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Minutes of the
South Dakota Emergency Response Commission Meeting
Holiday Inn City Centre, Sioux Falls, SD
September 9, 2025
5:15pm Central Time

The meeting was streamed live on SD.net, a service of South Dakota Public Broadcasting. Trish Kindt called the meeting to order. Attendees introduced themselves and the roll was called. A quorum was present.

State Emergency Response Commission (SERC) Members Present: David Ackerman, Andrew Canham, Jason Humphrey, Trish Kindt, Sean Kruger, Paul Merriman, Tina Titze, Janae Tostenson

SERC Members Absent: Whitney Lutkemeier, Dustin Willett

Other Present: Allen Miller, OEM; Mike Murphy, Sioux Falls Fire Rescue, South Dakota Task Force I; Kelsey Newling, South Dakota Department of Agriculture and Natural Resources (DANR), Sara Title III Coordinator; Rett Howard, OEM HMEP Administrator; Erin Joyce, EPA Region 8.

Trish Kindt began the meeting because the Chairman, Kaitlin Sherer had resigned from the SERC. Dustin Willett, the Vice Chair for the SERC, was not available for the meeting. Trish Kindt said that a Chairman Pro Tem must be elected for the meeting. Trish Kindt opened nominations for a Chairman Pro Tem and nominated Paul Merriman, seconded by Dave Ackerman. A roll call vote was taken. Motion carried 7-0.

Elections:

Pro Tem Chairman Paul Merriman asked for nomination of a new Chairman for the SERC. Trish Kindt nominated Tina Titze, seconded by Jason Humphrey. A roll call vote was taken. Motion carried 7-0.

Pro Tem Chairman Paul Merriman handed the meeting over to Tina Titze as the new Chairperson for the SERC.

Approval of June 24, 2025, SERC Meeting Minutes:

Chairperson Tina Titze asked for a motion to approve the June 24, 2025, minutes. Motion by Jason Humphrey, seconded by Andrew Canham. A roll call vote was taken. Motion carried 8-0.

Federal Updates:

Erin Joyce is the new EPA rep for the SERC. She has been with EPA for five years and is the emergency planner for Region 8 and Emergency Operations Center Manager in Denver. She also helps with the Sub-Area Contingency Planning and is the backup Response Support Coordinator. An important activity coming up is a cross regional oil discharge training event in Grand Forks, ND in two weeks. This is to educate the response community on sub-area planning and how EPA will respond to a discharge event that could happen across different regions. Ben Sharaf with Region 8 is working with Kelsey to try and bring a similar exercise to SD. Headquarters is reevaluating the EPCRA (Emergency Planning and Community Right-to-know Act) to ensure it is aligning with OSHA (Occupational Safety and Health Administration) standards. EPA is looking at delaying rules on the Clean Water Act Hazardous Substance Facility Response Plan, more information will be available at next meeting.

LEPC Roster Approval – Kelsey Newling, DANR:

Kelsey Newling, DANR, reported on LEPC Roster Approval. Butte County had submitted their roster after they were appointed back in June. Butte County will need to have their roster approved by the SERC. Jerauld County restarted their LEPC in July and will need to have the roster approved by the SERC. Kelsey Newling asked the SERC for motion to approve the two LEPC rosters for Jerauld and Butte County. Motion by Sean Kruger, seconded by Paul Merriman. A roll call vote was taken. Motion carried 8-0.

LEPC Grant Application Package – Kelsey Newling, DANR:

Kelsey Newling DANR reported on LEPC grant Application Package. Currently this year \$81,711.32 is available for the LEPC grants. The package has not changed from previous years. The attestation form being used is put together by the legal team and something the SERC is not able to change. The application package consists of an application guide and five forms that need to be submitted for the grant. The forms are the Certificate of Eligibility, LEPC Grant Agreement, Activity and Expenditure Summary, Request for LEPC grant Carryover, and LEPC Grant Application. Applications must either be postmarked, emailed, or hand delivered by November

30, 2025. Any Grants received after the deadline will not be eligible. This deadline is in place for applications to be reviewed and ask questions or resolve any issues may arise from the applications. All issues must be prior to the December SERC meeting, which is where the SERC will award the grants.

Motion was made by Sean Kruger for the LEPC Grant application package, seconded by Paul Merriman. A roll call vote was taken. Motion carried 8-0.

Regional Haz Mat Team Update – South Dakota Office of Homeland Security:

A representative for SD Homeland Security was not available for the meeting. Chairperson Tina Titze mentioned that the new director, Jason Ketterling, is likely starting this week. With the turnover in staffing, there may not have been anyone available for an update.

Sturgis Rally Update – Tina Titze Office of Emergency Management:

Chairperson Tina Titze reported on Sturgis Rally. There were four fatalities and dozens of traffic accidents that resulted in injuries. The traffic over a seven-day period was 425,875 vehicles. This is 11% up from the previous five years. The SD Highway Patrol and local Law Enforcement reported they were able to move around more easily than in previous years. They think this is because people came to the Rally then travel around the Black Hills. South Dakota Highway Patrol caught a vehicle transporting 200 lbs methamphetamine. This is one of the largest drug stops in South Dakota. There were over a thousand pounds of food disposed of during inspections for various reasons. BIT did report minimal impact and no major issues with radio system on communication. The Department of Health reported an increase, in 33 trauma patients compared to last year. The total for 2025 was 177.

Trish Kindt asked if the number of fatalities was up from last year. Chairperson Tina Titze replied that the number of fatalities has been very consistent through the years.

HMEP Grants, Training, and Planning Report – OEM:

Rhett Howard, OEM, reported on HMEP grants, training and planning report. The Last day of the three-year HMEP grant cycle is September 30. All of the sub grantees have been notified of the deadline. There are eight activities happening in September. There are no reimbursements in HMEP grant year 2022. The HMEP 2023

grant only has one payment of \$2,211.00 to Watertown Fire Rescue. Watertown Fire has no other money remaining except in HMEP Grant 2024. For HMEP Grant year 2024 paid two reimbursements since June. And those were a Cold Zone Conference for both Aberdeen Fire Rescue and Watertown Fire Rescue. There are eight more activities happening in September with two planning grant completions and six exercises. The HMEP Grant 2025 starts October 1 and waiting on PHMSA for the grant amount.

DANR Update – Kelsey Newling, DANR:

Kelsey Newling, DANR, reported on DANR activities. She gave an update on Class B Fire Foam and the collection that DANR is putting together. The South Dakota Department of Ag and Natural Resources received funding this year for collection and disposal of Class B firefighting foam that contains PFAS. With the help of Emergency Managers and department staff, 410 fire departments were contacted with 335 responding. Currently there are 30 fire departments wishing to dispose of their Class B foam. At this time, it is estimated those 30 fire departments have a total of 2,588 gallons of Class B foam for disposal. DANR hopes to receive funding to perform another collection in 2026.

Kelsey Newling also discussed DANR response capabilities. DANR has contracts with 10 environmental consulting firms and is able to use Regulated Substance funds to do cleanups of spills where a responsible party is not found. If needed the department can also request EPA assistance with spill cleanup.

DANR also has a pesticide recycling program. DANR collects used containers for recycling.

DANR is working on an upcoming training or exercise with EPA. DANR is hoping to hold a joint training exercise in 2026, involving EPA staff from with Region 7, Region 8, and possibly members of the Siouxland Sub Area. This could be an event that will have a large spill that involves many different players. DANR encourages all Emergency Managers to participate.

Kelsey Newling wrapped up her presentation with suggestions for how to keep LEPCs active and with information about grants that are available to LEPCs.

Trish Kindt asked if the foam collection was for all form or only for class B foam that contains PFAS. Kelsey reported only Class B foam that contains PFAS will be accepted for collection.

Jason Humphrey asked why only 30 departments were turning in their foam. Were there some that chose not to? Kelsey said some fire departments may not have Class B foam because the Department may have collected it before, they may just not have any Class B foam, or they simply do not want to dispose of their foam.

Andrew Canham did ask what the Class B foam is being replaced with. Kelsey Newling reported there is a PFAS free Class B foam made from soybeans. Trish Kindt stated there are a few products that are fluorine free, produced by various manufactures. Some of these Fluorine Free Class B foams do meet the Mil-Spec. However, DANR is not in the position to tell anyone what their best option is. Rhett Howard asked if they are still selling the Class B foam containing PFAS. Kelsey Newling reported that the Class B foam containing PFAS is still available for purchase. Trish Kindt commented that if a Fire Department is purchasing Class B foam and it does not say fluorine free anywhere on that container, the foam will most likely contain PFAS.

Public Comment Period:

No comments

Other Business:

Kelsey Newling reported the next SERC Meeting is Tuesday, December 16, 2025, a time has not been determined.

Trish Kindt extended a thank you to Andrew Canham for 20 years of service on the SERC board. He is the Agriculture business representative and was appointed August 23, 2005.

Chairperson Tina Titze thanked Paul Merriman for his years of service on the SERC. Paul, who has been with State of South Dakota for 35 years, will be retiring in October as State Fire Marshall. Trish Kindt also thanked Paul for his 11 years of on the SERC. Paul Merriman reported that Doug Hinkle will be filling in in the interim.

Adjourn:

Motion was made by Jason Humphrey to adjourn the meeting, seconded by Andrew Canham. A roll call vote was taken. Motion carried 8-0.

DRAFT