

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY
NRS 233B.066
LCB FILE R059-22P**

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) Chapter 459.

1. A clear and concise explanation of the need for the adopted regulation.

This regulation is necessary to update the regulations for the State Emergency Response Commission (SERC) to stay up to date with the necessary changes needed for the SERC to continue to fulfill its requirements under the Emergency Planning and Community Right-to-Know Act (EPCRA) Law.

2. A description of how public comment was solicited, a summary of public response, and an explanation how other interested persons may obtain a copy of the summary.

Copies of the proposed regulations, Notice of Workshop and Notice of Intent to Act upon a Regulation were sent by US mail and email to persons who were known to have an interest in the subject matter, as well as any person who had specifically requested such notices. These documents were also made available on the website of the SERC, www.serc.nv.gov and mailed to all County libraries in Nevada and posted at the following locations: (see Exhibit "A").

A Public Workshop was held in conjunction with a SERC meeting, which a quorum was not met, minutes were completed with no discussion or public comment: (see Exhibit "B"). Thereafter, on November 01, 2022 the SERC mailed the Notice of Intent to Act Upon a Regulation to all the County libraries in Nevada. On November 08, 2022 the SERC emailed/faxed the Notice of Intent to Act Upon a Regulation to SERC's meeting listserv.

A Notice of Public Hearing for the Adoption of Amendments to the Regulations of the State Emergency Response Commission was held on December 15, 2022. There was no public comment for the Commission to review or discuss prior to voting to adopt the amended regulations.

3. The number of persons who:

(a) Attended the Workshop on August 10, 2022 = 17

(b) Attended the Notice of Public Hearing on December 15, 2022 = 17

(c) Testified at the Workshop on August 10, 2022 = 0

(d) Testified at the Notice of Public Hearing on December 15, 2022 = 0

(e) Submitted to the Agency written comments:
no written comments were submitted to the SERC

4. A list of names and contact information, including telephone number, business address, business telephone number, electronic mail address, and name of entity or organization represented, for each person identified above in #c, as provided to the SERC: (see Exhibit "C").

- 5. A description of how comment was solicited from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary.**

The SERC determined no businesses would be affected from the requested regulation changes; therefore, no comment was solicited from affected businesses. The summary may be obtained on the website of the SERC, www.serc.nv.gov.

- 6. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.**

The regulation was adopted on December 15, 2022 by the State Emergency Response Commission.

- 7. The estimated economic effect of the adopted regulation on the businesses which is to regulate and on the public. These must be stated separately, and each case must include:**

- (a) Both adverse and beneficial effects; and**

There are no expected adverse or beneficial effects on business.

- (b) Both immediate and long term effects**

There are no known immediate or long-term effects on business.

- 8. The estimated cost to the Agency for enforcement of the adopted regulations.**

There is no additional cost to the SERC for enforcement of the adopted regulations.

- 9. A description of any regulations of other State or Government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a Federal regulation, the name of the regulating Federal agency.**

There are no other State or Government agency regulations that the proposed regulations duplicate.

- 10. If the regulation includes provisions that are more stringent than a Federal regulation which regulates the same activity, a summary of such provisions.**

There are no Federal regulations that apply.

- 11. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be use.**

The regulation provides no new fee or increases in an existing fee.

Exhibit A

The Notice of Intent to Act Upon a Regulation has been sent to all persons on the Nevada State Emergency Response Commission (SERC) mailing list and posted on the SERC official website: <http://serc.nv.gov> and mailed to the seventeen County libraries in Nevada.

Personally Posted:

State Emergency Response Commission – 107 Jacobsen Way – Carson City

Emailed or faxed to:

Nevada State Library & Archives – 100 North Stewart Street – Carson City

Grant Sawyer Building – 555 East Washington Street – Las Vegas

Department of Transportation – 123 East Washington Avenue – Las Vegas

Department of Transportation – 1263 Stewart Street – Carson City

Department of Transportation – 1951 Idaho Street – Elko

Department of Transportation – 1401 East Aultman Street – Ely

Certified Mail to:

Carson City Library – 900 North Roop Street – Carson City

Churchill County Library – 553 South Main Street – Fallon

Las Vegas – Clark County Library District – 833 Las Vegas Blvd N – Las Vegas

Douglas County Public Library – 1625 Library Lane – Minden

Elko County Library – 720 Court Street – Elko

Esmeralda County Library – Corner of Crook & 4th Street, PO Box 430 – Goldfield

Eureka County Library – 80 South Monroe Street – Eureka

Humboldt County Library – 85 East 5th Street – Winnemucca

Battle Mountain Branch Library (Lander County) – 625 S Broad St – Battle Mountain

Lincoln County Library – 63 Main Street – Pioche

Lyon County Library System – 20 Nevin Way – Yerington

Mineral County Public Library – 110 1st Street (1st and A), PO Box 1390 – Hawthorne

Pershing County Library – 1125 Central Avenue – Lovelock

Storey County Clerk's Office – Drawer D – Virginia Street

Tonopah Public Library 167 South Central Street – PO Box 449 – Tonopah

Washoe County Library System – 301 South Center Street – Reno

White Pine County Library – 950 Campton Street – Ely

Electronically Posted pursuant to NRS 241.020(4)

SERC web site – <http://serc.nv.gov>

Nevada Public Notice Website – <https://notice.nv.gov>

Legislative Council Bureau Website – <https://leg.state.nv.us>

Pursuant to NRS 241.020(2) (c), a copy of supporting materials for the meeting may be obtained by contacting Tami Beauregard, Commission Administrator, State Emergency Response Commission at (775) 684-7511, 107 Jacobsen Way, Carson City, NV 89711 or serc@dps.state.nv.us

Exhibit B

Minutes

Nevada State Emergency Response Commission (SERC)

Workshop to Solicit Comments on Proposed Regulation

Wednesday, August 10, 2022 at 9:00am

1. CALL TO ORDER

Richard Brenner called the meeting to order at 9:02am.

Tami Beauregard noted there was not a SERC quorum after role was taken, however the Workshop can continue.

Nathan Hastings, DAG advised the main focus of this meeting is to solicit comments from the public with regards to the proposed regulations, therefore the Workshop can proceed however discussion on any public comments will not be able to happen at this meeting. Mr. Hastings added a special meeting of the SERC may be needed to address any public comments which will require changes to the current draft.

Dennis Nolan asked Mr. Hastings, if the Commissioners present could make a recommendation back to the full SERC for action with no quorum present. Mr. Hastings stated that the Open Meeting Law does not allow for this. Mr. Hastings added if public comment is received, and the Co-Chairs believe them to be substantial, there will need to be a special SERC meeting to discuss the comments and decide if any changes will be needed to the current draft.

Mr. Nolan asked Ms. Beauregard what the timeframe is for being on a Legislative Commission meeting. Ms. Beauregard stated the requested changes were sent to the Legislative Counsel Bureau (LCB) prior to July 1st, the LCB sent a draft with corrections and this draft is what is being reviewed today, if there are any public comments requiring changes to the current draft it will have to go back to the LCB for corrections then a Public Hearing is scheduled. Ms. Beauregard added she is not sure of the timeline after the Public Hearing takes place.

2. PUBLIC COMMENT

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

3. PURPOSE OF WORKSHOP

Mr. Brenner called for public comment with regards to the proposed regulations.

Susan Crowley asked when the last time documents were sent out with regards to the proposed regulations. Ms. Beauregard noted the current draft from the LCB was sent out within the last few days or so and the document can be found on the SERC website.

Mr. Brenner asked Ms. Beauregard if anyone had sent any comments into the SERC with regards to the suggested changes. Ms. Beauregard stated no documentation has been received.

Mr. Brenner asked Ms. Beauregard how the Small Business Impact Statement was decided. Ms. Beauregard advised the chosen Nevada Revised Statutes (NRSs) and Nevada Administrative Codes (NACs) on the Statement are to show the SERC does not have working relationships with Nevada Small Businesses and the suggested NAC changes will have no impact on them.

Mr. Nolan reviewed the process of how the changes and current suggested draft came to be and noted the majority of the changes are administrative with regards to how the SERC operates today.

Mr. Brenner stated there was no public comment.

4. PUBLIC COMMENT

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

5. ADJOURNMENT

Mr. Brenner called the meeting adjourned at 9:26am.

DRAFT

Exhibit C

STATE EMERGENCY RESPONSE COMMISSION

SERC QUARTER MEETING

Sign-In Sheet

August 10 2022 9:00am - 12:00pm

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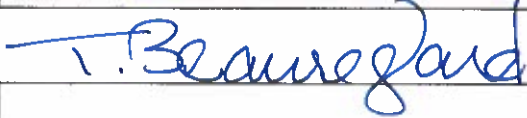

COMMISSION MEMBERS	SIGNATURE
✓ 1) AMANDA WINDES ✓	
2) CAROLYN LEVERING ✓	
3) DANNY BRENNAN ✓	
4) DAVID SELLEN	
5) DEBRA DAILEY ✓	
✓ 6) DENNIS NOLAN, CO-CHAIR ✓	
7) ERIC SANTOS ✓	
8) "GUS" AUGUSTINE FARIAS	
9) JACK SNYDER ✓	
10) JAMES MADSEN	
11) JAMES MORGAN	
12) JASON NICHOLL ✓	
13) JESS LANKFORD	
14) JON BAKKEDAHL	Annual leave
15) KAREN LUNA	
16) KELLY THOMAS	
17) KIMBERLEY FERGUSON	decline web invite
18) LANCE CHANTLER ✓	
19) MICHAEL MALLNER	
20) MICHAEL MORTON ✓	
21) RICHARD BRENNER, CO-CHAIR ✓	
22) STEVEN SPENCER	
✓ 23) SUSAN CROWLEY ✓	
24) "T.J." MONTEVIEST QUALLS	other commitment

STATE EMERGENCY RESPONSE COMMISSION

SERC QUARTER MEETING

Sign-In Sheet

August 10 2022 9:00am - 12:00pm

STAFF	SIGNATURE
TAMI BEAUREGARD, ADMINISTRATOR	
NATHAN HASTINGS, DAG 	

09:02:33 From ✓ Chief Nicholl : Jason Nicholl
09:02:39 From ✓ Eric Santos : Eric Santos, SERC
09:02:40 From ✓ Lance Chantler : Lance Chantler SERC
09:02:42 From ✓ Carolyn : Carolyn Levering, City of Las Vegas
09:02:52 From Kelly Echeverria : Kelly Echeverria, Washoe County
09:02:57 From Patrick Lazenby, Nye DEM : Patrick Lazenby, Nye County
Emergency Management
09:03:01 From ✓ Debra Dailey : Debra Dailey- EMS Training Center
09:03:07 From Paul Patocka : Paul Patocka Reno Fire Department Hazardous
Materials Coordinator
09:03:11 From ✓ Amanda Windes : Amanda Windes, University of Nevada, Reno
09:26:27 From Paul Patocka : Have a good day.

Name/Contact Information for Attendees at August 10, 2022 Workshop

Name	Phone	Address	Email	Organization
Amanda Windes	(775) 399-1092	1664 North Virginia Street #MS 250, Reno NV 89557-0250	awinds@unr.edu	State Emergency Response Commission
Carolyn Levering	(702) 229-0313	495 South Main Street, Las Vegas NV 89101	clevering@LasVegasNevada.gov	State Emergency Response Commission
Danny Brennan	(775) 684-7526	107 Jacobsen Way, Carson City NV 89711	dbrennan@dps.state.nv.us	State Emergency Response Commission
Debra Dailey	(702) 232-7438	6430 West Tropical Parkway, Las Vegas NV 89130	divers911@gmail.com	State Emergency Response Commission
Dennis Nolan	(702) 496-1495	9638 Declan Drive, Reno NV 89521	dnolan@tmcc.edu	State Emergency Response Commission
Eric Santos	(702) 683-0087	10661 Windrose Point Avenue, Las Vegas NV 89144	ericvs5977@gmail.com	State Emergency Response Commission
Jack Snyder	(775) 777-7350	911 West Idaho Street, Elko NV 89801	jssnyder@elkocitynv.gov	State Emergency Response Commission
Jason Nicholl	(775) 575-3310	195 East Main Street, Fernley NV 89408	jnicholl@northlyonfire.com	State Emergency Response Commission
Lance Chantler	(775) 785-1339	34 Reservation Road, Reno NV 89502	lchantler@risc.org	State Emergency Response Commission
Michael Morton	(775) 684-7792	1919 College Parkway, Carson City NV 89706	mmorton@gcb.nv.gov	State Emergency Response Commission
Richard Brenner	(702) 379-8623	503 Cayuga Court, Boulder City NV 89005	hazmat24reddog43@gmail.com	State Emergency Response Commission
Susan Crowley	(702) 592-7727	366 Esquina Drive, Henderson NV 89014	smcrowley@cox.net	State Emergency Response Commission
Tami Beauregard	(775) 684-7516	107 Jacobsen Way, Carson City NV 89711	tbeauregard@dps.state.nv.us	State Emergency Response Commission
Nathan Hastings	(775) 684-4606	555 Wright Way, Carson City NV 89711	nhastings@ag.nv.gov	DAG/State Emergency Response Commission
Kelly Echeverria	(775) 399-4811	5195 Spectrum Blvd, Reno NV 89512	kecheverria@washoecounty.gov	Washoe County LEPC
Patrick Lazenby	(775) 751-4279	1510 Siri Lane, Pahrump NV 89060	dp-lazenby@nyecountynv.gov	Nye County LEPC
Paul Patocka	(775) 334-2300	1081 Village Knoll Drive, Sparks NV 89436	patockap@reno.gov	Washoe County LEPC