ESTABLISHING THE STATE EMERGENCY RESPONSE COMMISSION (SERC) REPRESENTED BY VARIOUS GOVERNMENT AGENCIES TO PLAN AND IMPLEMENT GUAM'S RESPONSE CONCERNING HAZARDOUS MATERIALS.

WHEREAS, Superfund Amendment and Reauthorization Act (SARA) of 1986 and Hazardous Materials Transportation Act (HMTA) of 1990 requires each state and territory to have a State Emergency Response Commission, and a Local Emergency Planning Committee (LEPC); and

WHEREAS, the SERC has responsibility to appoint the LEPC and to oversee Hazardous Materials Planning and Training for the territory and the Community Right to Know provisions of Title III; and

WHEREAS, there are increasing Hazardous Materials incidents on the island due to population and economic growth; and

NOW, THEREFORE, I, CARL T. C. GUTIERREZ, by virtue of the authority vested in me as Governor of Guam, do hereby order:

1. There is created a State Emergency Response Commission (SERC) consisting of eleven (11) members representing:
   a) Guam Fire Department
   b) Guam Police Department
   c) Guam Environment Protection Agency
   d) Department of Public Works
   e) Department of Public Health and Social Services
   f) Guam Memorial Hospital
   g) Attorney General’s Office
   h) Government of Guam OSHA
   i) Port Authority of Guam
   j) Civil Defense/Guam Emergency Service Organization (GESO)
   k) the public

2. The SERC shall elect from among its members a chairperson, vice chairperson, and other officers as necessary. The SERC shall meet at
the call of the chairperson, at the request of a majority of the members, or at the request of the Governor. A majority of the members of the SERC shall constitute a quorum.

All administrative and clerical assistance required by the SERC shall be furnished by Civil Defense/GESO.

The duties of the Commission shall include but are not limited to:

1) oversight of Hazardous Materials planning for Territory of Guam;

2) oversight of training in Hazardous Materials planning, response, compliance, mitigation and recovery;

3) oversight of SARA Title III Community Right to Know provisions;

4) oversight and appointment of the Local Emergency Planning Committee;

5) serve as an advisory body to the Director of Civil Defense/GESO on Hazardous Materials;


SIGNED AND PROMULGATED at Agana, Guam this 7th day of April, 1995.

CARL T. C. GUTIERREZ
Governor of Guam

COUNTERSIGNED:

MADELEINE Z. BORDALLO
Lieutenant Governor of Guam