

Minutes

Nevada State Emergency Response Commission (SERC)

Third Quarterly Meeting

Thursday, July 10, 2014 – 9:00 a.m.

Video Conference

Carson City

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

Las Vegas

*College of Southern NV – Cheyenne Campus
Building C, Room 2638
3200 East Cheyenne*

Members Present

Richard Brenner, Co-Chair*
Tom Burns*
Barbara Cegavske*
Susan Crowley*
Matt DeBurle
Paul Enos
Stacey Giomi
Clinton Hayes
John Helmreich
Karen Luna*
Peter Mulvihill, Co-Chair
Jim Reagan
Chris Smith
Jeff Whitesides

*videoconference

Members Absent

Mike Hecht

Staff

Tami Beauregard
Karen Pabón
Nathan Hastings

Guests

John Drew
Ken LeTourneau
Resty Malidcem*
John McCormick
Cherie Nevin
Michael Pickern
Charles Sparke
Kelly Thomas
John Woytak

1. **CALL TO ORDER**

Peter Mulvihill called the meeting to order at 9:00am.

2. INTRODUCTIONS

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

3. PUBLIC COMMENT

Mr. Mulvihill called for public comment.

Karen Pabón noted after almost twenty years of service to the SERC, Larry Farr has decided to be fully retired and did not reapply for SERC membership.

4. APPROVAL OF APRIL 10, 2014 MEETING MINUTES

Tom Burns noted the minutes list him as present and absent. Mr. Burns teleconferenced the meeting.

Paul Enos made a motion to approve the April 10, 2014 SERC meeting minutes as amended. Jim Reagan seconded the motion which was approved unanimously.

5. LOCAL EMERGENCY PLANNING COMMITTEE (LEPC) UPDATE

Carson LEPC – Stacey Giomi noted Carson County participated in a joint full scale exercise with the Washoe County Hazmat Team and the Quad County Hazmat Team in early June using an abandoned state building in Carson City. Mr. Giomi stated the drill was an accumulation of previous familiarization drills, where two teams got together and went over each other's equipment and reviewed what equipment and training were similar. Mr. Giomi noted the drill went favorably and Carson County will try to do a full scale exercise every five years or so. Mr. Giomi also stated the drill was HMEP grant funded.

Storey LEPC – Cherie Nevin noted Storey County recently performed a quad county hazmat drill on May 9, 2014 in conjunction with the Wal-Mart distribution center. Ms. Nevin also stated on May 17, 2014 Storey County performed a full scale evacuation of the Virginia City Highlands; it was the first time with over a 170 residents participating. Ms. Nevin also noted the quarterly LEPC meeting was held yesterday.

Pershing LEPC – Charles Sparke noted the quarterly LEPC meeting was held yesterday and the annual exercise is scheduled for July 30, 2014.

Clark LEPC – Richard Brenner noted Clark County has been training with the Henderson Fire Department Hazmat Team for the past few weeks and all thirty participants passed the written test. Mr. Brenner also noted Clark County is updating the Hazardous Materials plan.

6. U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA) UPDATE

Ms. Pabón noted as mentioned last quarter, Mike Arito has retired and Kay Lawrence has taken on responsibilities. Ms. Pabón noted no update has been received.

7. FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) UPDATE

John Woytak stated the new Regional Administrator has not been selected yet, but should be selected in the near future. Mr. Woytak noted there is no major disaster declaration in the state of Nevada. Mr. Woytak also stated he will continue to work with Ms. Pabón on training funds. Mr. Woytak noted he is continuing to work with the tribes on completing the Threat and Hazard Identification and Risk Assessment (THIRA). Mr. Woytak also noted the Continuing Challenge Hazmat Conference in Sacramento will be celebrating the 25th anniversary this September and FEMA funding may be available.

8. OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) UPDATE

Resty Malidcem noted there are no updates.

Ms. Pabón asked if Mr. Malidcem submitted his application to the Governor for SERC appointment. Mr. Malidcem stated he had.

9. NEVADA DIVISION OF EMERGENCY MANAGEMENT (DEM) UPDATE

Chris Smith stated the DEM has a Bill Draft Request (BDR) for statewide mutual aid which will put into law the agreements already in place with the different fire agencies in order to move local resources between jurisdictions. Mr. Smith noted this BDR expands beyond just fire. A discussion ensued regarding the types of incidents this mutual aid would cover.

Mr. Smith stated the DEM has issued the first required monthly test and weekly test of the next generation emergency alert system. Mr. Smith noted the DEM now has the ability to issue emergency alert messages for all seventeen counties individually or as a whole.

Mr. Smith noted the DEM has issued federally recognized first responder credentials for providing resources to other states. Mr. Smith stated when the first responder is deployed the receiving agency will know who they are.

Mr. Smith stated the DEM briefed the Governor and staff on this year's fire season, which is very dry.

Mr. Smith noted the DEM has closed out the 2008 Fernley flood grant from FEMA.

Mr. Smith also noted FEMA has approved the Elko County multi jurisdictional hazard mitigation plan.

Mr. Smith stated the DEM has closed the Homeland Security grants from FY2011 and FY2012.

Mr. Smith also stated the DEM is continuing Modular Emergency Response Radiological Transportation (MERRT) training courses along the Interstate-80 corridor and will be working on other areas of the state soon.

Mr. Smith noted there were twenty three incidents requiring duty officers, mostly search and rescue calls with a bomb threat at the Court House in Hawthorne and the Moapa Reservation fire.

Mr. Smith also stated the DEM has partnered with the State Department of Education to work on a school emergency preparedness grant. This grant will continue the Schools Prepared and Ready Together Across Nevada (SPARTAN) project allowing schools to enhance their emergency preparedness plans.

Barbara Cegavske asked if a legislature is needed to put in the BDR. Mr. Smith noted Governor's office is taking up the BDR for the DEM.

10. NEVADA DIVISION OF ENVIRONMENTAL PROTECTION (NDEP) UPDATE

Matt DeBurle advised there was nothing to report.

11. NEVADA STATE FIRE MARSHAL (SFM) UPDATE

Mr. Mulvihill stated hazardous material reports are due by the end of March and to date 5,202 reports have been completed but not all have paid; 4,830 have paid and permits have been issued, which is 170 permits short of the 5,000 required for budget purposes. Mr. Mulvihill stated with the pending permits, the goal should be exceeded soon. Mr. Mulvihill also noted all permits are done online except for one, which is in the middle of nowhere with no internet capability.

Mr. Mulvihill stated the Hazmat online system is being updated with assistance of Danny Brennan from the SFM and SERC staff. The system is being beta tested right now. Mr. Mulvihill noted the system is getting user interface improvements and should roll out later this year. Mr. Mulvihill stated there is a software license issue coming up in mid August with the Oracle license expiring prior to going to the SSL Sequel server. Mr. Mulvihill also noted the software provider needs to get the bugs worked out before going live. Ms. Pabón noted January is when the system will begin to get the most usage to meet the March 1 due date.

Mr. Mulvihill noted the Hazmat Technician training was declined in southern Nevada, so the training is moving to the Carson City area. Mr. Mulvihill stated there is still a demand in northern Nevada for the program and will likely take place after the first of the year. Mr. Mulvihill also noted this is the third class given from the contract, with the ability of additional services. Mr. Mulvihill stated there is only one class per fiscal year in the budget with each class costing close to \$154,000.

Mr. Mulvihill noted Bureau Chief Donald Wilkins in charge of Fire Protection Engineering, Plan Examiner program has left. Mr. Mulvihill stated they have interviewed and offered the job to a candidate and the background is being done. Mr. Mulvihill also noted the Las Vegas inspector was hired by a local fire department as fire inspector and the SFM is working on replacing the position.

Mr. Brenner asked if Mr. Mulvihill met with Chief Page with regards to the Clark County fire marshal regulations and the ability to do building inspections. Mr. Mulvihill stated there was a meeting which included building officials, fire marshals and a school district representative and the dialog is ongoing.

12. REPORT OF LEGISLATIVE COMMITTEE

Mr. Reagan noted there is nothing new to report. Mr. Reagan believes the SERC should support the BDR coming from the DEM and will set up a Committee meeting to make a recommendation to the SERC at the next SERC quarterly meeting.

13. REPORT OF FUNDING COMMITTEE

1. Review of FY2015 United We State Grant Applications Submitted by Local Emergency Planning Committees (LEPCs) and State Agencies

Mr. Brenner stated the Funding Committee met on June 25, 2014 to consider the UWS applications.

Ms. Pabón stated a spreadsheet summarizing the requests in black, issues in red and staffs' comments in green, was included in the packets.

Ms. Pabón also noted a couple of items considered by the Funding Committee at the meeting included a conservative revenue amount anticipated to be \$480,430 available for grants with \$463,790 requested by fourteen LEPCs and two state agencies.

Ms. Pabón stated the new SERC policy regarding Nevada Commission on Homeland Security (NCHS) priorities and the instructions on the application kit require the application to address "... one or more of the NCHS priorities."

Ms. Pabón also stated the information sent with the applications included documents titled State Preparedness Report (SPR) and Threat and Hazard Identification and Risk Assessments (THIRA) as provided by the Homeland Security office. Ms. Pabón recently discovered these documents encompass the whole of Homeland Security core capabilities and in fact only five of them were designated as the "priorities". Ms. Pabón noted the Funding Committee recommended approvals based on the application kit and information sent.

Ms. Pabón also stated in a conversation with Mr. Mulvihill the intention of the policy was to allow LEPCs and State Agencies to apply for grants using the core capabilities and the five priorities. Mr. Mulvihill noted the five priorities are for the NCHS funding.

Ms. Pabón noted this agenda item does not address Clark LEPC's application as it was inadvertently not included in the list on the Funding Committee agenda. Ms. Pabón also noted the Committee did not take action on Elko and Nye LEPCs' applications. These items will be addressed separately in this agenda.

Ms. Pabón also noted there were a couple updates to the spreadsheet since the Funding Committee's recommendations: Humboldt LEPC submitted the minutes approving the grant application; Lander LEPC submitted the financial report, budget narrative and signed Compliance Certification; Lincoln LEPC submitted the financial report; Pershing LEPC was recommended for the full request; and White Pine LEPC submitted the minutes approving the grant application and the Affidavit of Publication.

Mr. Brenner asked Mr. Mulvihill if he would like to take each application separately or all together. Mr. Mulvihill asked what the pleasure of Commission was.

Mr. Giomi made a motion to approve the recommendations of the Funding Committee. Susan Crowley seconded the motion.

A discussion ensued regarding the grant procedures noting there were not as many issues as in the past.

Mr. Giomi stated four Committee members in a three hour meeting reviewed the applications.

A vote was taken and the motion was approved unanimously.

2. Review of FY2015 United We Stand Grant Application Submitted by Clark LEPC

Ms. Pabón reiterated the Funding Committee could not take action on the Clark LEPC application. Ms. Pabón stated she took the opportunity to advise the LEPC of the potential contingencies when she notified the LEPC of the situation.

Mr. Mulvihill asked Ms. Pabón to list the contingencies. Ms. Pabón stated the contingencies are a third quarter report on 2014 SERC grant, minutes approving the grant application, County signature on Application, Certified Assurances and current quote.

Mr. Giomi made a motion to approve Clark LEPC's grant application with contingencies noted. Ms. Crowley seconded the motion.

Mr. Reagan asked how many days the LEPCs have to comply with contingencies. Ms. Pabón stated the LEPCs have ninety days.

Ms. Crowley noted a LEPC will not receive the grant award money until the LEPC meets all contingencies.

A vote was taken and the motion was approved unanimously.

3. Review of FY 2014 United We Stand Grant Application Submitted by Elko LEPC

Ms. Pabón stated the Funding Committee did not take action on the Elko LEPC application as the LEPC did not address one or more of the NCHS priorities. Ms. Pabón stated she took the opportunity to advise the LEPC of the potential contingencies when she notified the LEPC of the situation. Ms. Pabón noted the LEPC acknowledged the duplicate shipping costs reducing the request by \$80 and submitted the Affidavit of Publication and a new application which includes the NCHS priorities. Ms. Pabón also stated the third quarter report (due April 30, 2014) and minutes approving the grant application have not been received.

Ms. Pabón stated the SERC will need to determine if the grant application meets the NCHS priorities.

Mr. Enos made a motion to approve Elko LEPC's grant application with contingencies noted. Tom Burns seconded the motion.

Ms. Crowley asked if the new grant application addressed NCHS priorities. Ms. Pabón noted she believes it does, however the Commission will have to decide if it is adequate.

Mr. Giomi stated the original grant application made reference to training funds while not requesting any funds. Mr. Giomi noted the reference to training has been removed and this is a better application.

A vote was taken and the motion was approved unanimously.

4. Review of FY 2014 United We Stand Grant Application Submitted by Nye LEPC

Ms. Pabón stated the Funding Committee did not take action on the Nye LEPC grant application as the LEPC did not address one or more of the NCHS priorities. Ms. Pabón noted a new section to address the NCHS priorities was received.

Mr. Mulvihill asked if there are any contingencies. Ms. Pabón noted there are none.

Mr. Smith made a motion to approve Nye LEPC's grant application. Mr. Enos seconded the motion which was approved unanimously.

5. Report of U.S. Department of Transportation, Hazardous Materials Emergency Preparedness (HMEP) Mid-Cycle Grant Applications Submitted by LEPCs

Ms. Pabón stated this is a non-action item to report the Funding Committee awarding a mid-cycle grant to the Washoe LEPC for just under \$20,000 for twenty-three people to attend the Continuing Challenge Conference.

6. Discussion Regarding the Maximum Dollar Amount of Grants from the SERC

Ms. Pabón stated this item was brought up at the last SERC quarterly meeting. Ms. Pabón noted after consideration the Funding Committee recommends decreasing the maximum amount allowed for SERC and UWS grants for FY2016. Ms. Pabón also noted these grant cycles will open in the spring of 2015.

Ms. Pabón stated revenues for both grants have been declining somewhat and the SERC has been working on a year to year basis without enough money in the bank to cover the grant obligations. Ms. Pabón noted the graphs provided show money for SERC grants as 312/313 and UWS grants. Ms. Pabón also noted the SERC used to keep \$400,000 for SERC grants and \$200,000 for UWS grants in the bank. Ms. Pabón stated after the 2010 Legislature sweep of SERC accounts, the SERC works on a year to year basis and sometimes includes revenue not received yet. Ms. Pabón noted the Funding Committee is recommending decreasing the maximum amount to build up a small reserve in bank allowing grant awards to not be contingent on future funds.

Mr. Smith asked what the decrease amount is. Ms. Pabón stated the recommendation is decreasing from \$30,000 to \$25,000.

Mr. Giomi stated the maximum amount was at \$25,000 until 2007 or 2008.

Jeff Whitesides asked if the SERC is at a \$7,000 deficit for next year for the SERC grants. Ms. Pabón stated it is.

Mr. Mulvihill asked how much money the Funding Committee is looking to keep in reserves. Mr. Giomi stated the Committee is recommending a year at \$25,000 then to review the reserves at the end of the year before deciding what to do the following years.

Mr. Enos asked how many grant applications were over \$25,000. Mr. Giomi stated about ninety-five percent.

Mr. Enos stated the Funding Committee is looking to save around \$95,000 a year.

John Helmreich noted with regards to the UWS grant applications, not all revenue was allocated because not all LEPCs applied for a grant application. Mr. Helmreich noted if more grant applications were received the requests could have exceeded the amount of reserves. Mr. Helmreich also noted it is better to be cautious in reserves and increase the maximum request later if funds are available.

Mr. Giomi noted revenue is going down and the SERC possibly will not be able to meet obligations or begin to deny grants.

Mr. Enos asked if a twenty percent decrease in grant awards would give a twenty percent surplus in the bank. Mr. Giomi stated the Funding Committee is not recommending reallocating the money anywhere else.

Mr. Mulvihill stated he would like to see a cash flow analysis of what comes in and what goes out. Mr. Mulvihill noted it would be to the Commission's best advantage to manage the reserves.

Mr. Giomi stated if the UWS grants were reduced to \$25,000 the SERC would have banked about \$25,400. Mr. Giomi noted the Funding Committee is not recommending building a \$400,000 cash reserve. Mr. Giomi noted the Committee's recommendation is to reduce the grant request by twenty percent for one grant cycle to see if the SERC can get back to awarding money it already has.

Mr. Reagan stated if this recommendation is for the FY2016 grant cycle there is still money coming in for FY2015 and time to gather information before evaluating.

Mr. Burns stated the SERC needs the ability to tell the story correctly. Mr. Burns noted an analysis with the beginning balance, projected revenues, projected grants and projected ending would tell the complete story.

Ms. Crowley asked if it would be difficult to do with all the variables. Ms. Pabón stated it would not be difficult.

Mr. Reagan stated it would be better to keep track and report the numbers at each Commission meeting and not take a vote now.

Ms. Pabón stated with regards to the UWS grants there is \$120,000 available, \$64,000 obligated, \$85,000 in FY2014 anticipated revenue and \$340,000 projected revenue to come in FY2015 leaving a projection of \$480,000 to cover the grants just approved.

Ms. Pabón noted the funds come in quarterly from the Department of Motor Vehicles. Ms. Pabón also noted when the grant applications go out in April the SERC is still missing a half year's worth of funds requiring operating on anticipated revenue.

Ms. Crowley asked if there is a hazard in waiting until the October SERC meeting to make a decision. Ms. Pabón stated there is not.

Mr. Mulvihill stated the Commission will continue this item on the next agenda. Mr. Mulvihill also asked staff to prepare the requested cash flow analysis so the SERC can make a decision with new numbers.

14. REPORT OF POLICY COMMITTEE

Mr. Mulvihill stated there was nothing to report. Ms. Pabón noted there is one item to address with regards to the protocol for public information requests. Mr. Mulvihill noted there will be a meeting soon.

15. REPORT OF BYLAWS COMMITTEE

Mr. Farr was the chair. There has not been a meeting.

16. REVIEW OF U.S. DEPARTMENT OF TRANSPORTATION, HAZARDOUS MATERIAL EMERGENCY PREPAREDNESS (HMEP) MID-CYCLE GRANT APPLICATIONS SUBMITTED BY LEPCS OR STATE AGENCIES

Ms. Pabón stated she was anticipating submission of a mid-cycle grant application which could be considered by the SERC rather than calling a special Funding Committee meeting. Ms. Pabón noted no applications were received and there is no action for this item.

17. REVIEW OF THE U.S. DEPARTMENT OF TRANSPORTATION EMERGENCY ORDER REQUIRING RAILROAD COMPANIES TRANSPORTING ONE MILLION GALLONS OF CRUDE OIL TO NOTIFY SERC OF OPERATIONS

Ms. Pabón stated the USDOT issued an emergency order requiring railroad companies to notify SERCs if more than one million gallons of Bakken crude oil is traveling through the states and advising the counties affected. Ms. Pabón noted the USDOT anticipates the information to be appropriately shared with LEPCs and local responders.

Ms. Pabón noted initially the railroad companies were requiring the SERCs to sign a non-disclosure statement. Ms. Pabón stated prior to submitting the statement to the Attorney General's Office for review, the SERC received information indicating Union Pacific (UP) does not transport Bakken crude oil above the threshold through Nevada and Burlington Northern Santa Fe (BNSF) advised they transport zero gallons through Nevada. Ms. Pabón stated this item is on the agenda in case there is any action the SERC would want to take.

Mr. Enos asked what the distinction between Bakkan crude oil and other crude oil is. Ms. Pabón noted Bakkan crude oil is supposedly more volatile. A discussion ensued regarding how Bakkan crude oil received its name and how it behaves. Mr. Mulvihill also added there have been high profile incidents with regards to Bakkan crude oil.

Mr. Giomi noted he spoke with first responders in rural Nevada and Washoe County and they are concerned with the tracks running through northern Nevada and California. Mr. Giomi believes there is a lot of concern politically and elected representatives want answers as to where the oil is sitting, stopping and moving through Nevada. Mr. Giomi asked if the UP can tell the SERC how much of the Bakken crude oil is being moved through Nevada and the route is being taken.

Mr. Enos asked if the railroad reports to the SERC how much chlorine is moved through Nevada. A discussion ensued regarding the effects of different chemical spills. Mr. Giomi noted first responders have hazardous material equipment for a chlorine spill and crude oil needs a lot of foam to contain it. Mr. Giomi also noted it would be nice to have counties store the foam which gives the counties the tools needed to deal with a spill. Mr. Giomi stated because the train is carrying less than one million gallons the counties don't know Bakkan crude oil is on the train.

Mr. Mulvihill noted one million gallons of Bakkan crude oil is either 28 or 32 cars and if less, then the railroad does not need to disclose the information. Mr. Mulvihill also noted there may be other chemicals on the same train and right now the USDOT order is focusing on one specific commodity.

Mr. Giomi noted the rural counties are less likely to be able to deal with a hazardous material event.

Mr. Smith agreed with Mr. Giomi and stated it would be worthwhile for the SERC to do some exploration on hazardous materials to deal with these issues statewide.

Mr. Giomi stated the SERC should not focus on Bakkan crude oil and use funds to do a rail transportation commodity flow study of the major railroads.

Mr. Reagan asked if a commodity flow study is already being done. Mr. Brenner stated there is a commodity flow study being done by Bill Thompson, Freight Planning Coordinator with Nevada DOT, which is looking at all the different transportation in Nevada.

Mr. Enos asked if other chemicals are being reported to the SERC. Mr. Mulvihill noted only Bakkan crude oil is reported to the SERC in transportation and storage is collected on the Hazmat online system with Tier II reports.

Mr. Mulvihill asked Mr. Brenner if at a future SERC quarterly meeting it would be a good idea to have a representative from UP address the Commission and provide information on transportation of the Bakkan crude oil and how the railroad is complying with USDOT order. Mr. Mulvihill also noted to expand this agenda item to discuss in broader terms the reporting of hazardous materials coming through state.

Mr. Hastings noted this Commission needs to be mindful of the authority under which this Commission can do anything with regards to the railroads. Mr. Hastings stated there is an USDOT order and the railroads are complying. Mr. Hastings asked if this Commission has the authority to ask for more information from the railroad on other chemicals.

Mr. Mulvihill stated both railroads have reported to the SERC on the number of gallons of Bakkan crude oil to pass through Nevada. Mr. Mulvihill noted SERC staff copies the LEPC chairs regarding the information sent from the railroads.

Mr. Mulvihill stated the SERC needs to have more discussion regarding this issue at the next quarterly meeting with a possible presentation from UP.

Mr. Giomi stated he is more interested in a transportation study of the railroads to provide the LEPCs with what is traveling through the counties.

Ms. Pabón noted the railroads are not forthcoming with information and it will be difficult to get more information than what is ordered.

Mr. Enos asked what happens if there is an accident. Mr. Mulvihill stated all trains carry a manifest of chemicals.

Mr. Giomi stated SARA Title III is structured on the right-to-know and local governments need to build their capabilities, with railroads being notoriously bad about providing information. Mr. Mulvihill stated the railroads will give information if there is an accident. Mr. Giomi stated that does not help the counties build the capabilities in order to deal with an accident.

Mr. Giomi noted Bakkan crude oil is new and there is a lack of information with regards to how it reacts and the first responders need to get training.

Mr. Brenner stated he will contact the UP and ask them to make a presentation at the next SERC quarterly meeting.

18. REVIEW OF U.S. DEPARTMENT OF TRANSPORTATION, HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS (HMEP) MID-CYCLE GRANT ALLOCATION FOR SERC CO-CHAIR TO ATTEND THE NATIONAL ASSOCIATION OF SARA TITLE III PROGRAM OFFICIALS (NASTTPO) WORKING GROUP

Ms. Pabón stated as NASTTPO's Region 9 representative, Mr. Brenner has been asked to be a part of a working group. Ms. Pabón noted the USDOT has approved this as an expense through the HMEP grant and the Commission needs to give approval.

Mr. Brenner noted the meeting is to discuss some states not using the grant awards for training and preparedness and to find ways to get the states more involved in the process. Mr. Brenner also noted the group is going to try to talk to transporters of hazardous materials and change the grant to two year cycles. Mr. Brenner is asking for \$1,500 in travel expenses from the SERC.

Mr. Burns made a motion to approve Mr. Benner's travel expense to NASTTPO working group not to exceed \$1,500. Mr. Whiteside seconded the motion. Mr. Mulvihill asked Mr. Brenner if he was comfortable with amount. Mr. Brenner replied he was. A vote was taken and the motion passed unanimously. Mr. Brenner abstained from the vote.

19. REVIEW COMMITTEE MEMBERSHIP

Ms. Pabón stated with Mr. Farr's retirement, the SERC is down one member on the Funding Committee and Mr. Farr was also the chair of the Bylaws Committee.

Mr. Mulvihill asked for Funding Committee member volunteers. Mr. Burns volunteered and Mr. Mulvihill appointed him.

Mr. Mulvihill asked if Mr. Giomi would chair the Bylaws Committee. Mr. Giomi stated he would. Mr. Mulvihill asked for Bylaws Committee member volunteers. Mr. Smith volunteered and Mr. Mulvihill appointed him. Ms. Pabón noted the Bylaws Committee generally has only one meeting a year.

20. REPORT OF EXECUTIVE DIRECTOR

a. Budget – Report on Budget activities occurring since the last SERC quarterly meeting and any future activities

Ms. Pabón noted there is nothing new to report on the budgets. The SERC is developing the biennial budget consistent with FY2014 expenses including the additional travel money approved though SERC fees for two face to face meetings.

b. LEPC Compliance Report – Report on LEPC compliance issues occurring since the last SERC quarterly meeting and any future activities

Ms. Pabón noted there are no new compliance issues. Ms. Pabón noted Eureka and Lyon LEPCs remain out of compliance pending four consecutive quarterly meetings in which they can gain compliance in October at the earliest.

c. Presidential Executive Order – Report on conference call with U.S. EPA regarding chemical safety

Ms. Pabón stated a couple of weeks ago she and Mr. Brenner were on a conference call with the US EPA Assistant Administrator. The topic of discussion was the Presidential Executive Order and what issues the states and locals are facing when trying to run the EPCRA program and sharing information.

Some points made as issues but not resolved: the EPA enforcement activities are not known to the locals; the EPA is looking to replicate Standard Operating Procedures from Region 2 (New York and New Jersey); the EPA

has a working group of EPA, OSHA, DHS, USDOT, and state DHS, SERCs, fire and police to create a template to use throughout the country; it was noted the tools and reporting systems need to be meaningful to responders with Arizona and Nevada having best reporting systems. It was also noted some systems are not available to responders at all. Ms. Pabón believes Nevada's system is being under utilized by responders and the EPA is looking at the President's budget to support the need of getting the information to the responders.

21. PUBLIC COMMENT

Ms. Pabón noted the next SERC quarterly meeting is October 9, 2014 as a face-to-face in Las Vegas.

Mr. Giomi asked if this Commission could do something for Mr. Farr. Mr. Giomi noted no one has served as long as Mr. Farr and his counsel, opinions and guidance will be missed. Ms. Pabón stated the SERC used to do plaques funded through a LEPC's operation grant. Ms. Pabón stated the SERC records show Mr. Farr being a member as far back as 1995. Mr. Brenner asked if the SERC can go through the Governor's office for a letter of appreciation. Mr. Giomi stated it would be very appropriate. Mr. Hastings noted this item should be on the next agenda if it needs SERC action.

Mr. Brenner asked if it is policy to have two face to face meetings a year. Ms. Pabón noted it is not policy. Mr. Brenner noted the south feels disconnected and he will work with Mr. Mulvihill to meet face to face four times a year again. Mr. Brenner asked SERC staff to put information together to review at the next SERC quarterly meeting.

22. ADJOURNMENT

Mr. Enos made a motion to adjourn the meeting at 10:52am. Mr. Giomi seconded the motion which was approved unanimously.