

Minutes

Nevada State Emergency Response Commission (SERC)

Fourth Quarterly Meeting

Thursday, October 09, 2014 – 9:00 a.m.

Las Vegas

*Clark County Fire Department Training Center
Training Room #3
4425 West Tropicana Avenue*

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

Members Absent

Mike Hecht
Chris Smith
Jeff Whitesides

Staff

Karen Pabón
Tami Beauregard
Kimberly Buchanan

Guests

Kelli Baratti
Robert Bavier
Resty Malidcem
Irene Navis
John Steinbeck

1. **CALL TO ORDER**

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

2. **INTRODUCTIONS**

Role was taken of members. Guests and staff introduced themselves as shown above. A quorum was present.

3. **PUBLIC COMMENT**

Mr. Mulvihill called for public comment. There were none.

4. **APPROVAL OF JULY 10, 2014 MEETING MINUTES**

Susan Crowley made a motion to approve the July 10, 2014 SERC Third Quarterly Meeting minutes. Jim Reagan seconded the motion which was approved unanimously.

5. LOCAL EMERGENCY PLANNING COMMITTEE (LEPC) UPDATE

Richard Brenner noted he and Irene Navis are currently working on updating the Clark County Hazmat Plan. Mr. Brenner also noted twenty-nine people were scheduled to go to FireShowsReno (FSR), however at this time ten are registered.

Stacey Giomi stated Carson City is using a state high rise building for various training including hazmat training.

Clint Hayes noted Washoe County is getting ready for FSR. Mr. Hayes also noted they are working on completing the Strategic Planning Field Operations Guide and having discussions on radiological training in 2015.

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

Karen Pabón noted no update was received. Ms. Pabón stated the EPA is still in a transition period with Angie Proboszcz as the newly assigned representative to this area. Ms. Pabón added Ms. Proboszcz has indicated she is available if needed.

7. FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) UPDATE

Ms. Pabón stated no update was received. Ms. Pabón also noted she is working on the \$15,000 for FSR.

8. OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) UPDATE

Resty Malidcem noted there is a new Chief Administrative Officer (CAO), Jess Lankford. Ms. Pabón asked if Mr. Malidcem will still be the contact person for OSHA. Mr. Malidcem noted he is still the contact person. Ms. Pabón stated Mr. Malidcem has put in his application for a position on the Commission and the Governor's Office is working on it.

9. NEVADA DIVISION OF EMERGENCY MANAGEMENT (DEM) UPDATE

Mr. Mulvihill noted Chris Smith could not be present and gave a report as given to him from Chief Smith.

Homeland Security Grant Programs for Federal Fiscal Year 2011 and 2012 were closed. Sub-grants for the Federal Fiscal Year 2014 were issued on August 28, 2014.

DEM Duty Officers responded to sixty-seven incidents during this quarter. Of these, thirty-two were Nevada incidents. Nevada resources assisted California, Idaho, Oregon, Utah and Washington with wildfire response.

The DEM supported southern Nevada during the northeast Clark County flood incident. On September 8, intense thunderstorms created a flash flood effect that severely impacted many communities. DEM coordinated the response of NDOT, NHP, NVNG, NV State Parks, NDF and the Division of Water Resources Dam Safety Engineer to provide resource coordination, technical assistance and information.

After a State Declaration of Emergency was signed by the Governor for the Moapa area and Douglas County, the DEM State Technical Assistance Response Team was deployed to conduct preliminary damage assessments to the affected area.

The DEM is preparing for Flood Awareness Week with a press conference, brochures, handouts, kits and new web site.

September was Preparedness month and the DEM hosted preparedness events all over the state.

The DEM is continuing the ongoing public outreach and promotion with various awareness topics.

Southern DEM staff coordinated Southern Nevada's Emergency Response / Emergency Management Awareness at UNLV's first home football game as part of September's National Preparedness month on Saturday, September 6th.

The DEM hosted the Emergency Management Accreditation Program (EMAP) Plaque Award ceremony with EMAP Commissioner Wendy Smith recognizing Nevada's State Emergency Management Program's achieving full accreditation.

The DEM completed several planning workshops with various disciplines to update the Northern Nevada Earthquake Plan and develop the Southern Nevada Earthquake Plan.

The DEM developed the Nevada Land Search Management Course and the Nevada Wilderness Technician Course which meets the National Standards for Credentialing first responders in this discipline.

The DEM participated in a Nye County / Nevada National Security Site (NNSS) / DEM tabletop exercise on September 6th, testing low level waste accident response protocols.

Mr. Mulvihill asked Kelli Baratti if there was anything she would like to add. Ms. Baratti added on November 12, 2014, the DEM is hosting a workshop to review the State's Hazardous Materials Response Plan noting the Nevada Division of Environmental Protection is actually responsible for the plan. Ms. Baratti stated this workshop coincides with the relocation of the Nevada National Guard Civil Support Team from Las Vegas to Reno. Ms. Baratti also noted on November 6, 2014 there is a Hazardous Materials Exercise hosted by the Department of Agriculture.

10. NEVADA DIVISION OF ENVIRONMENTAL PROTECTION (NDEP) UPDATE

Matt DeBurle advised he supervises the Chemical Accident Prevention Program housed within the Bureau of Air Pollution Control and over the last five years he was charged to review the fifty plus facilities under their control. Mr. DeBurle stated compliance is generally good with the prevention programs. Mr. DeBurle noted there are communication issues between the facilities and the local responders in the rural counties. Mr. DeBurle stated he and his staff will be visiting the LEPCs in the next year to be more engaged with the counties and responders.

11. NEVADA STATE FIRE MARSHAL (SFM) UPDATE

Mr. Mulvihill stated the Hazmat Online System was rolled over and as with any new software there are some bugs. Mr. Mulvihill noted the vendor is working on the issues and the system is not available to the public yet. Mr. Mulvihill also stated as a result of the new system issues he is not able to give an update on the permit numbers.

Mr. Mulvihill stated the Legislative Council Bureau (LCB) audit from a year ago identified 249 facilities needing hazmat permits. Mr. Mulvihill noted as part of the normal business day they have been checking on the addresses and found only about thirty percent of the addresses need permits, and it will take time to reach all the addresses. Mr. Mulvihill stated an education promotion has been put in place.

Mr. Mulvihill noted the US Fire Administration website has a new posting of best practices for crude oil rail transport emergency response operations done in cooperation with the Pipeline and Hazardous Materials Safety Administration.

Mr. Mulvihill also noted the National Fire Protection Association (NFPA) launched an online expanded electric vehicle training for the fire service to include electric drive trucks, buses and commercial fleet and fuel cell vehicles.

Mr. Mulvihill stated the US Fire Administration website has a posting recommending safety improvements to the Emergency Response Guide.

Mr. Mulvihill noted this is Fire Prevention week. Mr. Mulvihill stated 133 years ago there was the Great Chicago Fire and the Great Peshtigo, Wisconsin Fire, which prompted Fire Prevention Week. Mr. Mulvihill noted this year's theme is "Working Smoke Alarms Save Lives, Test Yours Every Month".

Mr. Mulvihill also noted the Fire Fighters Memorial ceremony will be held this Saturday in Carson City at Mills Park.

Mr. Giomi asked about the new inductees into the memorial. Mr. Mulvihill noted the new inductees are John Delucci from Las Vegas Fire and Rescue and Assistant Chief Donovan Garcia from Hungry Valley Volunteer Fire Department.

There was a short recess taken from 9:30am to 9:35am to set up for the Union Pacific Railroad presentation.

12. PRESENTATION: UNION PACIFIC RAILROAD

Robert Bavier, Manager Hazmat Safety of the Union Pacific (UP) Railroad gave a presentation on Hazardous Materials Safety of the railroad.

Mr. Bavier stated responders can submit for a commodity flow data study in their specific area which contains the top twenty chemicals transported within the last year, contact is Benjamin Salo at brsalo@up.com.

Barbara Cegavske asked how UP lets the communities know what hazardous materials are traveling through their area. Mr. Bavier stated the Union Pacific Railroad is only required by law to notify the SERC of Bakkan Crude Oil in more than a million gallons traveling through the state. Mr. Bavier then stated the UP does not transport Bakkan Crude Oil through the State of Nevada.

Ms. Cegavske asked if the UP notifies the communities when they transport hazardous materials. Mr. Bavier stated there is no law requiring UP to notify the communities of what is being transported through the communities. Ms. Cegavske asked if UP transports hazardous materials through the state. Mr. Bavier stated UP does.

Paul Enos asked if the cars have placards. Mr. Bavier stated the cars have a placard with the proper shipping name and material and the train crew will have a materials list.

Ms. Crowley asked Ms. Pabón if the HMEP program includes railroad. Ms. Pabón stated US Department of Transportation (USDOT) issued the order for the railroads to notify the SERC's of the Bakkan Crude Oil transportation.

Ms. Baratti noted the UP is required to notify the DEM and EPA of any incident.

13. DISCUSSION ON THE U.S. DEPARTMENT OF TRANSPORTATION (USDOT) EMERGENCY ORDER REQUIRING RAILROAD COMPANIES TRANSPORTING ONE MILLION GALLONS OF CRUDE OIL (TWENTY OR MORE TANK CARS IN ONE TRAIN) TO NOTIFY SERC OF OPERATIONS AND DISCUSSION REGARDING SERC FUNDING A TRANSPORTATION COMMODITY FLOW STUDY OF THE MAJOR RAILROADS AND/OR TRANSPORTATION MODES IN NEVADA

Ms. Crowley noted a commodity flow study may not be needed if the LEPCs can get the commodity data flow information from the Union Pacific Railroad.

Mr. Enos noted the Nevada Department of Transportation (NDOT) is working on a commodity flow study for the entire state right now. Mr. Enos added Bill Thompson is the point of contact for NDOT and would know if there is going to be an emphasis on hazardous materials.

Mr. Mulvihill noted the SERC may want to wait until this study is completed and the information given to the LEPCs.

Mr. Brenner noted this commodity flow study is for all forms of transportation.

Ms. Crowley asked what the time line is for the study to be completed. Mr. Enos stated it should be completed in 2016.

Mr. Brenner agreed to be the point of contact for the SERC with NDOT and plans to provide an update at the April quarterly SERC meeting.

No action was taken.

14. REPORT OF LEGISLATIVE COMMITTEE

Mr. Reagan stated a Legislative Committee meeting was called to review the DEM Bill Draft Request (BDR), but it did not take place.

Mr. Reagan noted there needs to be a cause and benefit for the SERC to support this BDR and Kelli Baratti was asked to come to this meeting to give a clear understanding of the BDR.

1. Presentation: DEM Bill Draft Request (BDR)

Kelli Baratti, Chief of Operations, DEM, gave a presentation on the DEM BDR.

Mr. Giomi noted the DEM Deputy Attorney General (DAG) did an extensive amount of research, listened to the community and after several discussions came up with this document. Mr. Giomi also noted the Nevada Emergency Management Compact (NEMAC) document did not cover special districts and the new document does unless they opt out.

Ms. Baratti stated this new document will not jeopardize the agreements currently in place.

Mr. Reagan asked who the Legislative sponsor of the DBR is. Ms. Baratti stated the sponsor is the Governor.

2. Review the BDR proposed by the DEM

Ms. Baratti stated this BDR is not meant to get in the way of what the local governments should already be doing. Ms. Baratti also noted there needs to be a foundation in the NRS but flexibility to implement the statute.

Discussion ensued regarding what the BDR does for the local responders and who it covers.

Ms. Cegavske noted the DEM needs to make sure the fiscal analysis is requested prior to presenting at the Legislature.

Mr. Mulvihill stated this BDR puts into statute what agencies already do now with or without this new agreement.

Mr. Giomi stated the 10,000 gallons hydraulic acid spill in Fallon started this BDR when several agencies had to respond to Churchill County, who in the past refused to sign a mutual aid agreement for hazardous materials.

Mr. Enos made a motion for the SERC to support this BDR. Mr. Giomi seconded the motion.

Discussion ensued regarding what the BDR can do, if there is a benefit to the SERC and what the SERC will do to support the BDR through the Legislative Committee.

Mr. Giomi asked Mr. Enos to amend his motion to include the BDR being referred to the Legislative Committee to produce a letter of support. Mr. Enos agreed. Mr. Giomi seconded the motion.

Mr. Mulvihill called for a vote on the motion which passed unanimously.

15. REPORT OF FUNDING COMMITTEE

1. Hazardous Materials Emergency Preparedness (HMEP) Mid-Cycle Grant Applications for the FireShowsReno (FSR) Conference

Ms. Pabón noted this is a report on the Funding Committee actions. Ms. Pabón stated the Funding Committee had requests by LEPCs for a total of \$121,631 to send 190 people to the FireShowsReno training conference. Ms. Pabón also noted attendance will be funded through FEMA funds first, HMEP grant and, if needed, SERC fees previously approved.

2. Hazardous Materials Emergency Preparedness (HMEP) Mid-Cycle Grant Applications

Ms. Pabón noted Pershing LEPC was awarded a mid-cycle grant for \$3,649 to send personnel to ICS training in Hawthorne. Ms. Pabón also noted there were contingencies, including USDOT approval and HMEP funding becoming available, which were not met before the training took place. Ms. Pabón stated there was a discrepancy in the application as to when the training was and, although there was indication it was well in the future, it turned out it was the weekend immediately following the Funding Committee meeting. Ms. Pabón noted the award was basically forfeited.

Ms. Pabón stated one item of concern in this case is there was a note personnel were going to attend this training regardless of receiving the grant. Ms. Pabón noted in hindsight, this was obviously a case of supplanting as the LEPC clearly already had funding for this class.

Mr. Brenner asked Ms. Pabón if the LEPC was made aware of this. Ms. Pabón stated she had sent an e-mail to the LEPC noting this issue.

16. REPORT OF POLICY COMMITTEE

Mr. Mulvihill stated a meeting was scheduled but there was not a quorum so this item is being presented to the Commission for consideration.

Ms. Pabón stated the protocol had previously been approved by the SERC and it has now been modified it into actual policy.

1. Discussion of possible conversion of SERC protocol to SERC policy 8.14, SERC and LEPC release of Emergency Planning and Community Right-to-Know (EPCRA) information

Mr. Giomi made a motion to approve the policy with a grammatical correction. Mr. Brenner seconded the motion.

John Helmreich asked what the fundamental change is. Ms. Pabón stated there is no fundamental change from the protocol to the policy. Ms. Pabón noted this policy was developed due to requests for database-wide information. Ms. Pabón stated this policy puts what EPRCA says into policy at the state level. Mr. Mulvihill also stated requests were coming from those wanting to use the information as mailing lists.

Mr. Mulvihill called for a vote on the motion which passed unanimously.

17. REPORT OF BYLAWS COMMITTEE

Mr. Giomi stated the Bylaws Committee did not meet. Ms. Pabón stated she did not anticipate having a meeting until after the new membership list and bylaws are received by January 31, 2015.

18. REVIEW OF U.S. DEPARTMENT OF TRANSPORTATION, 2015 HAZARDOUS MATERIAL EMERGENCY PREPAREDNESS (HMEP) GRANT APPLICATIONS SUBMITTED BY LEPCS OR STATE AGENCIES

Mr. Brenner stated the Funding Committee goes through the grants, reviews and puts together a report. Mr. Brenner noted he would like the new Commissioners to get involved in the process. Mr. Brenner also noted the HMEP grants fund planning, training and preparedness. Ms. Pabón noted the grant needs to be focused on transportation.

Ms. Pabón noted the SERC received a grant award for the requested amount of \$176,293.59 in USDOT funds and \$44,073.40 matched by SERC fees for a total HMEP grant of \$220,366.99. Ms. Pabón also noted of this \$80,095.09 is for Planning and \$140,271.90 is for Training.

Ms. Pabón stated the USDOT has been understanding of the spending with the planning and training categories and allows the SERC to move money from one category to another, based on request to the federal agency.

Clark LEPC – submitted an application by the due date of August 29, 2014. Ms. Pabón stated the application and Certified Assurances are not signed by the County Commission. Ms. Pabón noted contingencies should include the signed documents and back-up documentation such as quotes and explanations.

Ms. Pabón stated the LEPC applied for \$6,295 of Planning funds to conduct a tabletop exercise with the water treatment facility. Ms. Pabón advised while it is noted as a transportation exercise, there is no description in the grant application of the transportation connection. Ms. Pabón also noted the Goal, Objective and Narrative are exactly the same paragraph. Ms. Pabón stated there is nothing included in the budget line item for this particular item and no indication of how this amount was determined.

Ms. Pabón noted this item was included in the SERC application to the USDOT for \$7,500 with a transportation justification. Ms. Pabón stated the information presented to the USDOT was given by Clark LEPC and is not included in this grant application.

Ms. Pabón noted the LEPC also applied for \$23,705 of Training funds for attendance of eleven personnel to the International Association of Fire Chiefs (IAFC) International Hazardous Materials Conference in Baltimore next May/June. Ms. Pabón stated this is a USDOT approved conference and was included in the SERC application. Ms. Pabón added from the USDOT stand point, both of these requests are already approved.

Mr. Mulvihill asked for the list of contingencies. Ms. Pabón stated the contingencies are signed documents, quotes, the application needs more details in the goals, objectives and budget narrative, a line item budget and currently this application does not provide a transportation nexus for the table top exercise.

Discussion ensued regarding what the table top exercise needs to include, the location of the exercise and what language needs to be in the application.

Mr. Giomi made a motion to approve Clark LEPC's HMEP grant application with the following contingencies, receipt by SERC staff of signed documents, appropriate backup material including quotes, resubmission of the description with the transportation nexus as provided to the SERC for the USDOT grant application, and completion of proper goal, objective and budget narrative per SERC application. Ms. Crowley seconded the motion.

Discussion ensued regarding the table top exercise and the IAFC conference.

Mr. Mulvihill called for a vote on the motion which passed unanimously.

Douglas LEPC – submitted an application by the due date of August 29, 2014 requesting \$30,000 of Planning funds for an update to the aerial oblique photography. Ms. Pabón noted this is an update to the previously approved Pictometry project. Ms. Pabón also noted this application is subject to approval of USDOT and there are no other contingencies.

Mr. Giomi made a motion to approve Douglas LEPC's HMEP grant application pending the USDOT approval. Ms Crowley seconded the motion which passed unanimously.

Storey LEPC – submitted an application by the due date of August 29, 2014 requesting \$11,400 of Training funds to contract for two days of Hazmat IQ classes. Ms. Pabón noted this grant will be subject to USDOT approval and submission of LEPC minutes approving the application.

Tom Burns made a motion to approve Story LEPC's HMEP grant application subject to staff's recommendations. Mr. Enos seconded the motion which passed unanimously.

Ms. Pabón stated the remaining amounts in both planning and training will be noticed to the LEPCs and UNLV, as the only compliant state agency, and will be available on a first come, first served basis with approval of the Funding Committee for the mid-cycle grant requests.

19. POSSIBLE DEOBLIGATION OF FY 2015 SERC GRANT FUNDS FOR CLARK LEPC

Ms. Pabón stated the SERC policy allows for the SERC to make grant awards with contingencies and the contingencies must be met within ninety days from notification. Ms. Pabón noted the SERC grant application comes out in January with a due date in March. Ms. Pabón also noted after consideration of the Planning and Training Subcommittee and the Funding Committee recommendations, the SERC makes grant awards in April.

Ms. Pabón presented a chronological breakdown of notifications made to the LEPC and to date, the contingencies have not been met.

Mr. Burns asked what the purpose of the grant was. Ms. Pabón stated the grant is for \$17,000 in training and \$13,000 in equipment. Mr. Brenner stated there was decontamination equipment for the hospitals and monitors for the Las Vegas Metropolitan Police Department (LVMPD).

Mr. Mulvihill asked Mr. Brenner if the Commission has flexibility in policies and guidelines regarding application documents. Mr. Brenner stated the SERC has denied grants in the past for failure to comply.

Discussion ensued with regards to what had been done in the past and if there can be any flexibility now.

John Steinbeck, Clark County Deputy Fire Chief and Emergency Manager noted there have been several policy changes including Mr. Brenner being in charge of all SERC grants with the help of Irene Navis. Mr. Steinbeck stated the LEPC has improved since February and he is here to take responsibility. Mr. Steinbeck asked for approval and leniency. Mr. Steinbeck requested the SERC not punish the University Medical Center and LVMPD.

Mr. Mulvihill asked if the documents exist now. Mr. Steinbeck stated the grant application had been mailed to the SERC and Ms. Pabón should have it. Mr. Brenner stated the SERC does not have the grant.

Mr. Enos made a motion to allow Clark LEPC an additional thirty days to produce the required documents to meet the contingencies. Mr. Burns seconded the motion.

Discussion ensued with regards whether to or not to allow the time extension.

Mr. Mulvihill asked when the LEPC can apply for another grant. Ms. Pabón noted the SERC grant application cycle is opened in January and begins in July.

Discussion ensued with regards to what the grant application is for and if there is another grant to fund these activities.

Mr. Mulvihill called for a vote on the motion which did not pass with only one “yes” vote.

Mr. Helmreich made a motion to deobligate the previously approved Clark LEPC 2015 SERC grant. Karen Luna seconded the motion.

Mr. Helmreich noted the elements and requirements are needed for the system to work.

Mr. Steinbeck stated he has an operations background and has a lot to learn and would like there not to be a detriment to the first responders.

Mr. Enos stated he will vote “no”, noting he understands the process however he would not want process to stand in the way of the first responders getting their training.

Discussion ensued regarding the policy.

Mr. Mulvihill called for a vote on the motion which passed with one “no” vote.

Mr. Giomi asked the Commission to defer this issue to the Policy Committee to review faxing or e-mailing documents. Mr. Mulvihill stated the Policy Committee will review this issue and asked all to contribute.

20. REQUEST FROM THE CLARK LEPC TO SUBMIT A “COPY” OF THE FY 2015 UNITED WE STAND (UWS) GRANT APPLICATION RATHER THAN TO SUBMIT AN “ORIGINAL” UWS GRANT APPLICATION

Ms. Pabón stated the UWS grant application came out in April and was due June 2, 2014. Ms. Pabón noted the Clark LEPC grant application was received via e-mail on June 2, 2014.

Ms. Pabón presented a chronological breakdown of notifications made to the LEPC and to date, the contingencies have not been met.

Mr. Brenner stated he went to get an original grant application from the County and the County denied his request. Mr. Mulvihill asked if he could get a certified copy. Mr. Brenner stated he could not.

Mr. Mulvihill advised SB236, of last session, requires all agencies to transition no later than June 2015 to provide electronic versions of each administrative form in a format which allows it to be completed, downloaded, saved electronically and submitted. Mr. Mulvihill noted this will be a requirement for the SERC to address prior to June 2015.

Ms. Crowley requested SB236 be added to what the Policy Committee will be reviewing.

Mr. Reagan noted the Commission already allows for electronic submission. Mr. Reagan then asked staff if the submission electronically was completed. Ms. Pabón noted that was correct, except it was not followed up with original signatures.

Mr. Enos made a motion to approve the waiver to allow a copy of the FY 2015 UWS grant application for Clark LEPC. Ms. Crowley seconded the motion.

Discussion ensued regarding this issue being addressed by the Policy Committee.

Mr. Mulvihill called for a vote on the motion which passed unanimously.

21. DISCUSSION REGARDING ALL FOUR SERC QUARTERLY MEETINGS TO BE FACE-TO-FACE

Mr. Mulvihill noted at the last meeting Mr. Brenner stated the quality of the video conference facilities were not up to par or workable.

Ms. Crowley added it was very difficult for the south to hear the north and it was difficult for the north to hear the south.

Mr. Mulvihill noted different facilities vary in quality widely. Mr. Mulvihill also noted the more money spent administering grants is less revenue for grants. Mr. Mulvihill added the Commission seems to have found a balance with two face-to-face and two teleconferences but need to find better facilities.

Discussion ensued regarding where the meetings could be held, who attends, where the money comes from and the upcoming budget.

Ms. Pabón noted this was the first time there was an issue with the college and there is a chance the meeting can be bumped from many other video conference locations.

Mr. Giomi suggested waiting to see what happens with the budget and review this item again. Mr. Giomi also noted having face-to-face meetings gives the opportunity for the public to show up in person and interact with the Commissioners when people are reluctant to do that on a videoconference.

Mr. Brenner stated the Commission will continue to do what it is doing now and review after the legislative budget has been completed.

22. DISCUSSION REGARDING THE MAXIMUM DOLLAR AMOUNT OF GRANTS FROM THE SERC

Mr. Mulvihill stated the Commission had a discussion at the last SERC meeting and Ms. Pabón provided a cash flow analysis.

Ms. Pabón noted there are two separate packages, one for SERC grants and one for UWS grants. Ms. Pabón noted all the information from past years was put into various graphs. Ms. Pabón added the thought is the SERC does not have enough money at the beginning of the year to cover the approved grants, which is very evident in the UWS grant.

Ms. Pabón gave details on what each graph represents.

Discussion ensued regarding UWS plates future revenue, consequence of granting more money than received, the Legislature sweeping money again and how to get more revenue in.

Mr. Giomi asked staff for a report on the number of plates being sold each year which will be presented at the next meeting.

Mr. Giomi made a motion to not award FY 2016 UWS grants. Mr. Enos seconded the motion which passed unanimously.

Mr. Giomi made a motion to decrease the FY 2016 SERC grants to a maximum of \$25,000. Ms. Crowley seconded the motion which passed unanimously.

23. REPORT OF EXECUTIVE DIRECTOR

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

Ms. Pabón stated the FY 2014 budget year was closed balancing forward \$936,253 in SERC fees and \$468,375 in SFM training fees. Ms. Pabón noted the SFM training fees are derived from the \$60 surcharge on hazardous materials permits, deposited to the SERC account and used only by SFM to support a hazmat training facility and program.

Ms. Pabón also noted the SERC balanced forward \$136,140 in UWS fees.

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

Ms. Pabón stated there are no new compliance issues other than those already discussed. Ms. Pabón noted Eureka LEPC held its fourth consecutive quarterly

meeting earlier this week. Ms. Pabón also noted Lyon LEPC had their quarterly meeting scheduled for October 9, 2014 but had to cancel. They can gain compliance as soon they hold a meeting and the SERC receives the minutes.

c. USDOT Desk Audit of HMEP Grant Program – Report on desk audit conducted on July 15, 2015

Ms. Pabón stated the Pipeline and Hazardous Materials Safety Administration (PHMSA), part of USDOT, conducted a desk review of the SERC's HMEP grant program in July. Ms. Pabón noted they reviewed grants from 2013 and 2014 as well as policies and internal controls. Ms. Pabón also noted verbally, the PHMSA did not have any findings but she has yet to receive anything in writing.

In addition, Ms. Pabón noted the database has been converted to the upgraded platform and there are many enhanced functions, especially in the planner/responder module. Ms. Pabón stated the database has not been rolled out to the public yet and staff is working on new user manuals. Ms. Pabón also noted staff is still working through some bugs and "wish list" items. Ms. Pabón added staff will have these next few months to use and learn the system before the new reporting period starts in January.

Ms. Pabón stated the Governor's Office asked for input for additional membership, specifically, members of the public. Ms. Pabón noted if any Commissioner knows a member of the public interested in serving on the SERC, to please let her know and she can get them in touch with the Governor's Office for possible appointment.

Ms. Pabón advised the next SERC quarterly meeting is scheduled for January 8, 2015 as a videoconference.

24. PUBLIC COMMENT

Irene Navis, Clark County Office of Emergency Management Planning Coordinator and Chair of the Legislative Committee for the Clark LEPC noted there are a couple BDR's for the Commission to be aware of. Ms. Navis stated one is BDR21 which makes changes to governing clean up of discharges from petroleum and the other is BDR347 which revises provisions governing pipeline and subsurface safety. Ms. Navis also noted she has a tracking sheet of interested BDR's if any one would like a copy. Ms. Navis noted a LEPC taking a position on proposed legislative action hold's a lot of weight and if Clark County can help the SERC to let them know.

25. ADJOURNMENT

Ms. Crowley made a motion to adjourn the meeting at 12:26pm. Mr. Reagan seconded the motion which was approved unanimously.