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S T A T E O F O K L A H O M A

OKLAHOMA SECRETARY
OF STATE

EXECUTIVE DEPARTMENT

E X E C U T I V E O R D E R 89-02

WHEREAS the protection and overall well-being of the citizens of this state is of primary importance; and

WHEREAS Congress has passed and the President has signed into law the Superfund Amendments and Reauthorization Act (SARA) which requires the Governor of each state to appoint an Emergency Response Commission; and

WHEREAS the Governor may designate as the Emergency Response Commission one or more existing emergency response organizations that are state-sponsored or appointed; and

WHEREAS the State Department of Civil Defense has the responsibility to provide for the development and execution of a plan of emergency resource management and to provide sufficient organization to meet emergencies; and

WHEREAS the Governor shall appoint, to the extent practicable, persons to the Emergency Response Commission who have technical expertise in the emergency response field;

NOW, THEREFORE, I, Henry Bellmon, Governor of the State of Oklahoma, by the authority vested in the Office of Governor by the Constitution and laws of the State of Oklahoma, do hereby create and establish the Hazardous Materials Emergency Response Commission of Oklahoma to serve as an advisory body to the State Department of Civil Defense. The Commission shall consist of the Secretary of Safety and Security, the Commissioner of the Department of Health, the Commissioner of the Department of Public Safety, the Director of the Department of Pollution Control, and the Director of the Department of Civil Defense or their respective designees.

The Secretary of Safety and Security shall serve as the chairman of this Commission; and the Department of Pollution Control shall serve as the coordinator for the program required by SARA.

The Commission in its advisory capacity to the Department of Civil Defense shall, through maximum utilization of Department of Civil Defense resources and rule making authorities, and through maximum utilization of resources of other agencies, fulfill the responsibilities imposed upon State Emergency Response Commissions by Title III of the Superfund Amendments and Reauthorization Act; which responsibilities include but are not limited to:

1. Designating emergency planning districts to facilitate implementation of emergency plans;
2. Appointing local emergency planning committees; and
3. Reviewing the local committees' emergency response plans.

The Department of Civil Defense may, on behalf of the Commission, receive grants, donations, or gifts of money, equipment, supplies, and services from any public or private source to carry out the duties of the Commission hereunder. To the extent authorized by law, the Department of Civil Defense may establish by duly adopted rules and regulations, an appropriate schedule of fees for filing and other services. To the extent authorized, sub-accounts within the existing Civil Defense Emergency Revolving Fund will be utilized for process of funds received. The Department of Civil Defense is authorized to enter into cooperative agreements with other agencies as approved by the Hazardous Materials Emergency Response Commission as necessary to fulfill the requirements of SARA.

Executive Order 88-08 is hereby rescinded.

This order shall remain in effect until amended or modified by the Governor or until terminated by operation of law.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, this 23rd day of February, 1989.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA

Henry Bellmon

ATTEST:

Harold D. Atkins
Secretary of State