

MINUTES

Nevada State Emergency Response Commission (SERC)

Fourth Quarter Meeting

Wednesday, October 5, 2016
10:30am

Reno-Sparks Convention Center
4590 South Virginia Street / Room D10
Reno, NV

Members Present

Richard Brenner, Co-Chair
Susan Crowley
Kelly Thomas (phone)
Paul Enos
Chris Collins
Matthew Griego
Clinton Hayes
John Helmreich
Karen Luna
Resty Malicdem
Mark Manendo (phone)
Eric Santos
Jon Bakkedahl
Karen Luna
Resty Malicdem
Ryan Sommers
Pete Boffelli, Jr.
Dennis Nolan

Members Absent

Thomas Burns
Stacey Giomi
Jim Reagan
Caleb Cage
Lance Chantler

Staff

Stephanie Parker
Nathan Hastings, DAG
Denise Uber

Guests

Bill Thompson
Nick Cullian
Joelle Gutman
Sam Cowan
Rodney Lockett
Joe Curtis
Ross Rivera
Holly Koontz
Crystal Harjo
Tim Woolever
Terry Taylor

1. CALL TO ORDER

Richard Brenner called the meeting to order at 10:30am, following a break after the conclusion of the Public Workshop/Special Meeting.

2. ROLL CALL, CONFIRM QUORUM, AND INTRODUCTIONS

Stephanie Parker introduced new Commission members Dennis Nolan, Peter Boffelli and Lance Chantler and gave some history for each of them. She called roll. The guests introduced themselves, as shown above. A quorum was confirmed.

3. PUBLIC COMMENT

Mr. Brenner called for public comment. There was none.

4. COMMISSION MEMBERS UPDATE

Ms. Parker stated that Robert Fash retired. Mr. Brenner added that he thought someone else had retired, also, but that they'll look and see.

5. APPROVAL OF JULY 14, 2016 MEETING MINUTES

Ms. Crowley made a motion to approve the minutes of the July 14, 2016, Fourth Quarter Meeting. Mr. Collins requested that the motion be amended to reflect his abstention from voting, since he was not present at that meeting. Ms. Crowley amended her motion accordingly. Mr. Hayes seconded the motion, which was approved unanimously.

6. LOCAL EMERGENCY PLANNING COMMITTEE (LEPC) UPDATES

Washoe County LEPC: Clinton Hayes reported that the LEPC is doing well, and they've recently completed their hazardous materials plan update.

Storey County LEPC: Joe Curtis reported that their annual hazmat exercise is scheduled for the 15th of October. He reported there were a couple of incidents, one that was reported on July 11th, and one reported on July 29th that occurred at Hardie Board. He also indicated that they've had some dealings with Tesla from an inspection standpoint, that they're dealing with a Cloud company called Supernap or Switch, that they're looking at building three Marriott hotels, that a company called Fulcrum is going to be generating jet fuel from solid waste from the landfill project, that other companies are growing as well, and that the USA Parkway has been mandated to be completed by the end of October 2017. He answered Commission questions.

White Pine LEPC: Ross Rivera reported that they're finalizing their EOP plan, including hazmat.

Crystal Harjo from ITERC reported that they're encouraging each tribe to join their local LEPC.

Clark County LEPC: Richard Brenner reported that they've sent out their hazmat plan to get it reviewed by a consultant for feedback and comparison to other big cities, and are planning

a workshop to go through the comments. They're working on getting an ammonia safety day for March 27th, 2017, and are working with Kelly with NDEP to schedule one up north. Their LEPC is working with law enforcement to do a Master in Command class March 28th through 31st, 2017. Their alternative communications committee is looking at different types of communication. He brought with him a ruggedized Smartphone made by Somin that those interested can look at today. They have a tabletop exercise on the 18th with Olin Chemical. Lastly, they've been working with Shell regarding underground installation of liquefied natural gas rather than above-ground tanks are constructed, and they're working with Kelly at NDEP who has looked at the plans, and they hope to start construction in the next few weeks.

7. NON-STATE AGENCY UPDATES

- a. **U.S. Environmental Protection Agency (EPA):** Ms. Parker indicated that no report was received. She noted that it's the 30th anniversary of EPCRA.
- b. **Federal Emergency Management Agency (FEMA):** Rodney Lockett with Department of Homeland Security indicated that inspectors Sam Cowan and Holly Koontz have passed out a CFATS trifold and some additional information. He stated that the news for the CFATS program is they just rolled out a new tiering tool to capture their regulated facilities, and people are submitting new Top-Screens; and they're regulating 300 chemicals that could trigger a Top-Screen. He's getting people access to the IP gateway GIS platform. He stated that the HISM is a great information sharing platform that he'd be happy to do a presentation on. He reminded everyone that if they see something, say something.

8. STATE AGENCY UPDATES

- a. **Nevada Department of Transportation (DOT):** Bill Thompson stated that as of September 2016, Governor Sandoval approved our first freight plan that our state has ever had. He described several freight projects, including the Reno spaghetti bowl, the USA Parkway entrance, the apex at 93 and I-15 improvements and truck spots, and gave the website NevadaFreightPlan.com. Another project is they're also going to conduct a hazardous materials commodity flow study and develop a response plan to go along with that and he described the funding NDOT was awarded by the federal government in the amount of \$60 million total for a five year period for multiple freight related projects, with \$500k allocated for the hazardous materials commodity flow and response plan. Mr. Thompson asked that the SERC and LEPC's be involved in the partnership that will be required to move it forward. Mr. Brenner added that that's a wonderful way to get the LEPC's involved. There were Commission questions and comments.
- b. **Nevada Division of Emergency Management (DEM):** No discussion items or anything else were received from Caleb Cage.
- c. **Nevada State Fire Marshal Division (SFM):** There were no items received. Ms. Parker stated that as Chief Mulvihill retired in September, Lt. Mike Dyzak is the Interim State Fire Marshal. She said there has not been a new State Fire Marshal that has been appointed to SERC, and added that they'll be going through the RFP process

in the spring for the hazmat database. There were Commission questions and comments.

- d. **Nevada Division of Environmental Protection (DEP):** Kelly Thomas reported that they continue to inspect and permit facilities with high acid substances under the Chemical Accident Prevention Program, described how they're actively engaged in public outreach through the department and LEPC meetings and going around the state to different communities, that they'll be sending out a flyer for an annual event in about March in Clark County.
- e. **Nevada Division of Industrial Relations, OSHA Unit:** Resty Malicdem stated there was nothing to report.
- f. **Nevada Radiation Control Program (NRCP):** Jon Bakkedahl reported that their Beatty low-level radioactive waste site RFP process was completed for a contractor to repair, analyze and characterize the waste at the site and then give alternative work plans to repair the site permanently. The contract is going to the BOE (Board of Examiners) in November for approval... He added that there was an interim project approved through the BOE to do the immediately needed repairs. The NRCP completed some training with Clark and Washoe counties with the RAD Watch program. The Waste Isolation Pilot Plan (WIPP) route will be opening later next year. The NRCP program has been coordinating for years with radiological response and training in collaboration with the Division of Emergency Management and he'll be stepping over to the DEM later this month to put his efforts through their program and make it more accessible statewide for all materials, not just RAD. Mr. Brenner congratulated him.

9. SERC COMMITTEE REPORTS

a. Legislative Committee & Policy Committee

PUBLIC WORKSHOP/SPECIAL MEETING - REVIEW OF A PROPOSED AGENCY DRAFT OF CHANGES TO NEVADA ADMINISTRATIVE CODE (NAC) CHAPTER 459 HAZARDOUS MATERIALS AND COMMISSION DISCUSSION OF PUBLIC COMMENTS

Mr. Brenner stated that during the workshop just prior to this meeting they went through the draft and discussed the changes. He described how they began this process in January, that due to some SERC issues we had to postpone the process, and so this meeting is to start the process again. There was discussion regarding how to incorporate the things that were discussed at the January workshop into the draft that was reviewed today. There was a lengthy review and discussion, with questions, comments and suggestions, regarding the changes in the proposed agency draft, with input by Mr. Hastings and Ms. Parker.

b. Funding Committee

I. Review of FY17 Hazardous Materials Emergency Preparedness (HMEP)

Grant Applications Submitted by Local Emergency Planning Committee (LEPCs) and State Agencies

Ms. Parker referred everyone to their meeting handouts and reviewed the grant applications submitted. Mr. Enos made a motion to approve Clark County's and Douglas County's grants. Ms. Crowley seconded the motion. The motion passed unanimously.

II. Review Allocation for Nevada Representatives to attend the Spring 2017 National Association of SARA Title III Program Officials (NASTTPO) Training Conference

Mr. Brenner described this item and what is being asked for here, with input by Ms. Parker. Mr. Enos made a motion to accept the Funding Committee's recommendation for three individuals to attend the NASTTPO meeting, not to exceed \$2,000 each. Ms. Crowley seconded the motion. The motion passed unanimously.

III. Review Request for Nevada Representatives to attend the Western State SERC/TERC Meeting 2017

Mr. Brenner described this item and about how in January the EPA decided we're going to look at EPA requirements and get the SERCs in the western region to come and talk about what they're doing, that he, Ms. Parker and Mr. Kelly went, that it was well received, and that in January 2017 they're going to do it again but with three regions. There was input by Ms. Parker, and there were questions and comments. Ms. Crowley made a motion that we fund travel for our SERC co-chair and staff to go to the Western States SERC/ITERC meeting, and added to her motion costs up to \$2,000. Mr. Enos seconded the motion. The motion passed unanimously.

c. Bylaws Committee

Mr. Brenner stated that the Bylaws Committee has not met.

d. FireShowsWest Hazardous Materials Training Track Committee

Mr. Brenner described that although this is not one of the standing committees, in the past there's been a committee to try and figure out what programs we'd like to see at the FireShowsWest, but that we don't need another committee, adding that we don't have to take action on this item. There was input by Ms. Parker, including that FireShowsWest is interested in having people who are interested to be on their education committee.

10. Review Application for Contingency Account Funds from Douglas County for Hazardous Materials costs incurred by East Fork Fire Protection and their Quad

County cooperators

Mr. Brenner described this item, adding that this is unique; we've never done this before. Mr. Terry Taylor, Fire Captain and Investigator for the East Fork Fire Protection District, described their request and events leading up to it. There were questions, comments, and input by Mr. Hastings. Mr. Enos made a motion to approve the request. The motion was seconded by Mr. Brenner for discussion purposes. There was discussion by the Commission, with input by Ms. Parker, Mr. Woolever, and further input by Mr. Hastings and Mr. Taylor. Mr. Enos amended his motion to grant the request of the East Fork Fire Protection District in the amount of \$27,000 and, after further discussion, withdrew his amended motion, and Mr. Brenner withdrew his second. Ms. Crowley made a motion that the Policy Committee develop a policy related to how we can handle the monies out of the contingency fund. Mr. Enos seconded the amended motion. The motion passed unanimously. Ms. Crowley requested that this reimbursement request be put on the agenda for the January meeting; and after input by Mr. Hastings; Mr. Brenner stated that is a unanimous decision.

11. EXECUTIVE REPORT

- a. Budget Update**
- b. LEPC Compliance Report**

Ms. Parker referred everyone to their meeting handouts and reviewed the above items in detail, with input by Ms. Crowley and Mr. Brenner. There were questions, comments and discussion.

12. PUBLIC COMMENT

There were some questions and discussion regarding whether Mr. Brenner is still a co-chair or chair, and he explained that it's up to the Governor and that it could change.

13. ADJOURNMENT

Ms. Crowley made a motion to adjourn. Mr. Enos seconded the motion. Motion passed unanimously.