

SERC MEETING

January 6, 2015

Nebraska Educational Television (NET)

1800 North 33rd Street

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. Tim Hofbauer Hanson, Vice-Chair, called the meeting to order at 1:04 PM.

Member		Affiliation	Present
(empty)		City Government	
Sheri	Blaha	County Elected Official	X
Steven	Danon	Small Business	
Keith	Deiml	Education	
Don	Eisenhauer	Agribusiness	X
Joe	Francis	Department of Environmental Quality	
Gary	Gandara	Labor	
John	Grimes	Industry	X
Keith	Hansen	Chair, Community Health	
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	
Dana	Miller	Fire	X
Tonya	Ngotel	SERC Coordinator	
Kimberly	Plouzek	Environmental Protection	X
Tom	Sands	Department of Roads	
Thomas	Schwarten	State Patrol	X
Sue	Semerena	Health and Human Services	
Mark	Meints	NDOR Alt	X
Bryan	Tuma	NE Emergency Management	

Others in attendance: Terri Blunk, EPA Region 7; Mark DeKraai, Public Policy Center; Afua Kwarteng, NEMA; Dave Martak, DHS-CFATS FEMA; Fatima Ndiaye, EPA Region 7; Tom Smith, Hayley Sutter, Public Policy Center; Mark Lohnes, NDEQ; and Nikki Weber, NEMA.

II. Approval of the Agenda for January 6, 2015

Tom Schwarten made a motion to approve the agenda. Jim Heine seconded the motion; the motion passed by consensus.

III. Approval of the Minutes from October 7, 2014 meeting.

John Grimes made a motion to approve the meeting minutes from October 7, 2014. Kim Plouzek seconded this motion; the motion passed by consensus.

IV. New Business

a. Election of Officers

Kim Plouzek made a motion to nominate John Grimes as Chair of the SERC. Don Eisenhower seconded this motion; the motion passed by consensus. Kim Plouzek made a motion to elect Tim Hofbauer as Vice-Chair of the SERC. Jim Heine seconded this motion; the motion passed by consensus.

b. 2015 SERC Retreat Save the Date – April 7 & 8, North Platte

The SERC Retreat will begin the same schedule as years past. The Retreat will begin with a business meeting at 1:00 pm and will continue with planning activities in the afternoon. An event will be held on the evening of the 7th with the local Fire Department and LEPC. The Retreat will continue the morning of the 8th and will likely conclude in the early afternoon.

c. Hazmat Resource Typing Standards

Hazard Materials Technical Advising Committee (HMTAC) has been created and includes staff from NEMA, NHIT, the Public Health Lab, Nebraska Hazmat Association and two members from the HazMat teams. The committee met in December 2014 and developed a hazmat typing guide to assist in the typing of Nebraska's ten HazMat teams. Typing levels are Level I, Level II, and Level III. As of January 1, 2015, all Nebraska teams are at a Level III. Moving forward, all teams will be required to fill out a self-assessment and turn it into the HMTAC. The advisory committee will meet with each department and set typing standards based on information gathered.

V. Old Business

a. LEPC Membership Approval (Vote)

54 LEPCs have submitted applications. Kim Plouzek made a motion to approve the applications as presented. John Grimes seconded this motion; the motion passed by consensus.

b. SERC Membership Committee

i. Status Report

The City Elected Official position is currently open. Gary Gandara, Keith Deiml, and Kim Plouzek need to renew their membership this year.

c. 2015 Regional LEPC Conference

The Conference will be held on August 6-8 in Nebraska City at the Lied Lodge and Conference Center. Mike Callan, an international author on Hazmat, will be the keynote speaker. The SERC is sponsoring the lodging and registration cost for SERC members who attend. Nominations for outstanding LEPCs and industries should be sent to Tonya.

d. SERC Strategic Plan Review and Update

A hardcopy version of the LEPC guide has been created in which all pdfs are attached as appendices and all weblinks are provided. The hardcopy and electronic versions have been updated to ensure all links are correct. A one-page LEPC overview has also been created and is

geared more toward beginning LEPCs. Tim commented the one-page LEPC guide is an excellent document; Afua agreed. The one-pager can be put on the website along with the full LEPC guide. The Strategic Plan will be updated at the April meeting. Most action steps developed during the 2014 SERC Retreat surround the development of the LEPC guide and have been completed. One action step that has not been fully executed was to encourage LEPCs and state agencies to publish newsletters and websites. Items that were not accomplished in 2014 and new items to be addressed in the Strategic Plan should be considered before the SERC Retreat. Kim recommended Tim McDermond be invited to participate in the Strategic Planning process; the SERC recommended the North Platte LEPC also be invited to participate.

e. Emergency Order - Bakkan Crude Oil Transport

In June, the SERC received reports from BNSF that indicated one million gallons or more of Bakken crude oil travels through Nebraska along the eastern border. Union Pacific reported no trains meeting the threshold were being transported along their route in Nebraska. Further reports from BNSF indicated a change in the route and added an eastern route between the counties of Cass and Sarpy. Media requests for information have decreased; the last request was from the Nebraska Watchdog in December.

f. Other

No report.

VI. Report from NEMA

The FY2011 and FY2012 State Homeland Security grants (SHSG) closed last fall; each of the ten HazMat teams and the NHIT team received \$20,000. The ten HazMat teams and the NHIT team have begun a new fiscal year and each received \$20,000 for the recent SHSG. Funds are allocated for planning, exercising, training, equipment, and preparedness; some have used funds to host incident command courses, pay for back time pay, and send personnel to trainings around the state and country.

a. President's Task Force on Climate Preparedness

President's Task Force on Climate Preparedness is focusing on the Ogallala Aquifer. A plan has been developed to help mitigate issues should the water level in the aquifer drop significantly.

b. TERREX 2015 – Bakken Crude Oil Ex (Winnebago, Fremont & Tech)

The statewide exercise will be a series of tabletop exercises focused on Bakken Crude Oil; the exercises will be held in Winnebago, Fremont, and Lincoln. BNSF is doing a series of workshops along the railroad for first responders on safety and resources the railroad offers in the event of an incident. BNSF already conducted a workshop training for NEMA staff. The workshops will be conducted during August and September.

VII. Report from NDEQ/EPA

NDEQ - Facilities received their Tier II reminder postcards on January 2, 2015. The website has been updated to include all the federal requirements.

EPA – Terri will be on maternity leave through mid-April. Fatima Ndiaye will be available to answer any questions while Terri is on maternity leave; she can be reached at 913-551-7383. The NC K61.1 requirements for the safe storage and handling of anhydrous ammonia came out in late November and are now available. All facilities using anhydrous ammonia should be comparing their current processes

to the new standards. Information has been sent to all the Agricultural Associations in Region 7 and will be included in upcoming information releases.

VIII. Public Forum/Presentation

a. McCook Response – Badger Safe – 72nd CST 1SG Lucas Poppe

NEMA was notified of an incident where an item was found in an old safe in McCook. The local fire chief notified NEMA who deployed the CST team. The item was found to be a device that serves as an alarm system for the safe.

b. Department of Homeland Security Chemical Facility Anti-Terrorism Standards (CFATS)

In October 2006, Congress passed Section 550 of the DHS Appropriations Act of 2007, Pub. L. 109-295, authorizing and requiring the Department of Homeland Security (DHS) to regulate security at chemical facilities that DHS determines, in its discretion, are high-risk. To implement this authority, DHS issued the Chemical Facility Anti-Terrorism Standards regulation (CFATS) in 2007. Under CFATS, facilities that have been finally determined by DHS to be high-risk are required to develop and implement Site Security Plans (SSPs) or Alternative Security Programs (ASPs) that meet applicable risk-based performance standards (RBPS).

Facilities that are required to comply with at least some provisions of the CFATS regulation will largely fall into the following categories: Chemical manufacturing, storage, and distribution; Energy and Utilities; Agriculture and Food; Paints and Coatings; Explosives; Mining; Electronics; Plastics; Universities and Research; Institutions; and Healthcare and Pharmaceuticals. Nebraska currently has 15 facilities that are regulated and 10 facilities that are pending.

CFATS is a risk-based performance program that sets the standards for security at the Nation's highest risk chemical facilities.

- High-risk facilities contain Chemicals of Interest (COI) that give rise to one or more security issues to include: release of toxic chemicals, theft or diversion of chemicals, and chemicals that can be used for sabotage or contamination.
- CFATS-covered facilities are required to have a Site Security Plan that addresses risk-based performance standards (RBPS).

Appendix A to the CFATS Interim Final Rule contains DHS's COI that give rise to one or more security issues, namely: release, theft/diversion, and sabotage/contamination. Under the CFATS rule, if a facility possesses an Appendix A COI at or above the applicable Screening Threshold Quantity (STQ), the facility must complete and submit a Top-Screen to DHS within 60 calendar days of coming into possession of the COI.

Consistent with Section 550, the CFATS regulation follows a risk-based approach that allows DHS to focus its resources on high-risk chemical facilities in accordance with their specific level of risk. First, DHS will examine facility information submitted through the Top-Screen. After analyzing Top-Screen data from facilities, DHS will preliminarily assign high-risk facilities to one of four risk-based tiers. High-risk facilities will receive their final risk-based tiering assignments after DHS reviews their SVAs.

The Department will inspect high-risk chemical facilities at regular intervals with higher tiered facilities being inspected first and more frequently.

The Department may also inspect a high-risk facility at any time based on new information or security concerns. A minimum of 24 hours advance notice typically will be provided to facilities unless specific security concerns demand immediate attention.

DHS staffs that will conduct inspections have completed a rigorous training program, incorporating both classroom and on-site facility instruction by experts in chemistry, emergency response, terrorism, and industrial security.

IX. Adjournment

Next meeting is April 7, 2015 at 1:00pm in North Platte, Nebraska.