

**State of Nevada**  
**Nevada State Emergency Response Commission (SERC) Third Quarterly Meeting**  
**Thursday July 19 2018**  
**MEETING MINUTES**

**1. CALL TO ORDER**

Mr. Brenner called the meeting to order.

**2. ROLL CALL, CONFIRM QUORUM, AND INTRODUCTIONS**

**COMMISSION MEMBERS PRESENT**

Christina Wilson, SERC Coordinator  
Wendi Wyatt, SERC Administrator  
Chief Caleb Cage, Co-Chair  
Richard Brenner, Co-Chair  
Chief Bart Chambers, State Fire Marshal  
Lance Chantler, SERC Commissioner  
Gus Farias, SERC Commissioner  
Resty Malicdem, OSHA Commissioner  
Denis Nolan, Chief of EMS Reno Fire  
Eric Santos, SERC Commissioner  
Susan Crowley with SERC Commissioner  
Karen Luna, SERC Commissioner  
Renee Tyler, NV Energy  
Kelly Thomas, SERC Commissioner

**GUESTS PRESENT**

Danny Brennan, SFM, Bureau Chief Hazmat Program  
David Willauer, Cambridge Systematics  
Hal Dawson, NDEP Bureau of Corrective Action  
Michael Pickern, LCBPD  
Jim Wright, DPS Director  
Ross Rivera, White Pine County  
Richard McKnight, DPS State Fire Marshall Training Officer  
Travis Hughes, Nevada Supreme Court  
Marcie Stone, Department of Homeland Security  
Polly Kemp with Department of Homeland Security  
Patrick Hughes, North County Emergency Manager  
Dave Anderson, Cambridge Systematics  
Michael Heidemann, Churchill County Emergency Manager.

### 3. PUBLIC COMMENT

There was no public comment.

### 4. COMMISSION MEMBERS UPDATES ON STANDING COMMITTEE

Ms. Wilson, SERC Coordinator, announced the addition of some new commissioners: Gus Farias, Renee Tyler, and Resty Malicdem advised of his replacement from his industry to be Jess Lankford of Nevada OSHA. Mr. Brenner welcomed them into the ranks.

### 5. APPROVAL OF APRIL 12, 2018 MEETING MINUTES

Mr. Brenner asked if there were any comments about the April 12 meeting minutes. Ms. Crowley, Ms. Wilson, Chief Cage, Chief Chambers, and Ms. Luna did have comments. The quality of the minutes was poor, with many grammatical and spelling errors. Attendance records were not correct. All found the “verbatim” format as cumbersome and unnecessary. Chief Cage reminded everyone of the 30 day Open Meeting Law, which requires minutes be completed and posted in a timely manner. Since corrections need to be made before minutes can be approved, Chief Cage suggested that everyone make corrections over email right away so the posting can be accurate and timely, and Mr. Brenner stated he would prefer not to take action on the matter until the next meeting. Ms. Wilson suggested an overview, or summary format for future meeting minutes, and all concurred.

### 6. LOCAL EMERGENCY PLANNING COMMITTEE (LEPC) UPDATES

Chair. Brenner asked for LEPC updates and they were as follows:

- **Carson City:** no speakers either in person or on the phone
- **Churchill County:** Chief Heidemann reported their next LEPC meeting is on 8/14/18 and they will be introducing their new County Manager to discuss some full-scale drills and tabletops. They are updating and finalizing their emergency response plan.
- **Clark County:** Mr. Brenner reported they are working on their yearly exercise that they have to do for funding. For the State Emergency Response Commission, they are required to do one exercise, either a real world event or a planned type exercise. This year they are working with University Medical Center, the Level One Trauma Center in Nevada. They will be conducting an exercise in October dealing with radiation and contamination with victims. They will be having a meeting in late August to review their HAZMAT plan.
- **Douglas County:** no speakers either in person or on the phone
- **Elko County:** Ms. Wilson reported that Matt and Jack were traveling. She will contact them and report back to the Commission via email.

- **Esmeralda County:** an unidentified speaker reported they have planned meetings for 9/15 and 9/22 in Silver Peak.
- **Eureka County:** no speakers either in person or on the phone
- **Lander County:** no speakers either in person or on the phone
- **Lincoln County:** Mr. Brenner reported that Vance Payne left as their emergency manager. Chief Cage added they have a new emergency manager named Eric.
- **Lyon County:** no speakers either in person or on the phone
- **Mineral County:** Pat Hughes reported their next meeting is on August 8th. They are beginning to work with PHPP, Public Health Preparedness Program to evaluate how the Community Assessment for Public Health Emergency Response (CASPER) program in the rural counties. They are hoping to get some training for some of their newer members.
- **Nye County:** Chief Cage reported the new emergency manager is the Fire Chief for Nye County, Pahrump Valley Fire.
- **Pershing County:** Ms. Wilson reported that Charles Spark was traveling and did not provide an update.
- **Storey County:** Ms. Wyatt reported the Storey rep was traveling and did not provide an update.
- **Washoe County:** Dennis Nolan reported the DEM put on a tabletop exercise on mass casualty active shooter and HAZMAT incident. Homeland Security and FEMA had come out and done this exercise that was attended by a lot of law enforcement, fire, FBI, and other state agencies. The exercise featured a large-scale event that started in Clark County with some stolen product and explosives and chemicals and ended up activating at a concert at South Lake Tahoe. It was a good exercise because it probably created the worst-case scenario. It spawned a lot of discussion amongst the local agencies on how to better prepare for something like that. Washoe County just finished a rewrite of their mass casualty incident plan. There is an upcoming meeting which is a mass casualty incident communication discussion. There may be some changes necessary to their MCI Plan. An actual MCI activation occurred on I-80. Hospitals were notified because they thought they would meet the threshold of ten patients. There were only three patients. A lot of hospitals spent up a lot of resources that probably didn't need to happen. So they are thinking of creating more of a tiered protocol for mass casualty incident call-ups. The triad hazmat team received a grant to purchase 16 cyano kits at \$1400 per box. They've received half of those. The grant has to be spent by the end of August. The cyano IV kits are now back ordered on a rolling six day back order, and they're hoping they'll get the other eight kits before the grant funding expires. Ms. Wilson told him to contact her later and she'll give some options for handling it.  
Mr. Brenner clarified that they have been working with Chief Leighton on ammonia safety training. Chief Leighton is heading it up with the triad and the quad HAZMAT teams. Aaron is their HAZMAT coordinator. They are still looking for a location to do the actual live training.

- **White Pine County:** An unidentified speaker reported they are waiting to replace the Emergency Management Manager with the resignation of Tim Woolever. A secretary resigned and they can't find the last two meeting minutes. They do have audio, so those can be recreated if necessary.

## **7. NON-STATE AGENCY UPDATES**

### **A. U.S. Environmental Protection Agency (EPA)**

Mr. Brenner said Bill Jones would give a report, but he wasn't present.

Mr. Brenner stated the EPA is working with Washoe County in reference to funding and support for the ammonia training.

### **B. Federal Emergency Management Agency (FEMA)**

Ms. Wilson stated she had not received any reports.

Mr. Brenner shared some details about FEMA's new program. It's called Chemical City Planner Resource or CHEM CPR.

### **C. U.S. Department of Homeland Security (DHS)**

Marcie Stone, Chief of Regulatory Compliance for DHS Office of Infrastructure Protection, Region Protection in Region 9, introduced herself and stated she joined Infrastructure a little less than a year ago, but started her federal career with FEMA for about 12 years before she moved over. She also introduced their chemical security inspector on the phone today, Ms. Kuntz [phonetic]. She then gave an overview of the Chemical Facility Anti-Terrorism Standard (CFATS) program:

CFATS is DHS's chemical facility anti-terrorism standards program. Chemical facility security is of utmost importance, given that there have been a few attempted attacks in the U.S. and chemicals have been used in various terrorist tacks in other countries.

## **8. STATE AGENCY UPDATES**

### **A. Nevada Department of Transportation (DOT)**

Ms. Wyatt reported that she had not received an update. Mr. Anderson said he had talked to Bill that morning, and the only update was about the Hazardous Commodity Flow Study.

### **B. Nevada Division of Emergency Management (DEM)**

Chief Cage from Emergency Management gave the following update:

The Division of Emergency Management is currently completing and submitting its Hazard Mitigation Plan. This is a plan that is due from the state every five years. It's got to be adopted by an executive order from the Governor. They're drafting that executive order and working to get that in and underway ASAP.

### **C. Nevada State Fire Marshal Division (SFM)**

Chief Chambers gave the following overview of SFM activities:

**Training enhancements.** We're looking at developing reciprocity with the state of California.

**Distance learning.** SFM is speaking with FEMA National Fire Academy. We're moving forward on that to get classes not only here in the State Fire Marshal Division classroom where we currently are, as well as working with DPS training with the enhancement of their new technology.

**International Fire Code.** We're in the process of updating the International Fire Code 2018 Edition.

**NFPA 3000 (National Standard for Active Shooter/Hostile Event Response).** We're going to be adopting within the new edition of the International Fire Code. We'll give the agencies across the state the ability to utilize some of that material for any of their response needs and code development.

### **D. Nevada Division of Environmental Protection (DEP)**

Mr. Kelly Thomas with Nevada Division of Environmental Protection called in from Carlin, Nevada. He gave an update on CAPP, the Chemical Accident Prevention Program for the state of Nevada. They just closed their annual registration at the end of June and received 55 registrations. In total, they had almost 43 million pounds of highly hazardous substances registered with the program. Year to date they have performed 29 site inspections and are currently tracking 400 corrective actions across those 55 facilities. Mr. Brenner asked if there were any questions or comments.

Mr. Hal Dawson from the Bureau of Corrective Actions at NDEP added that they are similar to SERC in that they run this spill hotline for the state of Nevada. They're the Emergency Support Function (ESF) 10 hazardous materials for the reps for when the State Emergency Operations Center (SEOC) stands up.

#### **E. Nevada Division of Industrial Relations, OSHA Unit**

Mr. Resty Malicdem stated they also run a 24 hour hotline, with a supervisor and a compliance officer usually on standby after hours. So, those contacting any of the offices in either Reno and Las Vegas, it will be directed to the standby member of the call.

#### **F. Nevada Radiation Control Program**

Ms. Wilson read a message from Jon. He was sorry he could not attend in person, but he was teaching the radiological response class at Basic Academy. His message was: in June DEM supported five days of training the Waste Isolation Pilot Plant (WIPP) mock shipment and radiological drills with live sources across the I-80 corridor. In May DEM supported the I-80 responders and EOC's with tabletop exercises in Washoe County, Humboldt County, and Elko County. DEM continues to support local agencies with equipment and collaborations of equipment across the entire state.

### **9. HAZARDOUS COMMODITY FLOW STUDY STATEWIDE – DISCUSSION**

- A.** Request assistance from LEPC's and State Agencies to collect data
- B.** Request access to State Fire Marshal/SERC Hazmat Reporting System/Database

Mr. David Willauer and Dave Anderson with Cambridge Systematics presented an overview of the proposed commodity flow study funded by NDOT. The objective of the study is an exercise in connecting all the hazardous material facilities in Nevada. The study will be able to help local, regional, state and federal response authorities better understand the volumes and the nature of hazardous materials' movements in the state. The hazardous materials of focus are the industrial chemicals that are the most harmful to health and one of the goals is to prioritize this effort.

The study team has had outreach to the State Emergency Response Commission which comprises many different state and federal agencies as well as local emergency planning committees. In the state of Nevada, Cambridge Systematics is also helping DOT perform

some other studies going on like a statewide parking study and so forth. There is also a freight advisory committee who will be reviewing the study. The team will be reaching out to industry railroads, pipelines and the state Fire Marshal's office. And finally, the team will be working with local and tribal emergency response committees in the frontier counties.

Data collection is quite extensive as well as duplicative. Data is being collected from multiple sources:

- State Fire Marshal's database of Tier 2 facilities
- Department of Environmental Protection's chemical storage information
- EPA's data on Toxic Release Inventory (TRI) programs
- Union Pacific's records of railroad car loads of hazardous materials
- Airline accounts of issues with lithium ion batteries and airline transport

The data collection is going to be supplemented by some roadside surveys. Teams will be deployed to collect roadside data at strategic locations around the state.

Mr. Willauer displayed some samples of a similar study from North Carolina to show what the study's desired outcomes might look like. Some highlights included:

- Maps displaying highways, railroads, and pipelines
- Maps showing all the chemical facilities in that state using different facility types
- Identification of the top ten chemicals of concern. Similar from state to state, they include the three top core hazardous materials transported throughout the U.S.--hydrous ammonia, chlorine gas and ethylene oxide.

## **10. SERC COMMITTEES REPORT**

### **A. Legislative Committee & Policy Committee**

- Recommendation of the Draft Policy for utilization of the Contingency account for Hazardous Materials costs.
- Recommendation of NAC459 Changes

Chief Cage reported that since February, they have been moving forward with holding the workshop for the SERC regulation changes. He said, "Right now, we need, I believe, it's a 15-day public meeting announcement in order to get it out there and Richard, today I will ask my assistant to reach out to you and Chief Chambers and SERC staff to find a day in August that would be available for all of us probably a several hour meeting to have public comment on the regs and get some input. It will very much be in my opinion a very preliminary look. We will probably have several of those." Chief Cage said his thoughts were to include discussions in the public hearings for the regulation change. His inclination is just put it all out there at that meeting

and then hold a meeting afterwards so that they know exactly what sorts of changes or concerns, questions or approvals or whatever we have from statewide partners.

Ms. Crowley asked for clarification: were they talking about the policy for establishing a way to get contingency funds for someone for reimbursement? Ms. Crowley said she saw a policy on a State Fire Marshal template and it should be a SERC policy, not a State Fire Marshal policy. Ms. Wilson said it does say “DPS”. Ms. Crowley replied that it is actually is pretty specific to SERC so it’s a SERC policy as opposed to a DPS policy. She said she would take a look at it.

## **B. Funding Committee**

### **1. REVIEW FY2019 OPTE GRANT APPLICATIONS**

Mr. Brenner gave the report on Funding and the Funding Committee. He is the Chair of that committee. He reported that they had a very long meeting reviewing a number of items. The first item was reviewing the FY 2019 SERC OPTE Grant applications. He asked Ms. Wyatt if she had the spreadsheets for that. She responded that she sent out a spreadsheet the day before with the results that came out of that funding committee meeting. Mr. Brenner stated that in the future, they need to get information to the Commissioners more quickly. Ms. Wyatt concurred.

Mr. Brenner gave this overview: “We've worked with industry and partnered and they pay fees where depending on what hazardous materials they have stored, they actually pay a certain percentage into our account, it maxes out, I believe at \$7500 where that's the maximum they'll pay. But depending on the quantity, they pay fees into the state. We have a contingency fund and then what we do is work with LEPC’s and state agencies to get that money out to them.

We have different categories where you have--you see under Planning, Training, Equipment Operations. To help keep the LEPC’s running in our 17 counties. We give them \$4,000 to use to keep the LEPC working, doing paper work, buy printer cartridges. Those type of activities. You also have a level of response - level response is under OSHA regulations you have to identify in your HAZMAT plan. What level of response you're going to respond to.

Mr. Brenner thanked Ms. Wyatt for her hard work developing the spreadsheet and said it was very helpful to the Commissioners. He then asked if there was a motion to approve this grant.



**A MOTION WAS MADE BY SUSAN CROWLEY TO APPROVE THE APPLICATION FEES FOR THE SERC OPTE FUND, WITH THE CONTINGENCIES LISTED. THIS MOTION WAS SECONDED BY MR. NOLAN. THE MOTION PASSED UNANIMOUSLY.**

## **2. REVIEW FY2019 UNITED WE STAND GRANT**

Mr. Brenner gave some background: United We Stand grant is a license plate grant that was put together. The proceeds go to combat terrorism. And we use this to help the frontier counties; well actually all of the counties are eligible. And usually it's a \$25,000 grant. They have to put a grant application together. They have to tell us how they're going to use the money to combat terrorism. What's their goals, what's their objectives? And how they're going to use this. Basically, most of this is to prevent something from happening. So, they can use this for supplies, they can use it for training, equipment.

Mr. Brenner asked Ms. Wyatt if the LEPC's were working with her to update their information and she confirmed they were.

**A MOTION WAS MADE BY SUSAN CROWLEY TO APPROVE THE UNITED WE STAND GRANT APPLICATION WITH THE CONTINGENCIES LISTED. THIS MOTION WAS SECONDED BY MR. SANTOS. THE MOTION PASSED UNANIMOUSLY.**

## **3. REVIEW OF FY2019 HMEP MID-CYCLE GRANT APPLICATIONS BY LEPC'S AND STATE AGENCIES**

Mr. Brenner explained that HMEP is Hazardous Materials Emergency Planning grant. Funding is from USDOT planning. It can be used for planning and training. There's a catalogue that they put together, that can kind of help us identify where we can use it for planning purposes or training purposes.

**A MOTION WAS MADE BY CHIEF CHAMBERS TO APPROVE THE FY2019 HMEP MID-CYCLE GRANT APPLICATIONS BY LEPC'S AND STATE AGENCIES WITH THE CONTINGENCIES LISTED. THIS MOTION WAS SECONDED BY MS. CROWLEY. THE MOTION PASSED UNANIMOUSLY.**

## **11. REVIEW OF COMPLIANCE AND APPLICATION BY SERC STAFF**

Mr. Brenner stated they are getting many complaints about the length of meetings. Participants are going through grant packages. And the planning and training committee is another process where you have to go through each of the plans and review them. There's discussion about SERC staff taking over this review. Mr. Brenner went on to say:

“Our partnership with industry has helped the Nevada SERC get funding from industry. We have a unique SERC. You just don't see this anywhere else in the country where we are giving out grant dollars to LEPC's to help first responders.

It's important that industry gets to see these things happening. And I think that's why the system was built in the past, for them to be involved. So, I just wanted to have this discussion with SERC Commissioners and the public on where we want to go with this. Because I think it's important. Because as Caleb starts developing the NRS's of where we go, we have a lot of this information within our NRS's with our subcommittees and if we are going to make changes, this is the time to do it.

## **12. EXECUTIVE REPORT**

Ms. Wyatt reported the grant change requests for all the grants that had to be changed, that had to be received from the LEPC's in order to get the applications approved. The HMEP mid cycle is completely done and there weren't any changes except they lowered an amount from \$14,765 down to \$11,468.80 for the State Fire Marshal.

In regard to Fiscal 19 HMEP there were no administrative notes, nothing needs to be changed, and there were no amendments or additional information that were needed on those. This is all posted on the FTP website.

The only notes that were needed was for Esmerelda County. They had to take off the tires that they were trying to purchase. They did send the amendment without the tires on it and it was approved. And then for the State Fire Marshal, they had to put more goals and objectives to be updated to refer to HAZMAT. They did revise it and it was approved. Carson City needed their plan and training exercise approved, and it was approved this morning. White Pines and Carson City are both in compliance. Ms. Wyatt got all of the grant awards out to all the counties, along with the letter. And then the last one was the United We Stand Fiscal Year 19. Carson City was waiting for their plans to be approved and

they were. Churchill County needed amended objectives and homeland security priorities, which was done. Esmerelda County needed explanation on the goals and objectives and they also need to insert combat terrorism within the wording. They did an amendment and it was received and it was approved. Lincoln County needed to tie in paragraphs with the homeland security priorities and to identify at least one of the priorities for the Homeland Security. They did submit and it was approved. Nye County needed more work to be added to their homeland security priorities. Additional wording was provided and it was approved. Storey County needed to reduce the \$30,000 that they asked for down to \$25,000. They did do that and they submitted it with all the correct signatures and everything and that was approved. The Office of Traffic Safety grant was upped from \$11,937.05 up to \$25,000. They're still working on revising the whole grant so that they can get the \$25,000.

Mr. Brenner asked if any LEPC's had to change anything on their grants? Ms. Wyatt said there was only one change, in the quantity of items being purchased. There was no money amount change.

Mr. Brenner then asked if the LEPC's were meeting on a regular basis and submitting their meeting minutes like they were supposed to? Ms. Wyatt said they were, 100%.

Mr. Brenner asked about the on-site grant monitoring. How was it going? Ms. Wyatt responded that she and Christina did get to all 17 counties within the last four months. They wrote a report and attached the findings to it. There's an itinerary to monitor sites' results with all the counties put together.

Mr. Brenner asked if there were any questions or comments, and there were none.

### **13. PUBLIC COMMENT**

Eric Santos asked what is the process for Commissioners to join an existing committee? Ms. Wilson responded that individuals could express their interest and as long as there's an opening on that committee, then they would be presented to the SERC committee during the meeting. There are no special forms or requirements.

Ms. Crowley, SERC Commissioner, thought it might be appropriate for SERC to consider raising the United We Stand grant amount because that

fund is flush and they want to make sure they get it out to people. She wondered if they could send this to the funding committee to take a look at and see what they think or maybe just ask staff to come back with a recommendation.

Mr. Brenner reminded the Commissioners that in the past they used to actually have up to \$30,000. Then the funds got swept by the Governor when Nevada had their financial crisis. So they've been working to get that back up. So it's definitely something to see if that can get that done for the next year for Untied We Stand.

Chief Chambers added, "One thing we are doing with the revision of the International Fire Code too is it has been years and years since any fees have been looked upon being increased on the 60/90 split as we see things increase in regards to training requirements, training funding, training elements that we would have to train firefighters throughout the state. I'm looking at increasing our responded to fees on the 60/90 split. Up to a hundred dollars. To look at what we're seeing impact on the cost of training and hopefully be in line with the increased monies that we see with this. Based upon how it's laid out in statute, I cannot go anywhere near the SERC monies, but something to think about as we're moving forward. I wanted to bring this up to the Commission. Is there - is there an appetite to potentially look at that? Or the SERC monies that would fall into contingency fund as well? To help with the training and support of counties and entities that would be submitting? I can only touch the State Fire Marshal portion, but I wanted to let everybody know where we're going on this."

Mr. Brenner clarified it's basically \$150 that industry pays for the HAZMAT permit. That's what we're talking about, the 60/90. The Fire Marshal's Office gets sixty and that sixty goes into a special fund where they use that for providing training for first responders. And then 90 goes to the contingency fund.

Mr. Brenner asked if there were any further questions or comments, and there were none. He asked for a motion to adjourn.

#### **14. ADJOURNMENT**

**A MOTION WAS MADE BY CHIEF CAGE TO ADJOURN THE MEETING. THIS MOTION WAS SECONDED BY MS. CROWLEY. THE MOTION PASSED UNANIMOUSLY.**