

## Minutes

### Nevada State Emergency Response Commission (SERC)

#### Funding Committee Meeting

Thursday, July 2, 2009 – 9:00 a.m.

*Professional Engineers & Land Surveyor's State Board Room*

*1755 E. Plumb Lane, Suite 130*

*Reno, Nevada*

#### Members Present

Richard Brenner, Chair  
Susan Crowley (teleconferenced)  
Larry Farr  
Stacey Giomi

#### Members Absent

John Helmreich

#### Staff

Suzie Adam  
Shelley Fleming  
Karen Pabón  
Glade Myler

#### Guests

David Albert	Robert Milby
Mark Bennett	Cherie Nevin
Danielle Bouas	Joe Nishikida
Joe Curtis	Dustin Olson (teleconferenced)
Brent Jones (teleconferenced)	Rick Stever
John McCormick	Steve Tognoli

#### **I. CALL TO ORDER**

Richard Brenner called the meeting to order at 9:04 a.m.

#### **II. INTRODUCTIONS**

Members, staff, and guests introduced themselves as shown above. A quorum was present.

#### **III. \*APPROVAL OF THE MARCH 24, 2009 MEETING MINUTES**

Stacey Giomi made a motion to approve the minutes of the March 24, 2009 meeting. Larry Farr seconded the motion which was approved unanimously.

#### **IV. NEW BUSINESS**

- A. \*Discussion/Review/Approval of U.S. Department of Transportation (USDOT), Hazardous Materials Emergency**

**Preparedness (HMEP) mid-cycle grant applications submitted by Local Emergency Planning Committees (LEPCs)**

Mr. Brenner advised there were two mid-cycle grants requests submitted by Lander LEPC. Mark Bennett advised Lander LEPC wants to do a commodity flow study. Lander LEPC wants to determine what goes through Lander County by railway and road. With this knowledge, Lander LEPC will have a better idea of what to train their responders on and have better response tactics. Lander LEPC selected Ecology and Environment Consulting who are familiar with Lander County. The firm has submitted a proposal to the LEPC.

Mr. Bennett stated Lander LEPC had training dollars awarded in the 2009 SERC grant. Timing did not allow for the second training session before the grant expired, so the LEPC reapplied under this grant.

Karen Pabón advised there is \$92,222 in planning and \$56,435 in training available in the HMEP grant. Planning funds need to be obligated by Sept. 30, 2009 and reported on by December 15, 2009.

Mr. Giomi made a motion to approve Lander LEPC's two HMEP mid-cycle grant requests for planning and training. Mr. Farr seconded the motion which was approved unanimously.

**B. \*Discussion/Review/Recommendation of fiscal year 2010 United We Stand grant applications submitted by the LEPCs and State agencies to the SERC**

Mr. Brenner stated the Committee will review Nye LEPC and University of Nevada, Las Vegas (UNLV) Police first since representatives are teleconferencing.

Ms. Pabón stated SERC continues to receive \$100,000 per quarter for United We Stand (UWS) funding. The cumulative amount covers these grant requests.

*Nye LEPC* – Mr. Brenner advised Nye LEPC was requesting equipment for its hazmat team, pagers, chemical kits, awnings, masks and gloves.

Mr. Giomi stated Nye LEPC indicated the critical infrastructure protection was a number one priority. Brent Jones advised the LEPC's ultimate goal is the critical infrastructure. It is the forefront responsibility for the LEPC.

Mr. Farr made a motion to recommend approval of Nye LEPC's grant request for \$29,999. Mr. Giomi seconded the motion. A discussion ensued. Mr. Giomi complimented staff for arranging the grant application template format. Mr. Giomi stated Nye LEPC could have

better tied in their critical infrastructure; however, they did meet all criteria. A vote was taken and the motion carried.

*University of Nevada, Las Vegas (UNLV)* – UNLV is requesting a closed caption TV system. Dustin Olson advised this TV system was for the police dispatch security. Mr. Olson stated any one person trying to watch all of the surveillance cameras is ineffective without the surveillance software UNLV is requesting. An audio alert is given to the security person, then it hones into that particular view of the object. They can control the cameras from a joy stick.

Mr. Brenner and Mr. Giomi thought the grant was well written. He asked staff if the signatures on UNLV's grant application were acceptable. Ms. Fleming advised they were. Ms. Pabón stated there was a letter on file advising the person that signed the grant application has the authority to be signing for UNLV.

Mr. Giomi made a motion to recommend approval of UNLV's allocation for \$29,984. Mr. Farr seconded the motion which was approved unanimously.

*Supreme Court* – Mr. Brenner advised the Supreme Court did not identify an emergency response plan and what their role is. Ms. Fleming read the criteria for State agencies from policy. John McCormack advised the Supreme Court did not fall under an emergency response plan. David Albert advised the Supreme Court does not have hazmat materials to respond to.

Mr. Farr made a motion to recommend approval of the Supreme Court's allocation for \$12,556 for a security system. Mr. Giomi seconded the motion which was approved unanimously.

*Legislative Council Bureau (LCB) Police* – Ms. Fleming advised LCB Police were unable to get a quote to upgrade their digital video recorder (DVR), and the application was changed to request two new DVRs. This makes the maximum amount over \$30,000. LCB Police will fund the difference from other resources. LCB is also requesting a radio repeater.

Mr. Giomi made a motion to recommend approval of LCB Police allocation for \$30,000. Mr. Farr seconded the motion which was approved unanimously.

*Douglas LEPC* – Mr. Brenner advised Douglas LEPC was requesting radios and decon showers. Mr. Giomi complimented Douglas LEPC for expanding its membership. Mr. Giomi stated they could only approve P25 compliant radios and did not believe the CDM 1250 radios were P25 compliant. A discussion ensued.

Mr. Giomi made a motion to recommend approval of Douglas LEPC's grant request for \$29,405 contingent on spending \$23,578 for P25 compliant radios. Mr. Farr seconded the motion. A discussion ensued about the P25 radios. A vote was taken and the motion carried.

*Storey LEPC* – Mr. Brenner advised Storey LEPC was requesting fencing, intrusion alarm systems and a MultiRAE plus hydrocarbon detection device. Joe Curtis stated the fencing is under the infrastructure protection section. Water tanks have normally been up on the side of a hill. Storey County rebuilt water tanks recently and put new ones in with no fencing around any of them. One of Storey County's detection devices is almost nonfunctional and they cannot get parts for them. The detection devices are for positioning in the Interstate 80 corridor area. Mr. Giomi stated Storey LEPC did a good job tying the questions with its goals. Mr. Curtis stated the grant application template worked out well, was easy to navigate and the questions were in logical order.

Mr. Farr made a motion to recommend approval of Story LEPC's grant request for \$30,000 for fencing, intrusion alarm system, and a MultiRAE plus hydrocarbon detection device. Susan Crowley seconded the motion which was approved unanimously.

Mr. Brenner advised Ms. Pabón was just informed HazMat Explo has been cancelled. Mr. Brenner stated Clark County was downsizing cost wise and reducing expenses.

*Lincoln LEPC* – Mr. Brenner advised Lincoln LEPC was requesting equipment for a fire truck.

Mr. Giomi stated Lincoln LEPC tied the questions asked on the application to its grant. Rick Stever stated the template for the grant application was appreciated.

Mr. Giomi made a motion to recommend approval of Lincoln LEPC's grant request for \$29,998 for equipment for a fire truck. Ms. Crowley seconded the motion which was approved unanimously.

*Lander LEPC* – Mr. Brenner advised Lander LEPC was requesting classroom emergency kits, bucket toilets, duct tape, shelving and installation, spare tires, air bags for rescue trucks, and a utility bed to carry more equipment. Mr. Farr asked if Lander LEPC was certified in Hazardous Categorization (HazCat) training. Mark Bennett advised they had a new LEPC member who is a HazCat trainer.

Mr. Giomi stated the tie to two of the questions in the application were a little weak, especially to the infrastructure. The tie to Homeland Security was good.

Ms. Crowley made a motion to recommend approval of Lander LEPC's grant request for \$29,197 for shelving and installation for emergency response trailer, classroom emergency kits, bucket toilets, duct tape, spare tires, air bags for rescue trucks, and a utility bed to carry more equipment. Mr. Giomi seconded the motion which was approved unanimously.

*Carson City LEPC* – Mr. Brenner advised Carson City LEPC was requesting radios and computers. Mr. Giomi advised the LEPC is upgrading its equipment.

Mr. Farr made a motion to recommend approval for Carson City LEPC's grant request for \$30,000 for radios and computers. Ms. Crowley seconded the motion which was approved unanimously.

Ms. Crowley had to leave the meeting. The Committee still had a quorum.

Glade Myler asked if Mr. Giomi abstained from voting on Carson City LEPC. Mr. Giomi stated the SERC has been advised not to abstain. Ms. Pabón stated Commissioners were advised not to abstain unless the Commissioner or Committee member stood to personally benefit financially by the decision. Mr. Giomi advised Neil Rombardo stated this at a SERC Open Meeting Law (OML) review at HazMat Explo.

*Churchill LEPC* – Mr. Brenner advised Churchill LEPC was requesting radios and a generator. Ms. Pabón stated the LEPC has a new chair and county emergency manager. Steve Endacott is the vice chair. Ron Juliff has been working with Ms. Fleming. Mr. Giomi stated whomever submitted the application, deleted boxes and did not answer the questions. Mr. Brenner advised the LEPC did not reference the State Homeland Security Plan. Mr. Myler advised the Committee to be leery on this decision as it is important from an audit standpoint. Ms. Pabón advised the Funding Committee recommended denial for this sort of item last year when reviewing the UWS grant applications. Mr. Farr advised it is an incomplete application and should be denied.

Mr. Farr made a motion to recommend denial of Churchill LEPC's grant application for \$30,000 based on submission of an incomplete application. Mr. Brenner seconded the motion. A discussion ensued. Mr. Farr stated the base criteria have to be met or there will be no standard. Mr. Farr also advised the LEPC can attend the SERC meeting and appeal the recommendation. A vote was taken and the motion carried.

Ms. Pabón asked if the LEPC has an opportunity to submit documentation. Mr. Farr advised staff needs to notify the LEPC the recommended denial was based on an incomplete application and they

have an opportunity to attend a SERC meeting to discuss it. If the LEPC wants to bring written documentation, that is their decision. Mr. Giomi said it is not the Committee's intent to give the LEPC hope that if they attend the SERC meeting, the application will be approved. Mr. Myler stated these items will be discussed at a special meeting scheduled for a future date. Ms. Pabón asked if the LEPC has an opportunity to submit documentation. A discussion ensued.

Mr. Curtis recommended staff advise the LEPCs of any problems with its application in advance of the Funding Committee meeting. Mr. Giomi stated staff could add an item in the grant application stating if the LEPC would like staff to review its application, the LEPC needs to submit the application to staff a week prior to the deadline. Mr. Farr recommended staff leave the previously approved grant applications on the website to be used as guides when completing new grant applications.

Ms. Pabón stated one week is not sufficient for staff to review the grant applications. Mr. Farr added reviewing the applications was what the Funding Committee does. In addition, Ms. Pabón was concerned staff could not speak for the Committee if the LEPCs did submit their grant applications to staff for review. The Committee agreed this was not a viable option.

*Clark LEPC* – Mr. Brenner advised Clark LEPC was requesting docking station/phone kit bundles and a hazardous materials database. Mr. Giomi advised the application was well written. The LEPC did not submit meeting minutes approving the grant application.

Mr. Giomi made a motion to recommend approval of Clark LEPC's grant request for \$29,590 contingent on submission of LEPC minutes approving the UWS grant application. Mr. Farr seconded the motion which was approved unanimously.

Ms. Pabón advised Elko, Esmeralda, Eureka and Humboldt LEPCs did not submit a grant application. Also, Elko LEPC is out of compliance.

*Lyon LEPC* – Mr. Brenner advised Lyon LEPC was not compliant. The LEPC did not submit an Affidavit of Publication. Mr. Giomi advised newspapers are cutting down on publication dates. Lyon LEPC was requesting a thermal camera, computers with a projector, a decon system, laptops, SCBAs, gas monitors and binoculars.

Mr. Farr made a motion to recommend approval of Lyon LEPC's grant request for \$29,616 contingent on submission of an Affidavit of Publication. Mr. Giomi seconded the motion which was approved unanimously.

*The Funding Committee took a break at 10:31 a.m.  
The Funding Committee reconvened at 10:42 a.m.*

*Mineral LEPC* – Mr. Brenner advised Mineral LEPC did not submit an application.

*Pershing LEPC* – Mr. Brenner advised Pershing LEPC was requesting radios, jumpsuits, gloves, ropes, shelving and cots.

Mr. Myler asked who wrote the application because he knows the LEPC chair personally. It was unknown who wrote the application; however, the LEPC chair signed it. Mr. Brenner stated the application was weak on evaluation criteria. Mr. Giomi agreed the justification is weak, but it does meet criteria. Mr. Myler stated he met with the LEPC Chair about six months ago on another issue and the LEPC is hurting as the chair is the only one doing LEPC duties and he has a fulltime job.

Mr. Giomi made a motion to recommend approval of Pershing LEPC's grant request for \$29,990 contingent on submission of a quote for coveralls and rope rescue equipment. Mr. Farr seconded the motion which was approved unanimously. Mr. Giomi recommended staff notify Pershing LEPC Chair in the future they need to better tie the questions asked in the application kit to the grant application, specifically regarding the infrastructure protection.

*Washoe LEPC* – Mr. Brenner advised Washoe LEPC was requesting night vision goggles, printers, satellite phone car kits, pagers and P25 radios.

Mr. Giomi made a motion to recommend approval of Washoe LEPC's grant request for \$29,998 for night vision goggles, printers, satellite phone car kits, pagers and radios. Mr. Brenner seconded the motion which was approved unanimously.

*White Pine LEPC* – Mr. Brenner advised White Pine LEPC was requesting pagers, SCBA w/air cylinder, radios, and training with the Fire Science Academy.

Mr. Giomi made a motion to recommend approval of White Pine LEPC's grant request for \$30,000 for pagers, SCBAs, radios and training. Mr. Brenner seconded the motion. A discussion ensued. Mr. Brenner stated one sentence to explain the infrastructure was not sufficient. Mr. Giomi requested staff discuss this with White Pine LEPC to assist in improving the grant applications in the future. A vote was taken and the motion carried.

Ms. Fleming stated Russ Peacock sent his training request to State Fire Marshal (SFM). After speaking to Mr. Peacock, Ms. Fleming advised

he needed to send the request to the Division of Emergency Management (DEM). He received a denial from SFM but has not heard from DEM. Mr. Farr directed staff to pursue this matter.

Mr. Giomi amended his motion to add the contingency that White Pine LEPC submit a denial letter from DEM to comply with SERC policy. Mr. Brenner seconded the amended motion which was approved unanimously.

**C. \*Discussion/Review/Recommendation regarding funding enhancements of the Hazardous Materials Database**

Ms. Pabón advised, having used the hazardous materials database system for a year and being online since January 2009, certain problems have surfaced. The first item is the State Fire Marshal was undecided as to whether or not federal agencies should be exempt from fees. The SFM determined no one is exempt from SFM fees. The fee exemption for federal agencies needs to be built into the hazardous materials database. Ms. Pabón stated federal agencies were still exempt from SERC fees.

Second, there is no inert gas or material type designated in the International Fire Code (IFC); however, many items reported to the SFM for a permit fall under this category. Ms. Pabón advised radioactive was added to the material type in the database, but also is not required by the IFC. Ms. Pabón asked if radioactive should be left in and add an inert material/gas, or just replace radioactive with inert material.

Mr. Giomi stated the permit is tied to the IFC. If the IFC does not have those items, then it does not make sense to put it in. Mr. Farr advised the SFM should have amendments to the NAC to include radioactive and inert materials/gas. Mr. Brenner had discussions with the SFM and stated they are planning to have amendments. Mr. Giomi stated radioactive needs to be left in.

Mr. Farr asked if there was anything in writing that states federal facilities are not exempt. Ms. Pabón has information from the Hawthorne Army Depot they provided to SFM many years ago stating they do not pay fees unless a service is provided. If there is no service, fees are considered a tax. The SFM has justified providing a service rather than charging a tax. This year the SFM implemented charging and has been manually invoicing federal facilities.

Mr. Farr wanted to know how many federal agencies are paying the fees to justify the amount of money to be spent on this enhancement. A discussion ensued. Ms. Pabón will forward the question to

Jim Wright, State Fire Marshal, and have an answer at the July 9 SERC meeting. Mr. Giomi advised the Information Technology (IT) Committee needs to review these enhancements before coming to the Funding Committee.

Mr. Farr asked what the urgency was of the Committee to fund these enhancements now. Ms. Pabón advised it would take approximately three months to go through the contract cycle and would take the vendor time to implement the enhancements. Staff recommends implementing the changes prior to the next cycle of report submission starting January 2010. Mr. Farr stated he would like the IT Committee to review these enhancements. Mr. Giomi recommended staff set an IT Committee meeting to review the enhancements before the SERC meeting.

Another enhancement request was to include mining facility exemptions. Ms. Pabón stated SERC has always exempted mining facilities from Tier II fees. It was understood mines were subject to the Mining Safety and Health Administration (MSHA), not the Occupational Safety and Health Administration (OSHA). OSHA requirements are tied to the Emergency Preparedness Community Right-to-Know Act (EPCRA). However, it was recently discovered MSHA only governs the mining activity. Activity after the mining can be subject to OSHA and, therefore, subject to EPCRA. The SERC must consider a process to continue the exemption or to implement the fee.

Mr. Brenner advised staff will attempt to set up an IT Committee meeting before the July 9 SERC meeting.

## **V. PUBLIC COMMENTS**

Ms. Pabón advised HazMat Explo was cancelled. There are \$56,000 HMEP Planning funds available. SERC submitted an HMEP grant application to USDOT which had the HazMat Explo built into it. A total of approximately \$150,000 would be for training. Ms. Pabón stated another use of the grant funds would need to be determined. Joe Nishikida advised Washoe LEPC is submitting an HMEP mid-cycle grant request to send 30-40 responders to the Continuing Challenge Conference. A discussion ensued.

Mr. Brenner advised HazMat Explo was originally designed to provide training for the 17 Nevada counties.

Mr. Curtis recommended setting up regional small group trainings.

Mr. Giomi advised this year the Nevada Fire Chiefs Association is bringing back Fire Shows Reno and suggested adding a hazmat track to an existing conference. The Fire Shows Reno is October 27-28, 2009, but next year a track could be added

relating to hazardous materials. Mr. Giomi will discuss this with the Nevada Fire Chiefs Association. The track can focus on two or three basic hazmat training classes geared towards the rural counties.

Mr. Farr advised staff needs to notify everyone that Hazmat Explo has been cancelled and there are training dollars available to attend other hazmat oriented training.

Mr. Brenner stated he does not believe the HazMat Explo will return. Clark County Emergency Management staff put in a lot of time to coordinate HazMat Explo. Mr. Giomi advised this is why it should be made an association's responsibility such as the Nevada Fire Chiefs Association.

Mr. Nishikida asked SERC how it tied the grant money into other things. The Waste Isolation Pilot Plant (WIPP) is in the process of doing a significant educational promotion through the I-80 corridor and north. WIPP is part of the Department of Energy (DOE). A discussion ensued. Ms. Pabón stated the funds need to go to local counties. Mr. Giomi stated if staff can get them to do it, WIPP can go to different counties and train on certain dates. The LEPC can then submit a grant for the training. Ms. Pabón advised the training needs to be strictly hazmat.

Mr. Giomi stated with Fire Shows Reno, a hazmat track could be offered with classes for industry and responders. Mr. Curtis stated there are enough industry companies that have hazmat responders there would be a good turnout and possible sponsorship.

Mr. Farr stated past training by Fire Shows Reno did not receive large attendance by rural counties due to training being geared for officer development. The Nevada Fire Firefighters Association have instructors include hazmat elements into their conferences. Funds are also available to train technicians through the SFM. Mr. Giomi stated the SFM could travel to the counties and let the LEPCs know when and what classes they will teach. Mr. Farr stated last year the SFM advised they were reinstating instructors and have adjunct instructors ready.

Mr. Stever stated it would be good to have a variety of classes. He does not feel having training on one topic will get the attention from rural areas.

Mr. Curtis stated for Storey LEPC, it is beneficial to partner with the TRIAD (City of Sparks, City of Reno and Washoe County HazMat Teams) and get its responders more integrated. Mr. Curtis believes adding a hazmat track to the Fire Shows Reno is a great idea. Mr. Curtis stated Cherie Nevin would be glad to assist in the coordination of a track with the Fire Shows Reno.

## **VI. \*ADJOURNMENT**

Mr. Giomi made a motion to adjourn at 11:54 a.m.