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DEPARTMENT OF HOMELAND
SECURITY AND EMERGENCY
MANAGEMENT

**UPDATE OF LEPC,
SERC, AND TIER II**



MISSION



To reduce the Loss of Life and Property due to
Hazardous Materials
Incidents / Accidents.

To Assist all Levels of Government and the
Public in the Implementation and
Coordination of Hazardous Materials Program
Activities in the State of New Mexico.



GOALS



- To have a statewide Program.
- Enhance partnership with communities.
- Establish Standards Statewide.
- Identify areas prone to Hazardous Materials Incidents and Accidents.
- Strengthen coordination between Local, State, and Federal Governments and Private Industry.



OBJECTIVES



Increase the number of counties developing Local Emergency Planning Committees (LEPC)

Develop State guidelines for LEPCs

Develop Training programs for the State Emergency Response Commission (SERC) and LEPC Members.



RESPONSIBILITIES



- Liaison with Federal Agencies.
- Assist Local Government and the General Public with Sara Title III Information.
- Assist and Encourage Counties to develop and maintain their LEPCs.
- Analyze hazardous materials information for statistical information.
- Information coordination for the SERC and the Hazardous Materials Safety Board (HMSB).



CURRENT ACTIVITIES AT THE STATE



- Resumed Quarterly SERC/HMSB Meetings.
- Creating a statewide training standard for Hazardous Materials training.
- Submitted HMEP Grant Request for 2015.
- Following up with 2014 Tier II Submitters for broken and missing CDs



SERC AUTHORITY IN PUBLIC LAW

ARTICLE 4E

Hazardous Chemicals Information Act

- | Sec. | Sec. |
|--|--|
| 74-4E-1. Short Title | 74-4E-6. Availability of information to the public; regulations promulgated. |
| 74-4E-2. Purpose of Act. | 74-4E-7. Repealed. |
| 74-4E-3. Definitions. | 74-4E-8. Hazardous chemicals reporting Fees; schedule; distribution. |
| 74-4E-4. Commission created; membership; terms; duties; immunity granted. | 74-4E-9. Failure to file or pay fees; penalty. |
| 74-4E-5. Notices and reports required; deadlines set | |

74-4E-1. Short Title.

Sections 1 through 9 [74-4E-1 to 74-4E-9 NMSA 1978] of this act may be cited as the "Hazardous Chemicals Information Act."



SERC



- The SERC shall consist of 7 members who shall be qualified voters of the State of New Mexico.
- All members shall be appointed by the Governor of New Mexico.
- Represent **private industry, federal facilities, public health, and public safety.**
- Annually, the governor shall designate a Chair from among the members of the commission.



SERC Members

The Chair for the SERC is the Cabinet Secretary for New Mexico DHSEM.

Members include:

- Jay Mitchell – Chair (Public Safety)
- Reyes Romero (Public Safety)
- Mark Rowley (Public Safety)
- Ryan Flynn (Public Health)
- ~~Dr. David Mills~~ (**Retired**) (Public Health)
- Dr. Paul Felsher (Federal Facilities)
- ~~Penny Holeman~~ (**Resigned**) (Industry)



SERC August 14, 2015



- Nominate and elect a Co-Chair (Penny was nominated and elected but has since resigned).
- Nominate new member to replace Penny Holeman for Industry and Dr. David Mills from Public Health.
- Keep the SERC in the loop and up to date with LEPC's in the State of New Mexico.



What is a TIER II



Federal “Emergency Planning and Community Right to Know Act” (EPCRA) requires submittal of an “Emergency and Hazardous Chemical Inventory” report.

This is known as the Tier II report

Tier II for the Prior Year are due by 1 March



Who Uses TIER II Reports



- Emergency Responders
(Fire and State Police)
- LEPC's
- SERC's
- TERC's
- The Public



TIER II Status for 2015



Beginning in 2003, the State of New Mexico made it mandatory for facilities to report electronically.

2012: \$52,605

2013: \$57,350

2014: \$62,553

2015: \$56,750

Missing Payments =	4
Missing CDs =	4
Damaged CDs =	3
Total Facilities Processed =	16818



TIER II 2015



- Where does the money go?

Into the general fund.

These funds then pay for the Hazmat Coordinator's expenses and salary up to 100K.



Possible Changes



- An Electronic Payment System
- Updated Web-Site
- Updated Filing Instructions, and SOP's, Spanish Capability
- Online Filing



LEPC Status for 2015



Out of 32 possible LEPC's, NM currently has 30 active LEPC's

LEPC Conference will be in conjunction with the DHSEM Conference this year.



QUESTIONS

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