Public Safety/DEM
Mark Coon Utah Department of Public Safety/DEM
Christian Martin Utah Department of Environmental Quality/DERR
Neil Taylor Utah Department of Environmental Quality/DERR
Gina Christiano United States Environmental Protection Agency

Fixed Site Regulated Industries (2)

Kent Bradford (absent) Westinghouse
Mark Illum IM Flash Technologies

National Guard

LTC Michael Silver (absent) Utah National Guard

Local Health Departments

Teresa Gray Salt Lake Valley Health Department

Environmental Interest Groups

Kathy Van Dame..... Wasatch Clean Air Coalition

Environmental Cleanup Contractors

John Hart..... (absent) Envirocare

General Public (2)

Don Rigtrup(absent) Private Citizen

John Veranth.....(absent) University of Utah

Rick Bailey..... (visitor) Grand County LEPC

Action Items

Approve previous meeting minutes

The meeting minutes from the March 19, 2015 were approved unanimously without changes. A quorum was not established for the meeting held on June 19, 2015. Therefore, a vote to approve the previous meeting minutes was not required.

John Hart was approved in a prior Advisory Committee meeting to be the committee representative from the “Environmental Cleanup Contractor” sector. The SERC confirmed the approval in the SERC meeting.

Informational Items

Attendance

Two committee members have not attended for at least three meetings. Cody volunteered to contact them and determine if they are able to continue participation in the Advisory Committee.

State Cost Recovery Authorities – Patrick Reid, DEM

Patrick discussed this item with the DEM attorney and determined that two separate templates, local and state, will be prepared due to the differences in the statutes. He will prepare these documents and send out drafts to the group for review before the next meeting.

DEQ/DPS MOU – Neil Taylor, DEQ

The DPS Commissioner and DEQ Executive Director have both signed the interagency agreement effective July 30, 2015. Patrick stated that the DPS Commissioner would like to work with the DEQ Executive Director to select a quarterly SERC meeting for both to attend. The March or July meetings will be proposed to the SERC.

Group Discussion on LEPC Chairs Conference Call – Group

A LEPC Chairs conference call was held on August 24, 2015. Patrick provided the group with a recap of the conference call and discussed the overall positive feedback. It was recommended to develop a summary from the meeting and continue the LEPC meetings in the future. Two areas of concern to the LEPCs were discussed during the LEPC conference calls. One item was the statutory requirements of the Utah Open and Public Meeting Act as they apply to an LEPC. The LEPC chairs appeared to have less concerns after a discussion of public notification protocols. A second item of concern was the requirements of Utah Administrative Code section R698-5-4.4 that requires the annual submission to the SERC Advisory Committee of a list of the voting members of the LEPC. The LEPCs and the Advisory Committee continues to have concerns about the feasibility and usefulness of this regulation. Various options were discussed, including gathering information about the health of LEPCs through Liaison Officer (LNO) outreach.

Patrick proposed to have the LNOs participate in the next SERC Advisory meeting to discuss expectations concerning outreach to LEPCs. It was decided to place a discussion of the reporting requirement also on the agenda of the next Advisory Committee meeting where the visiting LNOs can also discuss options. Neil informed the committee that the purpose of the regulation was to determine the health of LEPCs and suggested that the Committee look at other options to meet that objective. Patrick wanted to ensure that the LEPCs be made aware of all proposed regulatory changes through the LNOs. Reed volunteered to create a handout for the LNO meeting. He will place the document in Google Drive for all to make additions. Chris will check on room availability.

The LEPC representatives for the Advisory Committee noted that submitting an attendance list is a better metric to account for the evolving membership throughout the year. Reed suggested that the attending membership might be a better metric along with educating the LNOs on LEPC health. Further discussions among the group confirmed that there is no Federal requirement requesting a LEPC voting membership list. The State incorporated the listing as a tool to assess LEPC health. Modifying the regulation to require submission of attending membership rather than voting membership may be an easier tool to implement and will better capture the intended goal of the statute. Another discussed option was just using LNOs as assessment personnel. Patrick added that the LEPC meetings should cover some aspect of or tie-in to hazmat during the meeting even if the LEPC has chosen to follow an all-hazards approach. Overall, the group as a whole recognized the issues faced by all involved stakeholders.

Mike Riley mentioned the flow studies performed by the SFMO as a potential topic for LEPC's. Teresa added that theme topics discussed at the State level should also be shared at the local level to maintain a consistent knowledge base. Cody expressed thanks to Kim for her dedication and hard work in the preparation of the LEPC handbook. Ongoing work and education on the various aspects of the LEPC handbook will be needed over time.

Reed mentioned the LEPC survey completed in the past and recommended revisiting the topic. Teresa agreed on revisiting the LEPC survey and would work with Reed on gathering

information on items recommended by the survey that were never implemented. A draft document will be prepared and sent to Chris for posting on the Google Drive. Then it can be reviewed by the SERC Advisory Board prior to the next meeting. Teresa will also include other past concerns which have not been pushed forward. In addition, each SERC advisory representative will bring the top three SERC and LEPC concerns from their vantage point to the next meeting. Rick Bailey expressed frustration that years ago DEM pushed LEPCs into an all hazards approach and now he feels LEPCs are being punished for doing so.

State HazMat Plan (ESF 10) – Mark Coon

Mark Coon was introduced to the group and discussed his role as a DEM planner. He is working on updating several annexes within the State EOP including the hazmat annex. Mike Riley provided a hardcopy to the group. Several other attendees also requested an electronic copy which would be distributed by Neil Taylor.

Next Meeting Date and Time: December 10, 2015 at 10:00 am

Call: 1-877-820-7831 Passcode: 673825