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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  
Brookings, SD

Rapid City/Pennington County Emergency Management  
Rapid City, SD

Mitchell Technical Institute  
Mitchell, SD

July 9, 2019  
10:00 a.m. Central Time

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, Doug Hinkle for Paul Merriman, Patrick Snyder, Tina Titze, Mike Carter, Dustin Willett, Kim McIntosh, and Becky Pitz.

COMMISSION MEMBERS ABSENT: Jason Humphrey and Andrew Canham.

PRESENT VIA TELEPHONE CONFERENCE CALL: Bre Bockstahler, EPA Region 8 and Fran Santagata, Homeland Security.

OTHERS PRESENT: See attached attendance sheets.

INTRODUCTIONS: Participants at the DDN sites introduced themselves.

APPROVAL OF MINUTES FROM MARCH 25, 2019, MEETING: Motion by McIntosh, seconded by Titze, to approve the minutes from the March 25, 2019, State Emergency Response Commission meeting. A roll call vote was taken, and the motion carried unanimously.

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FEDERAL UPDATES: Bre Bockstahler discussed recent activities of EPA Region 8, and Fran Santagata discussed recent activities of Homeland Security.

E15/TANK REGULATIONS UPDATE: Terry Florentz, DENR Groundwater Quality Program, discussed the revised underground storage tank rules adopted by DENR in 2018. A list of the changes is available at [https://denr.sd.gov/des/gw/tanks/SD\\_UST\\_2018\\_Rule\\_Changes\\_Version\\_Final.pdf](https://denr.sd.gov/des/gw/tanks/SD_UST_2018_Rule_Changes_Version_Final.pdf).

Mr. Florentz answered questions from the SERC. Mr. Willet requested that Mr. Florentz send a copy of the rule changes to the SERC members.

TRI Report Submittals: Kelsey Newling reported that Toxic Release Inventory (TRI) reports were due by July 1, 2019. 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. To date, 103 facilities have submitted TRI reports.

Ms. Newling answered questions from the SERC.

INDUSTRY WORKSHOPS: Ms. Newling reported that department is working with EPA to hold industry workshops in South Dakota. These workshops will be held in Mitchell on August 20 at the Davison County Fair Complex, in Aberdeen on August 21 at the Brown County Community Room, in Pierre on August 22 at the Matthew Training Center in the Joe Foss Building, and in Rapid City on August 23 at the Pennington County EOC.

Workshop topics will include:

- Tank regulations and requirements
- Air quality permits
- Industrial stormwater permits
- Department of Agriculture spill and storage compliance
- Risk Management Program regulations (RMP)
- Toxic Release Inventory (TRI)
- Spill/release reporting requirements
- Tier II reporting requirements
- OSHA worker safety topics

The intended audience for the workshop is businesses and industries that use and store hazardous substances and/or are subject to any of the regulatory programs referenced above.

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

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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, and the emergency managers.

Ms. Newling noted that to date, 141 participants have preregistered.

LEPC ROSTER APPROVALS/APPOINTMENTS: At the March meeting, the SERC approved rosters for 54 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 four counties.

In March, Ms. Newling reported that Mellette and Edmunds LEPCs had not yet submitted rosters but intended to do so. The SERC deferred action until the next meeting on those two rosters. Since the March meeting the two LEPCs submitted rosters, and copies of the rosters were sent to the SERC prior to the July meeting. Ms. Newling recommended that the SERC approve the two rosters.

Motion by Willett, seconded by Carter, to approve the rosters submitted by the Edmunds and Mellette County LEPCs. A roll call vote was taken, and the motion carried unanimously.

REGIONAL HAZMAT TEAM UPDATE: John Groen, Homeland Security, provided an update on recent and upcoming training activities of the regional hazmat team, Task Force 1.

HMEP GRANTS TRAINING AND PLANNING REPORT: Autumn Stout, OEM, reported that \$589.00 is remaining in the FFY 2016 grant, which expires on September 30, 2019. A total of 290 students were trained through the hazmat classes and 11 personnel attended hazmat continuing education conferences.

For the FFY 2017 grant, \$14,542 remains with all \$724.00 being allocated. A total of 202 personnel were trained through the hazmat classes and 13 personnel attended hazmat continuing education conferences.

For the FFY 2018 grant, \$131,000 remains with all but \$3,109 being allocated. To date, a total of 62 personnel have been trained through the hazmat classes.

The FFY 2019 grant year begins on October 1, 2019.

PUBLIC COMMENT PERIOD: There were no public comments.

OTHER BUSINESS: The next SERC meeting will be in Pierre at the Ramkota on September 10, 2018, during the Emergency Management Conference.

Chairman McGrath noted that he will not be available for the September meeting.

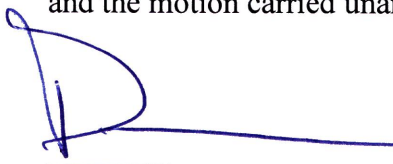
Trish Kindt reported that the department had a booth during the State Fire School to distribute information about the department's online chemical storage database.

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Chairman McGrath asked if there were any spills, hazardous waste or hazardous material-type issues because of the flooding in the state this year.

Kim McIntosh answered that there were some agricultural chemical releases, but because a lot of the farmers were not able to apply chemical due to weather conditions, there was not as long a period of time where there were mishaps. However, because of the road conditions were so poor, there a few accidents. There was an accident involving a semi with three totes of various agricultural chemicals that tipped over into a slew that was adjacent to the Big Sioux River, which is just south of Estelline. The department has been working with EPA and the owner of chemical to attempt to clean up the spill. The chemicals that were released from the transport trailer mixed with an incredible amount of water so there was not a fish kill or any sort of significant impacts. Ms. McIntosh noted that the Watertown hazmat team responded to the spill and provided equipment to contain the fuel that was released from truck.

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

  
\_\_\_\_\_  
9-10-2019  
Date

Vice Chairman

  
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9/10/2019  
Date

Witness

ATTENDANCE SHEET

STATE EMERGENCY RESPONSE COMMISSION MEETING

CONDUCTED VIA THE DIGITAL DAKOTA NETWORK

DEPARTMENT OF TRANSPORTATION  
BROOKINGS

JULY 9, 2019

NAME (PLEASE PRINT)

ADDRESS

REPRESENTING

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HLS

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SERC

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