



## Nebraska State Emergency Response Commission (SERC)

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January 05, 2016  
 Nebraska Emergency Management Agency  
 Joint Force Headquarters  
 2433 NW 24th  
 Lincoln, Nebraska  
 1:00 PM CST

### I. Call to Order, Introduction of Members

A copy of the Nebraska Open Meeting Statute was available for review on the registration table.

John Grimes, Chair, called the meeting to order at 1:02 PM.

Member		Affiliation	Present
Sheri	Blaha	County Elected Official	X
Steven	Danon	Small Business	X
Keith	Deiml	Education	X
Don	Eisenhauer	Agribusiness	
Joe	Francis	Department of Environmental Quality	X
Polly	Jordening	Labor	X
Rick	Grauerholz	City Government	X
John	Grimes	Chair, Industry	X
Jim	Heine	State Fire Marshal	X
Tim	Hofbauer	Vice Chair, Local Emergency Management	X
Larry	Johnson	Trucking Association	
Mark	Lohnes	NDEQ SARA Title III	X
Judd	Lyons	ARNG	
Mark	Maday	Transportation	
Sharon	Medcalf	Community Health	X
Dana	Miller	Fire	X
Tonya	Ngotel	SERC Coordinator	X
Kimberly	Plouzek	Environmental Protection	X
Tom	Sands	Department of Roads	X
Thomas	Schwarten	State Patrol	X
Sue	Semerena	Health and Human Services	X
Jessica	Sherwood	NDOR Alt	
Bryan	Tuma	NE Emergency Management	X

*Others in attendance: Mark DeKraai, Nikki Weber, Jon Schwarz, Mark Meints, James Paul, Terri Blunk, Matthew Jones, Carla Shephard, Scott Hayes and Quinn Lewandowski*

### II. Approval of the agenda for January 05, 2016

Tom Schwarten made a motion to approve agenda with the HMEP Grant Presentation moved before the New Business agenda item. Tom Sands seconded this motion. The motion passed by unanimous acclamation vote.

**III. Approval of the minutes** from the October 06, 2015 meeting.  
Joe Francis made a motion to approve the meeting minutes from the Oct. 6, 2015 meeting. Jim Heine seconded this motion; motion passed by consensus.

**IV. Public Forum / Presentation (Part 1)**

**HMEP Grant – Mathew Jones, USDOT/PHMSA HMEP Team Lead – *invited***

There are three major changes that are taking place in 2016 with the HMEP grant program:

- a. FAST ACT reauthorization** – The biggest change is the merging of planning and training grants into one. The 5116a and 5116b are now under planning and training grants, which removes the need to report the planning and training separately. Now looked at as overall preparedness grants that encompass planning and training. Elimination of the 75% pass through for LEPCs requirements for planning and training as well as on the training side 75% had to be made available for the training up public sector employees. With the reauthorization, PHMSA is still going to maintain a 75% programmatic requirement, where 75% of the grant has to go to developing plans, exercises, training, etc. While the remaining 25% will go to travel, supplies, indirect costs, fringe benefits, management, etc.
- b. 3 year grant year period of performance** –By extending the grant year period, they look to lower administrative burden, and allow grantees more time to accomplish the objectives of the grant. First year of the grant application should be very detailed, and in year two and three grantees will submit continuing application, updated program narratives. Year two and three are more of progress reports. More information will be made available through upcoming webinars and the funding announcement
- c. Now using an updated formula application** – With the new formula, it focuses on the fact that the HMEP grants are intended to prepare responders and agencies to mitigate the negative impacts associated with HM transport incidents. The new formula should allocate funds in proportion to the potential risk of HM incidents occurring in a given state, territory or tribal land as well as the estimated costs for potential HM incidents. The new formula closely tracks risk of HM incidents in States. It includes information on multiple modes: highway, water, air, and rail and accounts for severity of incidents. It uses data that can be updated, and is flexible to allow for other information, such as current commodity flow studies when they become available.

The new formula does not include data on territories and tribes. Territories will retain their FY15 allocations until additional risk related data become available. Federally recognized tribes will compete for 3.5% of the available HMEP funds. Applying the risk based formula without programmatic concerns built in, such as deobligation rates and the need to provide some level of funding to every state regardless of risk, would provide vast increases to some grantees (one grantee would receive over 2 million dollars) and extreme decreases to other states (some states would receive less than 100,000). To smooth the effects of the formula, PHMSA is establishing a 25% base and a \$1.5M cap.

On February 1<sup>st</sup>, 2016 the funding announcement will be published. Applications will be due on May 2<sup>nd</sup>, 2016. Important things to consider:

1. Determine and Plan for the needs of the state for the next three years.
2. Make sure the grant is within that 25% administrative pass through.
3. All states are going to have 90 days to complete the application. Encouraging states to start the application process early since the first year application requires more detail than in the past. With the longer 90 day application period they are hoping to have all planned activities in the grant to review.

## V. New Business

**a. Review of the Nebraska Safety Council Conference** – John Grimes & Steve Danon represented the SERC by hosting a booth at the two day workshop for safety professionals from all over the state.

### **b. LEPC Survey**

The Survey was conducted between August and December 2015. There were 129 participants who started the survey and 94 participants who completed the survey. The largest single group of participants consisted of emergency managers. Most were LEPC members. Participants represented 42 counties plus the Southwest LEPC which includes four additional counties. Large parts of north central and western Nebraska were under-represented on the survey. There will likely be another survey blast to the non-responding counties.

Highlights of the findings:

- **Reasons for No LEPC** - Lack of people willing to be members, public apathy, Lack of involvement form regulated. Poor state support was not identified as one of the main factors.
- **Areas of Successful LEPC Performance** – Effective Tier II reporting, effective bylaws, effective leadership, and an updated and effective plan.
- **The Following Factors were Identified as Important to the Success of LEPCs:** Effective and knowledgeable leadership; efforts of one key individual; teamwork/knowing all the players/representation of industry and responders; regularly scheduled meetings; effective training and exercises; special events such as Hazmat night out/clean-ups/site visits; and bringing on new members
- **Areas That Would Make LEPCs More Successful** – Additional funding, more interaction with SERC, more interaction with other LEPCs, closer alignment with groups such as Citizen Corps, and technical assistance.
- **Common Activities/Components of LEPCs** – Have a chair person, have procedures such as bylaws, have a coordinator of information, give public notice of meetings, review/update Local Emergency Operations Plan (LEOP) at least annually, and prepare and submit annual report.

## **VI. Old Business**

### **a. LEPC Membership Approval (Vote)**

Sixteen new applications for membership were received. Tim Hofbauer made a motion to approve all applications for membership. Tom Sands seconded this motion; motion passed by consensus.

### **b. SERC Membership**

#### **i. Status Report**

1. All seats upon the SERC board are filled.

### **c. 2016 Nebraska SERC Retreat/LEPC Conference/Hazmat Symposium/Challenge**

The 2016 Nebraska SERC Retreat, LEPC Conference, Hazmat Symposium, and Hazmat Challenge will be combined into a three day event that will be held in Kearney, NE on April 14<sup>th</sup>- 16<sup>th</sup>. The SERC Retreat will take place on Thursday the 15<sup>th</sup>, the LEPC Conference will take place Friday the 15<sup>th</sup>, the Hazmat Symposium will also take place on Friday the 15<sup>th</sup>, and the Hazmat challenge will be held the morning of the 16<sup>th</sup>. The training component will be hosted at the Kearney Fire Department Training Center.

### **d. SERC Strategic Plan Review and Update**

Four Strategies

1. Survey – No further updates.
2. Examine methods for LEPC reporting/financing – No Updates.
3. Speaker's Bureau – Continuing to host booths, give presentations, talk to other conferences, and attending different conferences.
4. Commodity Flow Study
  - a. Winnebago Tribe Commodity Flow Study – No update
  - b. State Specific Commodity Flow Study – Met and developed a strategy to utilize the information.

### **e. Emergency Order – Bakken Crude Oil Transport**

Currently about zero to three trains transporting crude oil through Nebraska at any time. Transport has been minimal to what it was last year when seven to fourteen trains were transporting crude oil through Nebraska at any time.

## **VII. Report from NEMA**

**a.** TERREX 2015 exercise focused on Bakken Crude Oil transport/shipment was held. After action report from the exercise will be distributed soon. Winnebago was very vocal of participation with NEMA. EM 101 training in Winnebago will be held in the near future. Homeland Security grant and Emergency Management Performance grant have been refunded by Congress passing a budget. There is more money allocated to those two grants, but the grand guidance will be forthcoming.

**b.** There is currently a struggle with the situational awareness across NE. A strong need for a centralized entity to handle information and situation awareness all across the state. The concept of setting up a watch center to better keep the state up to date on situation awareness is being examined. The concept of the watch center will be explained, and information will be gathered on what goes on in the State of Nebraska internally that can be of assistance and a resource tool. Exploration of the concepts and development of some products and services

that would go with the watch center will be very useful especially for the emergency management side of the things.

- c. Tonya is currently working with NEMA attorneys to redo and renew MOU agreements on the HazMat response side of things. Also in 2016, implementation of typing HazMat units throughout the state will commence. It will identify all the HazMat teams as levels I, II, or III; with level III being a unit that meets the basic agreed upon requirement.

#### **VIII. Report from NDEQ**

- a. Participated in the Cooper evaluated exercises. There are currently changes going on internally. The Deputy Director of the Air, Land, and Water has retired. There will be an Air and Land Division headed by one deputy director, and one deputy director for the Water Division. Spills - No spills until 1/4/16. A potential mercury spill was reported in a home in Omaha. Upon investigation, mercury had been splattered on the floor as high as the 3<sup>rd</sup> level of the book shelf. Property owner will ultimately be responsible for the clean-up.
- b. Inspector training was held in Kansas City of Dec. 17<sup>th</sup>. Jim Heine put together a PowerPoint presentation on what to look for during inspections that reached a number of individuals from several divisions including: DHS/CFATS, DOT, OSHA, and EPA.

#### **IX. Report from EPA**

- a. **Branch Reorganization** – Reorganization is still ongoing, but Terri Blunk will continue to be the Nebraska State Coordinator for EPCRA and the Risk Management Program.
- b. **EPA Website in Transition** – EPA headquarters has initiated website restructuring to help with finding information faster and easier by taking advantage of new technologies and best web practices. The new website will be organized around environmental topics instead of organizational structure.
- c. **New OSHA Process Safety Management (PSM) Rule Affects Fertilizer Retailers** – OSHA has recently changed the requirements with the PSM Standard, which will require all fertilizer retailers to participate in the PSM program.
- d. **EPCRA (non313) Online Training Now Available for Tribal, State, and Local Emergency Planners** – An online training course is now available to help state, local, and tribal agencies know the requirements of EPCRA and their role and responsibilities prescribed in the law.
- e. **TRI Updates** – The new risk-screening environmental indicator (RSEI) data and the preliminary 2014 TRI dataset are now available.

#### **X. NDOR – Traffic Incident Management Conference(s)**

The program is a traffic incident management program. All the states have been challenged by federal highway administration to promote the program education on traffic incident management. Nebraska has trained 5,500 individuals in a year and a half. The program also incentivizes the program by equipping participating agencies with free safety devices if at least six individuals attend a training at one time.

The program helps educate on how quickly can we clean up an accident in a safe manner, while limiting the possibility of a vehicle striking a first responder. One of the lessons helps participants become familiar hazardous material and the emergency response guide. The program also utilizes the use of emergency response guide smart phone app. The program will host a train the trainer on 1/6 and 1/7, and later in 2016 at fire school in May. The program also makes departments aware of the MOU teams.

**XI. Adjournment**

Kim Plouzek made a motion to adjourn the meeting. Tom Sands seconded this motion. This meeting was adjourned at 2:28 PM.

The next meeting will be held on Thursday, April 14<sup>th</sup>, 2016 at 1:00 PM in Kearney, NE.