

MINUTES

Nevada State Emergency Response Commission (SERC)

Planning and Training Subcommittee Meeting

Monday, February 24, 2015 – 9:00am

*Nevada Board of Professional Engineers and Land Surveyors
Board Room
1755 East Plumb Lane, Suite 135
Reno, NV*

Members Present

Carolyn Levering, Chair
Aaron Kenneston
Cherie Nevin
Patty Polish
Brett Waters
Richard Brenner, Ex-Officio

Members Absent

Staff

Karen Pabón
Tami Beauregard
Nathan Hastings

Guests

Peter Mulvihill

1. **CALL TO ORDER**

Carolyn Levering called the meeting to order at 9:01am.

2. **INTRODUCTIONS**

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

Karen Pabón noted Gary Corona has resigned from this Subcommittee. Ms. Levering added she is very grateful for his service.

3. **PUBLIC COMMENT**

Ms. Levering called for public comment.

Peter Mulvihill stated there are issues with the Online Hazmat Reporting System. Mr. Mulvihill noted the vendor generated an update to the system during the prior week; however issues continue with the system. The vendor has been notified of the issues and will continue to work on the system. Mr. Mulvihill added the State Fire Marshal put a notice on their website acknowledging the system issues and no company will be penalized for a submission after March 1st.

Richard Brenner asked Ms. Pabón if a notice has been sent to the LEPC's. Ms. Pabón noted there has not. Mr. Mulvihill asked Ms. Pabón to send a notice to the LEPC's.

4. APPROVAL OF MARCH 24, 2014 MINUTES

Cherie Nevin made a motion to approve the minutes of the March 24, 2014 Planning and Training Subcommittee meeting. Aaron Kenneston seconded the motion which was approved unanimously.

5. EXECUTIVE DIRECTOR REPORT

Ms. Pabón advised there are no direct policy changes relating to the items pending before this Subcommittee. Ms. Pabón noted the SERC approved the ability for LEPC's and State Agencies to submit documents with electronic signatures, which is interpreted to include digital or copied signatures.

6. REVIEW OF EXERCISE/INCIDENT REPORTS SUBMITTED BY LEPCS AND STATE AGENCIES

Ms. Levering advised a report summarizing what items the LEPC's and/or State Agencies submitted for this Subcommittee meeting was passed out.

Ms. Levering noted the goal of the exercise reports is to ensure each LEPC tests the hazmat response plan (plan), on an annual basis to ensure the plan is functional and usable. Ms. Levering also noted in absence of an exercise the LEPC or State Agency may submit a real world incident report in which the hazardous materials response portion of the plan was utilized.

Ms. Levering stated this Subcommittee can accept or reject the report as submitted. Ms. Levering noted grounds for rejection would be if report did not contain information on hazardous materials. Ms. Levering added this Subcommittee can also accept the report with contingencies, which might include submission of additional information or data.

Nathan Hastings asked Ms. Levering to clarify how the Subcommittee will address the reports, noting the agenda states the Subcommittee will approve or issue a notification of deficiencies. Ms. Levering agreed the Subcommittee will approve or issue a notification of deficiencies for the reports.

Ms. Pabón noted the report must include a narrative explaining the event and corrective actions if needed. Ms. Pabón added some exercises have already been reviewed by the Subcommittee members and those e-mailed comments are included with the exercise reports.

Ms. Pabón noted the red highlights on the report are those LEPC's that did not turn in a report and are out of compliance.

Ms. Pabón added the Esmeralda County LEPC did not have an exercise/incident report for calendar year 2014 and therefore did not submit any of the other items, since they are already out of compliance.

Patty Polish asked what the time frame of the exercise/incident is. Ms. Pabón noted the time frame is calendar year 2014.

The Subcommittee was in recess from 9:20am to 9:53am to review exercise reports.

Carson City LEPC – Mr. Kenneston described the exercise and made a motion to approve the exercise report. Ms. Nevin seconded the motion which was approved unanimously.

Churchill County LEPC – Mr. Brenner described the exercise and made a motion to approve the exercise report. Ms. Polish seconded the motion which was approved unanimously.

Clark County LEPC – Mr. Kenneston described the exercise and made a motion to approve the exercise report. Brett Waters seconded the motion which was approved unanimously.

Douglas County LEPC – Mr. Waters described the exercise and advised the exercise report did not contain a narrative of how the plan was utilized during the exercise and no corrective actions were identified. Mr. Waters made a motion to issue a notice of deficiency and provided forty-five days to resolve the deficiency pursuant to SERC policy 8.1. Mr. Brenner seconded the motion which was approved unanimously.

Elko County LEPC – No report was submitted. Mr. Brenner made a motion to issue a notice of deficiency and provided forty-five days to resolve the deficiency pursuant to SERC policy 8.1. Ms. Nevin seconded the motion which was approved unanimously.

Esmeralda County LEPC – No report was submitted. Ms. Polish made a motion to issue a notice of deficiency and provided forty-five days to resolve the deficiency pursuant to SERC policy 8.1. Mr. Brenner seconded the motion which was approved unanimously.

Eureka County LEPC – Mr. Waters described the incident and made a motion to approve the incident report. Mr. Kenneston seconded the motion which was approved unanimously.

Humboldt County LEPC – Mr. Kenneston described the exercise and advised the exercise report did not contain a narrative of how the plan was utilized during the exercise and no corrective actions were identified from the exercise. Mr. Kenneston made a motion to issue a notice of deficiency and provided forty-five days to resolve the deficiency pursuant to SERC policy 8.1. Mr. Brenner seconded the motion which was approved unanimously.

Lander County LEPC – No report was submitted. Mr. Brenner made a motion to issue a notice of deficiency and provided forty-five days to resolve the deficiency pursuant to SERC policy 8.1. Mr. Waters seconded the motion which was approved unanimously.

Lincoln County LEPC – Ms. Nevin described the exercise and advised the exercise report did not contain a narrative of how the plan was utilized during the exercise and no corrective actions were identified. Ms. Nevin made a motion to issue a notice of deficiency and provided forty-five days to resolve the deficiency pursuant to SERC policy 8.1. Mr. Kenneston seconded the motion which was approved unanimously.

Lyon County LEPC – Mr. Waters described the exercise and made a motion to approve the exercise report. Mr. Brenner seconded the motion which was approved unanimously.

Mineral County LEPC – No report was submitted. Ms. Polish made a motion to issue a notice of deficiency and provided forty-five days to resolve the deficiency pursuant to SERC policy 8.1. Mr. Brenner seconded the motion which was approved unanimously.

Nye County LEPC – Mr. Waters described the exercise and advised the exercise report did not contain a narrative of how the plan was utilized during the exercise, no corrective actions were identified and there was no after action review. Mr. Waters made a motion to issue a notice of deficiency and provided forty-five days to resolve the deficiency pursuant to SERC policy 8.1. Ms. Polish seconded the motion which was approved unanimously.

Pershing County LEPC – Mr. Brenner described the exercise and made a motion to approve the exercise report. Ms. Nevin seconded the motion which was approved unanimously.

Storey County LEPC – Mr. Waters described the exercise and made a motion to approve the exercise report. Mr. Brenner seconded the motion which was approved unanimously.

Washoe County LEPC – Mr. Waters described the exercise and made a motion to approve the exercise report. Ms. Polish seconded the motion.

A discussion ensued regarding how helpful it is for the LEPC to incorporate the corrective actions identified in the previous year's exercise into this year's exercise.

Ms. Levering called for the vote and the motion was approved unanimously.

White Pine County LEPC – No report was submitted. Mr. Brenner made a motion to issue a notice of deficiency and provided forty-five days to resolve the deficiency pursuant to SERC policy 8.1. Ms. Nevin seconded the motion which was approved unanimously.

University of Nevada Las Vegas (UNLV) – Ms. Polish described the exercise and made a motion to approve the exercise report. Mr. Brenner seconded the motion which was approved unanimously.

7. REVIEW OF LEVEL OF RESPONSE QUESTIONNAIRES AND UPDATES TO HAZARDOUS MATERIALS EMERGENCY RESPONSE PLANS SUBMITTED BY LOCAL EMERGENCY PLANNING COMMITTEES (LEPCS) AND STATE AGENCIES

Ms. Levering noted each plan should include an NRT-1A form and Level of Response Questionnaire (questionnaire). Ms. Levering added the hazmat response plan (plan) needs to reflect the recorded Level of Response reported on the Questionnaire.

Ms. Pabón noted the policies and information sent to the LEPCs and University of Nevada Las Vegas: the Level of Response Questionnaire will be reviewed in conjunction with the plan; SERC policy requires the plan to include the nine elements on the NRT-1A; and the Questionnaire and plan be reviewed annually by the LEPCs and/or State Agency and the SERC. Ms. Pabón added the plan needs to be reviewed to ensure it is in order and contains at minimum the nine NRT-1A elements. Ms. Pabón stated each plan is to contain a completed NRT-1A form from the LEPC or State Agency.

Ms. Pabón also stated updates to the contact list, equipment list, letter of promulgation and Tier II facilities lists are required pursuant to SERC policy. Ms. Pabón noted training and exercise schedules may need to be updated, depending on how the plan is written. Ms. Pabón added the nine NRT-1A element pages, unless included in a new complete plan, must have a date on the pages to indicate the pages have been reviewed and updated as necessary. Ms. Pabón stated the LEPC must approve the updated plan by way of submission of minutes. Ms. Pabón added this Subcommittee will review the plan to confirm the elements are met and the plan is usable. Ms. Pabón also added this Subcommittee can issue a notice of deficiency or approve with recommendations.

Mr. Hastings asked Ms. Pabón to clarify approving the plan with recommendations with the agenda stating the Subcommittee will approve or issue a notice of deficiencies. Ms. Levering stated in previous years this Subcommittee has found the plan meets the letter of the law and is not deficient, but is disorganized and not easy to use and recommendations are given to improve the plan. Mr. Hastings requested next year's agenda to include approve with recommendations.

Ms. Pabón reviewed issues staff noticed while ensuring all requirements have been met.

Ms. Pabón noted this Subcommittee can issue a notice of deficiency to those who have not met the intent of the requirements. Ms. Pabón added this notice will give forty-five days from the date the notice is sent out to resolve the deficiency, if the LEPC or State Agency does not comply, they will be ineligible for any grants from the SERC until after the hazmat response plan review process from this Subcommittee next year.

Ms. Polish asked what the time frame is for items in the plan. Ms. Pabón stated it is up to this Subcommittee to decide if the item was reviewed and/or updated in a timely manner.

The Subcommittee was in recess from 10:40am to 11:52am to review hazardous materials plans and Level of Response Questionnaires.

Carson City LEPC – Mr. Kenneston described the plan and made a motion to approve the plan. Mr. Waters seconded the motion. Mr. Kenneston amended his motion to include the Level of Response Questionnaire as technician level and to approve the questionnaire. Mr. Waters agreed with the amended motion which was approved unanimously.

Churchill County LEPC – Ms. Nevin described the Level of Response Questionnaire as awareness and operations level and plan. Ms. Nevin made a motion to approve the questionnaire and approve the plan with recommendations to update Tab A1 contact information and use the current Level of Response Questionnaire form next year. Mr. Kenneston seconded the motion which was approved unanimously.

Clark County LEPC – Mr. Kenneston described the Level of Response Questionnaire as technician level and plan. Mr. Kenneston made a motion to approve the questionnaire and approve the plan with recommendations to note the date when the plan was updated/reviewed, reformat facilities list, put correct page numbers on NRT-1A and provide a couple sentences to clarify the Emergency Manager is also the Community Coordinator. Mr. Waters seconded the motion which was approved unanimously.

Douglas County LEPC – Ms. Levering described the Level of Response Questionnaire as technician level and plan. Ms. Levering advised the plan had no spill notification procedure, Annex I had not been updated and need to outline the Emergency Notification procedures. Ms. Levering made a motion to issue a notice of deficiency and provided forty-five days to resolve the deficiency pursuant to SERC policy 8.1. Mr. Brenner seconded the motion which was approved unanimously.

Elko County LEPC – No questionnaire or plan was submitted. Mr. Brenner made a motion to issue a notice of deficiency and provided forty-five days to resolve the deficiency pursuant to SERC policy 8.1. Ms. Nevin seconded the motion which was approved unanimously.

Esmeralda County LEPC – No questionnaire or plan was submitted. Ms. Polish made a motion to issue a notice of deficiency and provided forty-five days to resolve the deficiency pursuant to SERC policy 8.1. Mr. Kenneston seconded the motion which was approved unanimously.

Eureka County LEPC – Mr. Waters described the Level of Response Questionnaire as awareness level and plan. Mr. Waters made a motion to approve the questionnaire and plan. Mr. Kenneston seconded the motion which was approved unanimously.

Humboldt County LEPC –

Mr. Kenneston asked if this Subcommittee needs to create a policy with regards to the facilities list report. A discussion ensued regarding creating a facilities list report template in the Online Hazmat Reporting System for the LEPCs to download. Staff will work on this.

Mr. Kenneston described the Level of Response Questionnaire as technician level and plan. Mr. Kenneston made a motion to approve the questionnaire and approve the plan with recommendations to reformat facilities list, provide details on how to get training information and note the date when the plan was updated/reviewed. Mr. Waters seconded the motion.

A discussion ensued regarding what elements are to be found as a deficiency or a recommendation. Ms. Levering asked staff to create a separate checklist of items for this Subcommittee to review as deficient or compliant next year; the checklist is to include facilities list format, date of review/update of plan, training schedule and promulgation pages.

Ms. Levering called for the vote and the motion was approved unanimously.

Lander County LEPC – No questionnaire or plan was submitted. Mr. Brenner made a motion to issue a notice of deficiency and provided forty-five days to resolve the deficiency pursuant to SERC policy 8.1. Mr. Waters seconded the motion which was approved unanimously.

Lincoln County LEPC – Mr. Brenner described the Level of Response Questionnaire as operations level and plan. Mr. Brenner made a motion to approve the questionnaire and approve the plan with recommendations to consistently note the date when the plan was reviewed/updated. Ms. Nevin seconded the motion. (The motion will be voted on at the next Planning and Training Subcommittee meeting)

Lyon County LEPC – Mr. Waters described the Level of Response Questionnaire as operations and technician level and plan. Mr. Water made a motion to approve the questionnaire and approve the plan with recommendations to note the date when the plan was reviewed/updated. Ms. Nevin seconded the motion which was approved unanimously.

Mineral County LEPC – No questionnaire or plan was submitted. Ms. Polish made a motion to issue a notice of deficiency and provided forty-five days to resolve the deficiency pursuant to SERC policy 8.1. Mr. Kenneston seconded the motion which was approved unanimously.

Nye County LEPC – Ms. Levering described the Level of Response Questionnaire as technician level and plan. Ms. Levering made a motion to approve the questionnaire and approve the plan with recommendations to put correct page numbers on the NRT-1A, note the date when the plan was reviewed/updated, designate the Community and Facility Coordinators. Mr. Brenner seconded the motion which was approved unanimously.

Pershing County LEPC – Mr. Brenner described the Level of Response Questionnaire as awareness level and plan. Mr. Brenner made a motion to approve the questionnaire and approve the plan with recommendations to use the current Level of Response Questionnaire form next year, reformat the facilities list and note the level of response in the plan. Ms. Nevin seconded the motion which was approved unanimously.

Storey County LEPC – Mr. Waters described the Level of Response Questionnaire as operations level and plan. Mr. Waters made a motion to approve the questionnaire and plan. Mr. Brenner seconded the motion which was approved unanimously.

Washoe County LEPC – Ms. Levering described the Level of Response Questionnaire as technician level and plan.

Ms. Levering added in the facilities section the Washoe County LEPC provided a detailed hazardous identification vulnerability and risk analysis on the Tier II facilities, which is best practice.

Ms. Levering advised the plan had only the odd numbered pages in the Resource List section. Ms. Levering made a motion to issue a notice of deficiency and provided forty-five days to resolve the deficiency pursuant to SERC policy 8.1. Mr. Waters seconded the motion which was approved unanimously.

White Pine County LEPC – No questionnaire or plan was submitted. Mr. Brenner made a motion to issue a notice of deficiency and provided forty-five days to resolve the deficiency pursuant to SERC policy 8.1. Mr. Brenner added the Level of Response Questionnaire was submitted but cannot be approved until the plan is reviewed. Ms. Polish seconded the motion which was approved unanimously.

University of Nevada Las Vegas (UNLV) – Ms. Polish described the Level of Response Questionnaire as operations level and plan. Ms. Polish advised the plan needs updated Contact information. Ms. Polish made a motion to issue a notice of deficiency and provided forty-five days to resolve the deficiency pursuant to SERC policy 8.1.

Ms. Polish added recommendations to the plan are to note the level of response in the plan, put correct page numbers on the NRT-1A and give contact designation for the Community and Facility Coordinators. Ms. Polish also added the Level of Response Questionnaire selected the operations level but the notes indicate awareness and operations level responders will receive in house training in decontamination. If a responder is at the awareness level they should not be trained in decontamination. Mr. Waters seconded the motion which was approved unanimously.

8. PUBLIC COMMENT

Ms. Levering called for public comment.

Mr. Mulvihill noted the Hazmat Technician Course is underway in Carson City and graduation is March 27, 2015.

9. ADJOURNMENT (Discussion/For Possible Action)

Mr. Brenner made a motion to adjourn the meeting. Mr. Waters seconded the motion. The meeting adjourned at 12:47pm.