

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 27, 2016
10:00 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, Becky Pitz, Doug Hinkle for Paul Merriman, Mike Carter, John Forman, Tina Titze, Patrick Snyder, and Kim McIntosh.

COMMISSION MEMBER ABSENT: Andrew Canham and Dustin Willett.

PRESENT VIA TELEPHONE CONFERENCE CALL: Lori Reed, EPA Region 8.

OTHERS PRESENT: See attached attendance sheets.

INTRODUCTIONS: Participants at the DDN sites introduced themselves.

APPROVAL OF MINUTES FROM MARCH 28, 2016: Motion by Titze, seconded by Carter, to approve the minutes from the March 28, 2016, State Emergency Response Commission meeting. A roll call vote was taken, and the motion carried unanimously.

FEDERAL UPDATE: Lori Reed reported on the recent activities of EPA Region 8.

KEYSTONE/TRANSCANADA PIPELINE LEAK: Brian Walsh, DENR Ground Water Quality Program, reported that the Keystone Pipeline is a steel pipe, thirty inches in diameter, that has been in operation in South Dakota since 2010. The pipeline's maximum capacity is 700,000 barrels per day (bpd), and it transports crude oil from facilities in Hardisty, Alberta, Canada to United States facilities in Cushing, Oklahoma, Wood River and Patoka, Illinois, and the Gulf Coast region.

April 2, 2016, a landowner reported oil on the ground in Hutchinson County near the intersection of 437th Avenue and Highway 18 east of Menno and south of Freeman. TransCanada shut down the pipeline and reported the incident to the National Response Center (NRC) with an estimated spill volume of 167 gallons. Shortly after reporting the incident to the NRC, TransCanada reported the incident to DENR.

On April 3, the investigation and excavation began. The spill impacted only the soil with no impacts to surface water bodies or aquifers. All standing free product had been collected for disposal. A test pit had been excavated next to the pipeline in the eastern ditch. Crews began stripping the topsoil to expose the pipeline. Hydrovac trucks and other equipment were mobilized and enroute. Off-site, temporary contaminated soil staging areas were identified.

On April 7, DENR staff went to the site and reported that the estimated spill volume had been revised to 400 barrels or 16,800 gallons. Ten soil borings were completed, and they were all clean. One boring on the eastside had a small amount of water in it, so a temporary well was installed. Approximately 1,000 yards of contaminated soil was excavated and relocated to the temporary storage location.

On April 8, TransCanada reported 275 feet of pipe was exposed, including six weld locations. The leak was found and identified as a leaking transition weld. The leak rate was observed at approximately two drops per minute, and excavation was ongoing.

On April 9, 2016, TransCanada reported the leak had been repaired and they were preparing to restart the pipeline with limited operation. Operation resumed with the Pipeline Hazardous Materials Safety Administration (PHMSA) approval. Confirmation sampling in the excavation began and characterization of the waste stream was underway.

On April 11, TransCanada reported approximately 4,500 yards of contaminated soil had been removed. Confirmation sampling continued, and results were discussed with DENR prior to backfilling. TransCanada worked with a local property owner to purchase backfill material and the contaminated soil pile was covered with plastic and runoff control measures were in place. TransCanada's environmental consultants began working with DENR's Waste Management Program to finalize disposal options.

On April 12, TransCanada reported excavation was continuing, and approximately 7,000 yards of contaminated soil had been removed. The pipe stabilization had become an issue and some soils had to be replaced to support long pipe spans and prevent lateral movement of the pipe. TransCanada worked with DENR's Surface Water Quality Program to ensure all storm water requirements were being met. They planned to start moving material for final disposal on Thursday, April 14, 2016.

On April 19, 2016, TransCanada reported a waste management facility near Glencoe, Minnesota, was selected for soil disposal. Trucks began taking soil to Glencoe and continued until all material was removed. Excavation continued and geoprobes were used to delineate the extent of contamination at depth. Excavation continued until DENR's Tier 1 Action Levels were achieved.

On April 21, TransCanada reported that hauling to the waste management landfill in Glencoe, Minnesota, continued. Some backfilling had occurred where clean confirmation samples were received from the lab. The only areas left to excavate were areas where pipe stabilization was required. TransCanada worked on plans for possible excavation in those areas when the final pipe repair was complete. At this time, approximately 12,000 yards of contaminated soil had been removed from the site.

On May 5, the final pipe repair was completed, and by May 9, 2016, 310 loads of contaminated soil and 34 loads of contaminated water had been delivered to the landfill. The water that was contaminated was largely rain water that had gotten in the pit, and at the time, that amounted to about half of the total soil they had stored at Freeman.

Ultimately, the excavation was split into two halves; the east side and the west side of 437th Avenue. The east half had less contamination. The east side assessment report was submitted to DENR and all Tier I action levels had been achieved. By May 17, 500 loads of contaminated soil or about 10,000 tons, had been delivered to the landfill. At the time, that represented 100 percent of what was stored at the Freeman site.

The west side had more contamination and it was where the location of the leak was. The contamination went deeper below the pipeline so there was great deal of pipe stabilization that had to be done in order to dig at depth below the pipeline. A pipe stabilization system was engineered and installed, and by May 25, four of the five stabilization bracing structures were in place. The final excavation could not be completed until all five of the structures were in place.

On June 2, the structures were in place and the final excavation was about 85 percent complete. By June 8, the west side excavation was complete, the confirmation samples had been collected, and all the results were below DENR's Tier I action levels. By June 9, backfilling of the west side excavation was under way.

Mr. Walsh noted that just before the SERC meeting, a representative from TransCanada informed him that the excavation is complete, and there is a small amount of backfilling left to do on the west side. When the backfilling is complete, TransCanada will perform a surface confirmation sampling. The east side surface confirmation sampling is complete and is below Tier I action levels. The last load of contaminated soil from Freeman will be taken to the landfill later today, and the surface confirmation sampling will begin. Ultimately, DENR will receive a west side excavation report, which details that effort, and then a final corrective action report, which details the whole process from start to finish.

REGIONAL RESPONSE TEAM (RRT) MEETING UPDATE: Kim McIntosh reported that on May 11, she attended the RRT meeting, which includes 27 federal entities and all of the states in Region 8. During the meeting, there were discussions regarding federal some of the updates presented by Lori Reed earlier in the meeting. The group also discussed the Bird Flu, the possible environmental and human health impacts that may occur as a result of the oil fields, railroads and rail incidents, OSHA office now located in Sioux Falls, radiological training by FEMA, EPA reporting issues, facility response plans, and risk management plans that large chemical companies are required to produce and have available.

UPCOMING EPA COMPLIANCE WORKSHOPS: Ms. Kindt reported that EPA, Homeland Security, and OSHA will hold chemical safety workshops in South Dakota. She noted that as of today, 509 people have registered for these workshops. EPA had originally planning to hold only five workshops, but added three more sessions due to wide interest. The workshops will be held July 18-22 in Sioux Falls, Huron, Aberdeen, Pierre, and Rapid City.

Ms. McIntosh stated that the department is very pleased that there is so much interest in the workshops.

Lori Reed reported that one of the benefits of the workshops is getting the facilities connected to and involved with the LEPCs. She encouraged members of the LEPCs to attend the workshops.

APPROVAL OF REMAINING LEPC ROSTERS: Ms. Kindt reported that rosters for Edmunds and Kingsbury LEPCs were submitted since the last SERC meeting. She requested approval of the rosters.

Motion by McIntosh, seconded by Hinkle, to approve the LEPC rosters for Edmunds and Kingsbury LEPCs. A roll call vote was taken, and the motion carried unanimously.

LEPC GRANTS: Ms. Kindt reported that in the past the SERC has approved of using grant funds to provide food at the LEPC meetings. Counties are required to have LEPCs, memberships are supposed to be diverse, and people are not paid to attend the meetings, so the SERC felt that offering food was a way to encourage participation. Ms. Kindt stated that if the SERC agrees that this is an allowable use of LEPC grant funds, she will inform all of the LEPCs that the meal expenses must comply with state per diem rates.

The SERC members were all in agreement that purchasing food for meetings at the state per diem rates is an allowable use of the grant funds.

Ms. Kindt stated that one of the LEPCs has requested the use of LEPC grant funds to purchase a drone. The LEPC indicated that the drone would be used instead of live people to assess the situation in the event there was a hazmat incident. The drone may be used for other things in the county as well.

Ms. Kindt asked for input from the SERC members regarding the LEPC purchasing a drone with grant funds.

Discussion took place among the SERC members and several of them agreed that purchasing a drone with LEPC grant funds is probably not an appropriate use of the funds.

Chairman McGrath stated that he has always believed that the LEPCs should be allowed as latitude as possible on the use the grant funds because they know better at the local level than the SERC what they can use those funds for. He said he is, however, somewhat concerned about getting into something is heavily regulated and maybe could be purchased with other resources.

Kim McIntosh said she believes the point of awarding the LEPC grant funds is to let the LEPCs decide what they really need. She suggested Ms. Kindt visit with the LEPC to let them know the

SERC had some concerns regarding this purchase and to see if there are other funding avenues that would be used to purchase the drone. It should be determined who needs the drone, for example, is it the emergency manager, the sheriff's office, etc.

Chairman McGrath if there is still a question after Ms. Kindt visits with the LEPC, this matter should be placed on the September SERC meeting agenda.

Ms. Kindt reported that the state has been taking steps to monitor funds that are awarded in the form of contracts and grants from all departments in state government. This year, when the grant application packages are sent to the LEPCs, it will include an additional forms that LEPCs have to fill out stating that they have some sort of procedure in place to audit or monitor grant funds. In keeping with the increased oversight, Ms. Kindt is in the process of contacting each LEPC regarding how their funds are audited.

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

HMEP Grant Year 2015

A total of \$8,806 is unallocated between both the planning and the training grants.

Planning Grant

Marshall County's hazmat plan update has been completed and sent to the Department of Public Safety's finance to process reimbursement.

Training Grant

Ten projects have been completed and payment is in process or completed (a hazmat awareness/operations course in Codrington County, a hazmat operations course in Todd County, three conferences/classes for Aberdeen Fire, and five conferences/classes for Watertown Fire). A total of 64 people were trained through these projects.

HMEP Grant Year 2016

In April, Ms. Stout submitted the state application to the U.S. Department of Transportation. FY 2016 grants will be issued in September 2016.

Ms. Stout answered questions from the SERC.

REGIONAL HAZMAT TEAM UPDATE: No report.

ELECTION OF OFFICERS: Forman nominated Bob McGrath as chairman.

McIntosh nominated Paul Merriman as vice chairman.

