



Nebraska State Emergency Response Commission (SERC)

April 10, 2018

Agenda

Southeast Community College – Jack J. Huck Continuing Ed Center
301 South 68th Street Place
Lincoln, Nebraska
1:00 PM CST

I. Call to Order, Introduction of Members and Guests

A copy of Nebraska Open Meetings Statute was available for review on the registration table.

John Grimes, Chair, called the meeting to order at 1:03 PM CST.

Member		Affiliation	Present
Sheri	Blaha	County Elected Official	
Steven	Danon	Small Business	X
Jim	DeFreece	Nebraska State Patrol	X
Keith	Deiml	Education	X
Sue	Dempsey	Department of Health and Human Services	X
Matthew	DiVito	Crete Carrier, Trucking Industry	X
Joe	Francis	Department of Environmental Quality	X
Rick	Grauerholz	Elected Official	X
John	Grimes	Chair, Chemical Industry	X
Jim	Heine	State Fire Marshal	X
Tim	Hofbauer	Vice Chair, Local Emergency Management	
Polly	Jordening	Labor	X
Sharon	Medcalf	Community Health	X
Dana	Miller	Fire Fighters	X
Joe	Oswalt	Agricultural Business	X
Kimberly	Plouzek	Environmental Protection	X
Rashilla	James	SERC Coordinator	X
Tom	Sands	Nebraska Department of Transportation	
Ben	Salo	Union Pacific Railroad	
Bryan	Tuma	NE Emergency Management	X

Others in attendance: Terri Blunk, Brian Folts, Quinn Lewandowski, Jessica Sherwood, Nikki Weber, Vanessa Zobeck, and Jim Macy.

II. Approval of the agenda for April 10, 2018

There was a motion to move DEQ’s report to after New Business to respect that Joe Francis and Jim Macy had to leave the meeting early. Motion made by Sharon Medcalf; Jim Heine seconded the motion. The motion passed by unanimous acclamation vote with no abstention or dissenting votes.

III. Approval of the minutes from the January 16, 2018 meeting

There was a motion by Bryan Tuma to accept January 16, 2018's meeting minutes as presented; Sharon Medcalf seconded. The motion passed by unanimous acclamation vote with no abstention or dissenting votes.

IV. New Business

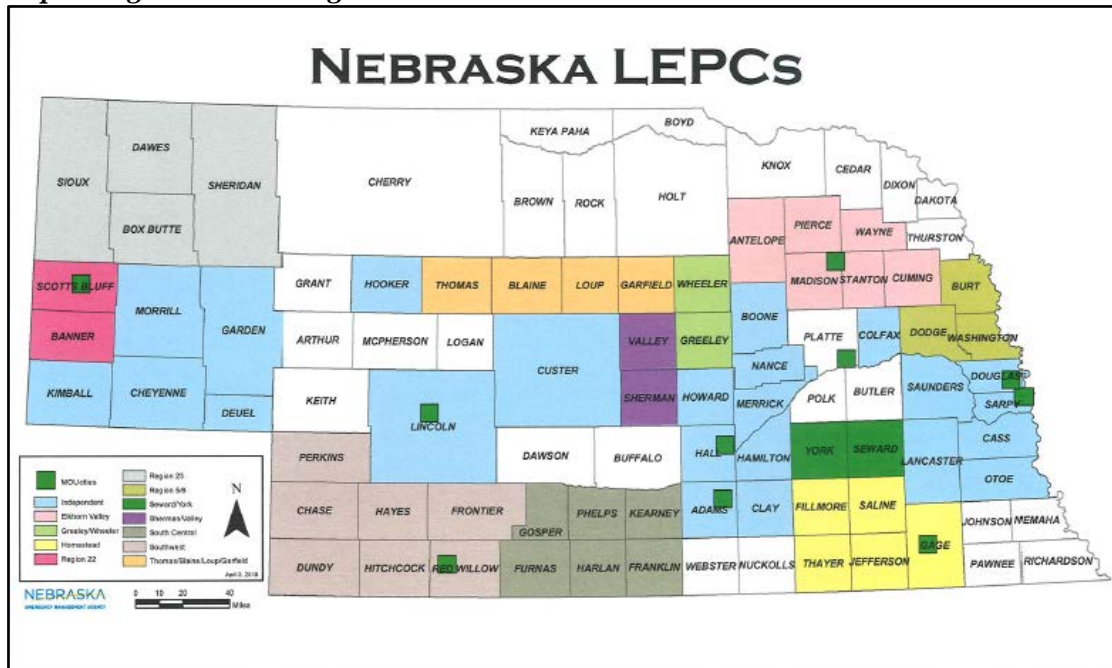
a. LEPC Resource Toolkit Ideas

Discussed in strategic planning, developing a toolkit for LEPCs. James Rashilla combined existing material with new material to create LEPC Handbook as a reminder to duties of LEPC, basic understanding of rules and responsibilities of LEPC. This handbook is subject to changes based on feedback from SERC. Hazardous materials emergency preparedness grant listed; there are also workplace training grants available. Steve Danon and James Rashilla discussed grant options for LEPCs. All private employers in the state pay into unemployment insurance fund. The interest on this fund is very large and can be used by an employer applying for a grant from these funds and can be for topics related for training, enhancement of commercialization of business, and increased knowledge of employees. The employer or employers submitting for the grant have to have a match in the manner of time or facility availability. Outside instructors can be hired for instruction as part of the grant. Joe Oswalt has used this grant in the past for a variety of trainings. The grant has to be planned a quarter ahead. There is no cap on the requested amount other than the soft match contribution. State organizations are not entitled to use these funds but can do this in conjunction with a private partner. May have to use these funds in the same quarter they are granted (Steve was unsure on this issue). The handbook contains the guide that was developed a few years ago and will assist as an overview/guidance for areas with developing or creating an LEPC. This topic will be revisited in July – provide feedback to James for inclusion. James will send the existing version of the guide to the SERC.

b. Review LEPC Survey from 2016

The PPC conducted a survey of LEPCs to assess Nebraska LEPCs in a variety of factors (who completed the survey, survey participant role on LEPC, reasons for counties not having an LEPC, traits of successful LEPCs, LEPC training usefulness, knowledge of LEPC Guide, HazMat Plan Format preferences, and areas for LEPC improvement). The community outreach subcommittee can utilize the survey information to drive their efforts. Steve Danon mentioned that SERC should set up a Facebook page as Nebraska response LEPC as a closed group and allow for sharing of events, questions, concerns and would address the concern about LEPCs not having enough interaction with the SERC. The only communication method currently in use is through email. The state has regulations regarding hosting and using Facebook on the state network. State pages may not be able to have a closed page because of open/public laws. The LEPCs may be able to have and administer their own Facebook pages. A private enterprise may be able to host and administer a Facebook page on behalf of the SERC. Bryan Tuma and Jim Macy will check with OCIO on the procedures involved in setting up a page and will report in July. The outreach committee should meet prior to the next meeting to discuss these options. (John, Bryan, Steve, and Tim are the outreach committee). A new survey is not necessary until the existing results are addressed.

c. Improving LEPC coverage



James provided a map of existing LEPCs (pictured above). The white counties do not have an LEPC. James will continue to work with these counties to create an LEPC. Saunders, Hamilton, and Otoe Counties have LEPCs that only exist on paper and do not appear to be active. James is working with the North Central EM's to create an LEPC and Johnson/Pawnee counties. Dawson and Buffalo counties are big concerns because of the environmental impact they have on the state. There is not a lot of support for LEPCs in this area. The Southeast corridor is also an important area missing an LEPC and Joe Oswalt is willing to assist with connections to James. Platte and Dakota counties have major manufacturing and Tim Hofbauer is working on building a relationship with the new Fire Marshal to future LEPC. Sue suggested coming up with a one page informative flyer on why an area should have an LEPC. James will work on this and distribute to the SERC for additional distribution.

d. Nebraska Hazmat Conference Planning Committee

Call for volunteers (John Grimes, Steve Danon, James Rashilla, Sue Dempsey, and Kim Plouzek). North Platte has expressed interest in hosting a state LEPC Hazmat conference around October to increase participation. 2-3 days with speakers. James has a list of potential vendors. The 2019 EPA Region 7 conference will be in Omaha. Sue Dempsey is on the regional LEPC planning committee.

e. Other

FBI is putting on a pipeline table top on June 7th in Lincoln location and time TBD. It will be an all-day event, need Sue and Joe Francis (or another member of DEQ) will attend to represent the SERC

V. Old Business

a. LEPC Membership Applications Approval (Vote)

There were 126 applications summarized onto one chart for SERC review. Dana Miller made a motion to approve the LEPC applications; Bryan Tuma seconded this motion. The motion passed by unanimous acclamation vote with no abstentions or dissenting votes.

b. **SERC Membership**

i. ***Matthew DiVito (New Approved Representative for the Trucking Industry):– Welcome!***

Matt served in the U.S. Army for eight years and then was hired by Crete Carrier in Atlanta. Matt moved to Lincoln in the last year to work in the safety department at Crete Carrier corporate. He runs the hazmat shipping for the company. With Matt's appointment, all of the SERC positions are filled.

c. **Approval of bylaws**

The revised bylaws for the SERC were reviewed before meeting. There were several corrections and updates which were sent to the Board members for review. The position title under Article IV continues to be listed as SARA III Title Coordinator who will serve as the information officer coordinator. Sue Dempsey made a motion to approve the bylaws with the corrections and changes; Polly Jordening seconded this motion. The motion passed by unanimous acclamation vote with no abstentions or dissenting votes.

d. **Other**

There were no other old business items to report.

VI. Subcommittee Reports

a. Training Subcommittee (Sue, Joe O.)

Sub-committees are just beginning to organize and will give their first update at the July meeting.

b. Outreach Subcommittee (John, Tim, Bryan, Steve)

Sub-committees are just beginning to organize and will give their first update at the July meeting.

VII. SERC Member Reports

DEQ (Joe Francis & Jim Macy)

Joe took a moment to thank Terri Blunk (EPA) for her help with Tier II season, which recently concluded. Eppley Airfield had a spill of 10,500 gallons of jet fuel but it was contained, and none of the spill made it into the storm sewer. Kirk Morrow represents regional response team and attended a meeting recently; Iowa is looking at how they conduct business and when they respond to incidents. Iowa governor ended their SERC and went to placing responsibilities on local emergency managers. Kansas has had changes in their administration. Missouri is fully staffed and is getting new equipment. Nebraska is in burn season and working with DHHS, Douglas County, and city of Omaha to monitor air quality.

NEMA (Bryan Tuma)

Since last fall, NEMA has assisted with the aftermath of hurricanes that severely impacted Texas, Florida, and the Virgin Islands. Nebraska has contributed disaster relief to the tune of \$1.2million to Texas, \$350,000 to Florida, \$320,000 to the Virgin Islands. The money comes out of governor's emergency fund then reimbursed by the state. EMAC is becoming the backbone for national response. State to state readiness, resources, and training. Emphasizes relationship with public and private sector and is quickly emerging as a key component of response. The capacity to engage private partners is becoming very important. There is a conference in September in Omaha to enhance these partnerships.

The Nebraska Energy Office has requested a grant through US Dept. of Energy for an Energy Assurance Grant. This grant focuses on all sectors of energy and helps build a more robust plan regarding what happens if the pipelines, electrical grids, or other energy sources are compromised This will be an annex to state emergency operations plan.

Eight states are located on the New Madrid Fault Line, and Nebraska is designated as a reception state and will assist evacuations with transportation, goods and services, energy in event of an incident related to the Fault Line. Our response and capacity to support this fault will be tested by hosting a full-scale comprehensive exercise in 2020 that will involve many state agencies. FEMA is also developing a several day exercise called "Shake and Fury" to be held on June 4, 2019 to examine how state and federal agencies coordinate together. Vigilant Guard 2019 is MO National Guard (NE is in 2020) will host a New Madrid Fault exercise.

Missouri was contacted by US State Dept. and asked to do a repeat creation plan in the event of a missile event in South Korea. NE, as a reception state for the fault will watch this exercise because it's related and will have similar activities. Missouri has said they can receive either at St. Louis or Kansas City. If this plan passes, they will likely reach out to Nebraska for assistance as a reception state.

On April 9th, NEMA received notification that Fort Calhoun Nuclear Plant is completely shut down and decommissioned.

REPP program calibration lab is looking for a new manager for the calibration lab. WIPP shipments are decommissioning, materials received from Argon National laboratories will begin shipping through I-80. DOE will conduct a WIPP roadshow at four locations with a shipping container and informational sessions. This event is designed to educate public safety, emergency responders on materials and processes of the shipments. NEMA needs to review the transportation plan in the emergency operations plan since the WIPP is restarting.

EPA- Region 7 (Terri Blunk):

Farmers Do Not Need to Report Air Releases of Hazardous Substances from Animal Wastes - The Consolidated Appropriations Act 2018 Title XI, called the "Fair Agricultural Reporting Method Act" or "FARM Act" exempts the reporting of air

emissions from animal waste at a farm under CERCLA. When the D.C. Circuit Court of Appeals issues its mandate vacating the 2008 final rule farms will remain exempt from the CERCLA reporting requirements. For more information visit www.epa.gov/animalwaste

Region 7 started a newsletter on emergency preparedness; two of these have been published. Information to LEPCs can go into this newsletter.

A FREE Toxic Release Inventory training will be held on April 26. The EPA Region 7 Regional Office in Lenexa, Kansas will be hosting TRI Basic Concept Training from 9-noon and TRI Advanced Concepts from 1-5pm. To register for this free training visit: <https://surveys.abtassociates.com/s3/Registration-for-the-EPA-Region-7-TRI-Training-Workshop> This event is free but does require registration.

The emergency response group has had a lot of turnover. The current **federal on-scene coordinators** are listed in the report-out.

Region 7 Local Emergency Planning Committee (LEPC) Conference planning for the 2019 conference has started. Please contact Terri Blunk at blunk.terri@epa.gov if you'd like to join the planning committee.

VIII. Public Forum / Presentation

a. HMEP (Hazardous Material Emergency Planning) Grant Utilization for LEPCs (Tom Smith, Region 44 Emergency Management)

Tom Smit, Region 44 Emergency manager gave a breakdown of the basics of HMEP Grants and how his local LEPC's use HMEP Grant dollars. The Hazardous Materials Transportation Act (HMTA) authorizes the US Department of Transportation (USDOT) to make grants available to States, Territories, and Indian Tribes to develop or improve emergency response plans and to conduct training of public sector employees who respond to emergencies. The USDOT established the Hazardous Materials Emergency Preparedness (HMEP) Grant Program using registration fees paid by shippers and carriers of hazardous materials.

The HMEP Grant supports the reduction of hazardous materials releases & exposures; the improvement of local public sector response & planning and enhancement of Title III of the Superfund Amendments and Reauthorization Act of 1986.

The HMEP grant is divided into two categories; planning and training. LEPC's may apply for funding to assist with the planning component, training is offered through the Nebraska State Fire Marshal and the Nebraska Emergency Management Agency.

Eligible Activities for Planning

The following items are considered eligible for funding under this program:

- Development, improvement and implementation of emergency plans
- Commodity Flow Study
- Assessment of local emergency response team capabilities

- Drills and exercises associated with emergency preparedness plans and hazmat transportation

Funding Restrictions

The following items are considered ineligible for funding under this program:

- Exercise: personnel expenses, overtime, travel, group meals, or per diem for participation in drills and exercises. However, equipment rental and other consumable supply expenses for drills and exercises may be allowed depending on the reasonableness of the costs.
- Expenditures funded under another federal or state grant
- Equipment/System purchases (operational & response)
- Salaries
- Group Meals
- General Office Supplies
- Expenses not related to hazardous materials
- Expenses counted as match funds toward another program
- Any costs without supporting documentation

IX. Adjournment

- a. Next Meeting July 10, 2018 – SCC. October possibly outside of Lincoln. Possibly National Park Service in Omaha or western/central NE.
- b. The motion for adjournment was presented by Bryan Tuma; Polly Jordening seconded the motion. The motion passed unanimously via acclamation vote, with no dissensions or abstentions. Meeting was adjourned by John Grimes at 3:08pm.



EPA Region 7 Report-Out Nebraska State Emergency Response Commission Meeting April 2018



Emergency Planning and Community Right-to-Know Act (EPCRA) / Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) News

****Farmers Do Not Need to Report Air Releases of Hazardous Substances from Animal Wastes**

The Consolidated Appropriations Act 2018 Title XI, called the "Fair Agricultural Reporting Method Act" or "FARM Act" exempts the reporting of air emissions from animal waste at a farm under CERCLA. When the D.C. Circuit Court of Appeals issues its mandate vacating the 2008 final rule farms will remain exempt from the CERCLA reporting requirements. For more information visit www.epa.gov/animalwaste

****EPA Region 7 Expects to Release the Next Emergency Preparedness Newsletter in July 2018**

The purpose of this semiannual newsletter is to provide information relating to emergency planning/preparedness and accident prevention to the regulated community and emergency responders/planners. To be added to e-mail list send an e-mail to R7PreparednessNewsletter@epa.gov with the subject "Add Me to Newsletter List".

If you have articles you would like to see in future issues, or would like to write an article discussing successful events, lessons learned, or announcing upcoming events send an e-mail to Terri Blunk at R7PreparednessNewsletter@epa.gov

Toxics Release Inventory (TRI) Updates

- ****Free TRI training on April 26.** The EPA Region 7 Regional Office in Lenexa, Kansas will be hosting TRI Basic Concept Training from 9-noon and TRI Advanced Concepts from 1-5pm. To register for this free training visit <https://surveys.abtassociates.com/s3/Registration-for-the-EPA-Region-7-TRI-Training-Workshop>
- ****Information from the 2016 TRI National Analysis is available at** www.epa.gov/trinationalanalysis
- EPA has published a direct final action to update the NAICS codes that are currently used to classify facilities subject to reporting under Section 313 of EPCRA. Facilities meeting these TRI reporting requirements will be required to use 2017 NAICS codes on TRI reporting forms, beginning with reporting forms that are due on July 1, 2018 (covering releases and other waste management activities at facilities for the 2017 calendar year). For more information, visit www.epa.gov/toxics-release-inventory-tri-program/adoption-2017-north-american-industry-classification-system
- For TRI related questions contact Karen Johnson at johnson.karent@epa.gov or 913-551-5014

Update to CAMEO and MARPLOT Now Available

In December 2017, numerous improvements were made to the MARPLOT program. In January 2018, numerous improvements were also made to the CAMEO program, including the addition of new physical and health hazard categories found on Safety Data Sheets. For more information or to download the updates visit www.epa.gov/cameo/marplot-software and www.epa.gov/cameo/cameo-software.

Region 7 Local Emergency Planning Committee (LEPC) Conference Updates

Planning for the 2019 conference has started. Please contact Terri Blunk at blunk.terri@epa.gov if you'd like to join the planning committee.

Emergency Response and Removal News

- ****An updated list of On Scene Coordinators and their outreach areas is attached at the end of this report.**
- ****For information on removal actions completed by EPA, please visit the new website at <https://response.epa.gov>**
- **For more information about response efforts, regulations, tools, and research that will help the regulated community, government entities, and concerned citizens prevent, prepare for, and respond to emergencies visit: www.epa.gov/emergency-response**
- **Local Government Reimbursements – Hazardous Substance Claims.** To make a claim to EPA for reimbursement of costs associated with a hazardous materials response, go to www.epa.gov/emergency-response/local-governments-reimbursement-program
- **U.S. Coast Guard National Pollution Funds Center (NPFC) – Oil Claims.** To make a claim for costs or damages from an incident under the Oil Pollution Act of 1990, use the two-page form found at the bottom of the NPFC Claimant's Guide, which can be found at www.uscg.mil/npfc/urg/

**Region 7 Assists with National Disaster Response Efforts

In 2017 and 2018, EPA Region 7 has deployed multiple personnel to support hurricane and wildfire responses in Texas, Puerto Rico, US Virgin Islands, and California. EPA Region 7 conducted 62 deployments to assist Region 6 in response to Hurricane Harvey that impacted Texas. Due to Hurricanes Irma and Maria, Region 7 had approximately 45 deployments to support Region 2 in response efforts in Puerto Rico and the Virgin Islands. Finally, Region 7 had 40 deployments to support Region 9 in response to wildfires in Northern and Southern California.

**Highlights from Removal Actions Being Conducted in Nebraska

Northwestern Metals Site in Lincoln. The original smelter ceased operations in the 1960s. EPA and NDEQ have sampled residential yards near the former smelter to check for lead in the soil. EPA plans to begin residential yard lead remediation in April 2018.

General News

**Planned Training in Region 7

The following training opportunities are planned through October 2018. For more information or to register, please visit: www.trainex.org/default.cfm

- Hazardous Waste Operations and Emergency Response 40-Hour. Kansas City, KS. April 16-20, 2018
- Groundwater High-Resolution Site Characterization. Kansas City, MO. June 5-6, 2018
- Air Monitoring for Emergency Response. Lenexa, KS, August 28 - 30, 2018

The NETI eLearning Center provides online eLearning, live webinar, and classroom training opportunities to environmental enforcement personnel (including government inspectors, the legal community, and investigators) in federal, state, tribal and local governments. For more information on all learning opportunities visit www.epa.gov/compliance/national-enforcement-training-institute-neti-elearning-center.

Spill Prevention, Control, and Countermeasure (SPCC), Underground Storage Tanks (UST) and Leaking Underground Storage Tank (LUST) News

EPA Region 7's oil spill prevention program includes the SPCC, UST, and LUST programs. The SPCC rule helps facilities prevent a discharge of oil into navigable waters or adjoining shorelines. The UST/LUST program work includes increasing emphasis on properly operating, maintaining, and mitigating leaks in UST equipment. For more information, visit the following websites:

SPCC - www.epa.gov/oil-spills-prevention-and-preparedness-regulations

UST/LUST - www.epa.gov/ust

****Waters of the US Rulemaking Update**

EPA and the U.S. Department of the Army finalized a rule adding an applicability date to the 2015 Rule defining "waters of the United States". The 2015 Rule will not be applicable until February 6, 2020. For more information visit www.epa.gov/wotus-rule/final-rule-definition-waters-united-states-addition-applicability-date-2015-clean-water

****Hazardous Substances Spill Prevention – February 2018 Bi-Annual Report Available**

The Hazardous Substances Spill Prevention Letter of Intent, issued February 11, 2016, indicated EPA's intention to initiate a rulemaking pursuant to CWA section 311(j)(1)(C). Per that letter of intent, the next Bi-Annual update on the progress in the development of a proposed rule is available. For more information, visit www.epa.gov/rulemaking-preventing-hazardous-substance-spills/hazardous-substance-spill-prevention-bi-annual

End of Year UST Performance Measures Report Available

EPA collects data from states and territories regarding UST performance measures. These data include information such as the number of active and closed tanks, releases confirmed, cleanups initiated and completed, facilities in compliance with UST requirements, and inspections. The data table for October 1, 2016 through September 30, 2017 is now available and provides data for all states, territories, and Indian country. For more information, visit www.epa.gov/ust/ust-performance-measures

CAA 112(r) - Risk Management Program News

- If you know of any facility in Nebraska that needs compliance assistance with their Risk Management Program or Risk Management Plan (RMP), please contact Terri Blunk at blunk.terri@epa.gov or 913-551-7013.
- If you have concerns about any Risk Management Program facility or know of one that has closed, contact Terri Blunk.
- SERC and LEPC members may have access to RMP facility data for official use. If you want access to the RMPInfo website (with/without offsite consequence data), e-mail your name, title, agency/company name, address, phone number, and e-mail address to Jodi Harper at harper.jodi@epa.gov.

Risk Management Program Training Now Available On-line

Region 7 has developed modules discussing the requirements of CAA 112(r)(7), common compliance pitfalls, preparing for inspections and the Region 7 inspection process, and case studies. Though the modules are geared for regulated facilities anyone who wants to learn more about the Risk Management Program would benefit, including emergency planners. Pdfs of the webinars can also be downloaded from the site. The training is posted at www.epa.gov/rmp/region-7-risk-management-program-webinars

Rule Modernizing Risk Management Program Regulation Effective Date Delayed Until February 19, 2019

EPA has further delayed the effective date of finalized amendments to February 19, 2019, in order to reconsider the amendments based on petitions received by EPA and to consider other issues that may benefit from public comment. For more information see the recently updated answers to frequently asked questions found at www.epa.gov/sites/production/files/2017-08/documents/rmp_final_rule_qs_and_as_8-02-17.pdf



Federal On-Scene Coordinators

Lenexa, Kansas

Brown, Randy	(913) 551-7978
Ferguson, Doug	(913) 551-7221
Gieseke, Andrew	(913) 551-7024
Johnson, James	(913) 551-7058
Luetke, Melinda	(913) 551-7961
Nold, Eric	(913) 551-7488
Pritchard, Jeff	(913) 551-7772
Russell, Christin	(913) 551-7639
Schademann, Randy	(913) 551-7331
Schmaedick, Manuel	(913) 551-7449
Smith, Yvonne	(913) 551-7795
Tanyi, Tanyi	(913) 551-7957

Southeast Kansas

Campbell, Todd	(913) 551-7115
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North Kansas City, Missouri

Davis, Joe	(913) 551-7909
Davis, Mike	(913) 551-7328
Fisher, Susan	(913) 551-7919
Frey, John	(913) 551-7994
Schuette, Megan	(913) 551-7630

Saint Louis, Missouri

Smith, Heath	(636) 326-4724
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Federal On-Scene Coordinators have been assigned outreach areas indicated on the map, with emphases on assisting or participating in these areas at SERC/LEPC meetings, trainings, and exercises. In addition, On-Scene Coordinators work to understand principal threats in a given area and state and local response capabilities, as well as providing areas with an understanding of EPA response capabilities.

The 24-hour Emergency Reporting Number (913) 281-0991 will remain the point of contact for all emergencies.

