

Minutes of the
South Dakota Emergency Response Commission Meeting
Conducted via Digital Dakota Network
Matthews Training Center, Joe Foss Building, Pierre, SD

June 27, 2023
10:00 AM Central Time

COMISSION MEMBERS PRESENT: Chairman Dustin Willet, Jason Humphrey, Trish Kindt, Doug Hinkle, Becky Pitz, and Tina Titze

COMMISSION MEMBERS ABSENT: David Ackerman, Andrew Canham, Sean Kruger, and Kaitlyn Thomas

OTHERS PRESENT: Rhett Howard, Office of Emergency Management; Kelsey Newling, Department of Agriculture and Natural Resources; Dan Richards, PHMSA; and Bre Bockstahler, US EPA Region 8.

INTRODUCTIONS – Participants introduced themselves.

Chairman Dustin Willett announced the meeting was streaming live on SD.net, a service of South Dakota Public Broadcasting.

APPROVAL OF MARCH 28TH, 2023 SERC MEETING MINUTES – Trish Kindt identified a couple of grammatical errors on the minutes. Located on page 3 with the word “planning” missing the letter “g,” Rapid City needing to be capitalized, and a missing comma. Chairman Dustin Willet put accepting the minutes with the listed revisions to a vote. Motion by Doug Hinkle for approval of minutes with grammatical corrections, seconded by Trish Kindt. A roll call vote was taken, and the motion carried unanimously.

FEDERAL UPDATES – Dan Richards gave an update from PHMSA. They have hired two community liaison personnel per region and are almost fully staffed with the exception of Dan's region. He is located in the central region and that covers the Dakotas all the way to Michigan. They are looking at hiring a second community liaison to do outreach.

Bre Bockstahler gave the EPA Region 8 update. She had no new updates on Clean Water Act Hazardous Substance Worst Case Discharge Planning Regulations. EPA headquarters hopes to get them to OMB by late summer with hopes of them being finalized by the end of 2023. Legally, a final action will have to be taken by September, 2024.

There are no new updates on SCCAP (RMP revisions). Currently operating under the RMP Reconsideration rule of 2019.

The EPA regional newsletter will be coming out shortly. Contained within the newsletter will be a training "menu" offering various options for training programs that EPA Region 8 is looking to put out. If Department of Agriculture and Natural Resources has any training needs, EPA can work on trying to meet that need. Finally, EPA will work closely with Kelsey Newling on the Chemical Industry workshops in July. Bre asked if there were any questions. Trish Kindt asked about any news regarding PFAS standards. Bre explained she does not work directly with PFAS, but she could bring more information to the next meeting.

TRI REPORT SUBMITTALS – Kelsey Newling from DANR gave an updated report on TRI submittals. As a reminder, TRI report are annual reports from facilities that manufacture, import, process, or otherwise uses any EPCRA Section 313 chemical in quantities greater than the established threshold during a calendar year. The facilities are required to submit their report to the federal EPA and the SERC. The reports summarize

emissions, discharges, wastes sent to landfills, and material sent for recycling or off-site treatment.

The TRI reporting deadline is July 1, 2023. To date, the Department has received reports from 71 facilities. Typically, there are around 100 reports submitted each year.

REGIONAL HAZ MAT TEAM UPDATES – Jon Groen was not present, so Kelsey Newling gave the HazMat Update. Task force teams have been busy training. They recently held training in Aberdeen on “Risk-Based” Responses to Battery Emergencies. There will also be training in the Black Hills and providing standby USAR & Hazmat capabilities during part of the Sturgis Rally. There are several USAR and HazMat training sessions throughout the remainder of the year. They are planning a task force full-scale exercise for the September and October timeframe in Watertown, SD. They are still looking for a venue to hold the exercise. They hope is to find a building that is scheduled to be demolished and hold the exercise there before it is taken down. The Haz Mat training trailer is currently in Sioux Falls and will travel to Rapid City in August.

LEPC Roster APPROVAL – Kelsey Newling with DANR gave an update report on LEPC Roster submittals. At the March meeting, SERC members voted to move approval of 6 rosters to the June SERC meeting. Those 6 rosters were for the Davison, Hughes/St Stanley, McPherson, Mellette, Pennington, and Hyde LEPC's. Some SERC members are also LEPC members. To avoid conflict of interest concerns, there were separate votes for review/approval of certain LEPC rosters. Review/approval of the Hyde, McPherson, and Mellette LEPC rosters could be performed using one vote, but the Pennington, Davison, and Hughes/St Stanley rosters would have to be voted on individually. Motion by Tina Titze for approval of the Hyde, Mellette,

and McPherson LEPC rosters, seconded by Doug Hinkle. Roll call was taken, and the motion passed unanimously.

A motion was made by Tina Titze for approval of the Davison County LEPC roster, seconded by Trish Kindt. Roll call was taken, and the motion passed unanimously.

A motion was made by Jason Humphrey for approval of the Hughes/Stanley County LEPC roster, seconded by Trish Kindt. Roll call was taken, and the motion passed unanimously.

A motion was made by Trish Kindt for approval of the Pennington County LEPC roster, seconded by Doug Hinkle. Roll call was taken, and the motion passed unanimously.

HMEP GRANTS, TRAININGS AND PLANNING REPORT – OEM – Rhett

Howard gave an update of how much money was spent so far \$23,409.00 of \$122,359.00 granted to OEM. This is about 20% spent so far. Since last meeting \$19,000.00 was spent on four different activities, one of them being lithium battery training. There will be more activities this summer and the fall. He has not heard back from PHMSA about the HMEP 2023 grant.

Doug Huntrods with the Veterans administration has purchased a decontamination trailer that we should keep in mind as a potential resource – the trailer is on-site at Fort Meade.

WORKSHOPS – Kelsey Newling reported that Department of Agriculture and Natural Resources is working with US EPA, CISA, and OSHA to host workshops around the state during the week of July 17th. Topics are to include tank regulations, pesticide licenses, spill reporting, Tier II reporting, Risk Management Program regulations, TRI reporting, OSHA worker safety, and cyber security. A total of 265 attendees are expected. Currently there are 195 registered for the workshops. The

locations of the workshops include Aberdeen, Brookings, Yankton, and Rapid City. The Aberdeen and Rapid City workshops are already full and have a waiting list.

Bre Bockstahler states they look forward to coming out to SD again, for in-person workshops. With her will be Ben Sharaf who has never been to South Dakota. Steve Ramirez with their enforcement group will also be out to talk about EPA inspections.

Chairman Willet was pleased the workshops are so well attended and stated he will unfortunately miss the workshops.

PUBLIC COMMENT PERIOD – Chairman Dustin Willet opened the floor for public comment. No comment was made.

OTHER BUSINESS – Chairman Dustin Willet opened the floor for other business. Kelsey Newling reported on the next SERC meeting is at 5:15 PM mountain time in Deadwood, South Dakota. This is in conjunction with the SD Emergency Management Association conference.

ADJOURN - Motion made by Tina Titze, seconded by Doug Hinkle. The meeting was adjourned.