

California State Emergency Response Commission Charter

Authority

The State Emergency Response Commission (SERC) is mandated in accordance with the 1986 Superfund Amendments and Reauthorization Act Title III (SARA) and the Governor's Executive Order W-40-93 (EO W-40-93).

Purpose

The purpose of the SERC is to:

- Enhance public safety and environmental protection through efficient implementation of hazardous material emergency planning and community right-to-know laws
- Designate local emergency planning districts and appoint a Local Emergency Planning Committee (LEPC) and members for each district
- Supervise and coordinate the activities of the LEPCs
- Coordinate other state agency activities in the area of hazardous materials emergency planning and community right-to-know laws to ensure legal and jurisdictional autonomy of each of these agencies is preserved
- Promote, assist, and guide local, regional, and state government activities to integrate hazardous materials emergency planning and accident prevention programs in order to prevent unnecessary overlaps
- Establish procedures for receiving, processing and providing information to the public on hazardous materials
- Review LEPC regional emergency plans and make recommendations to LEPC on revisions of the plan that may be necessary to ensure coordination of such plan with regional emergency plans of other LEPCs
- Receive verbal and written follow-up emergency notifications of the release of extremely hazardous substances or hazardous chemicals
- Provide a forum for the consideration of ideas and concerns of public and private stakeholders in the implementation of hazardous material emergency planning and accident prevention programs
- Provide a mechanism for timely review and processing of requests for hazardous material information legally available to the public.

Vision

The vision of the SERC is to promote emergency response planning and community awareness by ensuring and overseeing the implementation of Emergency Planning and Community Right-to-Know (EPCRA), with the goal of assuring protection for the citizens, property, and the environment of the State of California. The SERC shall maintain an open forum to consider ideas from the public and private stakeholders while promoting a comprehensive and effective hazardous materials program.

Mission

The mission of the SERC is to coordinate and supervise implementation of the federal hazardous materials EPCRA within California. This includes federal programs to prevent, mitigate, and enhance responses to hazardous material emergencies and ensure public availability of appropriate chemical information as prescribed by law. The membership of the SERC is defined in EO W-40-93.

Background

The SERC is mandated by Federal law, Title III of the Superfund Amendments and Reauthorization Act (SARA) of 1986, also known as EPCRA, Title 42 United States Code, Sections 11001 - 11050. The regulations that interpret this act are Code of Federal Regulations (CFR) Parts 355 and 370.

Governor's Executive Order D-63-87 (EO D-63-87) established the SERC as the Chemical Emergency Planning and Response Commission (CEPRC). The initial membership consisted of Secretaries/Directors (or their designees) from several state agencies/departments; and representatives of the local planning districts to be designated by the Commission (SERC) and of local government; chaired by the Director of the Office of Emergency Services or designee.

EO W-40-93 rescinded EO D-63-87 and reconstituted the membership as indicated below under "Membership."

In 2013 Governor Brown, in an effort to cut operating costs and duplication of services, reorganized state government. These changes make the membership established in EO W-40-93 crafted 20 years ago obsolete, thereby requiring a new Executive Order to define the appropriate membership.

Membership

The current membership per EO W-40-93 is as follows:

- Chaired by the Director of the Office of Emergency Services (or designee)
- Secretaries or Directors (or designees) of the following agencies:
 - Business, Transportation and Housing
 - State and Consumer Services
 - Resources Agency
 - Health and Welfare
 - Environmental Protection Agency
 - Department of Food and Agriculture
 - Department of Industrial Relations
- Representatives of the local planning districts (designated by the SERC). The SERC designated six committees, one for each district
- Three representatives of local government. The SERC designated these to be:

1. League of California Cities
2. California State Association of Counties
3. California Certified Unified Program Agency Forum Board

Meetings

The SERC established a quarterly meeting schedule to fulfill its obligations as mandated by EPCRA.

SERC Members Commitments

- Shall uphold the provisions of EO W-40-93 and subsequent Executive Orders
- Shall participate in scheduled meetings
- Shall provide timely review and comments on action items
- Office of Emergency Services shall provide logistical and administrative support