

MINUTES

Nevada State Emergency Response Commission (SERC)

First Quarter Meeting

Thursday, January 12, 2017
9:00 a.m.

Video-Conference

Members Present

Richard Brenner, Co-Chair
Chris Collins
Stacey Giomi
Matthew Griego
Karen Luna
Resty Malicdem
Mark Manendo
Dennis Nolan
Eric Santos
Kelly Thomas

Members Absent

Jon Bakkedahl
Peter Boffelli
Tom Burns
Caleb Cage
Lance Chantler
Susan Crowley
Paul Enos
Clinton Hayes
Ryan Sommers

Staff

Stephanie Parker
Nathan Hastings, DAG
Denise Uber

Guests

Jeff Collins
Bill Jones
Rodney Locket
Dan Allred

1. CALL TO ORDER

Richard Brenner called the meeting to order at 9:13 a.m.

2. ROLL CALL, CONFIRM QUORUM, AND INTRODUCTIONS

Denise Uber called roll and confirmed a quorum. The guests introduced themselves, and both Jeff Collins and Dan Allred gave some additional introductory comments. Mr. Brenner noted that the only people present in the Las Vegas location were Commission members. There was discussion regarding possibly taking items out of order that need to be voted on, before a quorum is lost when Mr. Griego has to leave the phone line for another matter.

3. PUBLIC COMMENT

Mr. Brenner called for public comment. Jeff Collins gave some comments regarding firefighting foams have containing perfluorinated compounds (PFCs) can be dangerous to groundwater; he suggested possibly looking into this more to get a better understanding on what types of

foams are being used in Nevada. Mr. Brenner offered his assistance. Mr. Giomi provided input regarding biodegradable foam.

4. COMMISSION MEMBERS UPDATES

Mr. Brenner stated that two members representing industry have resigned, Jim Reagan and John Helmreich. He also noted that that we don't have a representative from the Assembly; P.K. was our non-voting Commissioner. He noted that our strength is our diversity and asked everyone to reach out to people to apply for these positions.

5. APPROVAL OF OCTOBER 5, 2016 MEETING MINUTES

Mr. Brenner asked if everyone had had a chance to review the minutes. Chris Collins made a motion to approve. Eric Santos seconded the motion. The motion passed unanimously.

6. LOCAL EMERGENCY PLANNING COMMITTEE (LEPC) UPDATES

Carson City LEPC: Mr. Brenner asked Mr. Giomi, since he's in Carson City, if he knew anything going on with the LEPC. Mr. Giomi stated that their current fire chief is retiring February 1st, but he had no update other than that.

Churchill County: There was no representation today and no update. Ms. Parker noted that several of our LEPCs and members were not able to make it today, that they've activated for emergency status because of disasters with snow. She indicated they didn't receive reports from any of the LEPCs.

Clark County: Mr. Brenner stated that LEPC staff are working to get all the critical information up to SERC to meet the January 31st deadline. They're also working on a United We Stand grant that was received last year, using it to sponsor a class called "Master in Command, Calm the Chaos," which is an area command class to teach us how to work together, scheduled for March 28th through the 31st. They're also working on Ammonia Safety Day with the EPA, March 22nd and 23rd. The next LEPC meeting will be March 1st.

Douglas County: There was no representation today and no update.

Elko County: Dan Allred stated that they're busy with end-of-year and beginning-of-year paperwork. He told Ms. Uber he received her email this morning, apologized regarding those reports. He added that at the next meeting, on January 20th, there will be nominations for three new positions and that he perceives changes in all three spots. Matthew Griego stated he didn't have anything to add.

Esmeralda, Eureka, Lander, Lincoln, Lyon, Mineral, Nye and Storey counties: There was no representation today and no updates. Ms. Parker indicated that Storey County is closed now due to snow.

Washoe County LEPC: There was no representation today. Dennis Nolan stated that he can't report on behalf of LEPC. Their chief, Bob Layton, is not available, because we went from a flood management plan to a snow issue today, that there was concern regarding the floodwaters rescue personnel were working in, regarding contamination.

White Pine LEPC: Ms. Parker noted that Tim Woolever is now the chair, and Ross Rivera is now the vice-chair or co-chair, and they haven't submitted any updates, but they're trying to get caught up.

ITERC: Ms. Parker said they haven't received anything. Ms. Uber added that Dan Thayer took Crystal Harjo's place for ITERC.

7. NON-STATE AGENCY UPDATES

- a. **U.S. Environmental Protection Agency (EPA):** Bill Jones stated that EPA staff at the Regional Coordination Center (RCC) in Oakland, at the request of FEMA, and then the state EOC in Carson City, are monitoring two situations. At Sutcliffe, the Pyramid Lake Paiute Tribe, currently there's no water service available, and partial service may be restored once floodwaters recede, and the American Red Cross delivered bottled water on January 10th. The second issue they're monitoring are the Reno Transportation Commission contaminated soil stockpiles. One out of the 12 mercury-contaminated stockpiles may have been impacted by the floodwaters. Also, he mentioned that the Ammonia Safety Day, March 23rd and training on March 22nd are free and include a free lunch, that they have information on it, it's a great course. They hope to do a safety day in the North later in the year. For those who participate on Executive Order 13360 webinars, we're transitioning into SERC and LEPC webinars for the region on a quarterly basis, and the first one will be on January 26th at 1:00. They doing a face-to-face meeting of western states SERC collaborative (14 states in the West) in Denver on January 31st and February 1st. The Risk Management Program Rule was signed December 21st, due to be published tomorrow in the Federal Register, that next will be a 60-legislative-day review period, and that he can come to a SERC meeting and walk through in more detail what's in the rule. He answered questions by Ms. Parker.
- b. **Federal Emergency Management Agency (FEMA):** John Woytak was not present, and Ms. Parker indicated there was no update received.
- c. **U.S. Department of Homeland Security (DHS):** Rodney Locket thanked Ms. Parker in the Fire Marshall's Office and Storey County for supporting our outreach efforts in the Sparks-Reno area, added that they want to continue to work with the state on that. He noted that DHS has opened up a field office in Region 9, in Menlo Park, and he described the services there. He reminded everybody about Hometown Security that DHS rolled out last year. There were no Commission questions.

8. STATE AGENCY UPDATES

- a. **Nevada Department of Transportation (DOT):** Bill Thompson was not present. Ms. Parker stated that there's no update regarding the freight plan for Nevada, but that Bill had indicated at the meeting in October that he'd have some more information in the spring.
- b. **Nevada Division of Emergency Management (DEM):** Mr. Brenner indicated that both Chief Caleb Cage and Jon Bakkedahl are busy with active disasters up north, so they are not present.
- c. **Nevada State Fire Marshal Division (SFM):** Mr. Brenner said that he believes they've chosen a new Fire Marshal and that that person will be co-chair for SERC, so we'll be working together. Ms. Parker added that she thinks the hiring process will last until February.
- d. **Nevada Division of Environmental Protection (DEP):** Kelly Thomas stated that they're looking to have a similar event to Ammonia Safety Day in the northern part of the state. He said they had a couple facilities in Sparks that were impacted by the flood, that one wasn't in operation, and the other one wasn't impacted, and that's Sierra Chemical in Sparks. The CAP program is currently working through an order with the facility, which it's going really well. He stated that he had no legislative items to bring up at this time.
- e. **Nevada Division of Industrial Relations, OSHA Unit:** Resty Malicdem described Assembly Bill 54 that will put in place new employer reporting requirements for Nevada OSHA; he described the impacts of those changes, that this parallels the federal OSHA regulations. He also talked about an injury employee tracking application required of employers.
- f. **Nevada Radiation Control Program:** Mr. Brenner indicated that Jon Bakkedahl was the member from the Nevada Radiation Control Program, that represented that state agency. He has since moved to Nevada Division of Emergency Management. So this is an opening there. If anybody has any ideas, contact Mr. Brenner or staff so we can get them the application information.

9. **SERC COMMITTEE REPORTS**

a. **Legislative Committee & Policy Committee**

1. **Recommendation of the Draft Policy for utilization of the Contingency account for Hazardous Materials costs**

Mr. Brenner said that they have had a couple of meetings since the October meeting, indicated that we're still working on that and trying to understand the parameters we have to work through with the contingency fund and the NACs and NRSs. Mr. Hastings added that he's done further review and research to make sure he feels comfortable with the starting position that the statutes don't

expressly authorize the SERC to make rules or regulations specifically about requirements for eligibility for use of those funds. He talked about other possible approaches, but that the Policy Committee needs to work on it some more before being able to come back to the full SERC with a draft policy. He mentioned that Mr. Nolan had suggested that Commission members could have discussion, that it would not be an action item. Ms. Parker commented that they're at a standstill on the draft they provided with information they had. Mr. Brenner indicated we'll have another meeting. No action was taken.

2. Recommendation of NAC 459 changes.

Mr. Brenner stated that we are continuing that process. Ms. Parker summarized the process to date, added that per LCB there is no expiration date, that how long it will take will depend on the changes we want to make, that cost depends on the amount of changes. Mr. Hastings has reviewed the rulemaking guide and described how this will apply to the way that 233B works, moving toward a public hearing. There were comments, questions and discussion. No action was taken.

b. Funding Committee

Review of FY17 Hazardous Materials Emergency Preparedness (HMEP) Mid-Cycle Grant Applications Submitted by Local Emergency Planning Committees (LEPCs) and State Agencies.

Mr. Brenner stated that the Funding Committee met on November 14th, had a number of mid-cycle grants to review. Ms. Parker went over the grants we approved for HMEP mid-cycles and the obligated amounts and balance, the status on FY17. The awards included 7 awards for Clark County LEPC totaling \$120,855 and one award for Humboldt County LEPC totaling \$7,085. The total that we've obligated from our award of \$225,249 is \$152,808, and we have approximately \$72,441 remaining for mid-cycles that should be expended by September 30th. She answered Mr. Brenner's questions. There were no questions by other Commissioners. No action was taken.

c. FireShowsWest Hazardous Materials Training Track Committee

Mr. Brenner mentioned that this is an ad hoc committee. He threw out some ideas and asked that if anybody has classes that would be good for our first responders, to let us know. Ms. Parker will try to find out when the next planning meeting is. Mr. Brenner will be the point of contact. No action was taken.

10. Review Application for Contingency Account Funds from Douglas County for Hazardous Materials costs incurred by East Fork Fire Protection and their Quad County cooperators.

Mr. Brenner described this item that was presented at our October meeting and that he kept this on there as a placeholder so that it's on our radar screen. . There were no questions or comments. No action was taken.

11. EXECUTIVE REPORT

a. Budget Update

Ms. Parker talked about various things, including United We Stand, work programs, year to date expenses update. She stated that we're good on the budget and currently and for projections.

b. LEPC Compliance Report

Ms. Parker said that we're going to send out another reminder to everybody about the January 31st deadline, and indicated that people have been pretty good about their meeting minutes and administrative requirements, that a couple of emails have been sent out on a couple of items. Also, they have conducted technical guidance and monitoring visits with Storey County, Humboldt County and Carson City, and these visits will continue so that we can meet all of our HMEP sub-grant awardees.

12. PUBLIC COMMENT

Ms. Parker mentioned that she received an email that Tim Woolever is trudging through a blizzard to get to this meeting, that she told him to go back. Mr. Allred said he had no particular comments; just that it was a very informative meeting. There were no other comments.

13. ADJOURNMENT

Mr. Collins made a motion to adjourn at 10:16 am. Mr. Giomi seconded the motion. The motion passed unanimously.