

AGENDA

South Dakota State Emergency Response Commission

Monday, March 26, 2018
10:00 a.m. Central – 9:00 a.m. Mountain

1. Introductions
2. Call to Order and Roll Call
3. Approval of December 18, 2017, SERC Meeting Minutes
4. Federal updates
5. Amherst Pipeline Spill – DENR
6. Status - Emissions Reporting for Livestock Producers - DENR
7. Tier II Report submittals – DENR
8. Industry Workshops – DENR
9. LEPC Roster Review/Appointments- DENR
10. Legislative Update - DENR
11. Update – SERC Conference - Dustin Willett
12. Regional Haz Mat Team Update – HLS
13. HMEP Grants, Training, and Planning Report – OEM
14. National Advisory Council for FEMA – OEM
15. Other Business
16. Adjourn

Held via the Digital Dakota Network at the Following Locations:

Brookings, South Dakota
Department of Transportation
2131 34th Avenue

Pierre, South Dakota
State Capitol Building
Basement– Studio A – Room B12

Mitchell, South Dakota
Mitchell Technical Institute
Room TC 155
1800 E Spruce St

Rapid City, South Dakota
Rapid City/Pennington County Emergency Management
130 Kansas City St. Suite 130

Livestreaming at: <http://sd.net>

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
Brooking, SD

Rapid City/Pennington County Emergency Management
Rapid City, SD

Mitchell Technical Institute
Mitchell, SD

December 18, 2017
10:00 a.m. CT

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.

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

COMMISSION MEMBERS ABSENT: Mike Carter and Dustin Willett.

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

OTHERS PRESENT: See attached attendance sheets.

INTRODUCTIONS: Participants at the DDN sites introduced themselves.

APPROVAL OF MINUTES FROM SEPTEMBER 12, 2017, MEETING: Motion by McIntosh, seconded by Titze, to approve the minutes from the September 12, 2017, State Emergency Response Commission meeting. A roll call vote was taken, and the motion carried unanimously.

HMEP GRANTS TRAINING AND PLANNING REPORT: Autumn Stout, Office of Emergency Management, provided the quarterly review of training and planning grant activities.

Ms. Stout reported that about \$16,000 is remaining in the 2016 grant. Of that amount, \$6,465 has been re-allocated to Sioux Falls Fire Rescue for FY 2017 due to an unforeseen cancelled project in FY 2016; \$8,300 will be spent on a TEEEX Pipeline Awareness/Operations course in the spring; and \$1,225 will be used for Dustin Willett's attendance at the Western Regions SERC Conference.

Twenty-six projects were completed using the 2016 grant funding. A total of 257 students were trained through the hazmat classes and nine personnel attended hazmat continuing education conferences.

For the 2017 grant, almost \$9,000 has been spent on projects, and about \$134,500 remains in the grant. Two projects have been completed: attendance at the Hot Zone conference in Houston for three personnel from Watertown Fire Rescue and attendance at the TEEEX Transportation Specialist training for one member of Sioux Falls Fire Rescue.

NATIONAL ADVISORY COUNCIL FOR FEMA: Tina Titze reported that she attended her first meeting of the National Advisory Council. About 35 members attended this meeting. This was the National Advisory Council's first meeting with the new FEMA Administrator, Brock Long. Mr. Long asked the council to provide feedback on streamlining FEMA and different programs. The council was divided into three separate subcommittees, and Ms. Titze was assigned to the subcommittee related to mitigation and insurance topics. The subcommittee will look fulfilling some of Mr. Long's visions and give him ideas on simplifying programs as he decides to make certain changes within FEMA.

REGIONAL RESPONSE TEAM (RRT) MEETING REPORT: Kim McIntosh reported that October 17-18, 2017, she attended the RRT meeting in Denver, CO. Under the National Contingency Plan, the RRT is required to meet twice a year. At the meeting representatives of EPA talked about the agency going through a time of change – budget uncertainty, Superfund projects are a priority, and Region VIII employees being deployed to Hurricane Anna area and the wildfires in California.

Also discussed at the RRT meeting was sub-area contingency planning. Under the National Response Center, states, locals, EPA, and other federal entities work on these contingency plans for spills and releases on certain water bodies or segments of water bodies in Region VIII. The group has completed a draft contingency plan of the Missouri River and the Big Sioux River; and the plan outlines the potential sources for major oil spills, receptors, drinking water intakes, wells, threatened and endangered species, and contact information. It also establishes areas where booms can be deployed if there is a major oil spill. Please let Ms. McIntosh know if you'd like a copy of the plan.

During the RRT meeting, the US Department of Agriculture, EPA, and the Coast Guard provided updates on their response to hurricanes and wildfires. Health and Human Services gave a presentation on the lead impact to the drinking water system in Flint, MI. There were also discussions and presentations on Colorado's problems associated with the marijuana industry. There are both legal and illegal operations in the state. The US Forest Service and EPA are finding that there are several illegal grow operations on federal lands.

EPA also provided an update on the Belle Fourche pipeline crude oil release that occurred last winter in North Dakota.

UPDATE ON RECENT SPILL AND STORAGE REPORTING: Ms. McIntosh reported that rail storage is regulated by the federal Department of Transportation (DOT). There are aspects of rail storage that then can not only be regulated by DOT, but could also be regulated by EPA. There are a number of different federal laws that talk about rail storage and hazmat on rails. The Interstate Commerce Commission Termination Act pre-empts state and local laws. Some federal laws are pre-empted by this act. The Federal Hazardous Material Transportation law and the Emergency Planning and Community Right-to-Know Act (EPCRA) also regulate jurisdiction.

Ms. McIntosh stated that from DENR's standpoint, if a facility is storing hazardous materials and the materials are in true storage and not under shipping papers, then the facility is obligated to report under EPCRA, the SERC, the LEPC, and the fire departments. Ms. McIntosh said that is probably a very sector of the hazmat sitting on rails sightings or rail lines. Most of the hazardous material that is sitting on rail lines is exempt. DENR would like to encourage both the railroads and the LEPCs and fire departments to have open communications with the railroads to try to encourage them to at least talk about what is being stored on site, how long that material will be there, and what their thoughts are on who's going to respond if one of these hazmat tankers leaks or starts on fire.

Ms. McIntosh provided an update on the TransCanada Keystone Pipeline crude oil release in Marshall County that was reported on November 16, 2017. There are two crude oil pipelines in South Dakota. The TransCanada Keystone pipeline is a hazardous material liquids pipeline that extends into Texas. The pipeline transports tar sands from Canada and conventional crude oil. It was constructed in 2008/2009 and the installation, operation, and safety operations on this pipeline are all regulated by the US Department of Transportation, Pipeline and Hazardous Material Safety Administration (PHMSA). The state of South Dakota does not regulate the installation, operation, and safety issues associated with the pipeline.

Ms. McIntosh discussed the timeline from the time the spill was reported to the time it was addressed. She presented a PowerPoint presentation showing pictures of the location of the spill. TransCanada is estimating 60 to 70 days to complete the cleanup.

UPDATED TIER II REPORTS: Trish Kindt reported she had sent the SERC members links for the DENR Title III and Tier II reporting form webpages.

Tier II reports are annual reports that are due by March 1. Certain facilities are required to report storage or agricultural chemicals, fuel, and other hazardous substances. When reporting storage, a facility doesn't just report the chemical name; they report other things such as the amount stored, the type of storage container, and the physical and health hazards of the stored substance. In the past, the reporting form only allowed a facility to report that a substance posed one of five physical or health hazards. It could either pose an immediate or chronic or health hazard or as far as physical hazards, it could be explosive, flammable, or be subject to a sudden release of pressure. In 2016, EPA amended 40 CFR Part 370, specifically the section that talked about the physical and health hazard reporting on Tier II forms. For Tier II reports that are due on March 1, 2018, facilities will have more options for reporting physical and health hazards. Instead of having only five categories available, they now have 13 physical hazard categories and 11 health hazard categories. Ms. Kindt discussed the list of categories.

Ms. Kindt noted that this year, the reminder letter that she sends to facilities telling them it's Tier II reporting season will include information on the new physical and health hazards. Ms. Kindt said Kelsey Newling and her will be available to help facilities with any questions they have regarding the Tier II reporting. She also noted that Tier II reporting workshops, which are held in the spring, will include information on the physical and health hazard options and the new reporting requirements.

Ms. Kindt answered questions from the SERC members.

LEPC GRANT AWARDS: Chairman McGrath stated that several of the SERC members also serve on various LEPCs. He stated that if any of the SERC members' LEPCs are requesting grants, that SERC member should abstain from voting on that particular funding request.

Chairman McGrath serves on the Brookings County LEPC and Becky Pitz serves on the Davison County LEPC. Dustin Willett and Mike Carter both serve on LEPCs but were not present during the meeting.

Trish Kindt reported that this year \$45,468.12 is available to award and 39 LEPC grant applications were received.

Ms. Kindt stated that she reviewed each application for compliance with the state and federal requirements. SDCL 1-50-10 and 42 USC 1101 outline things an LEPC must do in order to qualify for an LEPC grant. An LEPC has to submit a roster, elect officers, adopt bylaws, have quarterly meetings, have procedures for providing information to the public, provide public notice of meetings, complete an emergency plan, review and update that plan on an annual basis, and the LEPC needs to hold exercises.

Ms. Kindt noted that if the required information is missing from an LEPC grant application, she contacts the LEPC and tries to gather incorrect or missing information.

Two of the LEPCs had minor issue. Ms. Kindt stated that she has received email copies of the expenditure sheets from Custer and Hanson county LEPCs, but they need to provide a hard copy of their signed expenditure sheets.

Prior to the meeting, Ms. Kindt provided the SERC members with a list of LEPC grant applications and her recommendations and grant award amounts.

Chairman McGrath requested SERC action on the grant applications.

Motion by Forman, seconded by Merriman, to approve grant funds in the amounts shown on the table for the following 37 LEPCs: Beadle, Bennett, Bon Homme, Brown, Brule/Buffalo, Butte, Charles Mix, Clark, Clay, Codrington, Custer, Day, Edmunds, Fall River, Grant, Hand, Hanson, Hyde, Kingsbury, Lake, Lawrence, Marshall, McPherson, Mellette, Miner, Minnehaha, Moody, Pennington, Perkins, Potter, Roberts, Spink, Todd, Turner, Union, War Hawk, and Yankton. A roll call vote was taken, and the motion carried unanimously.

Motion by Titze, seconded by McIntosh, to approve funding in the amounts shown on the table for Brookings and Davison LEPCs. A roll call vote was taken, and the motion carried with Titze, McIntosh, Forman, Merriman, Canham and Snyder voting aye. Pitz and McGrath abstained from voting.

OTHER BUSINESS:

Lori Reed, EPA, reported on recent activities of EPA Region VIII. She discussed the definition of "waters of the United States," concentrated animal feeding operations, and air emissions reporting.

Trish Kindt stated that over the past couple of years, the state and EPA have worked together to hold workshops. This past spring LEPC workshops designed for LEPC members and emergency managers were held. Two years ago, industry workshops were held. Because there was so much interest in the

State Emergency Response Commission
December 18, 2017, Meeting Minutes

2016 industry workshops, this summer more industry workshops will be held. Ms. Kindt has been working with Rebecca Broussard at EPA Region VIII on possible dates to hold the workshops. Topics that will be covered during the workshops will be spill and release reporting, Tier II reporting, risk management plans, the Toxic Release Inventory (TRI), Chemical Facility Anti-Terrorism Standards (CFATS) regulations, and spill prevention, control, and counter measures (SPCC) requirements.

Ms. Kindt will let the SERC know when the workshop plans are finalized.

The next SERC meeting will be March 26, 2018, via the DDN at 10:00 a.m. Central Time.

ADJOURN: Motion by Forman, seconded by Titze, to adjourn the meeting. 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

DECEMBER 18, 2017

NAME (PLEASE PRINT)

ADDRESS

REPRESENTING

Robert B. McGrath

47547 SD HWY 30, White, SD 57276

SERC

DRAFT

ATTENDANCE SHEET

STATE EMERGENCY RESPONSE COMMISSION MEETING

CONDUCTED VIA THE DIGITAL DAKOTA NETWORK

MITCHELL TECHNICAL INSTITUTE
MITCHELL

DECEMBER 18, 2017

NAME (PLEASE PRINT)

ADDRESS

REPRESENTING

Becky Pitz

mitchell

POBT

DRAFT

Memorandum

To: South Dakota State Emergency Response Commission (SERC)
From: Autumn Stout, HMEP Grant Administrator
Date: March 26, 2018
Re: Quarterly FFY2016/FFY2017 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: **\$19,727.52** (projects) + **\$8,395.87** (personnel, operating, supply, and indirect costs) = **\$28,123.39**
- Remaining: **\$115,395.61** (all but \$722.19 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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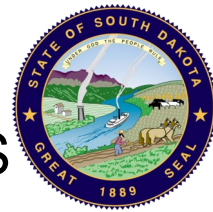
HMEP Grant Year 2017

- 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.
- Six projects have been completed (attendance at the Hot Zone conference in Houston for three personnel from Watertown Fire Rescue, attendance at the TEEX Transportation Specialist training for one member of Sioux Falls Fire Rescue, and three hazmat awareness/operations courses in Codington County). A total of 74 personnel were trained through the hazmat classes.



	LEPC	2018 Active/ Roster?	2017 Active/ Roster?	Emergency Manager	Assistant	LEPC Chair
1	Aurora	Y	Yes	David Baker		David Baker
2	Beadle	Y	Yes	Taylor Jans		Nathan Hall
3	Bennett	Y	Yes	Jeff Siscoe		Rolf Kraft
4	Bon Homme	Y	Yes	Eric Elsberry		Ken Carda
5	Brookings	Y	Yes	Robert Hill	Richard Haugen	Pete Bolzer
6	Brown	Y	Yes	Scott Meints	Patti Woods	Michael Thompson
7	Brule/Buffalo	Y	Yes	Katheryn Benton		Katheryn Benton
8	Butte	Y	Yes	Fred Lamphere		Mike Keolker
9	Charles Mix	Y	Yes	Mike Kotab		Mike Johnson
10	Clark	Y	Yes	Michael Gravning		Robert McGraw
11	Clay	Y	Yes	Layne Stewart		Layne Stewart
12	Codington	Y	Yes	Jim Sutton	Cheri Howell	Don Rowland
13	Custer	Y	Yes	Mike Carter	Joel Behlings	Jim Lintz
14	Davison	Y	Yes	Jeff Bathke	Mark Jenniges	Marius Laursen
15	Day	Y	Yes	Bryan Anderson		Bryan Anderson
16	Deuel	Y	Yes	Cory Borg		Cory Borg
17	Douglas	Y	Yes	Pat Harrington		Darrell VanDenHoek
18	Edmunds	Officer election & new roster 4/5/18	Yes	Leland Treichel		Leland Treichel
19	Fall River	Y	Yes	Frank Maynard		Pat Russell
20	Faulk	Y	Yes	Mark Toennies	Brent Koens	Amie Fraiser
21	Grant	Y	Yes	Sheryl Ward		JoAnn Kranz
22	Gregory	Y	Yes	Brad Christensen		Brad Christensen
23	Haakon	Appoint??	SERC	Lori Quinn		
24	Hamlin	Y	Yes	David Schaefer		David Olsen
25	Hand	Y	Yes	Alex Roeber		Jon Dunlap
26	Hanson	Y	Yes	Kevin Kayser		Kay Hall-Miller
27	Harding	Y	Yes	Kathy Glines		Deb Brown
28	Hughes/	Y	Yes	Rob Fines		Mike Leidholt
29	Hutchinson	Y	Yes	David Hoffman		David Hoffman
30	Hyde	Y	Yes	Brent Hovland		Roger Buchholz
31	Jackson	Appoint??	SERC	Jonathan Beck		
32	Jerauld	Y	Yes	Roger Dwyer		Leo Channel
33	Jones	Y	Yes	Beth Newbold		Bethany Newbold
34	Kingsbury	Y	Yes	Cindy Bau		Rodney Olson
35	Lake	Y - But Vacant EM	Yes	Vacant		Kory Reck
36	Lawrence	Y	Yes	Paul Thomson	Rene Larson, Ken Hawki	Ken Hawki
37	Lincoln	Y	Yes	Harold		Harold Timmerman
38	Lyman	Y	Yes	Steve Manger		Mike Anderson
39	Marshall	Y	Yes	Todd Landmark		Doug Medhaug
40	McCook	Y	Yes	Brad Stiefvater	Brad Stiefvater	Dean Koch
41	McPherson	Y	Yes	Dave Ackerman	Steven Lipke	Tim Serr
42	Meade	New EM plans to start LEPC	Yes	Doug Huntrods		Bill Heidgerken
43	Mellette	awaiting	Yes	Karen O'Brien		Tanner Lolley
44	Miner	Y	Yes	Bob Calmus		Henry Rentschler
45	Minnehaha	Y	Yes	Lynn DeYoung	Doug Blomker, Denise Christensen	Lynn Deyoung
46	Moody	Y	Yes	Terry Albers		Merle Gulbranson
47	Oglala Lakota	Appoint??	SERC	Frank Maynard		
48	Pennington	Y	Yes	Dustin Willett	Alexa White	Alan Johnson
49	Perkins	Y	Yes	Kelly Serr	Todd Campbell	Kelly Serr
50	Potter	Y	Yes	Cheryl Sautner	Alan McClain	Alan McClain
51	Roberts	Y	Yes	Jim Pearson		Lyle Carl
52	Sanborn	Appoint??	SERC	Jason Coenen		
53	Spink	Y	Yes	Larry Tebben		Stuart Bell
54	Sully	Y	Yes	Curt Olson		Curt Olson
55	Todd	Officer election & new roster in April	Yes	Kara Walkling		Gregg Grimshaw
56	Tripp	awaiting	Yes	Jon Burdette		Shawn Pettit
57	Turner	Y	Yes	Brad Georgeson		Nolan Clark
58	Union	Y	Yes	Andy Minihan	Cristy Harkness	Larry Christensen
59	War Hawk	Y	Yes	Ted Schweitzer	Layne Perman, Mike Varilek, Jake Fees, Charles Red Crow	Clint Farlee
60	Yankton	Y	Yes	Paul Scherschliat		Paul Scherschliat
			4	:Recommend SERC appoint LEPC		
			2	:Roster Submittal Expected for 2nd Quarter SERC Meeting		
			1	:New Emergency Manager has indicated he wishes to start a LEPC		
			1	:Roster Submitted but EM position Vacant		
			50	:Roster submitted - no comments		
			0	:Awaiting Roster Submittal		
			58	:Total number of LEPC's		

SOUTH DAKOTA — 2018 CHEMICAL AND OIL INDUSTRY SAFETY & COMPLIANCE WORKSHOPS



The South Dakota Department of Environment and Natural Resources (DENR) invites you to workshops led by representatives from the DENR, U.S. Occupational Safety and Health Administration (OSHA), Department of Homeland Security, and Environmental Protection Agency. Participants will have ample time to ask questions.

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

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

Audience

Businesses and Industries that use and store hazardous substances and/or are subject to RMP, EPCRA, PSM, CFATS, SPCC, and FRP.

Times/Dates

<i>Mitchell</i>	August 28, 2018	9am-12pm:	Morning Workshop
		1:30pm-3:00pm:	Afternoon Workshop
<i>Aberdeen</i>	August 29, 2018	9am-12pm:	Morning Workshop
		1:30pm-3:00pm:	Afternoon Workshop
<i>Pierre</i>	August 30, 2018	9am-12pm:	Morning Workshop
		1:30pm-3:00pm:	Afternoon Workshop
<i>Rapid City</i>	August 31, 2018	9am-12pm:	Morning Workshop
		1:30pm-3:00pm:	Afternoon Workshop

Register for Morning Workshops:

<https://2018sdchemicalworkshops.eventbrite.com>

Register for Afternoon Workshops:

<https://2018sdoilworkshops.eventbrite.com>