

**SERC MEETING**  
October 23, 2019  
DHSEM

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

Cabinet Secretary Jacky Lindsey called the meeting to order at 9:03 a.m.

- Roll was called followed by introduction of members.
- Meeting was held at NMDHSEM

Michael	Wismer	Public	505-670-2902	<a href="mailto:wismer_7@g.com">wismer_7@g.com</a>
Dr. Paul	Felsher	Los Alamos	505-500-7087	<a href="mailto:pfelsher@lanl.gov">pfelsher@lanl.gov</a>
Janine	Kraemer	NMED	505-476-4372	<a href="mailto:Janine.kraemer@state.nm.us">Janine.kraemer@state.nm.us</a>
Leo	Jaramillo	Rio Arriba	505-620-0800	<a href="mailto:lvjaramillo@rio-arriba.org">lvjaramillo@rio-arriba.org</a>
Mark	Rowley	NMSP	505-660-5441	<a href="mailto:Mark.rowley@state.nm.us">Mark.rowley@state.nm.us</a>
Julie	Jolly	DHSEM/SERC Coordinator	508-476-0617	<a href="mailto:henry.jolly@state.nm.us">henry.jolly@state.nm.us</a>
Jackie	Lindsey	DHSEM/Cabinet Secretary	505-476-9611	<a href="mailto:Jackie.lindsey@state.nm.us">Jackie.lindsey@state.nm.us</a>
Jos	Lesscher	Farmington Fire Department	505-320-5150	<a href="mailto:jlesscher@firenet.org">jlesscher@firenet.org</a>
Ronald	Fitzherbert	Think CSE	575-496-6271	<a href="mailto:ron@thinkcse.org">ron@thinkcse.org</a>
Candice	DuBois	DHSEM/ Administrative	505-476-0628	<a href="mailto:Candice.DuBois@state.nm.us">Candice.DuBois@state.nm.us</a>
Jose (Chappy)	Villegas	Representing the Tribes		

**II. Approval of Minutes from July 11, 2019.**

- Secretary Lindsey motioned to approve previous minutes from July the 11th, 2019 – Mark Rowley Moved for approval and it was seconded by Leo Jaramillo and was approved by vote.

**III. Administrative Items**

- Secretary Lindsey established that we had a quorum and asked Julie Jolly if there were any administrative items before starting. Julie Jolly stated that there were no administrative items at this time.

**IV. New Business**

- Secretary Lindsey asked Julie Jolly what changes were made to the By-Laws after the last SERC Meeting. Julie Jolly stated that the changes made were the date on the signature page and a misspelling within the document.
- Secretary Lindsey requested approval of the DRAFT Bylaws. Mark Rowley moved to approve the bylaws and Michael Wismer Seconded, and a vote was taken. The Bylaws were than approved.
- Secretary Lindsey asked Julie Jolly to report out on the Hazmat Safety Board Meeting for the requested changes to the HMER plan.

- Julie Jolly reviewed the suggested changes from the recent HazMat Safety Board meeting with the members of the SERC.
- Dr. Paul Felsher suggested that we clean up the last two paragraphs referring to industry on page 6. Julie Jolly stated that this paragraph was previously identified by the Hazmat Safety Board for the same reason. Julie Jolly also stated that they were already in the process of rewriting it in order to clarify the owner operator responsibilities for the hazmat spill site.
- Jose Villegas stated that he was concerned that there was no mention of tribes or tribal lands on pages 4 – 6 of the HMER plan. Jose Villegas referenced the State and Tribal Information Act. Secretary Lindsey suggested a sub paragraph titled “Tribes, Pueblos, Nations, and Territories”, be added to the section. Jose Villegas than asked to present this to the next intertribal meeting to get the exact wording for the new sub paragraph. Secretary Lindsey asked Julie Jolly to add this item as an Action item.
- Secretary Lindsey requested that Jose Villegas provide her a copy of the “FEMA City Planner Resource”. Secretary Lindsey asked Julie Jolly to add this item as an Action Item.
- Secretary Lindsey asked Mark Rowley to discuss his progress with determining the status and ownership of the Orphaned Hazardous Materials fund. Mark Rowley stated that it is a fund that is unfunded. Mark Rowley suggested giving this fund to New Mexico Environment Department (NMED) for them to maintain, fund and use for clean-up operations. Janine Kraemer stated that the NMED already has a fund for cleanup of Hazardous Materials released on state roads and for disposal/removal of abandoned containers. Janine Kraemer suggested that we simply remove the paragraph, delete the account and move the money to the NMED’s current cleanup fund. Mark Rowley stated that he would see if the money could be moved.
- Secretary Lindsey requested that Julie Jolly add links to the State of New Mexico Radiological and Nuclear Detection Program (NMRND) as well as the Bi-National plans in the HMER Plan.
- Secretary Lindsey requested to send Dr Paul Felsher a copy of the 2016 ERG.pdf file to help in researching whether small and large material are required to be defined in the HMER Plan for the next meeting.
- Secretary Lindsey asked to table further discussion on HMER changes to move the meeting along.
- Secretary Lindsey directed Julie Jolly to create a DRAFT version of the HMER Plan for review by the next meeting.
- Secretary Lindsey discussed the reasons behind the EPA Joint Bi-National plan and the Arizona plans and their relation to New Mexico.
- Secretary Lindsey asked Julie Jolly to locate and contact the EPA rep and Tribal liaison for the EPA Bi-National plan at the EPA.
- Secretary Lindsey requested that Julie Jolly email the EPA Joint Bi-National plan and the Arizona plans to the SERC members for review.
- Secretary Lindsey asked Julie Jolly if she had found any information about the account for depositing Tier II fees referred to in public law. Secretary Lindsey asked Julie Jolly to follow-up and to bring the information to the next meeting.

- Julie Jolly discussed the creation of a fee schedule for late and delinquent tier two filers.
- Julie Jolly also discussed raising fees for Tier II reports. Julie Jolly stated that expanded fees might be used for, i.e. grants or hiring more bodies in DHSEM. Secretary Lindsey also mentioned the over the rail fees for the “Holtech” loads. Secretary Lindsey requested that we research the over the rail fees in Texas.
- Secretary Lindsey reported to the SERC that Aspect would no longer respond to New Mexico radiological incidents.
- Jose Villegas asked about the lack of a “PRND committee” in the Bylaws list of committees. Secretary Lindsey requested that Brian Simone and Julie Jolly research adding PRND Committee to the bylaws list of committees.
- Secretary Lindsey asked Julie Jolly to send the finished Action Items list to the SERC membership.

Contact information given for questions regarding LEPC, SERC, and Tier II:

- o [henry.jolly@state.nm.us](mailto:henry.jolly@state.nm.us)
- o [www.nmdhsem.org](http://www.nmdhsem.org)
- o Phone: 505-469-8012

## **V. Old Business**

- No old business to address.

## **VI. Comments**

- Secretary Lindsey asked that the next meeting occur before the 15<sup>th</sup> of January due to the date of the next legislation.
- Secretary Lindsey asked if there were any public comments. There was no response.

## **VI. Action Items**

1. Research the addition of “Tribes and Pueblos...” and write draft paragraph for HMER Plan – Jose Villegas
2. Send “FEMA City Planner Resource” to all SERC Members – Jose Villegas
3. Send Dr. Paul Felsher the 2016 ERG.PDF file –Julie Jolly
4. Produce DRAFT HMER Plan with requested changes – Julie Jolly
5. Call EPA and request the name of the EPA rep for the Joint Nation Plan when dealing with Tribes – Julie Jolly

6. Send Electronic copy of EPA Joint Plan and Arizona Plan to the SERC Membership – Julie Jolly
7. Research what fees Texas set for the “Holtech” over Rail loads –Julie Jolly
8. Research adding “PRND Committee” to Article VIII Committees in the SERC Bylaws – Julie Jolly
9. Send this list of action items to SERC Membership – Julie Jolly

**VII. Adjournment.**

- Secretary Lindsey adjourned the meeting at 11:08 am.
- Next meeting will be at DHSEM at 9 AM – 11 AM on the 8th of January of 2020.