

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

State Capitol Building
Pierre, SD

South Dakota Department of Transportation
Brooking, SD

SD School of Mines and Technology
Rapid City, SD

Mitchell Technical Institute
Mitchell, SD

March 23, 2015
11:00 a.m. CT

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

COMMISSION MEMBERS PRESENT: Robert McGrath, Joe Nadenicek, Becky Pitz, Paul Merriman, Mike Carter, John Forman, Patrick Snyder, Tina Titze, Andrew Canham, and Dustin Willett.

COMMISSION MEMBER ABSENT: None.

PRESENT VIA TELEPHONE CONFERENCE CALL: Mary Beth Vasco, FEMA.

OTHERS PRESENT: See attached attendance sheets.

INTRODUCTIONS: Participants at the DDN sites introduced themselves.

APPROVAL OF MINUTES FROM DECEMBER 15, 2014: Motion by Nadenicek, seconded by Snyder, to approve the minutes from the December 15, 2014, State Emergency Response Commission meeting. A roll call vote was taken, and the motion carried unanimously.

NEW SERC MEMBERS: Tina Titze, Director of the Office of Emergency Management, replaces Kristi Turman, and Dustin Willett, Rapid City/Pennington County Emergency Manager, replaces Barb Telkamp.

FEDERAL UPDATE (EPA): No update.

FEDERAL UPDATE (FEMA): Mary Beth Vasco provided an update on recent FEMA activities.

HISTORY OF CRUDE OIL PIPELINES IN SOUTH DAKOTA: At the December 15 SERC meeting, Lynn DeYoung, Minnehaha County Emergency Manager, addressed the SERC regarding his concerns pertaining to shipments of Bakken crude oil through South Dakota via rail. His concerns focused primarily on funding gaps, the ability to respond to a large scale hazardous materials incident, and

knowledge gaps pertaining to transport/temporary storage of any hazardous material via rail or pipeline.

At that time, the SERC requested that the matter be added to the agenda for the March meeting.

Brian Walsh, DENR Ground Water Quality Program, is the department's primary contact for interstate hazardous material pipeline projects. He provided the SERC with a slide show discussing pipelines in the U.S. and SD and the federal and state regulatory framework. Mr. Walsh provided legislative history on crude oil pipelines in South Dakota from 2008 to the present. He also provided information on the Pipeline Task Force, SDCL 34A-18, and pipeline fee bills.

Mr. Walsh answered questions from the SERC members.

Chairman McGrath requested that the staff continue to keep the SERC informed regarding crude oil pipelines and rail transport.

Kim McIntosh, Ground Water Quality Program, reported that staff had participated on a telephone conference call regarding training for Bakken crude rail incidents.

LEGISLATIVE UPDATE: Joe Nadenicek reported that there were no bills before the 2015 SD Legislature relating to transportation of hazardous materials or petroleum by pipeline or rail, or any bonding proposals. He provided an update on 2015 legislation of may be of interest to the SERC.

APPROVAL OF LEPC ROSTERS: Ms. Kindt reported that there are 60 designated LEPCs in South Dakota, some of which are multi-county districts. This year, rosters were received from 51 LEPCs. Prior to the meeting, copies of the rosters were sent to the SERC members.

Ms. Kindt noted that Todd County LEPC submitted a roster in December 2014, and that roster has already been approved by the SERC.

Five counties are inactive and won't be submitting rosters – Faulk, Haakon, Jackson, Meade, and Shannon.

Two LEPCs are active, but do not elect officers until April, so they have not submitted updated rosters.

There are two LEPCs that have not submitted rosters yet, that have been active in the past. Ms. Kindt stated that she has unsuccessfully attempted to contact the emergency manager at Aurora County, and Moody County has an acting emergency manager at this time.

Mr. Kindt noted that before the meeting today, Hughes/Stanley LEPC submitted a revision to its roster adding Nick Williams, MDU to the roster.

Ms. Kindt reported that she reviewed the rosters and while some of the LEPCs need to work on certain sectors of representation on their rosters, she recommended approval of all of the rosters that were submitted.

Motion by Willett, seconded by Nadenicek, to approve the rosters as submitted. A roll call vote was taken, and the motion carried unanimously.

Motion by Carter, seconded by Nadenicek, 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 the following counties that have not submitted rosters, unless they submit rosters before the next SERC meeting: Faulk, Haakon, Jackson, and Meade. The appointment is effective until such time as a roster has been submitted and accepted by the SERC. A roll call vote was taken, and the motion carried unanimously.

Mr. Carter asked that staff check into the possibility of Shannon County joining in with the Fall River county LEPC. Ms. Kindt will update the SERC on this matter at the next meeting.

TIER II REPORTING UPDATE: Ms. Kindt reported that the annual bulk storage Tier II reports were due March 1, 2014. The Tier II reports are accepted on paper forms, electronically, and through the South Dakota online reporting website, and are submitted to the state, the local county emergency manager, and the local fire department.

Tier II reports have been received from 1,641 facilities. Ms. Kindt has been contacting the facilities that have not yet submitted the Tier II reports.

Fees collected to date total \$96,250, but the Tier II fee payment deadline is April 1, 2015, so some of the facilities have not yet submitted the fees.

HMEP GRANTS, TRAINING, AND PLANNING REPORT: Mr. Van Winsen provided the first quarter review of the FFY 2014 (Oct. 1, 2014-Sept. 30, 2015) HMEP training and planning grant activities.

To date, \$100,447 has been allocated for training with \$10,533 remaining, and \$33,900 has been allocated for planning with \$25,953 remaining.

Training Grant First Quarter Review

Mr. Van Winsen reported that staff proposes the following training: awareness – 240 people; operations – 68 people; specialist – 3 people; technician – 2 people; Cold Zone – 9 people; Airport rescue live burn – 18 people; airport rescue refresher – 18 people; hazmat IQ – 55 people; hazmat IQ advanced – 30; hazcat – 16 people; and 12 people attending various conferences.

Planning Grant First Quarter Review

The following counties intend to rewrite their hazmat plans: Butte, Edmunds, Tripp, Todd, Warhawk District (to include Campbell, Walworth, Dewey, Corson, and Ziebach Counties). It is possible that one commodity flow study will be conducted and Todd County intends to hold a hazmat exercise.

Mr. Van Winsen stated that the 2015 grant application that the state submits to HMEP is due April 4, 2015. He answered questions from the SERC members.

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LEPC GRANT: Ms. Kindt reported that the reporting fees that DENR collects are utilized to fund her position, pay for supplies and reporting materials, SERC expenses, part of a position in the Office of Emergency Management, and they fund the Duty Officer Program. Funds remaining are provided to the LEPCs in the form of the LEPC grants.

The state Bureau of Information and Telecommunications (BIT) is working on the Tier II database. At the last SERC meeting, Ms. Kindt explained that the work being done by BIT should provide a better online reporting application and will hopefully be more useful to the local emergency responders. The hope is that the location emergency responders and planners will be able to make use of it because it will be easier to use and it will provide information to them in a manner that they will find more usable.

The work BIT is doing also involves converting the Tier II database and the TRI database from FoxPro to Sequel Server. BIT is also in the process of converting many other databases maintained by DENR. The reason for converting the databases is because Microsoft is no longer supporting FoxPro. BIT intends to complete converting the Tier II and TRI databases soon.

Ms. Kindt stated that the cost for BIT to convert these two databases, including an online reporting function for the Tier II facilities and preparing an online map driven application to be used by the public to see what products are stored at facilities in local communities, is more than originally estimated.

Ms. Kindt noted that the cost of the work BIT is doing will have an impact on the amount of funds available to go out to LEPCs this fall.

The state Office of Emergency Management has had to make funding changes that will further impact the grant amounts this year as well as years to come. Tina Titze reported that historically, the Office of Emergency Management has taken about \$5,000 of the grant funds to support the Duty Officer Program. More grant funds will also be needed to fund Mr. VanWinsen's time working on the HMEP grants.

Ms. Kindt, Ms. Titze, and Mr. VanWinsen answered questions from the SERC members.

REGIONAL HAZMAT TEAM UPDATE: Steve Pluta, Office of Homeland Security, provided an update on regional hazmat teams.

OTHER BUSINESS: The next meeting will be June 22, 2015, via the DDN at 1:00 p.m. Central Time.

ADJOURN: Chairman McGrath declared the meeting adjourned.

Robert B. McGrath 6/22/2015
Chairman Date

[Signature] 6-22-15
Witness Date

