

AGENDA

South Dakota State Emergency Response Commission

**Tuesday, September 11, 2018
5:00 pm Central Time**

- 1. Introductions**
- 2. Call to Order and Roll Call**
- 3. Approval of June 25, 2018, State Emergency Response Commission Meeting Minutes**
- 4. Environmental Protection Agency (EPA) update**
- 5. OSHA Activities in South Dakota (and your role)-- Sheila Stanley, Occupational Safety and Health Administration, Sioux Falls**
- 6. LEPC Grant application package -- Kelsey Newling, Department of Environment and Natural Resources (DENR)**
- 7. Chemical Safety & Compliance Workshop Update -- Kelsey Newling, DENR**
- 8. Sturgis Rally Update – Tina Titze, Office of Emergency Management OEM**
- 9. Hazardous Materials and Emergency Planning (HMEP) Grants, Training, and Planning Report – Autumn Stout, OEM**
- 10. Regional Haz Mat Team Update – South Dakota Office of Homeland Security**
- 11. Other Business**
- 12. Public Comment Period**
- 13. Adjourn**

The SERC meeting is being held in conjunction with the South Dakota Emergency Management Association 2018 Fall Conference.

**Holiday Inn Sioux Falls - City Centre
100 West 8th Street
Sioux Falls, SD**

Notice is given to individuals with disabilities that this meeting is being held in a physically accessible location. Please notify the Department of Environment and Natural Resources at least 48 hours before the meeting if you have a disability for which special arrangements must be made at the meeting. The telephone number for making arrangements is (605) 773-3296.

The audio recording for this meeting is available on the South Dakota Boards and Commissions Portal at <http://boardsandcommissions.sd.gov/Meetings.aspx?BoardID=36>

Minutes of the
South Dakota Emergency Response Commission Meeting
Conducted via the Digital Dakota Network

State Capitol Building
Pierre, SD

Department of Transportation
Brookings, SD

Rapid City/Pennington County Emergency Management
Rapid City, SD

Mitchell Technical Institute
Mitchell, SD

June 25, 2018
10:00 a.m. Central Time

COMMISSION MEMBERS PRESENT: Robert McGrath, Paul Merriman, Patrick Snyder, Tina Titze, Mike Carter, Dustin Willett, Kim McIntosh, Becky Pitz, and Andrew Canham.

COMMISSION MEMBERS ABSENT: John Forman.

PRESENT VIA TELEPHONE CONFERENCE CALL: Bre Bockstahler, EPA Region 8.

OTHERS PRESENT: See attached attendance sheets.

INTRODUCTIONS: Participants at the DDN sites introduced themselves.

CALL TO ORDER AND ROLL CALL: Chairman Robert McGrath called the meeting to order. The roll was called, and a quorum was present.

Chairman McGrath announced that the meeting was streaming live on SD.net, a service of South Dakota Public Broadcasting.

APPROVAL OF MINUTES FROM MARCH 26, 2018, MEETING: Motion by Titze, seconded by Snyder, to approve the minutes from the March 26, 2018, State Emergency Response Commission meeting. A roll call vote was taken, and the motion carried unanimously.

FEDERAL UPDATES: Bre Bockstahler discussed recent activities of EPA Region VIII, including EPA's proposed changes to the Risk Management Program (RMP) rules. (RMP Reconsideration Proposed Rule Fact Sheet attached.)

Ms. Bockstahler noted that EPA is also looking forward to assisting with the industry workshops in August.

TRI Report Submittals: Trish Kindt reported that Toxic Release Inventory (TRI) reports are due by July 1, 2018. TRI reports are annual reports that certain facilities, primarily manufacturing facilities, are required to submit to the federal EPA and to the SERC on an annual basis. The TRI report must be filed if a facility manufactures, processes, or otherwise uses enough of a TRI reportable chemical. The reports summarize emissions, discharges, the amount of waste sent to a landfill, how much is sent for recycling, how much is treated on-site, how much is treated off-site, etc. In South Dakota, about 100 facilities submit the TRI report each year.

As of June 23, 2018, sixty-two facilities had submitted TRI reports; however, there will be several more coming in during the next week.

INDUSTRY WORKSHOPS: Ms. Kindt reported that she has been working with EPA to hold industry workshops in South Dakota. These workshops, which were very well attended in the past, will be held in Mitchell on August 28 at the Davison County Fair Complex, in Aberdeen on August 29 at the Brown County Community EOC Room, in Pierre on August 30 at the Matthew Training Center in the Joe Foss Building, and in Rapid City on August 31 at the Pennington County EOC.

Morning Workshop (9 am – noon) topics will include:

- Risk Management Program (RMP) regulations
- Chemical Facility Anti-Terrorism Standard (CFATS)
- Toxic Release Inventory (TRI) reporting requirements
- Spill/Release reporting requirements
- Tier II reporting requirements
- OSHA worker safety topics

The intended audience for the morning workshop is any facility that uses and stores hazardous substances.

Afternoon Workshop (1:30 – 3:00 pm) topics will include:

- Spill Prevention Control and Countermeasure (SPCC) Requirements
- Facility Response Plan (FRP) Requirements
- Oil Inspection Procedures
- EPA Spill Response Authority and Case Study

The intended audience for the afternoon workshops is any facility that uses and stores oil substances.

Speakers for the workshops will include representatives from the Environmental Protection Agency, Department of Homeland Security, Department of Environment and Natural Resources, and the Sioux Falls Occupational Safety and Health Administration.

Invitations to attend were sent to past chemical workshop participants, Tier II facility contacts, TRI facility contacts, RCRA facility contacts, the Agriculture Retailers Association, and the South Dakota Petroleum and Propane Marketers Association.

People are invited to register for either the morning or afternoon workshops, or both.

Ms. Kindt summarized preregistration numbers.

Ms. Kindt answered questions from the SERC members.

LEPC ROSTER APPROVALS/APPOINTMENTS: Ms. Kindt reported that at the March meeting, the SERC approved rosters for 53 LEPCs. Haakon, Jackson, Oglala Lakota, and Sanborn LEPCs are not active and did not submit rosters, so the SERC appointed the county commission, state's attorney, emergency manager, and county sheriff to serve as the LEPC for those three counties.

In March, Ms. Kindt reported that Edmunds, Todd, and Meade LEPCs had not yet submitted rosters, but were expected to submit rosters within the near future, so the SERC deferred action on these three.

Since the March meeting, rosters were submitted by Edmunds and Todd LEPCs. Copies of the rosters were sent to the SERC prior to the June meeting. Ms. Kindt requested that the SERC approve the two rosters.

To date, Meade County LEPC has not submitted its roster. Ms. Kindt noted that the new emergency manager still intends to submit a roster, but he is still in the process of adjusting to his new duties and has been busy with planning for the Sturgis Motorcycle Rally. She noted that the emergency manager is planning to meet with key players during the summer, and he is promoting the LEPC as a forum for rally topics beyond the rally meetings. The tentative plan is to hold the first LEPC meeting in September.

Ms. Kindt recommended that because there is no LEPC at this time, the SERC appoint the LEPC until Meade County submits, and the SERC approves a roster.

In response to a question from Mr. Willett, Ms. Kindt stated that Meade County LEPC is not eligible for a grant this year because it is not an active LEPC at this time, and it has not submitted a membership roster.

Motion by Willett, seconded by McIntosh, to accept the rosters submitted by Edmunds and Todd County LEPCs. A roll call vote was taken, and the motion carried unanimously.

Motion by Titze, seconded by Snyder, to authorize Chairman McGrath to send a letter appointing the county commission, state's attorney, emergency manager, and county sheriff to serve as the LEPC for Meade County LEPC. The appointment is effective until a roster is submitted and accepted by the SERC. A roll call vote was taken, and the motion carried unanimously.

REGIONAL HAZMAT TEAM UPDATE: No update.

HMEP GRANTS TRAINING AND PLANNING REPORT: Tina Titze, OEM, presented the quarterly review of the HMEP training and planning grant activities.

Since the last SERC meeting, there was no change for the FFY 2016 grant.

For FFY 2017, funding was awarded to complete six hazmat plan updates/rewrites, one hazmat exercise, four hazmat awareness/operations trainings, attendance at five hazmat trainings/conferences for Aberdeen Fire Rescue, attendance at four hazmat trainings/conferences for Sioux Falls Fire Rescue, and attendance at five hazmat trainings/conferences for Watertown Fire Rescue.

Nine projects have been completed. Those include attendance at the Hot Zone conference in Houston for three personnel from Watertown Fire Rescue, attendance at the TEEEX Transportation Specialist training for four members of Sioux Falls Fire Rescue, three hazmat awareness/operations courses in Codington County, two Hazmat IQ courses for Aberdeen Fire Rescue, and two planning meetings for the Task Force 1 hazmat team leads. A total of 121 personnel were trained through the hazmat classes.

The South Dakota Office of Emergency Management has submitted the FFY 2018 HMEP grant application to the U.S. Department of Transportation/Pipeline and Hazardous Material Safety Administration (DOT/PHMSA). The expected allocation amount for South Dakota is \$143,739, with \$35,935 as the minimum match requirement. These funds are for FFY 2018, which will have a period of performance of October 1, 2018 through September 30, 2019. The grant award will be issued by DOT/PHMSA by September 30, 2018.

The State of South Dakota has also submitted a request for supplemental funding to stock a hazmat training trailer with non-consumable inventory for the Task Force 1 hazmat team to use for training on hazardous materials transportation incidents, such as rail car or tanker responses. Sioux Falls Fire Rescue will donate the 22-foot enclosed trailer, which will count as match for the project. The State of South Dakota was eligible to apply for this supplemental funding because we have obligated our entire FFY 2016 award and have continuously submitted reports on time to DOT/PHMSA. This is a competitive application process. If awarded, it will be in addition to the expected \$143,739 allocation amount.

Chairman McGrath asked what the amount of the grant request was for the hazmat training trailer. Ms. Titze stated that she would ask Autumn Stout and let the SERC know.

NOTE: Following the meeting, Ms. Titze sent the following email to the SERC members:

We asked for \$30,355 for the trailer. I have not been given an exact timeframe from PHMSA, but since the competitive application was due at the same time as the continuing application, I would assume it will also be awarded in September.

NATIONAL ADVISORY COUNCIL FOR FEMA: Tina Titze reported that she is a member of the FEMA National Advisory Council. The group meets via telephone conference call two times per month. The group meets in person twice per year. The council's last face-to-face meeting was in May 2018. FEMA administrator, Brock Long, and other FEMA officials attended the meeting. The advisory council finalized its objectives and considerations to present to Administrator Long to consider. Subcommittees are again being formed to determine other objectives and considerations.

ELECTION OF OFFICERS: Willett nominated Bob McGrath as chairman; seconded by Merriman.

Motion by Titze, seconded by Snyder, to close nominations for SERC chairman. A roll call vote was taken, and the motion carried unanimously.

Chairman McGrath requested a vote on the nomination for chair.

A roll call vote was taken, and the motion carried unanimously.

McIntosh nominated Paul Merriman as vice chairman; Snyder seconded.

Motion by Willett, seconded by Titze, to close nominations and cast a unanimous ballot for Paul Merriman as vice chairman. A roll call vote was taken, and the motion carried unanimously.

PUBLIC COMMENT PERIOD: The 2018 Legislature passed HB 1172, which amended SDCL 1-25-1 by adding the following paragraph:

The chair of the public body shall reserve at every official meeting by the public body a period for public comment, limited at the chair's discretion, but not so limited as to provide for no public comment.

Ms. Kindt requested guidance from the board as to where on the meeting agenda to place the public comment period and how much time would be allowed for the comment period.

Motion by Willett, seconded by Carter, to place the public comment period at the end of the agenda prior to adjournment, and to allow a five-minute timeframe for each person who wishes to comment. A roll call vote was taken, and the motion carried unanimously.

OTHER BUSINESS: The next SERC meeting will be at 5:00 p.m. on September 11, 2018, during the Emergency Management Conference at the Holiday Inn City Centre in Sioux Falls.

Ms. Kindt and Ms. McIntosh updated the SERC on the June 22, 2018, train derailment and 230,000-gallon crude oil spill into floodwaters along the Rock River in Doon, Iowa. There is a

potential impact to South Dakota because the Rock River is a tributary to the Big Sioux River. At this time, no oil sheen has been visible.

Ms. McIntosh noted that Secretary Pirner appointed her as the administrator of the DENR Groundwater Quality Program. Trish Kindt was hired to Ms. McIntosh's former position as team leader for the spill section. A new employee will be hired to fill Ms. Kindt's former position.

ADJOURN: Motion by Titze, seconded by Snyder, to adjourn the meeting. A roll call vote was taken, and the motion carried unanimously.

Chairman McGrath declared the meeting adjourned.

Chairman

Date

Witness

Date

DRAFT

ATTENDANCE SHEET

STATE EMERGENCY RESPONSE COMMISSION MEETING

CONDUCTED VIA THE DIGITAL DAKOTA NETWORK

DEPARTMENT OF TRANSPORTATION
BROOKINGS

JUNE 25, 2018

NAME (PLEASE PRINT)

ADDRESS

REPRESENTING

Bob McGrath

Brookings

SERC

Bob Hill

Brookings Co.

Emergency Manage

DRAFT

ATTENDANCE SHEET

STATE EMERGENCY RESPONSE COMMISSION MEETING

CONDUCTED VIA THE DIGITAL DAKOTA NETWORK
STATE CAPITOL BUILDING
PIERRE, SD

JUNE 25, 2018

NAME (PLEASE PRINT)

ADDRESS

REPRESENTING

PAUL MERRIMAN

PIERRE

SD FIRE MARSHAL
OFFICE

Patrick Snyder

Pierre

PFD

TINA Titze

Pierre

SD OEM

Tasha Kral

Pierre

SD DENR

Kim McIntosh

PIERRE

SD DENR

Andrew Cannon

Miller

Industry

DRAFT

ATTENDANCE SHEET

STATE EMERGENCY RESPONSE COMMISSION MEETING

CONDUCTED VIA THE DIGITAL DAKOTA NETWORK

RAPID CITY EMERGENCY OPERATIONS CENTER
RAPID CITY, SD

JUNE 25, 2018

NAME (PLEASE PRINT)

ADDRESS

REPRESENTING

Mike Carter

SERC

Dustin Willett

SERC

DRAFT

RMP Reconsideration Proposed Rule Fact Sheet

Overview

EPA is proposing changes to a final rule, the Risk Management Program (RMP) Amendments (82 FR 4594, January 13, 2017) to better address potential security risks and reasonable consideration of costs. The proposed changes are intended to promote better emergency planning and public information about accidents and maintain the trend of fewer significant accidents involving chemicals regulated under the RMP rule. The proposal reflects issues raised in three petitions for reconsideration of the RMP Amendments as well as other revisions EPA identified in its review of that rule. The proposed rule was published on May 30, 2018. A public hearing is scheduled for June 14, 2018. Public comments are due on or before July 30, 2018.

Why is EPA reconsidering the RMP Amendments final rule?

EPA is reconsidering the final RMP Amendments Rule based on objections highlighted in three petitions submitted to the Agency under Clean Air Act section 307(d)(7)(B) and based on its own review of that rule. The proposal addresses:

- potential security risks associated with new information disclosure requirements introduced in the final rule,
- BATF's finding that a key incident affecting US chemical safety policy, a fire and explosion in West, Texas, was caused by a criminal act (arson) rather than being the result of an accident,
- concerns with EPA's economic analysis, and
- concerns that EPA did not coordinate its rulemaking with the Occupational Safety and Health Administration (OSHA).

EPA is proposing changes to the Amendments final rule to:

- Maintain consistency of RMP accident prevention requirements with the OSHA Process Safety Management (PSM) standard.
- Address security concerns.
- Reduce unnecessary regulations and regulatory costs.
- Revise compliance dates to provide necessary time for program changes.

What are the proposed changes included in the RMP Reconsideration Rule?

The RMP Reconsideration Rule proposes the following changes to the RMP Amendments final rule:

- Rescinding all accident prevention program provisions of the RMP Amendments rule (i.e., third party audits, safer technology and alternatives analyses, incident investigation root cause analysis, and most other minor changes to the prevention program) so that EPA can better coordinate revisions to the RMP rule with OSHA and its PSM standard and reduce

regulatory costs. (An alternative proposal would retain certain minor changes to the prevention program provisions.)

- Rescinding most of the public information availability provisions of the RMP Amendments rule that would have provided redundant, less secure means of access to information that is available through better controlled means, while retaining the provision requiring a public meeting after an accident but with minor language modifications.
- Modifying the emergency coordination and exercise provisions of the Amendments rule to address security concerns raised by petitioners and give more flexibility to regulated facilities in complying with these provisions.
- Establishing compliance dates that are:
 - one year after the effective date of a final rule for the emergency coordination provisions,
 - two years after the effective date for the public meeting provision,
 - four years after the effective date for the emergency exercise provisions, and
 - five years after the effective date for incorporating new Subpart G data elements into a facility's risk management plan.

What are the estimated cost savings for the proposed RMP Reconsideration Rule?

The proposed rule is deregulatory, and would result in total annual cost savings (averted costs) of approximately more than \$87 million a year.



STATE EMERGENCY RESPONSE COMMISSION - DENR

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

<http://www.state.sd.us/titleiii>

September 28, 2018

MEMO TO: Local Emergency Planning Committees
MEMO FROM: Kelsey Newling
SUBJECT: LEPC Grants

I am contacting you regarding the Local Emergency Planning Committee (LEPC) grants. Active LEPCs in South Dakota are eligible for funding under the provisions of SDCL 1-50-10. An LEPC that does not meet the provisions of SDCL 1-50-10, is not considered "active" and is not eligible for grant funds.

There are four forms you may need to submit in order to apply for a grant.

1. **Certification of Eligibility** - The first step in applying for a grant is to provide information demonstrating that your LEPC is active. If your LEPC is not "active," you are not eligible for a grant;
2. **Activity and Expenditure Summary** – Any LEPC that has received past grant funds must submit this form to demonstrate funds were utilized responsibly;
3. **Request for LEPC Grant Carryover** – Any LEPC with a total outstanding/unspent LEPC Grant balance in excess of \$200.00 must submit this request for a grant extension; and
4. **LEPC Grant Application** – Indicate your plans for utilization of grant funds.

The complete grant application package must be postmarked, received, or hand-delivered by November 30, 2018.

Applications postmarked, received, or hand-delivered after the November 30, 2018, deadline WILL NOT be accepted. You may wish to consider submitting your application via certified or registered mail for the purpose of documenting and confirming the delivery date.

The information you provide in the application package will be reviewed for completeness. If your LEPC meets the provisions of SDCL 1-50-10, and if you can demonstrate past LEPC grant funds were utilized in a responsible manner, you will be contacted regarding the grant.

Please be aware that some LEPCs may receive more than one copy of this application package. Only one application should be submitted per LEPC.

If you have any questions about the grant process, please contact Kelsey Newling via e-mail at Kelsey.Newling@state.sd.us or by calling 605-773-3296.

APPLICATION GUIDE FOR LEPC GRANTS

Program Intent

The intent of this program is to provide local emergency planning committees (LEPCs) with funding to support Emergency Planning and Community Right to Know activities at the local level. It also gives LEPCs the option of using the funds to provide Title I training for first responders. This is designed to be a streamlined grant program with simplified application and summary reporting processes. Every attempt has been made to keep forms short and concise, and to reduce paperwork requirements.

Compliance and Eligibility (Certification of Eligibility for LEPC Grant form)

"Active" LEPCs in South Dakota are eligible for funding under the provisions of SDCL 1-50-10. To qualify for funding, a statement of compliance with the criteria for an "Active" LEPC must be submitted. An LEPC must also certify that they have a mechanism to receive, expend, and track funds.

Eligible Uses for Funds

SDCL 1-50-10 states that the funds will be distributed as grants to be "Expended by the LEPCs to defray the expenses of operating the SARA Title III program and for related Title I activities." *Remember that Title I outlines the five levels of training for response to a hazardous materials incident.* This can incorporate a wide variety of activities including, but not limited to:

- ⇒ General office expenses needed to operate the program - postage, copying, printing, paper, meeting room rental, other meeting expenses, advertising costs, office expenses, etc.;
- ⇒ Salaries for personnel hired to do data entry, risk assessment, hazards analysis, commodity flow studies, or other special projects;
- ⇒ Expenses associated with updating the emergency response plan;
- ⇒ Expenses related to holding hazardous materials response exercises;
- ⇒ Training of local emergency response personnel and first responders;
- ⇒ Hazardous Materials Incident response equipment; and
- ⇒ Computer hardware and/or software to be used for Title III data management, responding to information requests, hazardous materials emergency response, and/or hazardous materials response planning activities.

Application and Signatures (LEPC Grant Application form)

Current bylaws and membership rosters must be on file with the state or included with the application. If bylaws are revised, they must be resubmitted. Information management procedures and meeting schedules must be identified if they are not contained in the bylaws.

Grant Amounts

Individual grant amounts will be determined by the distribution formula contained in SDCL 1-50-10. The first \$16,500 will be divided evenly among LEPCs that qualify for and have applied for the grant. The remaining amount will be divided among the qualifying LEPCs, based upon the number of facilities that paid Tier II fees for the reporting year from which the grant is funded. Increasing facility compliance in your planning district can result in an increase in your portion of grants for future years.

Carryover of Funds

Under certain circumstances a small amount of unspent grant funds may be carried over to the next fiscal year. However, the LEPC must continue to track and document use of these funds.

Tracking (Activity and Expenditure Summary form)

Failure to submit the required summary documentation will affect future eligibility for grant funds.

Questions

If you have questions or require assistance, please contact Kelsey Newling via e-mail at Kelsey.Newling@state.sd.us or by calling 605-773-3296.

Kelsey Newling
SD DENR – State Emergency Response Commission
523 East Capitol Avenue
Pierre, South Dakota 57501

ADDITIONAL INFORMATION PROVIDED TO LEPCs FOR INFORMATIONAL PURPOSES

SDCL 1-50

A link to the SDCL 1-50 website is available from <http://denr.sd.gov/titleiii>

1-50-10. SERC report--Contents--Appropriations--Distribution of grants. At the end of the budget year the SERC shall submit a report to the Legislature detailing any fees collected pursuant to § 1-50-8 which are in excess of the amount appropriated for these purposes and request a budget appropriation to remit this amount to the local emergency planning committees in the form of grants to support emergency planning and community right-to-know activities at the local level. Grants shall be distributed according to the following schedule:

- (1) An amount not to exceed sixteen thousand five hundred dollars shall be distributed equally to all active local emergency planning committees if the active committees have addressed the minimum requirements of the program including:
 - (a) Annually submit a membership roster which meets the requirements of this section to the SERC for approval;
 - (b) Elect officers and adopt bylaws;
 - (c) Hold regular meetings at least once per quarter;
 - (d) Develop a procedure to provide information to the public on request;
 - (e) Provide public notice of meetings and of the availability of right-to-know information;
 - (f) Submit a draft emergency response plan; and
 - (g) Exercise and update the plan as required.
- (2) Any additional excess funds shall be included in the next year's legislative budget to be appropriated to be divided by the total number of facilities reporting statewide and the funds shall be disbursed to the local emergency planning committees on a per-facility basis.

Grants distributed under this program shall be expended by the local emergency planning committees to defray the expenses of operating the SARA title III program and for related SARA title I activities.

Source: SL 1992, ch 254, § 65; SDCL, § 34A-12-23; SL 1993, ch 257, § 1.

SDCL 1-25 - MEETINGS OF PUBLIC AGENCIES – OPEN GOVERNMENT

- A Guide to South Dakotas Open Meeting Law: http://atg.sd.gov/docs/Open_Meetings_brochure_text_2015.pdf (Read this!)
- FAQ Open Meeting Commission Procedures: <http://atg.sd.gov/legal/opengovernment/faqs.aspx>
- Attorney Generals Office Website: <http://atg.sd.gov/Legal/OpenGovernment/default.aspx>

Certification of Eligibility for LEPC Grants

Requirements

Your LEPC must be an “active” committee, as per South Dakota Codified Law 1-50-10.

Important: You must complete EVERY section or your grant application will be considered incomplete!

Date LEPC bylaws were adopted:	
Date LEPC officers were elected:	
Establish a meeting schedule (what is the meeting schedule?):	
Dates of the four quarterly meetings (Oct. 1, through Sept. 30)*:	Meeting #1: Meeting #2: Meeting #3: Meeting #4:
Do you have a procedure for providing information to the public?	
Are meetings held in compliance with public notice requirements of the open meeting law?:	
Date a written emergency response plan was finalized (plans should be submitted to the SERC for review):	
Date of your annual update of the written emergency response plan**:	
Date of your last Haz Mat exercise:	

**A newly formed committee may not have held four meetings and must include dates of future scheduled meetings. For all LEPCs, if postponement/rescheduling results in failure to meet quarterly, but there still were four meetings, provide the dates and explain the circumstances on the back of this form.*

***The annual update is not a plan rewrite. Rather, the update refers to an annual review and revisions made to ensure the plan remains current and up to date.*

Certification

The completed table shows the LEPC is an “active” committee and is eligible to apply for funds available through SDCL 1-50-10. The LEPC understands:

1. The amount awarded will depend on the formula in the law;
2. The committee will not receive a grant if it does not meet requirements outlined in SDCL 1-50-10;
3. Grant funds must be utilized to support the SARA Title III program or related SARA Title I activities;

A completed application package must include the following:

- “Certification of Eligibility” form (required);
 - “LEPC Grant Application” form (required);
 - “State of South Dakota Grant Recipient or Subrecipient Attestation” form (required);
 - “Activity and Expenditure Summary” form (if applicable); and
 - “Request for LEPC Grant Carryover” form (if applicable).
4. Failure to utilize funds for their intended purpose may result in ineligibility for future grants.

Chairperson

Local Emergency Planning Committee

Date



LEPC GRANT APPLICATION

APPLICANT INFORMATION

LEPC Name _____

Chairperson _____

Mailing Address _____

City _____ State _____ Zip _____

PROJECT INFORMATION

Grant funds will be utilized for: Title III Program Activities/Expenses Title I Activities
Provide a brief description of your proposed plans for the grant funds.

CERTIFICATION

I certify under penalty of law that I have personally examined and am familiar with the information contained in this application and I agree, on behalf of the LEPC, to provide documentation of funds expended, and to abide by the terms of the agreement.

Chairperson

Local Emergency Planning Committee

Date

State of South Dakota Grant Recipient or Subrecipient Attestation

By completing this form, you, the recipient or subrecipient, attest to meeting the following requirements per SDCL 1-56-10:

- (1) A conflict of interest policy is enforced within the recipient's or subrecipient's organization;
- (2) The Internal Revenue Service Form 990 has been filed, if applicable, in compliance with federal law, and is displayed immediately after filing on the recipient's or subrecipient's website;
- (3) An effective internal control system is employed by the recipient's or subrecipient's organization; and
- (4) If applicable, the recipient or subrecipient is in compliance with the federal Single Audit Act, in compliance with § 4-11-2.1, and audits are displayed on the recipient's or subrecipient's website.

If you, the recipient or subrecipient, have questions or concerns regarding the requirements listed above, please contact your state agency representative before signing this form.

Printed Name of Person Completing Form: _____

Printed Title of Person Completing Form: _____

Signature of Person Completing Form: _____ Date: _____

Request for
Local Emergency Planning Committee
Grant Carryover

The Local Emergency Planning Committee (LEPC) hereby acknowledges LEPC grant funds received during a prior grant year have not been utilized. Rather than return the funds, the LEPC formally requests the State Emergency Response Commission (SERC) consent to an extension.

Unspent/outstanding LEPC Grant balance: \$ _____

The LEPC will utilize unspent/outstanding funds for the following projects/purchases:

- _____
Estimated Cost: _____ Completion date: _____
- _____
Estimated Cost: _____ Completion date: _____
- _____
Estimated Cost: _____ Completion date: _____
- _____
Estimated Cost: _____ Completion date: _____
- _____
Estimated Cost: _____ Completion date: _____

Note:

Original grant restrictions remain in effect.
The SERC may request grant funds be returned if they are not utilized within three years of the original grant award date.

Dated this _____ day of _____, 20_____.

(Signature – LEPC Chairperson)

* Please note that any LEPC with a total outstanding/unspent LEPC Grant balance in excess of \$200.00 must submit this request for a grant extension.

Memorandum

To: South Dakota State Emergency Response Commission (SERC)
From: Autumn Stout, HMEP Grant Administrator
Date: September 11, 2018
Re: Quarterly FFY2016/FFY2017/FFY2018 HMEP Grant Report

FFY 2016 Grant Award Amounts:

- Federal Share: **\$144,617.00**
- Non-Federal Share (Match): **\$36,154.00**
- Total: **\$180,771.00**

FFY 2016 Federal Share Spent/Remaining To-Date:

- Spent: **\$104,492.17** (projects) + **\$25,004.92** (personnel, operating, supply, and indirect costs) = **\$129,497.09**
 - Remaining: **\$15,119.91** (all has been allocated)
-

FFY 2017 Grant Award Amounts:

- Federal Share: **\$143,519.00**
- Non-Federal Share (Match): **\$35,880.00**
- Total: **\$179,399.00**

FFY 2017 Federal Share Spent/Remaining To-Date:

- Spent: **\$69,169.81** (projects) + **\$23,005.18** (personnel, operating, supply, and indirect costs) = **\$88,825.29**
- Remaining: **\$54,693.71** (all has been allocated)



HMEP Grant Year 2016

- Twenty-seven projects were completed (two hazmat courses in Codington County, a Hazmat IQ Decon training, ARFF Spring Live Burn training, ARFF Fall Live Burn training, Blue Card online training, attendance at the IAFC conference, and attendance at the Safe Transportation Training Specialists training for Aberdeen Fire & Rescue, three hazmat courses in Edmunds County, hazmat plan updates/rewrites for Spink, Douglas, Aurora, and Hand Counties, commodity flow studies for Hanson, Lake, and Fall River Counties, attendance at the FDIC and IAFC conferences for a total of three personnel, a Hazmat IQ course, and attendance at the Safe Transportation Training Specialists training for Sioux Falls Fire Rescue, attendance at the Cold Zone and FDIC conferences for a total of five personnel, ARFF training, and attendance at the Safe Transportation Training Specialists training for Watertown Fire Rescue, attendance at a hazmat training at the Security and Emergency Response Training Center in Pueblo, Colorado for two personnel from the Rapid City Fire Department), and attendance at the Western Regions SERC Conference for one SERC member. A total of 257 students were trained through the hazmat classes and a total of ten personnel attended hazmat continuing education conferences.
 - One training for Sioux Falls Fire Rescue (TEEX Pipeline Technician training at the Texas A&M facility in College Station, TX) was cancelled due to Hurricane Harvey. \$6,465 was allocated for this training, which was rolled over and re-allocated to the 2017 grant year.
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HMEP Grant Year 2017

- Through the FY 2017 grant, funding was awarded to complete six hazmat plan updates/rewrites, one hazmat exercise, four hazmat awareness/operations trainings, attendance at five hazmat trainings/conferences for Aberdeen Fire Rescue, attendance at four hazmat trainings/conferences for Sioux Falls Fire Rescue, and attendance at five hazmat trainings/conferences for Watertown Fire Rescue.
 - Nine projects have been completed (attendance at the Hot Zone conference in Houston for three personnel from Watertown Fire Rescue attendance at the IAFC Hazmat Conference in Baltimore for three personnel from Watertown Fire Rescue, attendance at the Cold Zone conference in Minneapolis for three personnel from Watertown Fire Rescue, one Airport Rescue Firefighting live burn training for Watertown Fire Rescue, attendance at the TEEX Transportation Specialist training for four members of Sioux Falls Fire Rescue, three hazmat awareness/operations courses in Codington County, one hazmat training/exercise in Jones County, two Hazmat IQ courses for Aberdeen Fire Rescue, attendance at the IAFC Hazmat Conference in Baltimore for one person from Aberdeen Fire Rescue, one Airport Rescue Firefighting live burn training for Aberdeen Fire Rescue, and three planning meetings for the Task Force 1 hazmat team leads). A total of 179 personnel were trained through the hazmat classes.
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HMEP Grant Year 2018

- The South Dakota Office of Emergency Management has submitted the FY 2018 grant application to the U.S. Department of Transportation/Pipeline and Hazardous Material Safety Administration (DOT/PHMSA). The expected allocation amount for South Dakota is \$143,739, with \$35,935 as the



minimum match requirement. These funds are for FY 2018, which will have a period of performance of October 1st, 2018 through September 30th, 2019.

- The grant award will be issued by DOT/PHMSA by September 30th, 2018.
- The State of South Dakota has also submitted a request for supplemental funding to stock a hazmat training trailer with non-consumable inventory for the Task Force 1 hazmat team to use for training on hazardous materials transportation incidents, such as rail car or tanker responses. Sioux Falls Fire Rescue will donate the 22' enclosed trailer, which will count as match for the project. The State of South Dakota was eligible to apply for this supplemental funding because we have obligated our entire FY 2016 award and have continuously submitted reports on time to DOT/PHMSA. This is a competitive application process. If awarded, it will be in addition to the expected \$143,739 allocation amount.

