



TERRITORY OF GUAM  
OFFICE OF THE GOVERNOR  
AGAÑA, GUAM 96910  
U. S. A.

**EXECUTIVE ORDER NO. 95-07**

**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



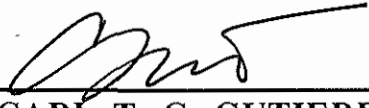
the call of the chairperson, at the request of a majority of the members, or at the request of the Governor. A majority of the members of the SERC shall constitute a quorum.

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

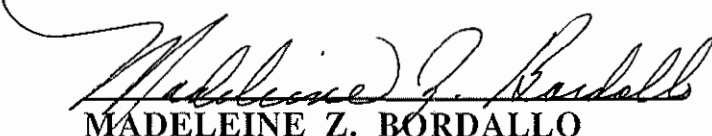
The duties of the Commission shall include but are not limited to:

- 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;
- 6) oversight of compliance and implementation provisions of Hazardous Materials Transportation Act of 1990 (HMTA) and other federal and territorial legislation relating to Hazardous Materials.

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

  
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**CARL T. C. GUTIERREZ**  
Governor of Guam

**COUNTERSIGNED:**

  
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**MADELEINE Z. BORDALLO**  
Lieutenant Governor of Guam