

Minutes / Revised

Nevada State Emergency Response Commission (SERC)

First Quarterly Meeting

Thursday, January 08, 2015 – 9:00am

Carson City

Western Nevada College
Reynolds Center for Technology
Room 102
2201 West College Parkway

Las Vegas

College of Southern NV – Cheyenne Campus
Building C, Conference Room A – Second Floor
Room 2638
3200 East Cheyenne

Members Present

Richard Brenner, Co-Chair
Susan Crowley
Paul Enos
Stacey Giomi
Clinton Hayes
John Helmreich
Karen Luna
Peter Mulvihill, Co-Chair
Jim Reagan
Chris Smith
Jeff Whitesides

Members Absent

Tom Burns
Matt DeBurle
Resty Malidcem

Staff

Karen Pabón
Tami Beauregard
Nathan Hastings

Guests

Barbara Cegavske
Joe Curtis
Tristan Dressler
Cheri Nevin
Bill Thompson
Brett Waters

1. CALL TO ORDER

Peter Mulvihill called the meeting to order at 9:06am.

2. INTRODUCTIONS

Guests and staff introduced themselves as shown above.

Karen Pabón asked Brett Waters if he is the new the White Pine County LEPC Chair and he stated he is.

A quorum was present.

Ms. Pabón noted Mike Hecht has resigned from the SERC Commission and the Elko County LEPC. Ms. Pabón added Dan Allred is his replacement as the LEPC chair and asked Mr. Allred if he would be interested in submitting his name to the SERC to keep the rural connection. Ms. Pabón has not heard back from him yet.

3. PUBLIC COMMENT

Mr. Mulvihill called for public comment.

Stacey Giomi stated he will be retiring as the Carson City Fire Chief and Emergency Manager. Mr. Giomi added his last day will be February 02, 2015 and he would like to continue as a member of the Commission. Ms. Pabón noted he can continue with the Commission as a public seat member. Mr. Mulvihill asked if the Nevada Fire Chief's Association could make a recommendation as the replacement for his seat on the Commission as a Fire Chief. Mr. Giomi noted he would meet with the Association to make a recommendation.

4. APPROVAL OF OCTOBER 09, 2014 MEETING MINUTES

Mr. Giomi made a motion to approve the October 09, 2014 SERC Fourth Quarterly Meeting minutes. Susan Crowley seconded the motion which was approved unanimously.

5. LOCAL EMERGENCY PLANNING COMMITTEE (LEPC) UPDATE

Carson City LEPC - Mr. Giomi stated there were no major hazardous materials incidents to report. Mr. Giomi added Carson City, along with Clark County, received a HMEP mid-cycle grant for tanker truck training sometime before July 2015. Mr. Giomi also noted this training will be open up to all those in the quad counties.

Washoe County LEPC – Clinton Hayes noted there is nothing new to report.

Storey County LEPC – Joe Curtis stated the Storey County LEPC completed the hazmat mitigation update. Mr. Curtis noted the LEPC received a hazmat mitigation grant for the Six Mile Canyon drainage project starting now. Mr. Curtis also noted the quad counties are working on quarterly training to include a Hazmat IQ class. Mr. Curtis added the quad counties are in the final process of an ECC/EOC (Emergency Coordination Center/Emergency Operations Center) plan for consistency in all quad counties, ensuring all operation centers to be run the same. Mr. Curtis also stated Storey County is reviewing the emergency plans for all the new businesses coming to the county.

Mr. Curtis noted there was one hazardous materials incident due to a muriatic acid spill into the sewer system. Mr. Curtis added there was a quad county response to this incident.

White Pine County LEPC – Mr. Waters noted there is nothing new to report.

Clark County LEPC – Richard Brenner stated the Clark County LEPC is working on meeting all the contingency requirements for the SERC.

Mr. Brenner noted Clark County received Liquefied Natural Gas (LNG) training from Shell Chemical and if anyone would like information on the training to let him know. Mr. Brenner added Clark County will be receiving training from TRANSCAER and Union Pacific with regards to Railroad 101 and certain hazardous materials.

Mr. Brenner also stated the next LEPC meeting is in February.

6. PRESENTATION: NEVADA DEPARTMENT OF TRANSPORTATION (NDOT) COMMODITY FLOW STUDY

Bill Thompson, Freight Planning Coordinator for NDOT gave a presentation addressing the possibilities of conducting a statewide chemical commodity flow study which would take into consideration all the various modes of transportation, i.e. railroad, roadways, pipelines and aviation.

Mr. Thompson stated he will be creating a State Freight Plan to include improvements and projects with a twenty year forecast, taking approximately eighteen months to complete.

Mr. Thompson listed the hazardous materials among the commodities he will be addressing; alcohol beverages, metal, metallic ores, coal, crude petroleum, gasoline, fuel oils, basic chemicals, pharmaceuticals, fertilizers and chemical products. Mr. Thomson asked if there should be additional commodities added to the list.

Paul Enos requested battery acid to be added to the list.

Mr. Thompson stated the freight commodity data will be analyzed to understand the goods movement throughout Nevada and a statewide chemical commodity flow study could be identified as a project within the Freight Plan. Mr. Thompson noted the State Freight Plan should be completed in 2016 with projects prioritized for the Governor. Mr. Thompson added there will also be a state advisory Committee created in addition to a website for the public to use.

Mr. Giomi stated from the first responder perspective, the commodity flow study will be very important.

Additional commodities requested to be added to the list; radioactive materials, radioactive pharmaceuticals and explosives. Mr. Brenner stated the US Department of Transportation (USDOT) has nine classes of hazardous materials. Mr. Giomi added it would be good to make sure all those classes are included in the list.

Mr. Giomi noted the commodity flow study is important to the SERC and it may be possible for the SERC to help with funding. Mr. Mulvihill added this item could be agenized in the future after NDOT knows how much money is needed for the commodity flow study. Mr. Giomi also noted first responders would use the study to plan and train for hazardous materials issues.

Mr. Mulvihill asked what types of facilities would be included in the plan. Mr. Thompson listed examples of the types of projects he will be reviewing; USA Parkway area, freight distribution centers in the north and south, Las Vegas Convention area, truck platooning, fracking and rail cars.

Mr. Brenner thanked Mr. Thompson for the presentation.

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

Ms. Pabón advised there is a temporary Region 9 representative, Bill Jones, out of San Diego. Ms. Pabón added he plans to attend meetings or provide updates in the future.

Ms. Pabón noted, in the meantime, the EPA developed a SERC/TERC (Tribal Emergency Response Commission) e-mail update with a couple of items of interest: Ms. Pabón stated The National Institute for Occupational Safety and Health (NIOSH) released their investigation report from the West, Texas explosion. For more information, go to <http://www.cdc.gov/niosh>.

Ms. Pabón also noted FEMA and NASTTPO are coordinating a *Comprehensive Preparedness Guide 101 (CPG 101)* training via Webinar, anticipated to be available in early 2015. For more information, go to http://www.fema.gov/media-library-data/20130726-1828-250450014/cpg_101_comprehensive_preparedness_guide_developing_and_maintaining_emergency_operations_plans_2010.pdf

Ms. Pabón noted in a separate update, the EPA was informed by the Bureau of Alcohol Tobacco, Firearms and Explosives (ATF) that they plan to provide explosives storage contact information to each SERC/TERC starting in the next two months Ms. Pabón added this information is to then be shared with the first responders and LEPCs to establish relationships and facilitate better communication between local responders and Federal Explosive Licensees (FELs); assist local responders in discussing FEL explosive storage information for emergency planning and response purposes; and enable local authorities and FELs to discuss and develop training for emergencies involving the explosives plants and storage facilities.

8. FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) UPDATE

Ms. Pabón stated there was no update received. Ms. Pabón also noted the SERC did not receive the \$15,000 from FEMA for FireShowsReno (FSR).

9. OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) UPDATE

Tristan Dressler stated OSHA has been working with the U.S. Department of Health and Human Services (HHS) on regulations for occupational exposure to disease, specific to Ebola. Mr. Dressler noted there is training from OSHA regarding this virus. Mr. Dressler added all LEPCs and first responders should be familiar with the exposure standards with regards to Ebola. Mr. Dressler also noted if there is anything OSHA can do to help, to let them know.

Mr. Dressler noted OSHA is also working to create regulations for the adult entertainment industry with regards to HIV exposure, with so many companies coming to Las Vegas since California put so many restrictions on the industry.

Mr. Dressler added you can google Safety Consultation and Training Section (SCATS) division of Industrial Relations if you have any questions.

10. NEVADA DIVISION OF EMERGENCY MANAGEMENT (DEM) UPDATE

Chris Smith stated the CPG101 addressed in the EPA update is the gold standard and all counties should use this.

Mr. Smith noted there will be a statewide program of “see something, say something” with one central 800 number for the entire state.

Mr. Smith added the DEM is working on increasing the safety in schools. Mr. Smith noted the DEM is working with the State Superintendent of Public Instruction and received a school safety grant from the US Department of Education (USDOE) to develop school district emergency operation plans. Mr. Smith added this project dovetails the Nevada Commission of Homeland Security project for school emergency planning as well. Ms. Cegavske asked what types of training is being offered. Mr. Smith stated the first round of training was to address the school emergency operation plans of the school districts. Mr. Smith noted the outreach training was with the School Prepared and Ready Together Across Nevada (SPARTAN) project to train the principals, teachers, office and operations staff. Mr. Smith noted the second phase of SPARTAN is to continue training and add protocols like emergency preparedness, lockdown and shelter in place situations. Mr. Smith noted it is important to give the schools the tools needed to train.

Mr. Smith stated on November 05, 2014 the President of the United States made a disaster declaration for the Moapa Band of Paiutes due to the recent flooding incidents. Mr. Smith added the DEM established a joint field office with the FEMA to help the Tribe identify projects for the recovery effort.

Mr. Smith also added the DEM had their initial FirstNet (First Responder Network Authority) and National Public Safety Broadband Initiative consultation yesterday, which is mobile data for first responders. Mr. Smith stated the consultation went well and a Request For Proposal (RFP) for outreach and further development contract has been prepared.

Mr. Smith noted the Rainbow Canyon flood control project, with the assistance of Department of Conservation and Natural Resources (DCNR) and NDOT, is close to completion. Mr. Smith added during the latest storm the structure did the job it was supposed to do.

Mr. Smith also stated DEM is assisting NDEP with the update of the State Hazardous Materials Response Plan, with NDEP as the lead.

Mr. Smith added the DEM has obtained the latest version of WebEOC and Resource Manager to coordinate statewide assistance.

Mr. Smith noted in October 2014 the Emergency Manager Conference was held in Las Vegas and the next one will be October of 2015 in the north.

Mr. Dressler asked if the WebEOC would assist with OSHA's compliance inspections. Mr. Mulvihill stated the Online Hazmat System has the chemical exposure, EPCRA, Tier II reports information. Mr. Brenner stated Resty Malidcem has the information needed to access the system. Mr. Brenner added the WebEOC is designed for Emergency Managers.

11. NEVADA DIVISION OF ENVIRONMENTAL PROTECTION (NDEP) UPDATE

Ms. Pabón stated there is nothing new to report. Matt DeBurle was unable to attend the meeting.

12. NEVADA STATE FIRE MARSHAL DIVISION (SFM) UPDATE

Mr. Mulvihill stated in October 2014 the SFM was reviewed by the Internal Fire Service Accreditation Congress (IFSAC) with their final report recommending unconditional approval to renew the accreditation for the Hazardous Materials Awareness Operations Level, Fire Fighter I and Fire Fighter II, and add Fire Service Instructor, Level I and Level II. Mr. Mulvihill added the SFM is working on Fire Officer, Level I and Level II to expand on the accreditations.

Mr. Mulvihill noted in 2014 there were eighteen fire fatalities and unfortunately there has already been one fatality in 2015.

Mr. Mulvihill stated the SFM has updated its website to include a hot topics button, recall notices, public education and updated the links page.

Mr. Mulvihill also stated the Online Hazmat Permit System has significant issues and he is unable to provide the number of permits currently in the state.

Mr. Mulvihill noted 2015 is the 50th anniversary for the SFM and over the course of the year the SFM will recognize long term people and companies with special activities. Mr. Mulvihill added a special modification has been made to the SFM logo for this year.

13. REPORT OF LEGISLATIVE COMMITTEE

1. Review of Bill Draft Request (BDR) submitted by the Department of Public Safety Division of Emergency Management (DEM)

Jim Reagan stated at the last SERC meeting the DEM gave a presentation regarding their BDR which was introduced as Assembly Bill 90 (AB90). Mr. Reagan added the SERC agreed to support the BDR with the Legislative Committee drafting a support letter. Mr. Reagan noted the Legislative Committee met and a support letter was drafted. Mr. Smith thanked the SERC for the support.

Mr. Reagan made a motion for the SERC to approve the support letter of AB90 as written. Mr. Enos seconded the motion which was approved unanimously.

14. REPORT OF FUNDING COMMITTEE

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

Mr. Brenner stated at the last Committee meeting the Funding Committee approved the HMEP mid-cycle grant applications with contingencies for the Carson City LEPC and the Clark County LEPC. Ms. Pabón added the Carson City LEPC has met their contingencies while the Clark County LEPC has not.

Ms. Pabón added the Carson City LEPC application was for \$9,500 for Advanced Tanker Truck training and the Clark County LEPC application was for \$24,720 for Advanced Tanker Truck training and attendance of ten personnel to the Continuing Challenge Conference.

15. REPORT OF POLICY COMMITTEE

1. Discussion of possible revisions to SERC policy 8.13, Requirement of Original Signatures; Use of Faxed / E-mailed Documents, with regards to the Requirement of Original Signatures

Mr. Mulvihill noted staff revised SERC policy 8.13 to allow for electronic signatures as recommended by the Policy Committee. Mr. Mulvihill stated all federal grant programs are now done on line.

A discussion ensued regarding the definition of an electronic signature.

Barbara Cegavske stated she would work on having the electronic signature guide forwarded to the SERC.

Mr. Enos requested the policy make it easier for the LEPCs, not harder.

Mr. Reagan made a motion to approve the modifications to SERC policy 8.13 as recommended by the Policy Committee. Ms. Crowley seconded the motion.

John Helmreich noted if the guide does not make it easier for the LEPC then this policy can be revisited.

A vote was taken and the motion was approved unanimously.

16. REPORT OF BYLAWS COMMITTEE

Ms. Pabón advised there has been no meeting of the Bylaws Committee. Ms. Pabón added the bylaws are being submitted for the January 31 due date and the Committee will need to meet in the next few months.

17. HAZARDOUS MATERIAL EMERGENCY PREPAREDNESS (HMEP) MID-CYCLE GRANT APPLICATIONS SUBMITTED BY LEPCS OR STATE AGENCIES

Ms. Pabón noted with regards to the Nye County LEPC, this was a place holder but they did not submit a mid-cycle application.

Ms. Pabón stated the available HMEP funds are as follows: just under \$71,000 available in the Training grant and slightly over \$44,000 available in the Planning grant.

Ms. Pabón also noted the Washoe County LEPC submitted an application for \$18,046.50 for twenty attendees to attend the Continuing Challenge Conference in September 2015. Ms. Pabón added the grant may be awarded with a contingency of submission of LEPC minutes approving the application.

Mr. Helmreich made a motion to approve the Washoe County LEPC HMEP mid-cycle grant application with contingencies noted by staff. Mr. Crowley seconded the motion.

A discussion ensued regarding if the submittal of the scanned application would have been accepted with the new 8.13 policy. It was noted further research needs to be conducted after receipt of the state guidance on this subject.

A vote was taken and the motion was approved unanimously.

18. 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 SERC fees are: approximately \$936,000 balanced forward, approximately \$121,000 collected so far this year and over \$660,000 obligated in grants, expenses and HMEP match.

Ms. Pabón added the UWS fees are: \$191,141 balanced forward, \$93,484 collected so far this year and over \$463,000 obligated in grants.

Ms. Pabón added with regards to the upcoming Legislative session, there are no significant known budget changes to the agency request. Ms. Pabón also noted the Governor's recommended budget will be announced at the State of the State Address on January 15, 2015.

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

Ms. Pabón stated all LEPCs are in compliance with EPCRA requirements. Ms. Pabón added the SERC is lacking first quarter financial reports for Elko, Esmeralda and Lander which were due October 30 and the LEPCs have not been queried on these yet.

Ms. Pabón noted the SERC is missing minutes from Humboldt and Mineral from September and several others from the last quarter and the LEPCs have not been queried on these yet.

Additional Information:

Ms. Pabón noted the Planning and Training Subcommittee will be meeting to review plan updates and exercise reports on February 24, 2015 and will meet again on March 18, 2015 to review SERC grant applications with the Funding Committee meeting shortly thereafter.

Ms. Pabón stated the next SERC meeting is April 09, 2015 and is scheduled to be a face-to-face in the north. Ms. Pabón added in order to verify a quorum, it is very important to reply to staffs' inquiries regarding attendance. Ms. Pabón noted staff understands emergencies may arise which could cause the cancellation of a meeting due to lack of a quorum; however the lack of responses makes it difficult for staff to plan. Ms. Pabón asked Commissioners to please keep in touch with staff.

19. UNITED WE STAND LICENSE (UWS) PLATES

Ms. Pabón stated at the last SERC meeting, the Commission asked to see information on the number of license plates sold. Ms. Pabón noted DMV tracks this information monthly, but does not retain it going back to the beginning. Ms. Pabón added a graph and spreadsheet are included in the meeting packet to illustrate the numbers.

Ms. Pabón noted the Commission already voted to withhold UWS funds in FY 2016 to build the bank back up to the point of being able to award money the SERC already has rather than awarding money based on anticipated collections.

Mr. Enos asked how much the SERC receives from the United We Stand license plates. Ms. Pabón stated the SERC receives \$20.00 for each license plate. Mr. Reagan noted new license plates are not being purchased due to so much competition for specialty plates.

20. 2015 FIRESHOWSRENO(FSR) CONFERENCE AND FSR CONFERENCE PLANNING COMMITTEE

Mr. Brenner stated when FSR was beginning the SERC had a Committee to include; Mr. Brenner, Joe Nishikida from Reno Fire, Dennis Pinkerton from SFM and Tim Soule from East Fork Fire Protection District. Mr. Brenner noted the Committee discusses types of classes, picks a theme and works on attendance.

Mr. Brenner noted the 2015 FSR is at the beginning of October and it is time to start planning now. Mr. Brenner asked for suggestions of personnel to be on the Committee and recommended; Mr. Brenner, Clinton Hayes, Yuri Graves, Tim Soule and Dennis Pinkerton. All agreed to this membership.

21. PUBLIC COMMENT

Mr. Mulvihill asked Ms. Crowley how the videoconference system worked in Las Vegas. Mr. Crowley stated it worked well.

Mr. Smith requested the LEPCs let the SERC know if they need assistance getting elected officials on their LEPC. Ms. Cegavske noted it would be helpful if the SERC educated the elected officials on what the SERC and LEPCs do. Ms. Pabón added elected officials are needed for both the SERC and the LEPCs. Mr. Reagan suggested a workshop to educate the elected officials.

Mr. Brenner stated it was the USDOT who required the railroads to report the crude oil shipments to the SERC. Mr. Brenner noted California did not have a SERC prior to this mandate and now they do. Mr. Brenner also noted California will be having a Regional Hazmat Planning Project Core Team meeting on January 22, 2015 and he will provide feedback at the next SERC meeting.

Mr. Brenner noted the following federal agencies; Department of Homeland Security (DHS), EPA, FEMA and USDOT requested a conference call with NDEP to discuss issues regarding transportation of crude oil. Mr. Brenner added the conference call took place on January 07, 2015 with Matt Donaldson of NDEP as the point contact for the state.

22. ADJOURNMENT

Mr. Enos made a motion to adjourn the meeting at 11:09am. Mr. Smith seconded the motion which was approved unanimously.