

**DRAFT MINUTES**  
**OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY**  
**OKLAHOMA HAZARDOUS MATERIALS EMERGENCY RESPONSE COMMISSION**  
**DEQ Multi-Purpose Room**  
**May 9, 2006**

Ms. Monte Elders called the meeting to order at 1:30 p.m. Ms. Elder read a letter from Mr. Gales regarding his upcoming retirement and advised that Mr. Steve Thompson, Executive Director, had designated her to serve as member and chair of this Commission. Ms. Elders also advised that Major Grimes would also be retiring and naming his designee.

Ms. Bruce called the roll. Members attending were: Terry Bobo; Kary Cox, Dale Magnin. Absent were Larry Gales, Robert Doke, and Mike Grimes. Others present included: Monty Elder, Tom Bergman, Jami Murphy, Hub Baggett, Angie Burckhalter, Raymond Melton, Allen Fletcher, Myrna Bruce, and the court reporter, Christy Myers.

With no quorum present, Ms. Elders tabled the approval of the February 7, 2006 Minutes.

Mr. Tom Bergman distributed and discussed the Data Management Report.

Mr. Dale Magnin provided the OEM Update and discussed LEPC grants and training opportunities. He announced plans for upcoming meetings and provided updates on the State's wildfires and tornado damage.

Discussion items included an update from Ms. Elder who advised that the Tier II reporting rule changes should go into effect when this Legislative season ends. Ms. Jami Murphy and Ms. Elder discussed concerns about the users contract list and meeting their needs. She added that workgroups had been formed to help stakeholders with these concerns and address their needs.

New Business – None

Miscellaneous Discussion – Ms. Elder provided a handout received from Tim Gablehouse of Colorado which was an investigation by the Chemical Safety Board.

Following discussion, Ms. Elder adjourned the meeting and invited all to help celebrate the retirement of Mr. Gales and Major Grime with cake.

Attachments: Data Management Report  
OEM Report  
Chemical Safety Board investigation report  
Sign-In Sheet

**Please note that the transcript and sign-in sheet become an official part of these Minutes.**

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DEPARTMENT OF ENVIRONMENTAL QUALITY  
STATE OF OKLAHOMA

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TRANSCRIPT OF PROCEEDINGS  
OF THE OKLAHOMA HAZARDOUS MATERIALS  
EMERGENCY RESPONSE COMMISSION  
OF THE REGULAR MEETING  
HELD ON MAY 9, 2006, AT 1:30 P.M.  
IN OKLAHOMA CITY, OKLAHOMA

\* \* \* \* \*

REPORTED BY: Christy A. Myers, CSR

MYERS REPORTING SERVICE  
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MEMBERS OF THE COMMISSION

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MONTY ELDER - CHAIR

5

DALE MAGNIN - EMERGENCY MANAGEMENT

6

CHIEF ROBERT DOKE - FIRE

7

MAJOR MIKE GRIMES, OHP

8

KARY COX, WASHINGTON COUNTY EM

9

TERRY BOBO, ENVIRONMENTAL MANAGEMENT INC

10

MIKE GALAWAY, MEMBER

11

12

ALSO PRESENT:

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TOM BERGMAN - DEQ STAFF

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ANGELA BURKHALTER - ALSO PRESENT

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JAMI MURPHY - DEQ STAFF

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MYRNA BRUCE - SECRETARY

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## PROCEEDINGS

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MS. ELDER: So I m going to call

to order the OHMERC Quarterly Meeting for

May 9th, 2006. And the first thing is that

we are having a change in Commission

Membership and I ve been asked to read a

letter from Larry Gales who, unfortunately,

could not be here today.

"It is with deep regret that I

tender my resignation effective May 1, 2006

from the Oklahoma Hazardous Materials

Emergency Response Commission. As you know

I have served on this Commission in many

capacities since its inception. I will

miss the opportunities to afford --

afforded by my participation on the OHMERC.

I wish the Commission success in

whatever direction the future holds. The

work of the Commission while my high

profile glitzy is important to the State of

Oklahoma and its citizens.

Sincerely yours, Lawrence A. Gales,

Chairman of the OHMERC."

So Larry has tendered his

1 resignation and -- do you have copies of  
2 that? I have been appointed as the  
3 Designee for the Department of  
4 Environmental Quality. You know the  
5 statute specifically says Executive  
6 Director or their Designee serves on the  
7 OHMERC and so we will pass this around,  
8 it s a memo from Steve Thompson designating  
9 me as the --

10 MR. MAGNIN: You know, when I  
11 submit my letter it s not going to be with  
12 deep regret.

13 MS. ELDER: It s going to be with  
14 -- ho, ho. Yeah, I know. Yeah, yeah.

15 MR. GALAWAY: Great enthusiasm  
16 among the (inaudible).

17 MR. BERGMAN: Can you get the  
18 word glitzy in there somehow? I can t  
19 believe that.

20 MS. ELDER: From now on I think  
21 glitzy is going to have to be -- so,  
22 anyway. So that s one change in the  
23 Membership is that I m now a Member of the  
24 OHMERC.

25 Major Grimes, this would be his last

1 meeting and so at the next meeting  
2 hopefully we will have a Designee to  
3 replace Major Grimes.

4 MR. MAGNIN: I think Todd is  
5 replacing Mike Grimes.

6 MS. ELDER: Is he?

7 MR. MAGNIN: Lieutenant Todd. I  
8 think that s his -- anyway, does that ring  
9 a bell to anybody?

10 MS. ELDER: No. But we ll --

11 MR. MAGNIN: Never mind.

12 MS. ELDER: We ll get a hold of  
13 him and see how that works. So we should  
14 have new faces at the next meeting. So  
15 we ll have -- could you call the roll,  
16 please?

17 MS. BRUCE: Monty Elder -- do I  
18 need to start with Larry or Monty? I don t  
19 know. Larry Gales.

20 MS. ELDER: Larry is resigned as  
21 of the 1st of May.

22 MS. BRUCE: Monty Elder.

23 MS. ELDER: Present.

24 MS. BRUCE: Dale Magnin.

25 MR. MAGNIN: Present.

1 MS. BRUCE: Chief Doke, absent  
2 for now.

3 Kary Cox.

4 MR. COX: Here.

5 MS. BRUCE: Major Grimes is  
6 absent. Terry Bobo is absent. We do not  
7 have a quorum.

8 MS. ELDER: That s right. So  
9 we ll have to table the next item, which is  
10 Number 3, Approval of the Minutes from the  
11 February Meeting because we do not have a  
12 quorum to do that.

13 So we will go right to Commission  
14 Status Reports.

15 Tom.

16 MR. BERGMAN: Everyone has a  
17 handout, I believe, of the Status Report.

18 MS. MURPHY: I don t know. Does  
19 everyone have a copy of the Data Management  
20 Report from DEQ?

21 MR. MAGNIN: Could you give us  
22 one?

23 MS. MURPHY: I m working on it.

24 MR. BERGMAN: As usual there are  
25 multiple items from different staff here.

1 So we ll go ahead and take turns.

2           Nothing new on Tier II reporting.    A  
3 list of CAMEO classes.    The one that might  
4 be effective for Kary and Mike, I don t  
5 have any further information about the two  
6 classes on CAMEO for WMD Courses other than  
7 the dates are set.

8           Terri at OHS, Office of Homeland  
9 Security, I haven t been able to  
10 communicate with her in the last couple of  
11 days, but she s doing registration.    As far  
12 as I -- I submitted all the names from  
13 people like you and Paula, so there should  
14 be slots and you and your five people --  
15 should be slots as far as I know, but she s  
16 getting ready to --

17                       MS. MURPHY:   Two.

18                       MR. BERGMAN:   Was it just two?    I  
19 thought I had more than that.    She should  
20 have been communicating with you guys at  
21 some point about that, but she s also being  
22 deployed to Iraq sometime in the very near  
23 future.    So not quite sure what s all going  
24 to happen with that.    I ll stay on top of  
25 it and let you guys know what s going on

1 with that.

2 MR. MAGNIN: Is this Terri? Who  
3 are you talking about? What s her name?

4 MR. BERGMAN: Terri. Terri  
5 Scoggins.

6 MR. MAGNIN: Yeah.

7 MR. BERGMAN: Yeah. So I just  
8 haven t talked to her in the last couple of  
9 days. I assume she s going to put out --  
10 she got all your emails.

11 UNIDENTIFIED MALE: She said I m  
12 registered. She sent me something back.

13 MR. BERGMAN: Oh, she sent you  
14 something, too? Okay. But your guys are  
15 registered. I know why that is. Because  
16 you re Oklahoma City and you re Tulsa and  
17 she doesn t want to probably send out to  
18 Tulsa registration yet because it s a month  
19 later. So you ll probably get yours in  
20 three or four weeks.

21 And Jami has maybe -- let s see,  
22 some TRI inspections and stuff.

23 MS. MURPHY: Yeah. Whenever EPA  
24 comes to town -- to the state, I go out  
25 with them so we are aware of what they re

1 doing, as far as TRI goes when they re in  
2 our state. And there were three in the  
3 month of March.

4 Item 4 are the basic stats on 2004,  
5 which is the most current reporting year  
6 for TRI. If you have any questions about  
7 any of those numbers, give me a call.

8 Item 5 has to do with the  
9 development of the node here -- the data  
10 node here at DEQ. EPA is putting together  
11 what they call a datamark for exchange with  
12 the states and TRI is some of the data that  
13 will eventually flow through this. It s in  
14 the pilot stage right now. We have some 20  
15 facilities that are going to participate  
16 for 2005 eventually and we re not exactly  
17 sure of all the ramifications yet, but  
18 eventually we will be able to query their  
19 TRI data and not just have them send it to  
20 us. So this will be an ongoing  
21 development.

22 EPA has some proposed changes to TRI  
23 reporting. Probably the most significant  
24 of those is alternate year reporting, to  
25 which our Agency is opposed.

1                   Additionally they want to extend  
2 (inaudible) reporting. In other words,  
3 raise the level for forming the release  
4 level. And they want to extend it to  
5 PVT s. We submitted letters correct in  
6 opposition. If I m not mistaken, most of  
7 the states are opposed to these.

8                   MS. ELDER: That s correct.

9                   MS. MURPHY: Back to you, Tom.

10                  MR. BERGMAN: All right. Well,  
11 it says conducted risk management  
12 workshops, they did. One yesterday in  
13 Tulsa and one this morning. They went  
14 well. There were 33 folks in attendance in  
15 Tulsa yesterday and 36 this morning.

16                  Of the two, I thought the one in  
17 Oklahoma City had the most participation,  
18 not only in numbers but from the questions  
19 and answers and so forth. So we re happy  
20 that EPA could come and do those in the  
21 state.

22                  The other two items, let s see, we  
23 got NASTTPO before we go to the next  
24 meeting next week. I guess Dale and Monty  
25 and I are all going. And Dale s going to

1 the ROT. I can't get to ROT this time  
2 because it's right when we're doing CAMEO  
3 and stuff. They had late ROT this year,  
4 usually they do it earlier in the month. I  
5 deliberately set that training up so it  
6 would be late in the month and then they  
7 turn around and swap the ROT on me. Thank  
8 goodness Dale can go.

9 MR. MAGNIN: Speaking of  
10 training, you're also on tap -- we got that  
11 room on August 14th.

12 MR. BERGMAN: Right. You know I  
13 didn't put that on the --

14 MR. MAGNIN: That will be at the  
15 Reed Center in Midwest City. Tom's setting  
16 up to do a CAMEO class then on Monday and  
17 then we'll start the conference up on  
18 Tuesday, midmorning or so.

19 MR. BERGMAN: Right. I did that  
20 last year and you came. No, but Paula  
21 came. And everybody liked that.

22 MR. MAGNIN: You had a room full.

23 MR. BERGMAN: Really it was not a  
24 class so much as a workshop or just a --  
25 and since everybody is coming in for the

1 OEM Conference anyway on Tuesday, those who  
2 like can come one day earlier. And I think  
3 there were like 35 people there last year.

4 MR. MAGNIN: You had a room full.

5 MR. BERGMAN: Room full. So, we  
6 decided we would try that again this year.  
7 And the folks who went last year all said  
8 they liked that, just one more day of  
9 travel time for them wasn't that big of a  
10 deal to get another days worth of good out  
11 of the workshop.

12 MR. MAGNIN: Everyone that I  
13 talked to they thought that was great. One  
14 or two had puzzled looks on their faces as  
15 they were working through the software.

16 MR. BERGMAN: Well, one or two  
17 people always have puzzled looks on their  
18 faces when you say CAMEO, don't they?  
19 Kary's getting more puzzled all the time.  
20 We've had two classes for him up there and  
21 we probably need to have two more I would  
22 suspect, wouldn't you?

23 MR. COX: Yeah, I might be able  
24 to turn it on by the time we get to that.

25 MR. MAGNIN: You definitely have

1 -- you have to do the exercises that Tom  
2 passes out because it keeps you playing  
3 with the stuff. It s user friendly, but  
4 don t get away from it.

5 MS. ELDER: Okay. Anything else  
6 on the Data Management Report?

7 Okay. Dale, OEM Update.

8 MR. MAGNIN: LEPC grants, we re  
9 still kicking along there. We put out  
10 \$38,000 this year out of the HMEP grants  
11 for LEPC s, 19 LEPC s. Mike is a  
12 participant, Kary is a participant, so  
13 we re plugging along with that. The  
14 training so far, we got listed there 953  
15 people, 61 classes so far.

16 HMEP grant for 07, we had to submit  
17 that early this year because they were --  
18 get this, this is bureaucracy at work, they  
19 were moving offices so they wanted the  
20 report a couple of months early so they  
21 wouldn t lose it in the move. So Larry  
22 signed off on that for DEQ and that went  
23 off and we haven t heard anything about it  
24 being approved or anything yet. Initially  
25 Charles again was talking about a

1 significant increase and then at the last  
2 minute they say, nope, nope, nope, just put  
3 in for what you had last year.

4           So we anticipate no change and we ll  
5 probably in the June time frame -- I m  
6 thinking June time frame we ll send out  
7 letters statewide to all our known LEPC  
8 Chairs and Emergency Management guys at the  
9 county level asking them to apply for the  
10 grant for FY- 07. That will be coming --  
11 probably mid-June we ll shoot that letter  
12 out. So be looking for that.

13           MR. BERGMAN: Would you think now  
14 that there s going to be more next year,  
15 because I would? There s a lot more --

16           MR. MAGNIN: The money hasn t  
17 changed. And as it stands right now --

18           MR. BERGMAN: There s a lot more  
19 of what I d call active LEPC s now.

20           MR. MAGNIN: In the last couple  
21 of years we ve had a couple of thousand  
22 left over each year and at the end of the  
23 year we just divide that by the number of  
24 LEPC s and send it out. So if we add a  
25 couple more we re going to be covered with

1 that amount that s been left over. If we  
2 get more than a couple, then we might have  
3 to make some decisions.

4 UNIDENTIFIED MALE: You lost one  
5 though.

6 MR. BERGMAN: Well, yeah, I know,  
7 but that doesn t mean they won t apply.

8 MR. MAGNIN: I think when we  
9 originally started out we had, like, 13 or  
10 14 and we re up to 19. So it s slowly  
11 increasing in popularity.

12 MR. BERGMAN: Well, and the word  
13 is out too that you can get a little money  
14 and that continues to spread. So people  
15 think -- try to figure out a way to set  
16 something up so they can just get the  
17 money.

18 MR. MAGNIN: Tom talked about the  
19 Little Rock meeting next week. We talked  
20 about the Emergency Management Conference,  
21 15th, 16th and 17th of August in Midwest  
22 City.

23 Wildfires, we re still -- we ve been  
24 working that steadily since October,  
25 wildland fires. The burn ban was lifted

1 what, two days ago? Something like that.

2 Recently.

3 MR. GALAWAY: Did they do the  
4 other 20 counties?

5 MR. MAGNIN: I m pretty sure.

6 MR. GALAWAY: I mean we ve had  
7 rain everyday but I hadn t heard an  
8 official --

9 MR. COX: I hadn t either. The  
10 last I knew there was still 20 counties in  
11 Western Oklahoma that was under the burn  
12 ban.

13 MR. MAGNIN: Yeah, you re right.  
14 We haven t gotten that much out there in  
15 the Panhandle. But most of the state is --

16 MR. GALAWAY: I ve gotten three  
17 inches in the last four days.

18 MR. MAGNIN: Again, that s a  
19 decision that the Department of Ag takes to  
20 the Governor to determine whether or not  
21 that band should be lifted. So that s been  
22 plugging along.

23 We also had that tornado declaration  
24 up there in Delaware County, just south of  
25 Jay, I guess, is where they had the big

1 problems. So we re still working that.  
2 Linda Suz Davis is busy. She s also got  
3 about 25 some-odd trailers, mobile homes,  
4 that came in for Katrina -- left over from  
5 Katrina that we use for fire and tornado  
6 people.

7 MR. GALAWAY: Is that temporary  
8 housing for the ones that lost housing? Is  
9 that what they are there for?

10 MR. MAGNIN: Yeah, I think about  
11 25 of them so far. It is primary for the  
12 peoples houses that burned up out there in  
13 the countryside. And we re looking at  
14 Small Business Administration coming in for  
15 some of the flooding that was in Tulsa and  
16 Wagoner. But we ve got to get numbers  
17 first, and the address, and how deep. So  
18 that s working. We were talking about that  
19 this morning.

20 The Mutual Aid Agreement -- the  
21 Mutual Aid legislation the -- I guess, the  
22 House and the Senate have now named people  
23 to sit on a joint Committee to say yea or  
24 nay on which one of those to go with.  
25 Again, this is statewide mutual aid that

1 we've been working on for a couple of  
2 years. We're not hearing any opposition to  
3 it. There was -- on the Senate side of the  
4 House they took out the paragraph reference  
5 Torte Liability, they left it in on the  
6 House side.

7           So now the Committee is going to  
8 flesh that out. And Representative Duncan  
9 and the Senator, what's his name, Wyrick,  
10 are both confident that the Torte stuff is  
11 going to get stuck back in there. But I  
12 think the Governor has to -- that has to be  
13 done this month in May.

14           MR. COX: Are we going to get  
15 that done this year?

16           MR. GALAWAY: You've only got two  
17 more weeks.

18           MR. MAGNIN: I guess the key  
19 thing is both the House and Senate having a  
20 joint Committee and no known opposition,  
21 that's the key thing. So as soon as they  
22 meet that should be approved.

23           MR. COX: You need to push on  
24 that.

25           MR. MAGNIN: My plan, I think,

1 was meeting with both of them this week.  
2 So we re still plugging along on that, we  
3 still hope it moves through and if we have  
4 to call -- shoot a call out for you to call  
5 your representative again, we ll let you  
6 know on that. We need your support to get  
7 that done. And that s all I got. Any  
8 questions about what s happening?

9 MS. ELDER: Thank you. Before we  
10 go into the next part, I neglected to go  
11 around the room so we could have  
12 introductions of people here and I  
13 apologize for that but we ll just go around  
14 the room.

15 Kary, we ll start with you and we ll  
16 go around the room and say who we are.

17 MR. COX: Kary Cox, I m the  
18 Director of Emergency Management for the  
19 City of Bartlesville in Washington County.

20

21 MR. MAGNIN: And the LEPC  
22 Chair.

23 MR. COX: No, I am not.

24 MR. MAGNIN: You re not the  
25 Chair?

1 MR. COX: No, I am not.

2 MR. MAGNIN: Member of the Chair.

3 MR. COX: Member of the Chair.

4 MS. MURPHY: And an OHMERC

5 Member.

6 MR. COX: Yeah, and an OHMERC

7 Member.

8 MS. ELDER: So you get to be

9 next.

10 MR. MAGNIN: Dale.

11 MS. ELDER: Dale.

12 MR. MAGNIN: Oklahoma Emergency

13 Management.

14 MS. ELDER: Monty Elder,

15 Department of Environmental Quality.

16 MR. GALAWAY: Mike Galaway with

17 the Custer County Emergency Management and

18 the Custer County LEPC. I used to be on

19 the OHMERC about 10 to 15 years ago. When

20 did it start? Was it 90 --

21 MR. MAGNIN: 86.

22 MR. GALAWAY: Right after

23 community (inaudible)? Okay. So it was

24 86 to about 93 I was on there. But just

25 an interested party. I m back.

1                   MR. COX: Currently the president  
2 of the OMPI.

3                   MS. ELDER: Well, good.  
4 Congratulations. Or my sympathy, which  
5 ever is more relevant.

6                   MR. GALAWAY: It s like a School  
7 Board job, more complaints than  
8 congratulations.

9                   MR. BERGMAN: Tom Bergman, DEQ.

10                  MS. MURPHY: Jami Murphy, DEQ.

11                  MS. MYERS: Christy Myers, Court  
12 Reporter.

13                  MS. BRUCE: And I m Myrna Bruce,  
14 Secretary to the Board and the Council and  
15 the OHMERC.

16                  MR. BECKETT: Paul Beckett. I  
17 work at DEQ with Tom.

18                  MS. BURKHALTER: I m Angie  
19 Burkhalter, I m with the Oklahoma  
20 Independent Petroleum Association.

21                  MR. MELTON: Raymond Melton, with  
22 the Oklahoma City Storm Water Quality  
23 Division.

24                  MR. FLETCHER: Albert Fletcher,  
25 with A Clean Environment.

1 MS. ELDER: Thank you. Thank  
2 you. So we ll go now to discussion items.  
3 You know, the last time we had a meeting we  
4 talked about the rule changes to Tier II  
5 reporting which included mandatory online  
6 filing, it included a change in the fee  
7 structure, and then a one stop filing for  
8 Oklahoma. And the Governor has signed  
9 those rules. The Legislature has until the  
10 end of the month to send them back. They  
11 have not done their -- there s one deadline  
12 for that to happen that passed already. So  
13 if the Legislature doesn t take any action  
14 by the 31st, when they adjourn, then those  
15 rules will become effective and we will be  
16 doing a lot of outreach and education and  
17 help and assistance to people to get them  
18 up to speed on that. And there will, of  
19 course, be the small operators and the  
20 small business who will have a couple of  
21 years grace time for that.  
22 So there will be a lot of work on  
23 that. If that goes through we ll institute  
24 the change in fee structure with next  
25 year s reporting. So we will be working

1 with LEPC s, so that will be another  
2 funding source for LEPC s that do agree to  
3 work with their fire departments.

4 And I m going to talk about  
5 something a little bit later under  
6 Miscellaneous Discussion which I think will  
7 point out the importance of certainly DEQ  
8 being diligent and LEPC s being diligent in  
9 that as well.

10 So does anybody have a question on  
11 that?

12 MR. GALAWAY: I had a 75-year-old  
13 owner of a gas station say, can I fax my  
14 Tier II, will that count as an electronic  
15 submittal?

16 MS. ELDER: No. And he s a gas  
17 station, he doesn t have to do it anyway.

18 MR. BERGMAN: Well, now if he s  
19 got above ground tanks, he does.

20 MS. ELDER: Well, that s true if  
21 he has above ground tanks. I didn t --

22 MR. GALAWAY: It s a gas station  
23 in Thomas.

24 MR. BERGMAN: Right.

25 MS. ELDER: Do they have above

1 ground tanks?

2 MR. GALAWAY: They have both.

3 MR. MAGNIN: I guess, you re

4 going to have to define electronic

5 submission.

6 MS. ELDER: No, that s --

7 MR. BERGMAN: We did. It s in

8 the rule. It says --

9 MS. ELDER: Right.

10 MR. BERGMAN: -- electronic

11 filing via DEQ approved software, as I

12 recall.

13 MS. ELDER: Right.

14 MR. BERGMAN: So it is defined.

15 MS. ELDER: Right. But -- and --

16 MR. GALAWAY: This is just a

17 sweet old lady.

18 MS. ELDER: I know. I know. And

19 we will help her. We will help her.

20 MR. GALAWAY: I will.

21 MS. ELDER: You will help her.

22 Mike Galaway will personally help her, that

23 will be great.

24 Okay, anything else on that? Jami,

25 can you give us an update?

1                   MS. MURPHY: Right. I m going to  
2 lead off and then I m going to defer this  
3 to you. We had some concerns from users of  
4 the contractor list that it was possibly  
5 not meeting their needs and that we might  
6 have too much information on there.

7                   So we started out a workgroup with  
8 the users first that eventually will  
9 include the other stakeholders, which would  
10 be the companies on the contractor list.  
11 And we ve had three of these meetings,  
12 they ve gone extremely well.

13                   We re to the place where we have  
14 discussed what constitutes a qualified  
15 contractor and we ve discussed  
16 documentation of this. At that point I m  
17 going to hand it off to you.

18                   MS. ELDER: Right. We have had a  
19 number of concerns. As you all probably  
20 know the State Statute, one of the  
21 provisions in the Emergency Response Act is  
22 that DEQ will keep a list of qualified  
23 cleanup contractors. That s all it says,  
24 is that we will keep the list. It doesn t  
25 say that anyone is required to use the list

1 nor does it say that anyone has to be on  
2 the list to do a cleanup. It just says  
3 that we will keep the list.

4           And as the OHMERC Members are  
5 familiar with, the way we tried to address  
6 that in the past was we simply came up with  
7 a questionnaire and people could  
8 voluntarily answer the questions and  
9 certified that they gave us true answers  
10 and we would put out that information to  
11 LEPC s, Fire Departments, Emergency  
12 Managers, Highway Patrol. And there were  
13 lots of questions, so there were lots of  
14 pages and people could flip through them  
15 and make a decision on if they wanted to  
16 use these folks for cleanup.

17           Some people have made it a policy.  
18 It s not in the State Statute and it s not  
19 required by DEQ but some entities; Highway  
20 Patrol, some Fire Departments have had a  
21 policy that if a person does not already  
22 have a contractor on contract -- contractor  
23 on contract, that was well said -- that  
24 they pick someone from this list.

25           Well, it turns out that the list was

1 confusing for many people, they weren't  
2 quite sure with all that information to  
3 sort through. We had some complaints and  
4 concerns about the list.

5           So we did have a meeting with people  
6 who -- from all over who use the list and  
7 they asked that we make some modifications.

8           So we did put in place a workgroup  
9 and it includes not just people who use the  
10 list but it also includes Emergency  
11 Management Agency, Department of Labor,  
12 Corporation Commission, you know, the folks  
13 that would also have input into that.  
14 Because as it turns out the real  
15 requirements for cleanup and hazardous  
16 material cleanup and transport and all  
17 those sorts of things, actually comes under  
18 the jurisdictions of Agencies other than  
19 DEQ, we don't have. So it was kind of an  
20 interesting thing.

21                   MR. MAGNIN: Educational.

22                   MS. ELDER: It was, it has been.  
23 So the first meeting we had was to  
24 determine what people thought would  
25 constitute a qualification. And we tried

1 to keep this as simple as possible, I m not  
2 sure I have my list here so I may need Jami  
3 to refresh my memory, but they did  
4 determine that anyone who was actually  
5 doing the cleanup should have 40 hour Haz  
6 whopper training. So the contractor would  
7 have to have trained individuals, that they  
8 would have to have insurance, and the type  
9 of insurance they d have to have would be  
10 general liability, automobile insurance,  
11 specific environmental cleanup liability,  
12 you know, in case they make the problem  
13 worse, and then hazardous material  
14 transport insurance for hazardous material  
15 transport.

16 MR. MAGNIN: Or have the sub-  
17 contractor --

18 MS. ELDER: Or the sub-contractor  
19 would have to have that.

20 In addition they would need to have  
21 -- anyone transporting cleaned up or  
22 spilled material would have to have the  
23 necessary credentials from Oklahoma  
24 Corporation Commission because they  
25 regulate that. It turns out there s two

1 things actually required for that, but it s  
2 -- the permits required for that.

3           Then they also were concerned that  
4 there would be some mechanism to help  
5 insure that any waste was disposed of  
6 correctly, and finally they just wanted to  
7 know what you were capable of cleaning up.  
8 In other words, we wouldn't expect everyone  
9 to have to be capable of cleaning up every  
10 spill, but they'd have to clearly state, I  
11 can do these things so that there would be  
12 a list.

13           So those -- we came to a consensus  
14 that those would constitute qualifications.  
15 Tried to keep it simple and straight  
16 forward but yet cover all the bases. We,  
17 of course, checked with our legal staff and  
18 other interested parties to see if that  
19 would be covered.

20           Then the second meeting, we looked  
21 at what documentation would be sent to DEQ  
22 as evidence that you met the qualifications  
23 and on the 40 hour Haz whopper we  
24 determined two things; one, that the  
25 training records would be sent yearly,

1 annually to DEQ. But we all know that they  
2 have turnover in this and so when these  
3 folks showed up on site it is the  
4 responsibility of the Fire Department, the  
5 Highway Patrol, or whoever is the on scene  
6 (inaudible) commander to ask for the card  
7 verification that everybody should have on  
8 them who s doing that work. So that s kind  
9 of a two-part thing.

10 Then, again, the Certificate of  
11 Insurance would annually be sent to us, a  
12 copy of that.

13 For Corporation Commission, it turns  
14 out that everybody needs a hazardous waste  
15 credential, whether they re in or out of  
16 state transporter. If you re an in-state  
17 transporter you need a permit as well as  
18 the credential, and if you re an out of  
19 state transporter you need a five state  
20 plan. Or five state-something. I can t  
21 remember off the top of my head, but it s a  
22 different thing.

23 So we put in there that everybody  
24 would have to send us their credential and  
25 then if -- depending on in-state or out of

1 state they d have to send us a copy of the  
2 relevant paperwork on that.

3           We decided that there was really no  
4 way that ahead of time you could have a  
5 contractor tell you where they were going  
6 to take this waste because it s different  
7 every time. So we were just going -- we  
8 are going to have a signed statement that  
9 says, I will abide by the rules -- DEQ  
10 rules and proper disposal and handling and  
11 we have the wording for that that will be  
12 signed. And so that will basically be a  
13 statement to a State Agency. They will  
14 give their own list of what their -- what  
15 they will clean up and then the whole --

16           MR. GALAWAY: Do you get a copy  
17 of the hazardous waste manifest? You know,  
18 it comes in three parts, the responsible  
19 parties, would you get a copy of that?

20           MS. ELDER: You know, I don t.  
21 We haven t looked at that. It wasn t one  
22 of the things that --

23           MR. GALAWAY: That would tell you  
24 where the disposal site is.

25           MS. ELDER: Right.

1                   MS. MURPHY: The thing is, Mike,  
2 we -- pardon me. We update the list  
3 annually, there s not a statutory  
4 requirement from that, but we do. We could  
5 have the manifest sent to us for sure, but  
6 then what?

7                   MS. ELDER: Well -- but anyway,  
8 we can discuss that and feel free to --

9                   MR. GALAWAY: (Inaudible).

10                  MS. ELDER: -- right -- put that  
11 in. And then just like now, we have a  
12 notarized statement that the information  
13 provided is true that will be in there as  
14 well. And so we kind of have a consensus  
15 on that. And the next meeting will be at  
16 the end of this month, I think it s the  
17 last Thursday of the month.

18                  MS. MURPHY: The 26th.

19                  MS. ELDER: And what they re  
20 going to do then is look at the  
21 questionnaire that goes out now, which if  
22 you ve ever seen it you can probably attest  
23 to the fact that it s pages and pages long,  
24 that questionnaire, which of those things  
25 do we need to keep?

1                   There s been some talk that maybe we  
2 would put out a simplified short version  
3 for people to have in the field; these  
4 people have met our qualifications, here is  
5 what they can clean up, here s what their  
6 phone number is. And then on our website  
7 you would be able to or -- and we could  
8 even mail it out, you could go in and look  
9 more in depth if you needed to.

10                   MR. MAGNIN: Kind of look at that  
11 one-pager that can -- should be out in the  
12 middle of the month -- and the (inaudible)  
13 quickly goes through.

14                   MS. ELDER: Right. And then  
15 you d have detailed information. So that s  
16 where that s going. And we still would  
17 like to present that to the OHMERC. In the  
18 past we did have approval from the OHMERC  
19 for that and I think that s enough. I  
20 think we ll continue to do that. And if  
21 things move as we expect, we should be able  
22 to present that to the OHMERC in the August  
23 Meeting. But, you know, that s if they go  
24 as planned.

25                   So that s my report on that. And

1 Ms. Murphy?

2 MS. MURPHY: Just a quick word.

3 MS. ELDER: Yeah.

4 MS. MURPHY: Ordinarily, the  
5 update goes out -- hopefully you would have  
6 been approving the update at this meeting.  
7 Because we re in this process, and because  
8 we don t have an obligation to update the  
9 list on any regular schedule, we re not  
10 going to send -- we re not going to update  
11 it until we get through this process. That  
12 could leave us without an update for 2006.  
13 It could be August we update, but it could  
14 be almost the end of the year. I just want  
15 you to be aware. Okay.

16 MS. ELDER: Okay. Thank you.  
17 You know I don t think that we need to do  
18 New Business since there s not a quorum to  
19 do action items on so I think we can go  
20 right to Miscellaneous Discussion.

21 I had Tim Gablehouse from Colorado  
22 who has been here on occasion, sent me an  
23 interesting thing and I thought I d pass  
24 this out to you all. I just want people to  
25 be aware of it. The Chemical Safety Board,

1 which I m sure you all are aware, the  
2 Chemical Safety Board is the equivalent of  
3 the National Transportation Safety Board.  
4 They do investigations on chemical  
5 accidents, chemical spills, whereas the  
6 Transportation Board does investigations on  
7 airplane crashes, boats, that sort of  
8 thing.

9           Well, it turns out that there was a  
10 spill with aldehydes, I believe, in  
11 Georgia, and the Chemical Safety Board  
12 investigated. And I m handing out to you  
13 sort of the key findings because it turns  
14 out that the Chemical Safety Board actually  
15 criticized and pointed out things that the  
16 State Emergency Response Commission and the  
17 LEPC specifically failed to do.

18           So I think that -- I think we just  
19 need to be aware of the fact that in case  
20 of a spill, the Chemical Safety Board can  
21 look at what the OHMERC and LEPC s have  
22 done or not done, whether or not they have  
23 fulfilled their obligations. And while we  
24 have liability protection for those actions  
25 taken as an LEPC, I don t think that

1 there s liability protection for things you  
2 failed to do. Does that make any sense?

3 And anyway --

4 MR. MAGNIN: Most of the  
5 requirements for the LEPC, you know, it s  
6 an unfunded mandate to do stuff, I think as  
7 long as they re not doing something grossly  
8 negligent.

9 MS. ELDER: Well, if you ll look  
10 on the second page it cited them. It says  
11 that these are the shortcomings of the LEPC  
12 and the Emergency Operations Plan. One is  
13 that they were -- that the Emergency Plan  
14 was developed with minimal involvement of  
15 the companies who handle hazardous  
16 materials.

17 So the Chemical Safety Board is  
18 saying that companies who handle hazardous  
19 materials should be involved in the  
20 development of the Emergency Plan. The  
21 Agency assigned to perform the emergency  
22 activity did not develop all of the  
23 standard operating procedures.

24 So, for example, if you have the  
25 Fire Department that s doing part of the

1 emergency operation, or emergency activity;  
2 you have the hospital that s doing, in this  
3 case, decon, if you have an ambulance  
4 company that s doing transport; that those  
5 agencies that were responsible for those  
6 things had not developed their standard  
7 operating procedures and community  
8 evacuation standard operating procedures  
9 were not developed.

10           You know, I think following Katrina  
11 and Rita, I think people are going to be  
12 becoming much more aware of community  
13 evacuation plans in any kind of accident.  
14 And I m not -- all I want to do is show  
15 this to folks so that they can be aware of  
16 it. I don t know that we have to take any  
17 action on it.

18           MR. MAGNIN: Something else that  
19 is cooking right now is Senator Corn is --  
20 what is it, Senate Bill 1709? What she s  
21 working on expands the requirements in the  
22 Emergency Operation Plans for evacuations.

23           MS. ELDER: Right. Yeah, I think  
24 that s coming.

25           MR. MAGNIN: That may --

1 MS. MURPHY: What Bill was that?

2 MR. BERGMAN: 1703.

3 MR. MAGNIN: -- or may not fly  
4 since it s just kind of a rehash of what s  
5 already there.

6 MS. ELDER: And on 55 it says  
7 that there weren t procedures to alert the  
8 public in the event of an emergency. And  
9 again this has something to do that maybe  
10 CAMEO can address, off-site toxic exposure  
11 distances were not established, community  
12 vulnerability studies were not conducted.  
13 One of the things that we hope to do when  
14 we have -- if we have the new rules in  
15 place with extra funding, we will have  
16 staff that will go out and do and assist  
17 communities in doing that very thing, off-  
18 site exposure distances and particularly  
19 community vulnerability studies.

20 So, hopefully, we as a state will  
21 actually be -- we re going to take actions  
22 to address the very things they are worried  
23 about in this report.

24 It noted that the EOP addressed  
25 only transportation related emergencies

1 even though they had 38 fixed facilities  
2 and it was one of the fixed facilities that  
3 had the accident. And that communication  
4 resources were only in English and that  
5 that particular community had a significant  
6 Spanish speaking popularity. And it noted  
7 that the company specific hazardous  
8 chemical information, which is what comes  
9 from the Tier II, was not up to date.

10 So, again, hopefully our electronic  
11 -- our mandatory filing will help alleviate  
12 any problems we would have with that in  
13 Oklahoma because you would immediately have  
14 -- the newest information would go out  
15 immediately.

16 And then on 56 it talks about there  
17 was lack of LEPC participation in  
18 developing a Comprehensive County Emergency  
19 Response Plan and they think that  
20 contributed to a number of individuals that  
21 required decontamination which -- who  
22 wouldn't have otherwise.

23 Fire, Police Department, lacked  
24 special equipment and training necessary to  
25 respond to the type of facility that was in

1 their community. Triage and  
2 decontamination procedures performed by the  
3 ambulance and the hospital staff were not  
4 adequate.

5           So it looks like to me that they re  
6 mentioning several things that did not go  
7 right and I just think it s important for  
8 us to be aware of that. The Chemical  
9 Safety Board is a national body, obviously,  
10 and I think if they start looking at some  
11 places where an EOP or an LEPC fell down,  
12 that people may start looking more  
13 carefully, they may not. But I just  
14 thought it would be good for this group to  
15 be aware of that.

16           And, again, I think the positive  
17 thing for us is that when we have our new  
18 fee structure which allows us to have  
19 another staff person that we will be able  
20 to do -- take some direct actions that  
21 would make that situation less likely in  
22 Oklahoma, that we ll do vulnerability  
23 studies and the up to date information will  
24 be immediately available, which should be a  
25 great help.

1                   So does anybody want to --

2                   MR. COX: I was too engrossed in  
3 reading this. When you talked about was  
4 there -- are there any expected fines or  
5 fees against the municipality or --

6                   MS. ELDER: The Chemical Safety  
7 Board does not issue fines. All they do is  
8 do investigations.

9                   MR. COX: However, a report like  
10 this could open up civil liabilities.

11                   MS. ELDER: Absolutely. It was a  
12 lawyer who sent this to me with a heads up.  
13 He felt that that kind of report might have  
14 civil implications.

15                   So again, that particular Board  
16 doesn't issue fines, but it is public  
17 information and they do give -- for  
18 example, any time the Chemical Safety Board  
19 does an investigation, they go to the  
20 community and in a public forum they  
21 present the findings to the community. So  
22 again, this would be information available  
23 to citizens and reporters and whoever is  
24 there.

25                   MR. GALAWAY: They have the right

1 to know, though.

2 MS. ELDER: Yeah, the whole  
3 community have the right to know. They  
4 have the right to know. Right. They have  
5 the right to know.

6 MS. MURPHY: This will be an  
7 article in our Newsletter because you know  
8 it goes out to all the LEPC s, Tiers and  
9 the OHP Troupe Commanders and the Fire  
10 Chiefs so we will disseminate the  
11 information that way.

12 MR. COX: The important part of  
13 this is that our locals understand that  
14 even though this Board does not assess  
15 fines or anything the civil liabilities are  
16 enormous.

17 MS. MURPHY: They didn t have the  
18 spill but they still have a responsibility.

19 MS. ELDER: Right.

20 MR. COX: Exactly.

21 MS. ELDER: And it s particularly  
22 the planning responsibilities that they re  
23 speaking of in this. Not some -- there  
24 were some response problems but they  
25 particularly were focusing on planning

1 responsibilities. And so as Jami was  
2 saying, we are going to include this  
3 information in our next Newsletter and also  
4 send out this portion of the report to  
5 folks in the state so that they will be  
6 aware of it.

7 MR. BERGMAN: We also thought and  
8 Tim thought that a real critical factor  
9 here was that as far as any of us know, the  
10 CSB has been silent regarding LEPC s.

11 MS. ELDER: Until now.

12 MR. BERGMAN: This is the first  
13 one. They ve never had any kind of finding  
14 along these lines. We re wondering if this  
15 is going to be a pattern?

16 MR. COX: Can you get a hold if  
17 the full report?

18 MS. ELDER: Certainly.  
19 Certainly.

20 MR. COX: I d like to see a copy  
21 of the full report.

22 MS. ELDER: Sure. Sure. Yeah.  
23 Yeah, we can t -- you know, that will be on  
24 the Chemical Safety Board website and we  
25 can send out a link to that.

1                   MR. BERGMAN: For me it s kind of  
2 like when I first stressed in applying it  
3 to Oklahoma, it s like some citizens group  
4 or group of residence in Custer suing the  
5 Government because you didn t have a  
6 tornado plan that was effective. Can they  
7 do that?

8                   MR. COX: Yeah. Absolutely.

9                   MR. BERGMAN: Right now?

10                  MR. COX: That just hasn t  
11 happened.

12                  MR. MAGNIN: Well, you can sue  
13 anyone for anything.

14                  MR. BERGMAN: Right. But I mean  
15 when you got the CSB who has the authority  
16 that they have or the -- you know.

17                  MR. GALAWAY: Well, at least they  
18 have the -- you got a subject matter expert  
19 doing the evaluation.

20                  MS. ELDER: Right.

21                  MR. GALAWAY: So you can t  
22 dismiss that they don t know what they re  
23 talking about. The other side is -- a lot  
24 of the things the LEPC in Oklahoma gets --  
25 checks on is the fact that we have the

1 EOP s done through Emergency Management. A  
2 lot of these things that says review test  
3 and update your plan, well my Hazardous  
4 Material Plan is in my EOP.

5 MS. ELDER: Right.

6 MR. GALAWAY: So when I update my  
7 EOP I meet the requirements of the LEPC  
8 stuff. But I don t have detailed  
9 evacuation plans. What I basically -- I m  
10 asking each of the facilities to take care  
11 of their own. So all the nursing homes  
12 give me their evacuation plans, all the  
13 hospitals give me theirs, the city and the  
14 county give me theirs, but I don t do the  
15 whole county.

16 MR. MAGNIN: Nor do you have the  
17 authority to cause an evacuation, right?

18 MR. GALAWAY: The Mayor has that  
19 authority.

20 MR. MAGNIN: The Mayor does. By  
21 jurisdiction --

22 MR. GALAWAY: Our EOP says the  
23 Chief Elected Official has that authority  
24 when you declare an emergency. That s why  
25 the Mayor of New Orleans was doing the

1 evacuation and says, well, I thought the  
2 City Board had to do it or the County  
3 Commissioners.

4 But basically our EOP says the Chief  
5 Elected Official if we use the template for  
6 evaluation.

7 MR. COX: Your EOP may say that  
8 but I think if you ll go back and look at  
9 Oklahoma Statutes regarding evacuations the  
10 only mandatory evacuations that can take  
11 place in Oklahoma are law enforcement  
12 related issues.

13 MR. MAGNIN: And health.

14 MR. COX: Do what?

15 MR. MAGNIN: The catastrophic  
16 emergency public health --

17 MR. GALAWAY: Public health.

18 MR. MAGNIN: The Department of  
19 Health can do evacuations.

20 MR. COX: But outside of that  
21 there are no --

22 MR. GALAWAY: Mandatory. No, I m  
23 talking about voluntary evacuations.

24 MR. COX: You have no support for  
25 that anyway.

1                   MR. GALAWAY: Yeah. Everything  
2 up to my point is -- we tell you there is a  
3 threat and we want you to evacuate.

4                   MS. ELDER: Right.

5                   MR. GALAWAY: If he stays in  
6 (inaudible) it s still his decision.

7                   MR. COX: Yeah, exactly. That s  
8 an order to be issued by law enforcement,  
9 not by the Mayor or the County  
10 commissioner. They don t have that  
11 authority by Oklahoma Statute.

12                   MR. GALAWAY: Well, you re  
13 talking mandatory. The Chief Elected  
14 Officials can do voluntary evacuations.

15                   MR. MAGNIN: I think jurisdiction  
16 -- if they have an ordinance or a city  
17 resolution or whatever, they can give that  
18 power to the Mayor to do mandatory  
19 evacuations.

20                   MR. GALAWAY: The City of Clinton  
21 came to me about it because --

22                   MR. MAGNIN: The problem with any  
23 evacuations --

24                   MR. GALAWAY: -- they signed off  
25 the EOP. When they signed it, it became

1 their policy. Well, they didn't read the  
2 policy.

3 MS. ELDER: Yeah. I believe  
4 these (inaudible) think what they're  
5 saying.

6 MR. GALAWAY: They had a City  
7 Manager that said, no, I want that  
8 authority. I don't want this Mayor that  
9 doesn't even show up half the time in town  
10 to be the guy to make the decision for how  
11 to do the town. And I said well, you need  
12 to have a City Emergency Operation Plan and  
13 you need to make a resolution and make that  
14 happen.

15 MR. COX: Well, and that's what  
16 my point is. I think we've got a gap here  
17 in the State of Oklahoma when it comes to  
18 any evacuation of any sort.

19 MS. ELDER: Right.

20 MR. COX: We just don't have the  
21 statutes to support that.

22 MR. BERGMAN: Right.

23 MR. COX: Anywhere.

24 MR. MAGNIN: And the problem is  
25 liability.

1 MR. COX: Yeah.

2 MR. MAGNIN: Because if the Mayor  
3 says I want all of you people to get the  
4 heck out of here, then the Mayor is  
5 responsible for all that stuff.

6 MR. COX: Yeah.

7 MR. MAGNIN: You ve got to  
8 protect it somehow or another because when  
9 those people come back in and say, gosh,  
10 you know, my gazillion dollar coin  
11 collection is gone and you told me to leave  
12 and you didn t protect it.

13 MR. BERGMAN: Do you think that  
14 this would -- I don t believe the Agenda is  
15 complete yet for the EM Meetings in August.  
16 And one of the things I wondered is if you  
17 guys wanted to, through the association, if  
18 that would be a topic of sufficient  
19 interest for the EM s --

20 MR. GALAWAY: If we got enough  
21 people --

22 MR. BERGMAN: -- Agenda.

23 MR. GALAWAY: If we got a  
24 representative of every Agency that touches  
25 EM, if that person we invite wants to talk

1 about that (inaudible).

2 MR. BERGMAN: That s what I m  
3 saying. Just the fact that they ve  
4 mentioned LEPC s in this context if that s  
5 worthy of (inaudible).

6 MR. COX: We ve hashed this  
7 subject out several times before at the  
8 conference.

9 MR. BERGMAN: But not this one.  
10 Not part of this (inaudible).

11 MR. COX: Not specifically this,  
12 no.

13 MS. MURPHY: But this evacuation  
14 response.

15 MR. BERGMAN: I know you guys are  
16 setting the Agenda, I just thought I d kick  
17 that out there.

18 MR. COX: I think it s something  
19 that needs to be talked about, needs to be  
20 discussed but I don t know that the  
21 conference is the venue for that. I think  
22 all of these State Agencies, LEPC s, DEQ  
23 and everything needs to get together and  
24 come to some sort of a conclusion.

25 MR. MAGNIN: I think what needs

1 to be done is mostly kind of known out  
2 there. It s a question of getting people  
3 to do it.

4 MR. COX: Yeah.

5 MR. BERGMAN: Mike s got some  
6 plans but I venture to guess that s not the  
7 norm across the state. I would venture to  
8 guess Woodward probably doesn t have those  
9 plans in place among many others.

10 MS. ELDER: Right. So I think  
11 this is something that we can decide  
12 whether or not we want to take any action  
13 on. I want the information to be out  
14 there.

15 One other thing I wanted to bring up  
16 is that I ve been in contact with, his name  
17 is Jim Higgins, he s with the Highway  
18 Patrol in Colorado and we re working on  
19 trying to do a sort of mutual commodity  
20 flow study about what s coming in and out  
21 between Colorado and Oklahoma in the  
22 Panhandle. We d be looking at doing, like  
23 in Boise City, that highway. And they have  
24 a prototype. I would love to talk to OHP  
25 because the way they did it in Colorado is

1 they used their Highway Patrol folks for  
2 six hours at a time to count the trucks  
3 because they all have Hazmat awareness. So  
4 they have -- you don't have to do all the  
5 training on this is what a (inaudible)  
6 means and this is what the shape is and  
7 that sort of thing. And so he has shared  
8 with us the form they are going to be using  
9 in Colorado. We made a suggestion about  
10 putting the UPN numbers on it. And so we  
11 probably won't get that kicked off until  
12 the next fiscal year because --

13 MR. MAGNIN: 08 or 07?

14 MS. ELDER: Because I don't think  
15 it will take very much money. I mean, I  
16 think the only money they spent in Colorado  
17 was they had some people from out of town  
18 spend the night.

19 MR. MAGNIN: Are we talking about  
20 using some of the HEMP money?

21 MS. ELDER: Right. To help with  
22 --

23 MR. MAGNIN: To help with  
24 (inaudible) and refreshments.

25 MS. ELDER: Right. If we need

1 that or if OHP -- I think we ll also  
2 contact ODOT because they do have a scale  
3 house right there in Boise City and that  
4 might be a convenient place for people to  
5 meet and set up (inaudible).

6 MR. MAGNIN: I think we ll just  
7 have to figure out some mechanism to take  
8 care of business.

9 MS. ELDER: Right. So I need to  
10 get a hold of (inaudible) in person.

11 MR. BERGMAN: You guys who d like  
12 to go to participate and go to Boise City  
13 and help count trucks --

14 MS. ELDER: Right. Right.  
15 Right. We -- anybody -- right.

16 MR. BERGMAN: -- spend a couple  
17 of days --

18 MS. ELDER: Anybody who says to  
19 themselves, by golly I d like to go out to  
20 Boise City, one of your favorite places.

21 MR. BERGMAN: Who do you think  
22 from DEQ is probably going to get tasked  
23 with that job?

24 UNIDENTIFIED MALE: Bye, Tom.

25 MR. BERGMAN: Misery loves

1 company.

2 MS. ELDER: Bo might get to go  
3 too, you can never tell.

4 So anybody else have something for  
5 discussion?

6 MR. GALAWAY: Well, what you ve  
7 brought up is taking our planning to the  
8 next level. Basically, what we have is  
9 what I call policies. Our EOP is really a  
10 policy. And now they re asking for SOP s.

11 MS. ELDER: Right.

12 MS. GALAWAY: And that s kind of  
13 what Don Lynch has been saying all along,  
14 we really need detailed SOP s at the local  
15 level to address Emergency Plans.

16 MS. ELDER: Yes.

17 MR. GALAWAY: And I think that s  
18 what Senator Corn was trying to force the  
19 issue. He wanted detailed evacuation plans  
20 for every city, county in the state to  
21 cover all hazards. And he started listing  
22 hazards and I said, well, we were trying to  
23 think of a hazards that would make us force  
24 evacuate a whole town. Flooding, even with  
25 a river going through my town wouldn t

1 force me to evacuate the whole town, just  
2 the portion that would get flooded. On  
3 your Hazmat I can pull up plumes all day  
4 long that wouldn't force me to --

5 MS. ELDER: No.

6 MR. GALAWAY: -- evacuate a  
7 whole town. So tornados as big as Moore  
8 had, didn't evacuate the whole town. So  
9 give me a hazard that would force me to  
10 evacuate a whole town.

11 MR. BERGMAN: Bio. Bio,  
12 something like that.

13 MR. MAGNIN: 25-foot wall of  
14 water from the Gulf of Mexico.

15 MR. BERGMAN: Bio -- bio would  
16 (inaudible).

17 MS. ELDER: Yeah, a bio-hazard.

18 MR. BERGMAN: I'm not saying it's  
19 possible that it's going to happen, I'm  
20 saying that would be one item that could  
21 force. Another would be some sort of  
22 radioactive threat.

23 MR. MAGNIN: That wouldn't be  
24 evacuation, that would be quarantine.

25 MR. BERGMAN: If we had a dirty

1 bomb threat.

2 MR. COX: Well, and I think our  
3 communities need to look at the  
4 capabilities that they have as far as  
5 transportation and shelters and things like  
6 that, so if they have to evacuate certain  
7 areas and shuffle them somewhere else  
8 because I don't think we're doing an  
9 adequate job of that, but as far as  
10 evacuating entire communities I just can't  
11 in my wildest imagination I cannot come up  
12 with a scenario that would cause me to  
13 evacuate my entire community.

14 MR. GALAWAY: Even your dirty  
15 bomb, I'm trained in radiation.

16 MR. MAGNIN: Albert's position --

17 MR. BERGMAN: If you put out the  
18 words you have a dirty bomb though you  
19 won't have to have (inaudible). You're  
20 going to have a voluntary evacuation at  
21 that point.

22 MR. MAGNIN: Our position is that  
23 we need to focus more on housing evacuees  
24 from elsewhere here.

25 MR. COX: Yeah, because if you're

1 in the Gulf Coast, hurricanes. We need to  
2 evacuate. We got the warnings.

3 MS. ELDER: Or if you're in  
4 places where they have earthquakes you may  
5 have --

6 MR. COX: You don't really have a  
7 warning for an earthquake.

8 MS. ELDER: No.

9 MR. COX: You might evacuate --  
10 the afflicted areas after the fact. We  
11 just don't have that here.

12 MS. ELDER: Right.

13 MR. BERGMAN: No. But that could  
14 happen anywhere. That's another --

15 MR. GALAWAY: Well, we did it  
16 back in the civil defense days. The worst  
17 case scenarios, if Tinker was a target how  
18 would we evacuate Oklahoma City?

19 MR. COX: We did it on paper and  
20 it looked really nice and made a big stack.  
21 But it never would have worked. We were  
22 going to put what, all of Oklahoma City in  
23 Stillwater?

24 MR. GALAWAY: No, it was three  
25 different towns.

1                   MR. MAGNIN:  When I came aboard  
2  most of the -- we had, like, 10 or 12  
3  engineers on staff that went out and they  
4  were surveying facilities that could house  
5  people statewide.  And we had printouts of  
6  all the shelters and so forth.  When I went  
7  out and started working the EOP s we would  
8  start looking for these shelters and half  
9  of them were parking lots.  The buildings  
10 were gone.  And this was 12 years ago.

11  (Inaudible) made the decision we re not  
12 going to worry about (inaudible) relocation  
13 plants anymore.

14                   MS MURPHY:  Maybe they ll do it  
15 again.

16                   MS. ELDER:  Okay.  So, do we have  
17 any further business?  Any comments from  
18 our guests?

19                   MR. GALAWAY:  Stakeholders.

20                   MS. ELDER:  Okay.  In that case I  
21 will -- and the next meeting is August 8th,  
22 2006, 1:30 here.  So I don t know that we  
23 have a motion to adjourn since we don t  
24 have a quorum.  But we do have cake and I  
25 invite everyone to have cake and celebrate

1 the fact that Mike Grimes and Larry Gales  
2 are retiring.

3 (MEETING CONCLUDED)

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