

State Emergency Response Commission (SERC)

Meeting Minutes

8:30 a.m., March 31-14, 2017
The Inn at Lander, Lander, Wyoming

Call to order

The meeting was called to order at 8:33 a.m.

The following people were in attendance.

- Dale Heggem, Chairman
- Capt. Scot Montgomery
- Director Mike Reed
- Coleen King
- Taylor Jones
- Dr. Wendy Braund
- Ryan Rison
- Tyler Parker
- Shelly Kirchhefer
- Mark Pepper
- Aimee Binning
- Richard Lee
- Laura Lynn Betzold

SERC Membership Changes – Rick Lopez

Advised of the four vacancies: Fire Services, Medical Industry, Legislative and Local Law Enforcement.

Roll Call – Rick Lopez

Quorum.

Additions/Deletions to Agenda – Dale Heggem

Discussion of SERC membership meeting attendance and meeting quorum issue.

Approval of Minutes for September 14, 2016 – Meeting in Saratoga

Motion: Shelly Kirchhefer

Second: Dr. Wendy Braund

Send out minutes prior to meeting for early review. This will be done.

COMMITTEE REPORTS

Planning Committee – Shelly Kirchhefer

Refer letter (non-compliance) to Caitlin Young. Minutes sent to all LEPC chairs. Dr. Ahmed will attend the next meeting. Get Oil and Gas Commission to help with non-compliance and training notification of new reporting requirements.

Training Committee – David King

SERC Member and Albany County EM Coordinator, Aimee Binning, noted Respond Wyoming is important for bringing together all disciplines (Fire, Hazmat, RERTs, EMA, Health, Law Enforcement, Volunteers) and she has proposed coupling that major initiatives of the SERC.

Ms. Binning is proposing next year's Respond Wyoming bring the whole community together with focused classes for the various disciplines capped by a full-scale exercise in which the disciplines combine to deal with a major hazmat incident, playing their respective roles.

Extensive positive discussion followed.

One point raised was the unpredictability of weather in March, but Ian Kraft of the Fire Marshal's office noted the same venues with the College and Fire Academy would be available in May. He also noted there would be no difficulty in designing the training tracks to fit the scenario. Both Kraft and I are on the Respond Wyoming organizing committee, and I agree it would be relatively simple to adapt the training tracks to this concept.

Bruce King of Aristatek noted they can look at the Tier II and Commodity Flow studies to determine what is most predominant to select the chemical(s) for the exercise.

Teton County EMC/LEPC Chair, Rich Ochs, noted each LEPC needs to participate in a hazmat exercise each year, and EM Coordinators must participate in 3 exercises each year, one of which is to be a full-scale exercise.

Additionally, it was noted, that while RERTs/Hazmat focused on the scene and initial decon, the health and EMS folks could be involved in medical decon and treatment concerns. And, it could provide Incident Management Team opportunities as well.

Ms. Binning stressed the goal would be to focus on the skill sets we have and what we know and what we can already do.

CBRNE Committee – Dr. Wendy Braund

PRND: Scott Ramsay
WHIPP: Update
High Level Waste: Update

Industry Committee - Aimee Binning

Fix the LEPC link on the WOHS webpage.

ON-GOING/UNFINISHED BUSINESS

LEPC Activity Update - Rick Loopez

Brief matrix and there has been more improvement since years passed.

HMEP 16-19 Year Two Project Reviews – Rick Lopez

Total Grant Amount (Year 2 of 3): \$322,811.00

Federal Amount: \$258,249.00 Match Amount: \$64,562.00

Albany County:

1. Hazardous Materials Awareness training (AWR-160) for LARC staff and LEPC
2. River booming Drill for a hazardous materials spill
3. Review and update emergency operations plan based on drill results

Total Grant Amount Requested (federal and match): \$3,000.00

Big Horn County:

1. Conduct hazardous materials PPE training
2. Public/Legal notices of LEPC meetings
3. Conduct hazardous materials exercise

Total Grant Amount Requested (federal and match): \$3,275.00

Crook County:

1. Update the Crook County EOP and Hazardous Materials Response Plan
2. Crude oil tabletop exercise (conducted by contractor) for Crook County emergency first responders, public works, public health, LEPC, EMA and industry representatives.

Total Grant Amount Requested (federal and match): \$12,500.00

Department of Fire Prevention and Electrical Safety (State Fire Marshal's Office):

1. Purchase hazmat training supplies and equipment to replace expended supply
2. Fund Respond Wyoming Conference
3. Purchase Hazardous Materials Response & Mobile HMT IC Training Equipment

Total Grant Amount Requested (federal and match): \$103,268.75

Sheridan County:

1. Hazmat Technicians Training for two SF-R personnel
2. Hazmat Specialist Training for two SF-R personnel
3. Attend two SERC meetings
4. Attend SERC meetings

Total Grant Amount Requested (federal and match): \$19,332.53

Sublette County:

1. Conduct hazmat training for Sublette County Unified Fire Department
2. Purchase training supplies for hazmat training
3. Conduct hazardous materials response exercise with Ultra Petroleum Company and other private industry partners.
4. Update EOP and Hazardous Materials Response Plan

Total Grant Amount Requested (federal and match): \$13,649.54

Washakie County:

1. Public/Legal Notices for LEPC meetings
2. Legal Notice for the Washakie County Hazardous Material Contingency Plan
3. Attend SERC meetings
4. Conduct full-scale hazardous materials response exercise

Total Grant Amount Requested (federal and match): \$22,043.75

Weston County:

1. Conduct hazmat training in Weston County
2. Conduct Incident Command for Hazardous Materials Response Course

3. Purchase 8 level A training suits
4. Purchase 25 Tyvek coveralls for training
5. Conduct Hazmat Operations Course

Total Grant Amount Requested (federal and match): \$12,658.75

University of Wyoming:

1. Design and conduct commodity flow study in two counties in Wyoming (one fall and one spring) selected by the SERC.

Total Grant Amount Requested (federal and match): \$37,500.00

SERC Meetings:

1. Conduct two SERC meetings in central locations in Wyoming

Total Grant Amount Requested (federal and match): \$15,000.00

OLD BUSINESS

Quorum: SERC majority/quorum issue

Motion: Mark Pepper - Asked OHS for roster of chronically absent SERC Commissioners.

Motion: Aimee Binning – SERC Executive Committee review attendance records and make a recommendation to Governor or removal and find replacements.

Second: Mark Pepper

Mike Reed: Follow state statue covering this issue – PASSED UNANIMOUSLY

NEW BUSINESS

Election of new SERC Chair – Dale Heggem

Executive Committee recommended waiting until the next SERC meeting for election. Tabled until next SERC meeting.

Dr. Wendy Braund: OHS send out notification to all SERC members informing them the Chair position is open.

Annual Report to the Govenor – Erich Kurtz

2016 Annual Report to the Governor

History

The Wyoming State Emergency Response Commission (SERC) was created on April 17, 1987 pursuant to Governor's Executive Order 87-3. The original membership consisted of board members representing fire service, industry, the public at large, media and medicine. Over the years, the Governor's Executive Order was amended and the SERC membership was expanded to 12 members with four (4) non-voting members as advisors representing state government.

In March 2004, the Wyoming State Legislature passed the *Wyoming Emergency Response Act*. This Act, signed by Governor Dave Freudenthal established a new SERC and expanded the minimum membership to 20. The SERC was charged by rule to create 23 local emergency planning districts within the boundaries of Wyoming's 23 county governments. In 2012, the Wyoming Emergency Response Act was amended and the SERC membership was increased to 22 members, adding representation from the aviation and Rail Road industry.

Over the last 29 years, the Wyoming SERC has worked with the 23 county Local Emergency Planning Committees in providing support and encouragement to maintain local hazardous material response plans, hazard analysis, risk management objectives and hazmat training opportunities to the local first responder communities.

Primary Commission Goal

To provide the forum for coordinating and communicating all provisions of the federal *Superfund Amendment and Reauthorization Act* (SARA). More specifically, the *Emergency Planning and Community Right to Know Act* (EPCRA) under Title III of SARA pertaining to assisting the public in understanding associated chemical risks found within our communities.

Commission Objectives

- 1) Provide a forum for supporting our 23 county Local Emergency Planning Committees to promulgate community right to know information to local citizens, and to support emergency planning measures.
- 2) Develop and make recommendations concerning hazardous materials management and incident response in Wyoming.
- 3) Develop and make policy recommendations regarding the implementation of SARA Title III.
- 4) Monitor all available technical assistance in support of our community first responders.
- 5) Coordinate and assist state agencies assigned with the responsibilities for monitoring the production, storage and transportation of hazardous materials.

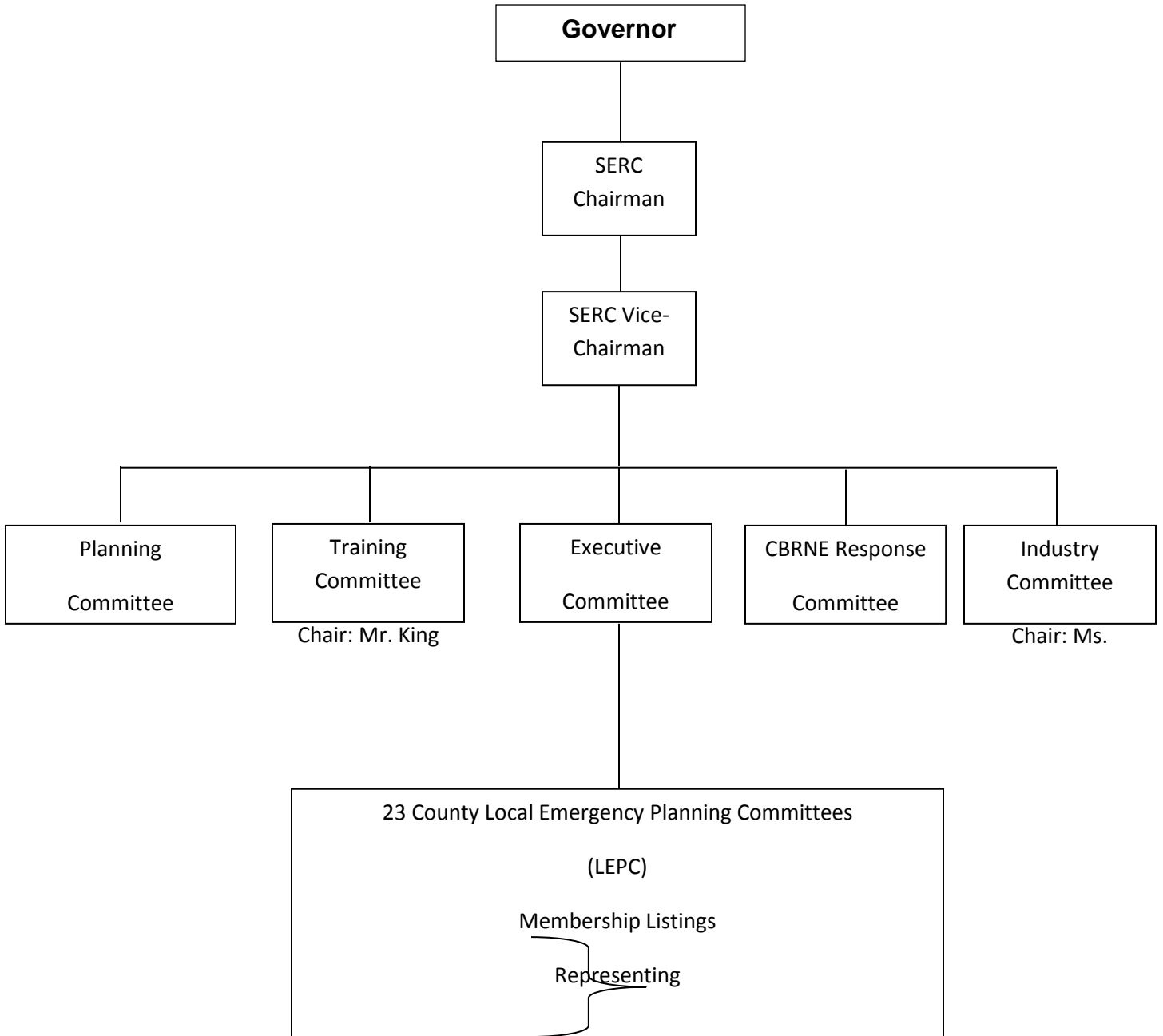
- 6) Execute the responsibilities set forth by legislation including but not limited to Wyoming Statute § 35-9-153. More specifically: *Perform all duties and acts prescribed by 42 U.S.C. 11001 et seq., and all other applicable law, with the assistance of the Wyoming office of homeland security and other state agencies determined to be necessary by the commission.*

Commission Members and Operating Structure

The SERC is comprised of representatives appointed by the Governor from the following public safety agencies, professional associations, private industry, community groups and State departments.

Mr. Don Huber, Chairman	Local Fire Service
Mr. Joe Hunter, Co-Chairman	State Environmental
Ms. Aimee Binning	Manufacturing Industry
Captain Scot Montgomery	State Transportation
Honorable Wayne Johnson (Retiring in January 2017)	State Legislature
Mr. Donald Dorn	Mining Industry
Mr. Michael Reed	State Fire Marshal
Dr. Howard Willson	Medicine
Mr. Taylor Jones	Public at Large
Ms. Coleen King	Emergency Medical Services
Ms. Shelly Kirchhefer	Local Homeland Security
Mr. Richard Lee	Local News Media
Chief Chris Steffen	Local Law Enforcement
Mr. Cyle Fife	Trucking Industry
Mr. Dale Heggem	State Agriculture
Dr. Wendy Braund	State Health
Mr. Mark Pepper	Local Government
Mr. Jim Shakespeare	Joint Tribal Council
Ms. Laura Lynn Betzold	University of Wyo. Environmental
Mr. Ryan Risdon	Railroad Industry
Mr. Tyler Parker	Railroad Industry
Mr. Harold Reed	Aviation Industry

SERC ORGANIZATIONAL CHART



Highlights from 2016

1. **EPA Forum:** SERC members participated in an Environmental Protection Agency sponsored forum with other states in Region 8 discussing SERCs, the Local Emergency Planning Committees and how the State Commissions can help the Local committees with the Hazmat facilities in their jurisdictions while holding the local committees responsible for procedures and requirements that are outlined in the Emergency Planning and Community Right to Know Act. These specifically include the requirements that local committees have their threat hazard identification and risk analysis (THIRA) done each year and that they exercise the THIRA at least once a year.
2. **Commodity Flow Studies:** Commissioned commodity flow studies in Laramie and Albany Counties. Commodity flow studies are designed to support risk assessment, emergency response preparedness, resource allocation and analysis of hazardous commodity flows across jurisdictions. In 2014, the Wyoming Office of Homeland Security entered into a long-term partnership with the University of Wyoming, College of Civil Engineering, to conduct commodity flow studies throughout Wyoming. Funding for these commodity flow studies comes from the Hazardous Materials Emergency Preparedness (HMEP) Grant. Prior to this time, it had been over twenty years since a commodity flow study was conducted in the state.
3. The Commission conducted the first bi-annual public meeting in Thermopolis on May 5th 2016. At this first meeting the SERC took the following actions:
 - **Tier II Reporting Policy Change:** TIER II Reporting facilities are facilities that meet or exceed the threshold amounts of Hazardous Materials stored or produced at their facilities in Wyoming and are required to report amounts yearly at each facility they operate.

The TIER II reporting policy (For Hazmat Facilities over the threshold Hazmat amounts) was changed to reflect the online reporting portal, paid through a Homeland Security Grant from Wyoming Homeland Security, as the way for these TIER II Hazmat facilities to report information starting in 2017. This portal will provide a single input for these facilities to submit all required reports to the State Of Wyoming, SERC, Local Emergency Planning Committees, and Emergency services thru a single internet portal.

The TIER II data will be combined by Aristatek, the contractor, and distributed to the State, SERC, Local Emergency Planning Committees, and Emergency services. Aristatek will also convert all Tier II files to a format compatible with PEAC-WMD and link it to the PEAC-WMD database so all Regional Emergency Response Teams will have access to the Tier II files. Aristatek will model ‘worst case scenarios’ for each County based on the hazardous material data submitted; this hazard analysis is a key component in formulating and reviewing a Local Emergency Planning Committees emergency response plan that is mandated by EPCRA.

- **By-Law Changes:** Voted to change the by-laws to reflect the addition of members to the SERC in response to the addition of members from the Mining, trucking, manufacturing, aviation and railroad industries (§35-9-153).
4. The Commission conducted the second bi-annual public meeting in Saratoga on September 14th, 2016. At this second meeting the SERC took the following actions:
- **Hazardous Material Emergency Preparedness Grant:** The Commission voted to bring the recommendation and awarding of Hazardous Materials Emergency Preparedness (HMEP) grants more under the SERC auspices. This will allow the SERC oversight and monitoring of the requirements outlined in EPCRA that local emergency planning commissions must complete in order to attain the HMEP grants. The HMEP grant has changed from a single year performance period to a three year performance period. This requires that an HMEP grant awardee submit targets for the follow on years when applying for the grant and requires that they stay in compliance with EPCRA during the entire performance period.

Grants were awarded to Albany, Bighorn, Crook, Sheridan, Sublette, Washakie, and Weston Counties as well as The University of Wyoming and the Fire Marshal's Office. These grants total \$151,325.00 for year one funding and an estimated \$322,811.00 for year two and year three each.
 - **By-Law Changes:** The SERC voted to approve by-law changes to Article 4 that changed the article to state that the Commission will elect the Chairperson and Co-chairperson for the term of three (3) years.

They added an additional paragraph to Article 4 that states that in the event that the SERC Chairperson and Co-chairperson cannot attend a meeting, the Executive Committee shall appoint a temporary Chairperson.

The Committee added a new paragraph to Article 7 that defines the executive committee as being made up of the SERC Chairperson and Co-chairperson, as well as, the Chairperson (or Co-chairperson in their absence) from each standing committee.
 - **Polling for Future Meetings:** In order to get as much participation as possible from the committee members, the committee voted to poll a range of different dates for upcoming meetings in the hopes of expanding attendance to the SERC meetings.

Goals for 2017

- **Presidential Executive Order:** Continue to monitor all aspects of the President Executive Order 13650 entitled "*Improving Chemical Facility Safety & Security*" to ensure the collaboration of local first responders and chemical facility operators in working together for sound emergency planning.
- **EPA Forum:** Participate in an EPA sponsored forum with states from Region 8, 9, and 10 to discuss ideas that work and how to assist local committees with HMEP

grant submission, staying within the EPCRA regulations, and monitoring Hazmat facilities inside their jurisdictions.

- **Commodity Flow Studies:** Continue Commission support for conducting commodity flow surveys across the state to assist local emergency response committees with determining risk factors due to the movement of hazardous substances. One study will be conducted in Natron County with the other to be designated by the SERC at the spring, 2017 meeting.
- **PRND:** Continue to support the WOHS Preventive Radiological and Nuclear Detection (PRND) program as it continues to grow and include more events in Wyoming. The PRND program detects radiological and nuclear isotopes and will identify those isotopes as well as give the strength of the isotope. These two important pieces give PRND qualified individuals the information needed to determine if there is a radiological/nuclear threat as well as a target person that has these isotopes on or in them. The mission of the Wyoming PRND program is to conduct monitoring, detection and assessment through the state by acquiring and deploying sufficient operational capabilities, for special events and enhanced monitoring missions. This program is designed to aid in the protection and life safety of citizens and first responders from potential radiation and nuclear threats.
- **Oil:** Continue to monitor the shipments of crude oil by rail across the state.
- **First Responder Training:** Co-Sponsor and monitor on-going first responder training opportunities in concert with the Wyoming Office of Homeland Security and the State Fire Marshal as spelled out in the *Wyoming Emergency Response Act*.

Summary

SERC made great strides assisting our TIER II facilities that are statutorily required to report Hazardous Materials they have stored or manufactured in Wyoming by streamlining the TIER II submit process, while giving the Local Emergency Planning Committees and first responders access to up to date modeling software that will assist with planning and response efforts in their areas. The TIER II submit portal in Wyoming is being discussed nationally as a ‘model program’. The first online web training for the Aristatek programs was conducted in November and attended by many of the Local Emergency Planning Committees, County Coordinators, Regional Emergency Response Teams, SERC members, and WOHS employees. Further online web trainings will be conducted by Aristatek both for the responders as well as the TIER II reporting facilities, helping all parties that have a stake in this new process understand the capabilities of the system and answer questions as they arise.

The State Of Wyoming continues to assist our County and Local partners in emergency response planning. As part of this, the commodity flow studies, in partnership with the University of

Wyoming Engineering Department, will give data to the Local Emergency Planning Committees, first responders, and Regional Emergency Response Teams that will assist them in planning and preparing for hazardous material incidents on the highways in their jurisdictions. These plans can then be incorporated into their Threat and Hazard Identification and Risk Assessment that is an annual requirement under the EPCRA.

Wyoming continues to lead the nation in PRND. The Domestic Nuclear Detection Office (DNDO), when discussing a PRND program with a state or territory consistently uses Wyoming as the model to build a PRND program on. The PRND program has supported the Cheyenne Frontier Days, National High School Finals Rodeo, National College Finals Rodeo, and UW Football in 2016, and will expand the events that are supported in 2017 as more Counties are informed and trained on PRND.

EPA REGION 8 UPDATES – Bre Bockstahler

Industry Workshops

Motion: Rich Lee

Second: Mark Pepper

Formal request to SERC for Wyoming Tier II data for their TERA system.

David King: More information required – table until next meeting.

Motion: Coleen King (carried)

Second: Scot Montgomery

WYOMING MILITARY DEPARTMENT UPDATES – LTC Phillips

Seventy-two (72) guard members deployed for ice jam issues in Washakie and Big Horn counties.

PUBLIC COMMENTS

Dale Heggem: Discussion of SERC membership and quorum issues.

Rich Ochs: Send open SERC vacancies notification to LEPCs.

Motion: Shelly Kirchhefer

Second: Coleen King

Removal of Cyle Fife (Trucking) and Jim Shakespeare (Joint Tribal Council) from SERC for non-attendance. Aimee Binning called the question. Motion carries.

COMMISSION MEMBER COMMENTS

1. Cpt. Montgomery
2. Mark Pepper
3. Ryan Rison
4. Richard Lee
5. Aimee Binning
6. Taylor Jones (no comment)
7. Tyler Parker (no comment)
8. Shelly Kirchhefer
9. Wendy Braund
10. Coleen King
11. Laura Lynn Betzold (no comment)
12. Dale Heggem
13. Mike Reed (no comment)

SET DATE AND LOCATION OF NEXT SERC MEETING

Date: September
Location: Casper, WY

WOHS will conduct another doodle poll.

Motion: Shelly Kirchhefer
Second: Aimee Binning

Meeting Adjourned at: 10:52 a.m.