



ARIZONA EMERGENCY RESPONSE COMMISSION MEETING SUMMARY
MINUTES – February 4, 2020

The Arizona State Emergency Response Commission convened at the Arizona Department of Environmental Quality Kaizen Lobby in Phoenix, Arizona. A quorum being present, Ms. Laura Malone, Executive Director of the Commission, called the meeting to order at 1:30 p.m.

VOTING MEMBERS/DESIGNEES PRESENT/TELEPHONIC

Laura Malone	AZSERC Executive Director AZDEQ (AZ Department of Environmental Quality)
Matt Heckard,	DEMA (AZ Department of Emergency and Military Affairs)
Cheryl Kennedy Bowen	AZDOHS (AZ Department of Homeland Security)
Tom Neve	AZDPS (AZ Department of Public Safety)
Brent Cain	AZDPS (AZ Department of Transportation)
Dwayne Uhlig	AZDA (AZ Department of Agriculture)
Geoffrey McCormick	ACC (AZ Corporation Commission)
Cassie Peters	AZDFFM (AZ Department of Forestry & Fire Management)
Rob Biscoe (Telephonic)	AFCA (AZ Fire Chiefs Association)
Theresa Ehnert	ADHS (AZ Department of Health Services)

COMMISSION MEMBERS ABSENT:

AZICA (AZ Industrial Commission of Arizona)
ASMI (Arizona State Mine Inspector)

LOCAL EMERGENCY PLANNING COMMITTEE (PUBLIC)

Wade Brannon	Pinal County
Frank Granados	Santa Cruz County/Rio Rico Fire
Ray Sayre	Santa Cruz County
Tony Badilla	Yuma County
Dave Niehuis	Apache County


GENERAL PUBLIC PRESENT

Tatum Falls AZDPS (Arizona Department of Public Safety)
Mike Hammarstrom AZDEMA (Arizona Department of Emergency and Military Affairs)

GUESTS PRESENT

Jeff Cantrell AG (Attorney General's Office)
Bill Jones EPA (Environmental Protection Agency) Presenter/Speaker

STAFF PRESENT

Arcangel Barragan ADEQ (AZ Department of Environmental Quality)
Michele Martinez ADEQ (AZ Department of Environmental Quality) Presenter

INTRODUCTIONS/REVIEW OF MINUTE

Ms. Laura Malone welcomed members and attendees. Ms. Malone noted a quorum of voting members present or participating telephonically.

Ms. Malone requested that the Commissioners review the October 22, 2019 minutes and then called for a motion to accept the minutes.

Tom Neve offered the motion that was seconded by Geoffrey McCormick.

The motion carried 10/0/2 absent.

EXECUTIVE SESSION

Ms. Malone called for a motion to enter into Executive Session pursuant to A.R.S. §38-431.03(A) (2) to receive and discuss information regarding HHFT which is confidential information pursuant to 49 CFR Part 1520.

Geoffrey McCormick offered the motion that was seconded by Cheryl Kennedy Bowen.

The motion carried 10/0/2 absent.

Commission entered into Executive Session from 1:33 p.m. reconvening into open session at 1:51 p.m.

Ms. Malone advised no decisions were made during executive session.

Ms. Malone called for a motion to accept the HHFT information and to share with the LEPCs as discussed in executive session.

Geoffrey McCormick offered the motion that was seconded by Tom Neve.

The motion carried 10/0/2 absent.

CALL TO SERC MEMBERS (ACTION ITEM RESULTS)

- A. Action Item 1 Result:** Ms. Malone presents the November 7, 2019 email that was sent to the LEPCs providing information about the changes of the SERC and their roles and responsibilities; specifically the affirmation of LEPC members and the review of LEPC emergency response plans.

Discussion is held.

- B. Action Item 2 Result:** Ms. Malone presents the LEPC's bylaws and the review conducted by AZSERC/ERU staff.

Discussion is held.

- C. Action Item 3 Result:** Ms. Malone presents links bylaws from other states as requested by the SERC members. The information was provided by Bill Jones, Emergency Planning and Preparedness USEPA Region 9.

Discussion is held.

- D. Action Item 4 Result:** Ms. Malone presents the process to approve LEPC members.

Brent Cain offered the motion that was seconded by Tom Neve.

Discussion is held.

The motion carried 10/0/2 absent.

- E. Action Item 5 Result:** Ms. Malone presents 2018-2019 LEPC members for affirmation by the SERC.

Discussion is held.

Ms. Malone called for a motion to affirm LEPC members for a.b.c. and d. (2018, 2019 and 2020) as presented.

Teresa Ehnert offered the motion that was seconded by Matt Heckard.

The motion carried 10/0/2 absent.

- F. Action Item 6 Result:** Ms. Malone presents the LEPC Emergency Response Plan review results.

Discussion is held. **Item 6 is tabled.**

- G. Action Item 7 Result:** Ms. Malone presents the LEPC Emergency Response Plan review and approval process.

Discussion is held. **Item 7 is tabled.**

H. Action Item 8 Result: Ms. Malone presents responses to questions from LEPCs to AZSERC Commission dated 10.22.19.

Discussion is held. LEPCs requested further clarification on questions 2, 3, 7, 8, and 10.

AZSERC LOGO

Ms. Malone called for a motion to accept AZSERC logo samples A.B.C., and D. as presented.

Tom Neve offered the motion that was seconded by Geoffrey McCormick.

The motion carried 10/0/2 absent.

Discussion is held.

Ms. Malone called for a motion to approve AZSERC logo sample B. as the official logo for AZSERC as presented.

Teresa Ehnert offered the motion that was seconded by Matt Heckard. Geoffrey McCormick opposed.

The motion carried 9/1/2 absent.

AZSERC FORMS

Ms. Malone called for a motion to accept LEPC Membership Change Form as presented.

Discussion is held.

Geoffrey McCormick offered the motion to approve form with amendment to add voting member check box seconded by Matt Heckard.

The motion carried 10/0/2 absent.

LEPC Emergency Response Plan Submission Form - **Tabled**

SERC/TERC Conference – Denver, Colorado January 28-29, 2020

Michele Martinez presented overview of SERC/TERC conference.

ADEQ/ERU Newsletter

Michele Martinez presented AZSERC/ERU newsletter.

EPA Update

Bill Jones presented EPA updates and upcoming events.

Future Agenda Items

Action Item 1 –LEPCs to provide a list of current voting members and group affiliation.

Action Item 2 – Develop specific criteria (eliminate exceeds criteria) and a process for Commission/Staff to review LEPC’s emergency response plans. Include a timeline for each step of the process. Develop a standard work for emergency response plan review. Develop a summary/checklist for how the emergency response plans are performing include in the standard work. Present the summary/checklist to the SERC quarterly.

Action Item 3 – Clarify the role of the Commission for reviewing emergency response plans. Research what the responsibility of the Commission is when the emergency response plans do not meet the required minimum criteria. Identify a corrective action process and timeline.

Action Item 4 – Contact/meet with DEMA (Matt Heckard) to discuss how DEMA handled reviewing emergency response plans. Contact Matt Heckard and Theresa Ehnert to get further feedback regarding the emergency response plans.

Action Item 5 – Research establishing subcommittees (AZSERC members) for review of emergency response plans. Identify what this might accomplish.

Action Item 6 – Research the process of how SERCs in other states review LEPC’s emergency response plans.

Action Item 7– Research if an LEPC is considered “not valid” due to lack of membership or does not meet the minimum group criteria as established in ARS §49-124. Establish how the Commission should handle this situation.

Action Item 8- Follow up on LEPCs request for further clarification on LEPC questions to AZSERC Commission #'s 2, 3, 7, 8, and 10.


CALL TO THE PUBLIC

Ray Sayre with LEPC Santa Cruz County discussed trainings Santa Cruz presents. He discussed their three-year training plan.

A success story was presented about how the fire department was appreciative of the encapsulating foam that was provided through the Emergency Response Fund, it was readily available when they needed it.

Frank Granados with Santa Cruz County would like the SERC to clarify the difference between LEPC membership and attendance.

Fire Chief, Dave Niehuis, with Apache County voiced his concerns about the difficulty their LEPC is having adhering to the Media and elected official group criteria; they do not have the involvement necessary from these groups. Would like to know what their options are.



Would like assistance from the SERC to reach out to elected officials and/or other groups on behalf of the LEPCs to encourage participation.

The LEPCs would like clarification if the LEPCs can be disqualified if they do not meet the minimum criteria for LEPC membership as outlined in ARS §49-124.

PROPOSED DATE AND TIME OF NEXT MEETING

A doodle poll will be sent to the Commission for a proposed meeting in three months.

ADJOURNMENT

There being no further business, Ms. Malone called for a motion to adjourn.

Tom Neve offered the motion that was seconded by Brent Cain.

The motion carried 10/0/2 absent.

Meeting adjourned at 4:15 p.m.