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

State Capitol Building
Pierre, SD

Department of Transportation
Brooking, SD

Rapid City/Pennington County Emergency Management
Rapid City, SD

Mitchell Technical Institute
Mitchell, SD

March 27, 2017
10:00 a.m. CT

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

COMMISSION MEMBERS ABSENT: None.

PRESENT VIA TELEPHONE CONFERENCE CALL: Lori Reed, EPA Region VIII.

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 DECEMBER 19, 2016, MEETING: Motion by Titze, seconded by Forman, to approve the minutes from the December 19, 2016, State Emergency Response Commission meeting. A roll call vote was taken, and the motion carried unanimously.

FEDERAL UPDATES: Lori Reed discussed recent activities of EPA Region VIII. She noted that she will be attending the LEPC Workshops in South Dakota during the next week.

MARCH 2017 LEPC WORKSHOPS: Trish Kindt reported that LEPC workshops will be held March 28-31, 2017. The workshops, hosted by the Office of Emergency Management (OEM) and the Department of Environment and Natural Resources (DENR), will be held in Mitchell, Aberdeen, Pierre and Rapid City.

Staff from DENR, OEM, and EPA will present information pertaining to the origin and purpose of Title III of the Superfund Amendments and Reauthorization Act (SARA). Other topics discussed will be tasks required of LEPCs and the State Emergency Response Commission, online resources, reimbursement programs, grants, rule update, and strategies for energizing LEPCs.

LEPC ROSTER APPROVALS: Ms. Kindt reported that in South Dakota there are 60 designated LEPCs, some of which are multi-county districts. This year rosters were received from 53 LEPCs.

Ms. Kindt noted that prior to today's meeting she emailed all of the rosters to the SERC members for review.

Ms. Kindt stated that the Edmunds County LEPC intends to submit its roster next month following the LEPCs' election of officers. The roster will be presented to the SERC for consideration at the June SERC meeting.

The emergency manager in Day County is new and temporary. The LEPC has met this year and has scheduled another meeting in May, but a roster has not been submitted. Ms. Kindt noted that she received a list of the people that attended the LEPC meeting, but she does not consider it a roster. Ms. Kindt asked the SERC to wait until the June SERC meeting to see if the new emergency manager submits a roster.

The Sully County emergency manager/LEPC chair for has been out of the country for a month and won't be back until the end of this month. Ms. Kindt intends to contact the emergency manager/LEPC chair when he returns to see if he plans to submit a roster. If a roster is submitted, it will be presented to the SERC for consideration at the June meeting.

Haakon, Oglala Lakota, Jackson and Sanborn LEPCs have not submitted rosters. Ms. Kindt noted that she spoke to the Jackson County emergency manager who indicated that the LEPC may submit a roster, but in the meantime the SERC should appoint an LEPC for that county.

Ms. Kindt stated 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 the rosters that were submitted.

Motion by Carter, seconded by Titze, to wait until the June SERC meeting to consider rosters from Edmunds, Day, and Sully county LEPCs. A roll call vote was taken, and the motion carried unanimously.

Motion by Willett, seconded by McIntosh, to approve the 53 rosters that were submitted. A roll call vote was taken, and the motion carried unanimously.

Ms. Kindt stated that the mayor and fire chief in Philip, SD, are interested in being included as part of the LEPC appointment.

Motion by Forman, seconded by Pitz, to authorize Chairman McGrath to send a letter appointing the county commission, state's attorney, emergency manager, county sheriff, mayor of Philip, and Philip fire chief to serve as the LEPC for Haakon County, and to send a letter appointing the county commission, state's attorney, emergency manager, and county sheriff to serve as the LEPC for Jackson, Oglala Lakota, and Sanborn counties, unless the rosters are submitted before the next SERC meeting. 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.

HMEP GRANTS TRAINING AND PLANNING REPORT: Autumn Stout reported that for the FFY 2015 grant, \$1,943 remains unallocated. The period of performance ends March 31, 2017.

All of the FFY 2016 grant funds been allocated, and to date approximately \$7,700 has been spent.

For grant year 2015 funds, all planning projects have been completed and reimbursement requests have been submitted and paid.

Twenty-two training projects have been completed and payment is in process or completed. A total of 218 people were trained through these projects.

The remaining two projects were for a Task Force 1 training held recently in Watertown. Ms. Stout expects to receive this reimbursement request paperwork soon.

Ms. Stout noted that the initial grant year 2015 period of performance ended September 30, 2016, but South Dakota was granted a period of performance extension of six months, making the new end date for the period of performance as March 31, 2017. Work on all projects must be complete by this time.

For grant year 2016, two hazmat awareness courses in Codington County have been completed. A total of 13 people were trained in the first course and 25 people were trained in the second course. The grant amount was \$3,000 for the two courses.

In April, county emergency managers, LEPCs, and the Task Force 1 fire departments will have the opportunity to apply for funding for FY 2017. Applications for projects are due April 28, 2017. The period of performance for this grant begins October 1, 2017.

Ms. Stout answered questions from the SERC members.

REGIONAL HAZMAT TEAM UPDATE: Stefan Pluta, Director, South Dakota Office of Homeland Security, reported that his office is working on scheduling the Task Force 1 teams for future training.

LEGISLATIVE UPDATE: Ms. Kindt provided an update on the following 2017 legislation of interest to the SERC:

HB 1006 - An Act to revise certain requirements for a public notice of a public meeting.

HB 1071 – An Act to require the approval of the Legislature before any high level nuclear waste may be processed or deposited within state boundaries.

HB 1081 - An Act to revise certain provisions for establishing a trust for an un-locatable mineral owner.

HB 1124 - An Act to exempt a person with a commercial driver license from the requirement to have a hazardous materials endorsement on the license under certain conditions.

HB 1170 – An Act to revise certain provisions regarding conflicts of interest for authority, board, or commission members.

HB 1181 – This would have been an Act to prohibit hydraulic fracturing. This bill was deferred to the 41st legislative day.

SB 9 – An Act to revise the river basin natural resource district boundaries, to establish subdistricts for each district, and to establish a procedure to adjust district boundaries. The bill was deferred to the 41st legislative day.

SB 10 – An Act to provide for an election in the Red River and Minnesota River Basin Natural Resource District in 2018, to remove certain areas from the East Dakota Water Development District that are contained in that river basin natural resource district, and to provide for elections in the other river basin natural resource districts at a later date. The bill was deferred to the 41st legislative day

SB 46 – An Act to revise certain provisions regarding the state geologist.

SB 66 - An Act to specifically classify certain agricultural land as riparian buffer strips, to establish the criteria for the riparian buffer strip classification, and to provide for the taxation thereof.

SB 70 – An Act to make appropriations from the water and environment fund and its revolving fund subfunds for various water and environmental purposes, to increase the transfer from the

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water and environment fund to the environment and natural resources fee fund, and to declare an emergency.

SB 116 – An Act to improve online access to information concerning state boards, commissions, and departments.

Ms. Titze discussed SB 176 – An Act to preserve the use of public land, to ensure free travel, to enhance emergency response, and to declare an emergency.

REGION 8 SERC CONFERENCE: Dustin Willett reported on the 2017 EPA Region 8 SERC conference he attended in Denver, CO.

Ms. Reed noted that the next SERC conference will be hosted by Region 10 in January 2018.

Discussion took place regarding Mr. Willett's report.

OTHER BUSINESS: The next SERC meeting will be June 26, 2017, via the DDN at 10:00 a.m. Central Time.

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

Chairman McGrath declared the meeting adjourned at 10:55 a.m. Central Time.

Robert B. McGrath 6/26/2017
Chairman Date

Donnie Foster 6/26/2017
Witness Date

ATTENDANCE SHEET

STATE EMERGENCY RESPONSE COMMISSION MEETING

CONDUCTED VIA THE DIGITAL DAKOTA NETWORK

RAPID CITY EMERGENCY OPERATIONS CENTER

RAPID CITY, SD

MARCH 27, 2017

NAME (PLEASE PRINT)

ADDRESS

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