

SERC MEETING
February 26, 2020
DHSEM

I. Call to Order, Introduction of Members congratulations

- Acting Secretary Kelly Hamilton called the meeting to order at 9:10 a.m.
- Roll was called followed by introduction of members.
- Meeting was held at NMDHSEM.

Last	First	Organization	Phone	Email
Blackwell	Wendy	Preparedness Bureau Chief	505-476-9676	Wendy.Blackwell@state.nm.us
Fitzherbert	Ronald	Think CSE	575-496-6271	ron@thinkcse.org
Hamilton	Kelly	DHSEM/Acting Cabinet Secretary	505-476-0868	kelly.hamilton@state.nm.us
Holmes	Cynthia.	Training and Exercise	505-476-9607	Cynthia.Holmes2@state.nm.us
Jolly	Julie	DHSEM/SERC Coordinator	508-476-0617	julie.jolly@state.nm.us
Kraemer	Janine	NMED	505-476-4372	Janine.kraemer@state.nm.us
Ripley	Matt	U.S. Department of Transportation / Pipeline and Hazardous Materials Safety Administration	NA	matt.ripley@dot.gov
Rowley	Mark	NMSP	505-660-5441	Mark.rowley@state.nm.us
Rucker	Tay	U.S. Department of Transportation / Pipeline and Hazardous Materials Safety Administration	NA	Walter.Rucker@dot.gov
Simeone	Brian	DHSEM/WIPP Coordinator	505-660-9717	Brian.Simeone@state.nm.us

II. Approval of Minutes from October 23, 2019.

- Acting Secretary Kelly Hamilton motioned to approve previous minutes from October 23, 2019.
- Mark Rowley Moved for approval and it was seconded by Janine Kraemer and was approved by vote.

III. Administrative Items

- Acting Secretary Kelly Hamilton established that we had a quorum and asked Julie Jolly if there were any administrative items before starting. Brian Simeone stated that we have two speakers from the DOT PHMSA. Julie Jolly stated that their names were Tay Rucker and Matt Ripley.

IV. New Business

- Acting Secretary Hamilton asked Julie Jolly to report out on the requested changes to the HMER plan.
- Julie Jolly stated that the changes were highlighted from the Hazardous Materials Safety Board meeting and a copy would be sent to Matthew Stackpole, DHSEM

General Counsel, for the legal review. Julie Jolly briefly reviewed the changes made at the Hazardous Materials Safety Board.

- Acting Secretary Hamilton asked if this was the latest update. Julie Jolly stated that it is the latest and it is reviewed annually.
- Brian Simeone stated that the HMER plan is still part of the New Mexico Administrative Code (NMAC). He further stated that the NMAC might have to be updated or stricken.
- Mark Rowley recommended adding State 64th Civil Support Team (CST) to Appendix C.
- Mark Rowley discussed removing the Orphan Fund from the HMER plan. He stated that the statute would have to be rescinded, before it could be removed from the HMER Plan.
- Acting Secretary Hamilton said it would be added to the legislation list for next year.
- Acting Secretary Hamilton asked if there was a motion for Julie Jolly to research who the intended audience of the HMER Plan should be.
- Julie Jolly said the no motion was necessary and that it should just be an Action Item to research the intended audience of the HMER Plan. Acting Secretary Hamilton agreed.
- Tay Rucker and Matt Ripley of the U.S. Department of Transportation / PHMSA gave a presentation of who PHMSA is and about a potential New Mexico Pipeline Emergency Responder Initiatives (PERI). The goal of this presentation was to discuss the PERI concept and create a steering committee consisting of representatives from public safety, damage prevention, emergency management, law enforcement, and industry in order to guide the implementation.
- Julie Jolly gave an update on the 2019 / 2020 / 2021 Hazardous Materials Emergency Preparedness Grant (HMEP) Grant.
- Brian Simeone explained that the Grant originates with the U.S. Department of Transportation / PHMSA and that it is an 80/20 grant. \$204,000.84 is the total federal portion of the HMEP grant for this next year. Brian Simeone further explained that online HMEP training was offered in January and that four applicants were chosen for this year. Brian Simeone explained the selection process.
- Julie Jolly reviewed the current Tier II status. Julie Jolly stated that the reporting period was not over until 1 March 2020 and that the total amount of fees was unknown until then.
- Julie Jolly stated that there is no fee schedule for the collecting of late fees.
- Julie Jolly asked the SERC about using the State Fire Marshal to aid in finding who should be reporting Tier IIs.
- Acting Secretary Hamilton asked that we make talking to the Fire Marshal an action item.
- Julie Jolly asked if there is a way that people could pay their Tier II fees electronically.
- Ron Spilman, DHSEM CFO, said he wasn't sure about PayPal and that there are special requirements that must be met before we would be allowed to except credit cards. Ron Spilman also stated that the state uses Risk Sense in order to

receive electronic payments and that there is financial or ‘buy in’ hurdle to be met before we would be allowed to use the service.

- Ron Spilman stated that we might be able to take ACH or an electronic funds transfer.
- Wendy Blackwell asked if there was anything related to the Tier II fees that needed to be discussed in the 2021 State Legislative Session.
- Brian Simeone discussed raising the Tier II fees. Brian Simeone stated that the statute would require change in order to raise the fees.
- Wendy Blackwell stated that additional funding would help to cover the price of a commercial Tier II processing software package.
- Acting Secretary Hamilton asked Julie Jolly to review the SERC membership requirements and what is required by the statute.
 - Julie Jolly stated that the “State Emergency Response Commission” consists of seven members who are qualified voters of the state of New Mexico. All members are appointed by the governor. Among the members appointed, there are representatives of private industry, federal facilities, public health and public safety. Appointments are made for four-year terms and expire on January 1 of the appropriate year. Commission members serve staggered terms as determined by who the governor is at the time of their initial appointments. Annually, the governor designates, from among the members, a chair of the commission, usually the DHSEM/ Cabinet Secretary.
- Brian Simeone stated that Eugene McPeck from Sandia National Laboratory was being considered as a potential future SERC member.
- Acting Secretary Hamilton asked Brian Simeone to invite the State Fire Marshal for the next SERC meeting.
- Contact information given for questions regarding Local Emergency Planning Committees (LEPC), State Emergency Response Commission (SERC), and Tier II (Julie.Jolly@state.nm.us and 505-469-8012).

V. Old Business

- No old business to address.

VI. Comments

- Acting Secretary Hamilton asked for public comments.
 - Brian Simeone commented about the Law Enforcement Modular Emergency Radiological Transportation Training (LE MERRTT) class that would soon be offered through the in the next month.
- No other public comments were made.

VI. Action Items

1. Julie Jolly to add the New Mexico 64th CST Team to Appendix C of the DRAFT 2020 HMER Plan.
2. Julie Jolly to add the removal of the Orphan Fund and creation of a late fee schedule to the legislation list for next year.
3. Julie Jolly to research who is the attended audience of the HMER Plan.
4. Acting Secretary Kelly Hamilton will speak with the State Fire Marshal's Office about adding Tier II to their current facility inspection list.
5. Julie Jolly to discuss using ACH or electronic funds transfers for accepting Tier II fees.
6. Brian Simeone to invite the State Fire Marshal to the next SERC meeting.

VII. Adjournment.

- Acting Secretary Hamilton adjourned the meeting at 10:40 am.
- Next meeting will be on the telephone at 9 AM – 11 AM in third week of May 2020.