

STATE LAW LIBRARY
OCT 19 1992
OF MONTANA

EXECUTIVE ORDER ESTABLISHING A
STATEWIDE COORDINATION COUNCIL FOR THE
TRANSPORTATION OF HAZARDOUS WASTES AND MATERIALS

WHEREAS, the protection of Montana's environment and its citizens is important to every Montanan requiring constant review of preventive measures in transporting hazardous materials; and

WHEREAS, the number of vehicles, including rail and air transporters, involved in the transportation of hazardous materials or hazardous waste through this state is on the increase; and

WHEREAS, the public health, safety and the environment may be jeopardized when hazardous materials or hazardous waste are transported in an unsafe manner; and

WHEREAS, the problem of unsafe transportation of hazardous waste and hazardous materials and the potential of accidental release has become a matter of statewide concern.

NOW, THEREFORE, I, STAN STEPHENS, Governor of the State of Montana, by virtue of the authority vested in me pursuant to the Constitution and the laws of the State of Montana, including Section 2-15-122, MCA, do hereby establish the Governor's Hazardous Materials Transportation Advisory Council.

I. PURPOSE

The purpose of this council is to advise the Governor's Office and local and state governmental agencies in the following areas:

- A. to determine the appropriate level of regulation of hazardous materials and hazardous waste transportation in and through Montana.
- B. to assure the safe operation with all modes of transportation involved in shipping hazardous materials and hazardous waste within this state;
- C. to develop a system capable of identifying and regulating

transportation of hazardous materials or hazardous waste utilizing existing resources;

D. to protect the health and safety of the public and the environment by reducing the risk of accidents through a safety inspection program for vehicles and companies which transport hazardous materials or waste;

E. to review the feasibility of implementing a centralized program where carriers of hazardous materials or hazardous waste can obtain licenses, permits or information on current state regulations;

F. to implement a proactive program that concentrates on preventive safety measures to reduce the probability of accidental releases;

G. to ensure the coordination between all state agencies regulating hazardous materials and hazardous waste with a minimum of duplication.

H. to work closely with the State Emergency Response Commission in coordinating action plans in fulfilling their respective missions.

In carrying out these responsibilities, the Department of Transportation is designated as the lead agency and is authorized to seek the cooperation of any executive agency or office of state government to supply necessary data, reports or other information to carry out its duties under this order. Either department, office, division or agency of the state is directed to the extent consistent with law, to reasonably cooperate with the Department of Transportation and to furnish it with such information, personnel and assistance as necessary to accomplish the purpose of this order. In addition, this council will have the authority to appoint people from state government, upon consultation with department directors, to serve on a technical committee under this council's chairman.

II. COMPOSITION

The council shall be composed of the following members who shall serve at the pleasure of the Governor:

Mr. Dave Galt, Chairperson
Administrator
Motor Carrier Division
Department of Transportation
Helena, Montana 59620

Mr. John Delano
Delano and Associates
139 N. Last Chance Gulch
Helena, Montana 59601

Mr. Rick Bartos
Chief Legal Counsel
Office of the Governor
State Capitol
Helena, Montana 59620

Mr. George Teslovick
Montana Aeronautics Comm.
2778 Fern Drive
Great Falls, Montana 59405

Mr. Ben Havdahl
Montana Motor Carriers Assn.
501 North Sanders
Helena, Montana 59601

Mr. Dennis Christenson,
Flathead Basin Commission
723 Fifth Avenue East
Kalispell, Montana 59901

Mr. Duane Robertson
Solid & Hazardous Waste Bureau
Dept. of Health & Environmental
Sciences
Helena, Montana 59620

Mr. Bill Good, Admin.
Disaster & Emergency
Services
Dept. of Military Affairs
Helena, Montana 59620

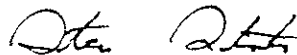
Col. Robert J. Griffith
Montana Highway Patrol
Department of Justice
Helena, Montana 59620

III. CHAIRPERSON

The Director of the Department of Transportation or his designee shall serve as chairperson of this Council and shall serve at the pleasure of the Governor.

This Order is effective immediately.

GIVEN under my hand and the GREAT SEAL of the State of Montana this 22ND day of September in the year of our LORD, One Thousand Nine hundred and Ninety-two.



STAN STEPHENS
Governor

ATTEST:



MIKE COONEY, Secretary of State