

Minutes of the
South Dakota Emergency Response Commission Meeting
Conducted via the Digital Dakota Network

State Capitol Building
Pierre, SD

South Dakota State University
Brooking, SD

SD School of Mines and Technology
Rapid City, SD

Mitchell Technical Institute
Mitchell, SD

April 29, 2013
3:00 p.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.

COMMISSION MEMBERS PRESENT: Robert McGrath, Joe Nadenicek, Becky Pitz, Paul Merriman, Mike Carter, Kristi Turman, and John Forman. Andrew Canham participated via telephone.

COMMISSION MEMBERS ABSENT: Barb Telkamp and Patrick Snyder.

PRESENT VIA TELEPHONE CONFERENCE CALL: Bernadette Rose and Ray Figueroa, EPA, and Mary Beth Vasco, FEMA.

OTHERS PRESENT: See attached attendance sheets.

INTRODUCTIONS: Participants at the DDN sites introduced themselves.

APPROVAL OF MINUTES FROM FEBRUARY 25, 2013, MEETING: Motion by Nadenicek, seconded by Forman, to approve the minutes from the February 25, 2013, State Emergency Response Commission meeting. A roll call vote was taken, and the motion carried unanimously.

FEDERAL UPDATE (EPA): No update.

FEDERAL UPDATE (FEMA): Mary Beth Vasco reported that there is an emergency declaration for the state of North Dakota flooding. In South Dakota FEMA is doing a preliminary damage assessment from a winter storm.

Ms. Vasco reported that Doug Gohr is FEMA's Acting Regional Administrator.

REGIONAL HAZARDOUS MATERIALS TEAM UPDATE: Jim Carpenter reported that the \$200,000 that was set aside for the Regional HazMat Teams has been distributed to four teams: Sioux Falls, Rapid City, Watertown, and Aberdeen. Some equipment is being purchased, but the majority of the money is being dedicated for training. A statewide training exercise is being planned for the spring of 2014.

HMEP GRANTS, TRAINING, AND PLANNING REPORT: Chairman McGrath reported that Bob Van Winsen was not present today, but he emailed his report to the SERC members prior to the meeting.

Chairman McGrath commented that for the second quarter only \$4,295 of the training grant remains unallocated. The entire planning grant has been allocated for the statewide commodity flow study.

Kristi Turman said she anticipates all of the training money will be spent this year.

SD DROUGHT TASK FORCE UPDATE: Ms. Turman reported she attended a Drought Task Force meeting prior to the SERC meeting. At that meeting, State Climatologist, Dennis Toddy, gave an update on the current drought status. There has been a short-term improvement in the drought because of the recent snowfall in April. The topsoil moisture is in good shape at this time; however, the subsoil moisture is basically non-existent. Ms. Turman noted that while we did get some relief from all the snow that fell in April, it is probably going to be short-lived. The topsoil moisture that exists at this time is going to be enough for the agricultural producers to get into the fields and get their crops in and probably enough for the corn to get chest high, but if we don't receive continuing moisture it is probably not going to be sustained. The outlook for the next three months is warmer than normal temperatures. On the precipitation side it is equal chances of above normal, normal, or below normal precipitation. With warmer temperatures, that is certainly not favorable for any long-term improvement.

Ms. Turman stated that the task force will continue to meet every week until something really changes one way or the other.

SERC APPROVAL OF LEPC ROSTERS: Ms. Kindt reported that since the last meeting, rosters were received from the following LEPCs: Bennett, Bon Homme, Charles Mix, Deuel, Douglas, Edmunds, Gregory, Hughes/Stanley, Kingsbury, McPherson, Miner, Sanborn, Sully, Tripp, and Union.

Ms. Kindt noted that Turner County is an active LEPC, but the long-time emergency manager retired, and because of the transition, a roster has not yet been submitted. Turner County has indicated that a roster will be submitted to Ms. Kindt tomorrow.

Ms. Kindt reported that she reviewed the rosters. She noted that some of the LEPCs need to work on certain sectors of representation on their rosters, but she recommended approval of all of the rosters that were submitted.

Motion by Carter, seconded by Turman, to approve the rosters for the LEPCs listed above. A roll call vote was taken, and the motion carried unanimously.

Motion by Nadenicek, seconded by Pitz, to approve the LEPC roster for Turner County when submitted, contingent upon review and recommended approval by Trish Kindt. A roll call vote was taken, and the motion carried unanimously.

Haakon, Jackson, Jones, Meade, Shannon and Todd counties do not have an active LEPCs and have not submitted rosters. Ms. Kindt recommended sending an appointment letter to each of those counties.

Motion by Nadenicek, seconded by Forman, that Chairman McGrath send a letter appointing the County Commission, State's Attorney, Emergency Manager, and County Sheriff to serve as the LEPC for the following counties that have not submitted rosters, unless they submit rosters before the next SERC meeting: Haakon, Jackson, Jones, Meade, Shannon and Todd . The appointment is effective until such time as a roster has been submitted and accepted by the SERC. A roll call vote was taken, and the motion carried unanimously.

Chairman McGrath suggested that along with the appointment letter, each LEPC be provided with a copy of the news article regarding the West, Texas fertilizer plant explosion.

Ms. Kindt noted that she planned to forward that news article to all of the emergency managers. In addition, she planned to send a letter to all of the LEPCs regarding keeping their HazMat plans updated, Tier II reporting and making sure they are aware of the storage facilities in their communities.

SD EMERGENCY MANAGERS CONFERENCE TIME SLOT: At previous meetings the SERC discussed providing a presentation on LEPC grants, the SERC, and LEPCs at the Emergency Manager's conference in Oacoma at Cedar Shores on September 10-13, 2013.

Ms. Kindt stated that the Emergency Manager's Association has agreed to give the staff a half-hour time slot on their agenda during the afternoon of September 11, 2013. This will be a separate time slot from the SERC meeting. Chairman McGrath, Joe Nadenicek, and Trish Kindt will discuss SARA Title III, EPCRA, the SERC, active LEPCs, and SARA Title III reporting.

Chairman McGrath noted that at the HazMat Conference, the SERC used to hand out a document entitled "South Dakota's SARA Title III Compliance Guide."

Ms. Kindt stated that a version of that document is included the department's website. She will make sure the document is updated and have copies available to hand out at the conference on September 11.

TIER II SUBMITTAL UPDATE: Ms. Kindt stated that every year facilities submit Tier II forms detailing their bulk chemical storage and hazardous materials storage. The Tier II reports are due by March 1.

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To date approximately 1,670 Tier II reports have been submitted. Approximately 25 facilities that have submitted reports in the past have not yet submitted Tier II reports. Ms. Kindt has been working on contacting these facilities regarding late submittals.

As of March 31, 2013, fees in the amount of \$80,910 have been collected.

SERC MEETING SCHEDULE: The SERC agreed to hold its next meeting at 5:00 p.m. Central Time on September 11, 2013, in Oacoma.

OTHER BUSINESS: Discussion took place regarding the West, Texas fertilizer plant explosion, farmer spill plans, having an informational booth at the Central State's Fair, Dakotafest, and the State Fair.

Bernadette Rose stated the EPA has an NPCC person. She and her team go out to the different states, on request, and set up information booths at fairs. Ms. Rose will send the contact information to Ms. Kindt.

Ms. Kindt said the Miner County emergency manager had contacted her asking if he can use grant funds to buy safety cones for incidents that occur in the county. Chairman McGrath said he believes the purchase of safety cones is a proper use of the grant funds.

ADJOURN: Chairman McGrath declared the meeting adjourned at 3:50 p.m.

Robert B. McGrath 9/11/2013
Chairman Date

John C. Fennell 9/11/2013
Witness Date

