

# AGENDA

## Nevada State Emergency Response Commission (SERC)

### First Quarterly Meeting

Thursday, January 9, 2014 – 9:00 a.m.

### Video Conference

#### Carson City

**Western Nevada College  
Reynolds Center for Technology, Room 101  
2201 West College Parkway  
Carson City, NV**

#### Elko

**Great Basin College  
Greenhaw Technical Arts Bldg., Room 124  
1500 College Parkway  
Elko, NV**

#### Las Vegas

**College of Southern Nevada  
Cheyenne Campus, Room 2647 (Conference Room B)  
3200 East Cheyenne Avenue  
North Las Vegas, NV**

*The Commission may take action on items marked "Discussion/For Possible Action". Items may be taken out of the order presented on the agenda at the discretion of the co-chairs. Items may be combined for consideration by the Commission at the discretion of the co-chairs. Items may be removed from the agenda at any time.*

- 1. CALL TO ORDER (Non-action Item)**
- 2. INTRODUCTIONS (Non-action Item)**
- 3. PUBLIC COMMENT (Non-action Item)** – No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken. Public comments are limited to three minutes unless the Commission elects to extend the comments for purposes of further discussion. Comments will not be restricted based on viewpoint.
- 4. APPROVAL OF OCTOBER 10, 2013 MEETING MINUTES (Discussion/For Possible Action)** – The Commission will review and approve or deny the October 10, 2013 SERC quarterly meeting minutes, with or without amendments.
- 5. LOCAL EMERGENCY PLANNING COMMITTEE (LEPC) UPDATES (Non-action Item)** – This item addresses updated reports on LEPC activities occurring since the last SERC quarterly meeting and any future activities.

6. **U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA) UPDATE (Non-action Item)** – This item addresses an updated report on U.S. EPA activities occurring since the last SERC quarterly meeting and any future activities.
7. **FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) UPDATE (Non-action Item)** – This item addresses an updated report on FEMA activities occurring since the last SERC quarterly meeting and any future activities.
8. **OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) UPDATE (Non-action Item)** – This item addresses an updated report on OSHA activities occurring since the last SERC quarterly meeting and any future activities.
9. **NEVADA DIVISION OF EMERGENCY MANAGEMENT (DEM) UPDATE (Non-action Item)** – This item addresses an updated report on DEM activities occurring since the last SERC quarterly meeting and any future activities.
10. **NEVADA DIVISION OF ENVIRONMENTAL PROTECTION (NDEP) UPDATE (Non-action Item)** – This item addresses an updated report on NDEP activities occurring since the last SERC quarterly meeting and any future activities.
11. **NEVADA STATE FIRE MARSHAL (SFM) UPDATE (Non-action Item)** – This item addresses an updated report on SFM activities occurring since the last SERC quarterly meeting and any future activities.
12. **REPORT OF LEGISLATIVE COMMITTEE (Non-action Item)** – This item addresses an updated report on Legislative Committee activities occurring since the last SERC quarterly meeting and any future activities.
13. **REPORT OF FUNDING COMMITTEE (Non-action Item)** – This item addresses an updated report on Funding Committee activities occurring since the last SERC quarterly meeting and any future activities.
14. **REPORT OF POLICY COMMITTEE (Discussion/For Possible Action)** – This item addresses an updated report on Policy Committee activities occurring since the last SERC quarterly meeting and any future activities. The SERC may take action on the policies even though the Policy Committee recommended no action.
  - a. **Discussion of possible revision to SERC policy 8.1, Hazardous Materials Response Plan and Exercise, with regard to the Local Emergency Planning Committees' (LEPCs) or State Agency's Level of Response Declaration when Mutual Aid Agreements are in place (Discussion/For Possible Action)** – This item addresses the declared Level of Response of a LEPC or State agency, when there is a mutual aid agreement with an entity which has a level higher than the LEPC or State agency itself. The SERC will consider the Policy Committee's recommendation to provide clarification of the Level of Response in the hazmat emergency response plan. The Policy Committee made no recommendation to change SERC policy.

- b. Discussion of possible revision to SERC policy 8.1, Hazardous Materials Response Plan and Exercise, with regard to LEPC review of equipment and contact lists (Discussion/ For Possible Action)** – This item addresses the possible revision of SERC policy 8.1 regarding allowance for notification of LEPC review of equipment and contact lists, and advise no updates are necessary. The SERC will consider the Policy Committee’s recommendation to continue to require updates to the hazmat emergency response plan. The Policy Committee made no recommendation to change SERC policy.
- c. Discussion of possible revision to SERC policy 8.2, Grant Application, Grant Awards, and SERC policy 8.2a, License Plate Funding Grant Application, Grant Awards with regard to required quotations for items requested in grant applications (Discussion/For Possible Action)** – This item addresses the possible revision of SERC policies 8.2 and 8.2a with regard to requiring two quotes. The SERC will consider the Policy Committee’s recommendation to allow an explanation when two quotes are not available.
- d. Discussion of possible revision to SERC policy 8.2, Grant Application, Grant Awards, and SERC policy 8.2a, License Plate Funding Grant Application, Grant Awards regarding inclusion of questionnaire for radio purchases (Discussion/For Possible Action)** – This item addresses the possible revision of SERC policies 8.2 and 8.2a with regard to inclusion of a questionnaire for radio purchases to ensure compliance with the Statewide Communications Interoperability Plan (SCIP). The SERC will consider the Policy Committee’s recommendation to include a questionnaire with grant applications. The Policy Committee made no recommendation to change SERC policy.
- e. Discussion of possible revision to SERC policy 8.2a, License Plate Funding Grant Application, Grant Awards with regard to evaluation factors for grant applications (Discussion/For Possible Action)** – This item addresses the possible revision to policy 8.2a with regard to the evaluation factors for the United We Stand grant application; and if all evaluation factors should be required for all items in the applications. The SERC will consider the Policy Committee’s recommendation to modify the evaluation factors.
- f. Discussion of possible revisions to SERC policy 8.3, Certified Assurances and Compliance Certification, with regard to LEPC membership (Discussion/For Possible Action)** – This item addresses the possible revision of SERC policy 8.3 to include the specific groups or categories of LEPC membership pursuant to EPCRA and U.S. EPA recommendations. The SERC will consider the Policy Committee’s recommendation to continue to require the 13 LEPC membership categories as noted on the membership form. The Policy Committee made no recommendation to change SERC policy.

- g. Discussion of possible revision to SERC policy 8.3, Certified Assurances and Compliance Certification, with regard to the LEPCs ability to appoint alternate members (Discussion/For Possible Action)** – This item addresses the ability of LEPCs to appoint alternate members for voting purposes, to be approved by SERC. The SERC will consider the Policy Committee’s recommendation to allow the designation of alternate members if permitted in the LEPC Bylaws.
  - h. Review management of Hazardous Materials Emergency Response Plans, specifically with regard to plans being marked confidential (Discussion/For Possible Action)** – This item addresses whether hazardous materials emergency response plans submitted by LEPCs and state agencies are subject to public review pursuant to the Emergency Planning and Community Right-to-Know Act (EPCRA), or confidential pursuant to Nevada Revised Statute (NRS) 239c. The SERC will consider the Policy Committee’s recommendation to require the submission of a public hazmat emergency response plan in compliance with EPCRA. The Policy Committee made no recommendation to change SERC policy.
  - i. Discussion regarding the confidentiality of the Nevada Online Hazardous Materials Reporting System (Discussion/For Possible Action)** – The SERC will consider the Policy Committee’s recommendation regarding the confidentiality of the Nevada Online Hazmat Reporting system, information and records relating to the same, responses to requests for information and other pertinent matters.
  - j. Discussion of the Presidential Executive Order regarding chemical safety (Discussion/For Possible Action)** – This item addresses the Executive Order issued by the President of the United States on August 1, 2013 to establish a Chemical Facility Safety and Security working group to improve safety and security. No action is recommended by the Policy Committee.
- 15. REPORT OF BYLAWS COMMITTEE (Non-action Item)** – This item addresses an updated report on Bylaws Committee activities occurring since the last SERC quarterly meeting and any future activities.
- 16. FY 2014 HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS (HMEP) MID-CYCLE GRANT APPLICATIONS SUBMITTED BY LEPCS AND STATE AGENCIES (Discussion/For Possible Action)** – The Commission will review grant applications and approve, partially approve, approve with contingencies or deny.
- 17. POSSIBLE DEOBLIGATION OF FY 2014 UNITED WE STAND GRANT FUNDS FOR MINERAL LEPC (Discussion/For Possible Action)** – This item addresses possible deobligation of FY 2014 United We Stand grant funds for Mineral LEPC for failure to meet contingencies within 90 days of notice of grant contingency in compliance with SERC Policy 8.2. The Commission may take action and approve, partially approve or deny.

- 18. REVIEW OF HUMBOLDT LEPC'S NONCOMPLIANCE WITH PROGRAM AND ADMINISTRATIVE REQUIREMENTS (Discussion/For Possible Action)** – Report on Humboldt LEPC's noncompliance with program and administrative requirements pursuant to the Emergency Planning and Community Right-to-Know Act (EPCRA), NAC 459.99132 et seq., and SERC policies 8.1, 8.3 and 8.9. The Commission may take action and approve, partially approve or deny.
- 19. REPORT OF EXECUTIVE DIRECTOR (Non-action Item)** – The following items are addressed under the Executive Director's report:
- a. Budget update – Report on Budget activities occurring since the last SERC quarterly meeting and any future activities
  - b. SERC internal audit - Report on findings of SERC internal audit conducted by the Division of Internal Audits
  - c. LEPC compliance report – Report on LEPC compliance issues occurring since the last SERC quarterly meeting and any future activities
- 20. PUBLIC COMMENT (Non-action Item)** – No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken. Public comments are limited to three minutes unless the Commission elects to extend the comments for purposes of further discussion. Comments will not be restricted based on viewpoint.
- 21. ADJOURNMENT (Discussion/For Possible Action)**

This is a public meeting. In conformance with the Nevada Public Meeting Law, I, Suzanne Adam, posted or caused the posting of this agenda on or before January 6, 2014, 9:00 a.m. at the following locations. Suzanne Adam is the designated contact person for all agendas and may be reached at 775-684-7511.

*State Emergency Response Commission – 107 Jacobsen Way – Carson City*  
*Carson City Public Library – 900 N. Roop Street – Carson City*  
*Clark County Public Library – 833 Las Vegas Boulevard – Las Vegas*  
*Western Nevada College – Reynolds Center for Technology, Rm 101 – 2201 W. College Parkway – Carson City*  
*College of Southern NV/Cheyenne Campus, Room 2647 (Conf. Room B) – 3200 E. Cheyenne Avenue – No. Las Vegas*  
*Grant Sawyer Building – 555 E. Washington Street – Las Vegas*  
*Great Basin College – Greenhaw Technical Arts Bldg., Room 124 – 1500 College Parkway - Elko*  
*SERC web site – <http://serc.nv.gov>*

We are pleased to make reasonable accommodations for members of the public who are disabled. If special arrangements are necessary, please notify the Commission at (775) 684-7511. Twenty-four hour advance notice is requested.