

Minutes
Nevada State Emergency Response Commission (SERC)

Second Quarterly Meeting

Thursday, April 14, 2022 at 9:00am

1. CALL TO ORDER

Richard Brenner called the meeting to order at 9:06am.

2. ROLL CALL, CONFIRM QUORUM, AND INTRODUCTIONS

Role was taken of members and a quorum was present.

Members Present:

Carolyn Levering
Danny Brennen
David Sellen
Debra Dailey
Dennis Nolan, Co-Chair
Eric Santos
James Clay Madsen
Jon Bakkedahl
Karen Luna
Kimberly Ferguson
Lance Chantler
Michael Mallner
Richard Brenner, Co-Chair
Susan Crowley
"TJ" Monteviest Qualls

Nathan Hastings, DAG
Tami Beauregard, SERC Administrator

Guests:

Jeanette Belz, Belz & Case Government Affairs
Billy Samuels, Clark County
Jack Snyder, Elko County

Local LEPC Members Present:

Lara Mather – Storey County
Honey Tapley – Storey County
Joyce Jeppesen – Eureka County
Carol Lynn – Humboldt County
MeShell Young – Lander County
Jason Danen – Carson City
Andria Webster – Clark County
Patricia Brownfield – Esmeralda County
Eric Holt – Lincoln County
Patrick Lazenby – Nye County
Kelly Echeverria – Washoe County
Karen Taylor – Clark County
Carlito Rayos – Clark County

Federal / State Agencies:

William Gardner, NV OSHA

3. PUBLIC COMMENT

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

4. APPROVAL OF JANUARY 13, 2022 MEETING MINUTES

Dennis Nolan made a motion to approve the January 13, 2022 SERC First Quarterly Meeting minutes. David Sellen seconded the motion which was approved unanimously.

5. NEW COMMISSION MEMBERS AND STANDING COMMITTEE UPDATES

a. SERC Commissioners

Tami Beauregard advised she reached out to the Board and Commissions and an email was received noting the Governor has not made a final decision on the State Emergency Response Commission and when an appointment is made, the SERC will be notified.

b. Committee Membership

Ms. Beauregard noted Carlito Rayos asked if Andria Webster could be added to the Funding Committee. Ms. Beauregard asked Mr. Brenner, as acting Chair of the Funding Committee, if he would like to nominate Ms. Webster to the Committee. Mr. Brenner advised at this time he would not like to add any additional members to the Committee.

Billy Samuels clarified that Mr. Rayos would be taken of the Funding Committee and then Ms. Webster could be added.

Mr. Brenner stated he fully supports removing Mr. Rayos and adding Ms. Webster to the Funding Committee. Mr. Nolan stated he has no problem with this.

6. LOCAL EMERGENCY PLANNING COMMITTEE (LEPC) UPDATES

Clark County – Mr. Samuels advised the LEPC is looking to be in compliance with their quarterly meeting minutes. Mr. Samuels added there are now quadrants for the hazardous material sections with the responding jurisdictions having more communication, training and a name to go along with the people.

Elko County – Jack Snyder advised all of the LEPC deficiencies have been submitted for re-approval. Mr. Snyder added the annual airport tabletop exercise has just been completed and it went very well.

Esmeralda County – Patricia Brownfield advised the LEPC deficiencies have been corrected and turned in along with the required financial reports. Ms. Brownfield added they are working on setting up their exercise and recruiting new and replacing other members to stay on track with the requirements.

Eureka County – Joyce Jeppesen noted they have had two quarterly meetings and corrected the LEPC deficiencies identified by the Bylaws Committee. Ms. Jeppesen added at the next LEPC meeting they will discuss expanding the training exercise turned in this year to be an onsite exercise.

Humboldt County – Carol Lynn noted at the LEPCs next meeting the updated Bylaws will be approved. Ms. Lynn added they are in the planning stages of an exercise with Cyanco which will be held on June 19th and will be a full-scale exercise.

Lander County – MeShell Young noted the LEPC continues to update their Emergency Operation Plan and meet monthly in person. Ms. Young added a tabletop exercise is planned for the first meeting in May and a full-scale exercise will be held in Austin.

Lincoln County – Eric Holt stated he is stepping in for Derek Bowman today. Mr. Holt noted the LEPC held a meeting in March with good attendance. Mr. Holt also noted the Community Response Team Training was held which is something new they are developing – a Crisis Response Team. Mr. Holt added there was a twelve vehicle accident due to a dust storm, but otherwise things are good in Lincoln County.

Nye County – Patrick Lazenby noted it is good to be back in compliance. Mr. Lazenby added the LEPC's last meeting was in February and the next meeting will be in May and they are in the very beginning stages of planning an exercise.

Storey County – Lara Mather stated the LEPC had their quarterly meeting yesterday with thirty members attending and added they are on the road to getting more involvement, participation and engagement in the LEPC. Ms. Mather noted there were three presenters during the meeting from organizations that are typically competitors showing how these organizations can work together to be prepared for emergencies and put their proprietary issues and competitiveness aside to work together through an emergency.

Washoe County – Kelly Echeverria noted there was an incident out by Gerlach that was handled quickly by Fire and Environmental Washoe County Health District. Ms. Echeverria added based on SERC's staff reporting every county being out of compliance with their Bylaws she believes this to be a result of staff's misunderstanding. Ms. Echeverria noted she requested NRS's and federal laws to be provided, and they were, sort of, but at no point did the documents state certain items are required to be in the Bylaws. Ms. Echeverria added the District Attorney was looped into the conversation and they are open to discussion with the SERC specifically providing where the LEPCs are required by law to make the requested changes. Mr. Brenner stated the Bylaws issue will be discussed later in the agenda.

Tribal – Lance Chantler noted he has met with the new Nevada Tribal Emergency Coordinating Council (NTECC) employee Josie Burnett, there are a couple new NTECC employees and nothing else to report.

7. NON-STATE AGENCY UPDATES

a. U.S. Environmental Protection Agency (EPA)

1. Update of AWIA Workshop – Richard Brenner

Mr. Brenner stated there was a workshop that EPA put on about the American Water Infrastructure Act (AWIA) and the law basically states EPCRA is required to notify and give information to the water authorities. Mr. Brenner added the workshop was very engaging and the majority of Region 9 was well represented. Mr. Brenner also noted the notification system was talked about with the members from Nevada and SERC will be working with Nevada Department of Environmental Protection Agency (NDEP) to fine tune the process to give them better access to the database information.

b. Federal Emergency Management Agency (FEMA) – Mark Shugart

Mark Shugart noted the opportunity for the Emergency Management Performance grants dropped and the sum is probably the largest in several decades with FEMA and State staff working together on workshops to get the information to the subrecipients of the local level. Mr. Shugart added FEMA has one person remaining in the state with regards to COVID operations.

8. STATE AGENCY UPDATES

a. Nevada Highway Patrol Division (NHP) – Sgt. Clay Madsen

Ms. Beauregard stated Sgt. Madsen sent a comment noting NHP has nothing to report, and he apologizes as he lost his voice this week.

b. Nevada State Fire Marshal Division (SFM) – Danny Brennan

Danny Brennan stated the Fire Marshal, himself, has nothing to add to today's meeting. Mr. Brenner noted there are several trainings that are going to be offered between April and June, consisting of State Proctor Evaluator Class, a New Fire Chief Challenging Issues class, First Responders Fire Investigation course, Youth Fire Setters Intervention Specialist class, Fire One course, Fire Officer One course, Firefighting for Structural Company Office class, Fire Service Instructor One course and NSFA Conference Live Fire training.

- c. Nevada Division of Environmental Protection (NDEP) – Kelly Thomas

Mr. Brenner noted Kelly Thomas is in training and asked him to give a report. Mr. Brenner stated the report from Mr. Kelly is the Chemical Accident Prevention Program (CAPP) has twelve active pending permits, which is a substantial amount, and they have a new facility that was just permitted called Nevada Emulsion Plant in Carlin which is basically making blasting agents.

- d. Nevada Division of Industrial Relations, OSHA Unit – William Gardner

William Gardner stated over the next quarter, Nevada OSHA will be enhancing their construction inspection emphasis as another worker died in a trench collapse. Mr. Gardner added to kick this off they will be conducting outreach with the larger projects over the next three to four months.

- e. Nevada Division of Emergency Management & Nevada Radiation Control Program – Jon Bakkedahl

Mr. Samuels advised he has Jon Bakkedahl on speakerphone because his mic is not working. Mr. Bakkedahl added he has been in attendance the whole time.

Mr. Bakkedahl reported calibrations are continuing with Western Nevada completed, Eastern Nevada will be next and Southern Nevada to follow later. Mr. Bakkedahl added they completed a full-scale exercise in Washoe County and all three days had a radiological component.

Mr. Bakkedahl noted Mr. Shugart, FEMA was with him, and Mr. Shugart would like to give his report.

9. SERC COMMITTEE REPORTS

- a. **PLANNING AND TRAINING SUBCOMMITTEE**

Kimberly Ferguson stated the Planning and Training Subcommittee met three times and asked Ms. Beauregard to provide an update on the LEPCs that were not able to meet compliance.

Ms. Beauregard shared the Planning and Training Subcommittee deficiency list on her screen and reviewed the LEPCs, noting Lyon County and Mineral County are currently not in compliance.

- b. **BYLAWS COMMITTEE**

Mr. Sellen stated the Committee reviewed the LEPC Bylaws and noted any deficiencies which are submitted for review today. Mr. Sellen commented on Ms. Echeverria's statement with regards to the Washoe County LEPCs Bylaws and agreed with Mr. Brenner that our lawyer can talk to their lawyer.

Mr. Brenner asked Ms. Beauregard to review the deficiency list from the Bylaws Committee meeting. Mr. Brenner questioned what was requested of Washoe County LEPC with regards to their Bylaws deficiencies. Ms. Beauregard stated they were requested to include a section on the public being able to review their hazmat plan, a section explaining where and when the public can review the hazmat plan and a section on the dissolution of the LEPC.

Nathan Hastings asked that the Washoe County counsel send him an email with what the concerns are and the legal interpretation you are making, and he will take a look at it.

c. FUNDING COMMITTEE

1. REVIEW OF SERC OPTE GRANT APPLICATIONS

Mr. Brenner asked Ms. Beauregard to bring up the OPTE grant spreadsheet on her screen.

Ms. Beauregard advised the Funding Committee requested the two LEPCs who did not turn the grant application in by the due date to provide an explanation to the SERC. Ms. Beauregard stated the responses had been received.

Ms. Brownfield, Esmeralda County stated she believed she sent the application on March 23rd but realized on the morning of the 24th that she had not, then sent it right away. Ms. Brownfield added her only excuse is she got too busy and didn't get it done.

Ms. Beauregard shared the email from Washoe County showing the email when they submitted the application on the 23rd. Ms. Echeverria added their firewall sometimes blocks the emails to the State and they have to use their Gmail account to circumvent the firewall.

Ms. Beauregard stated the question from the Funding Committee to the SERC is are the two grant applications able to be reviewed.

Discussion ensued with regards to past practices, policy and documents received by the LEPCs explaining the late submittal of the grant application with the consensus being to accept the two grant applications.

Ms. Beauregard then reviewed the OPTE grant spreadsheet noting any deficiencies.

Ms. Mather asked if a universal answer to the Bylaws question could be given at this time. Mr. Hastings advised the Commission to have the motion for approval include any contingencies.

Mr. Sellen made a motion to approve the Funding Committee's recommendations contingent on the Bylaws decision. Karen Luna seconded the motion which was approved unanimously.

2. REVIEW OF HMEP MID-CYCLE GRANT APPLICATION

Mr. Brenner advised Clark County submitted two mid-cycle grant applications one for FireShowsWest and one for CHEMTREC, which were approved by the Funding Committee.

D. LEGISLATIVE COMMITTEE

Mr. Nolan stated a Legislative Committee will be having a meeting the following week if any Commissioner would like to present any additional ideas over and above what has been handed out for this meeting to forward those to Ms. Beauregard for the Legislative Committee to review.

10. REVIEW OF THE FEDERAL FISCAL YEARS 2023 - 2026 APPLICATION TO THE U.S. DEPARTMENT OF TRANSPORTATION (USDOT) FOR THE HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS (HMEP)

Ms. Beauregard reviewed the grant document and allocation memo from HMEP handed out for the meeting. Ms. Beauregard added the requested amount from the LEPCs is over the allotted dollar amount provided in the email from HMEP and some activities will need to be taken out or dollar amounts lowered. Ms. Beauregard read the HMEP priorities to the Commission, to help in the decision making. Ms. Beauregard gave a synopsis of how the activities from the LEPCs were provided.

Discussion ensued with how the Commission will tackle the job of getting the overall dollar amount lowered for the application to be submitted.

Eric Santos made a motion for the SERC staff to work with the Co-Chairs to finalize the HMEP grant application for fiscal year 2023 – 2026. Lance Chantler seconded the motion which was approved unanimously.

11. ADMINISTRATIVE REPORT

a. Status of filling the position of SERC Assistant

Ms. Beauregard advised she started with ninety-two names, sent out fifty-five emails, eleven agreed to do interviews and four were interviewed. Ms. Beauregard added she offered the position to one of the applicants and she accepted. Ms. Beauregard noted she has started filling out the background investigation packet and will hopefully start in July.

12. PUBLIC COMMENT

Mr. Brenner called for public comment.

Karen Taylor asked when the SERC United We Stand grant application will be on the SERC website. Ms. Beauregard advised she will try and have the application on the website the following week.

Mr. Rayos asked if Clark County could make reductions to their HMEP three-year grant request by using some of the HMEP funds right now. Ms. Beauregard noted the Mid-Cycle Grant Applications are on the SERC website and will be available until further notice and can be submitted at any time. Mr. Rayos stated they will look at the HMEP items and see what they can pull off.

13. ADJOURNMENT

Debra Dailey made a motion to adjourn the meeting at 11:16am. Mr. Sellen seconded the motion which was approved unanimously.