

SERC Business Meeting

April 5, 2011

1:00 PM

Prairie Creek Inn

Walton, Nebraska 68461

I. Call to Order, Introduction of Members

Call to Order – 1:09 PM, Dick Christensen, Chair

Verification of public notice, availability of copy of law in the meeting location - NEB. REV. STAT. §§ 84-1407 through 84-1414 (1999, Cum. Supp. 2006, Supp. 2007) - was referenced and made available.

Member	Affiliation	Present
John Baroni	County Elected Official	
Al Berndt	NE Emergency Management	X
Richard Christensen	Chairman, Chemical Industry	X
Steven Danon	Small Business	X
Keith Deiml	Education	
Don Eisenhauer	Agribusiness	X
John Falgione	State Fire Marshal	X
Joe Francis	Department of Environmental Quality	X
Gary Gandara	Labor	X
Keith Hansen	Community Health	
Tim Hofbauer	Local Emergency Management	X
Larry Johnson	Trucking Association	X
Judd Lyons	ARNG	
Mark Lohnes	NDEQ SARA Title III	X
(empty)	City Government	
Dana Miller	Vice Chair, Fire	X
Tonya Ngotel	SERC Coordinator	X
Kimberly Plouzek	Environmental Protection	X
Tom Sands	Department of Roads	X
Thomas Schwarten	State Patrol	X
Sue Semerena	Health and Human Services	X
Jessica Sherwood	NDOR Alt	X

Other attendees: Teri Blunk (EPA Region 7), Ken Buchholz, (EPA Region 7), Janell Walther (Public Policy Center), Mark DeKraai (Public Policy Center) , Amy Stroh (NEMA), Tom Renniger (Department of Roads), Jon Schwarz, (NEMA).

II. Approval of the agenda for April 5, 2011.

Larry Johnson made a motion to approve the April 5, 2011 agenda. Sue Semerena seconded that motion; the motion passed by consensus.

III. Approval of the minutes from the January 4, 2011 Meeting.

Larry Johnson made a motion to approve Jan. 4, 2011 meeting minutes. Tim Hofbauer seconded the motion; the motion passed by consensus

IV. New Business

a. Review of Regional Response Team 2010 Report

Tonya Ngotel, Coordinator of the SERC, passed around copies of the EPA Region 7 Regional Response Team report. The Regional Response Team is a federal asset that prepares and plans for and responds to hazardous material events in the four state region of Nebraska, Iowa, Kansas and Missouri. A new Homeland Response Force (similar to a civil support team but on a regional basis) will be launched and housed in St. Louis; a presentation on this unit will be made at the upcoming LEPC Conference. Discussion ensued on the responses within the state which were conducted and/or assisted by EPA. The most frequent response involved a mercury spill in 2010 included the response to the mercury spill in a high school in Omaha. There has been an increase in the number of mercury spill responses, which is likely due to an increase in education about the hazards of such spills. EPA has set geographic outreach areas within the state and outreach activities are being done via the LEPCs within each of those areas. Nearly all incident reports had accompanying response from the within the immediate area, involving local responders and/or a state emergency responder.

V. Old Business

a. LEPC Membership Approval – presented by Dick Christensen, Chair

Discussion was held concerning the broad range of applications and the counties which they are to represent. Tim Hofbauer made a motion to approve all LEPC Applications (with the list of approved applicants attached). Don Eisenhauer seconded the motion; the motion passed by consensus.

b. SERC Membership Committee - presented by Tonya Ngotel, NEMA

- i. Currently there are two openings on the SERC, one for rail transportation and one for a city official/city employee. Applications may be submitted to Tonya Ngotel or the office of the Governor.

c. SERC Subcommittee Report

- i. LEPC Conference – presented by Tonya Ngotel, NEMA and Mark Lohnes, NDEQ

The LEPC Conference will be held July 28-29, 2011 at the LaVista Conference Center in LaVista. A pre-conference training will be held Thursday, July 28, 2011. Douglas and Sarpy County LEPCs will host a barbeque dinner on July 29, 2011 at the Strategic Air & Space Museum. Douglas & Sarpy County LEPCs are looking for financial support and volunteers to help with both the BBQ and the conference.

- ii. Public Outreach/LEPC Support

Janell Walther of the Public Policy Center presented a **LEPC Brochure** to recruit industry members to join LEPCs. Suggestions for revision should be provided to Janell Walther or Tonya Ngotel.

HMEP Best Practice Review – Tonya Ngotel. In response to the LEPC Survey and ongoing questions about the process, Tonya presented the document "HMEP Mini Grant Best Practices" which will become part of the LEPC Tool Kit. Interest in learning more about the mini-grant process at future meetings was expressed.

- iii. LEPC Function

1. **LEPC Survey** – presented by Steve Danon. A statewide survey of the LEPCs was completed and discussed at previous SERC meetings. A conference call was held with members of the subcommittee and several LEPCs. The survey was helpful for setting future goals. Key recommendations from the survey include the following:
 - Create a guideline or best practices information sheet for how/when/where to share LEPC documents that may be sensitive. Include guidelines for retention of historical information, such as how long to keep Tier II reporting information.
 - Assess the need to change LEPC statutes in light of security concerns and common practices and provide LEPCs general guidelines. Region 7 EPA was asked for guidance in this area.
 - Enhance and empower LEPCs through communications, such as an email newsletter.
 - Educate LEPC Chairs and Committee members about NEMA website contents.
 - Provide a document that lists several ways that LEPC's handle funding (included in the "HMEP Best Management Practices" document).
 - Provide education / training to LEPC chairs on how to manage long-term committees.
 - Add LEPC function information to the NEMA website.

2. **LEPC Contact Information** – presented by Tonya Ngotel and Dick Christensen. A current list of the 500 or so LEPC members (to include e-mail addresses) is being compiled. LEPC Membership approval must be done in a consistent manner. A request for membership/contact information has been made to each LEPC in Nebraska. Membership tracking will be important to complete each year.

Under section 81-15, 215 NEPCRA requires the SERC to appoint the members of each LEPC (without specifying the method for appointment). Currently, some LEPCs submit membership applications to the SERC for formal approval, some just include membership information in their reports (either regular or annual meeting reports) to the SERC Coordinator and some apparently do not provide membership information on a regular basis. NEMA will look into means for clarifying the requirement for membership approval by the SERC.

VI. Report from NEMA – Al Berndt & Tonya Ngotel

Three Department of Transportation Contractors provided information on strengths and recommendations and goals as related to HMEP. The DOT Representatives thought strengths of Nebraska's SERC included the regional response teams, knowledge of emergency response at the state level, a full-time SERC Coordinator for maintaining grant information, and excellent training. Recommendations included creating a better refined mini grant process, clarifying the relationship between state and local response plans, and creating a general statement of work based on LEPC needs. The LEPCs have also expressed an interest in more guidance in relation to the Local Emergency Operations Plan (LEOP). NEMA is providing for more input and flexibility in the planning process locally through the use of internet-based planning tools and allowing for locally developed SOPs. Tonya provided a detailed map showing the counties in Nebraska (60 or so) which either have a functioning LEPC or are part of a multi-county functioning LEPC.

VII. Report from NDEQ/EPA

NDEQ – Mark Lohnes. Nearly all Tier II reporting is complete now, with the vast majority of the reports being submitted electronically. NDEQ attended the Hazmat Symposium in Hastings, NE where information on air monitoring equipment was shared. NDEQ will support the LEPC Conference.

EPA – Teri Blunk, Region 7. TRI Workshops, geared toward facilities, will not be held in Nebraska this year. Web-based trainings open first to Nebraska facilities will be offered. Toxic Release Inventory forms will be updated online. The government wants to make sure information is shared on data received about water data and chemical information. In early March, a workshop was held for ethanol facilities on risk management, spill reporting and facilities' involvement with LEPCs. The EPA is working on inspection targets for next fiscal year, so safety concerns should be shared with the EPA to ensure an inspection for next year. See attachment for more details about EPA activities.

Other Updates:

- 40-hour HAZwoper is scheduled for April 4-8 and the 24-hour course with rope rescue is scheduled in Omaha on April 11-13. Thirty registrants are now required to hold a class.
- Turnaround on reimbursement for a hazardous substance response claim is approximately four weeks.

VIII. Public Forum / Presentations

No presentations were discussed.

IX. Next Meeting – July 5, 2011, 1 PM at NET

X. Adjournment

Sue Semerena made a motion to adjourn. Larry Johnson seconded the motion; the motion passed by consensus.



EPA Report-Out Nebraska State Emergency Response Commission Meeting April 5, 2011



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

TRI Workshops

Live Workshops - provide comprehensive information and instructions on the reporting requirements of EPCRA Section 313 so that the regulated industries can complete the annual Form R correctly. Web-based training sessions are also planned for April/May 2011. Below are the scheduled dates and locations for the 2011 TRI training sessions (Basic 8-hour training and Advanced 4-hour training at each location):

- April 20, 2010 – Kansas City, MO
- April 21, 2010 – St. Louis, MO

To register for a workshop, please send an e-mail to epatraining@saic.com and provide the following information: training location, Basic 8-hour or Advanced 4-hour, attendee name, company name, address, phone number and e-mail address. An e-mail will be sent to confirm your registration. Please contact Steve Wurtz at (913) 551-7315 or wurtz.stephen@epa.gov if you have questions about the TRI workshops.

Toxic Release Inventory (TRI) Update

- Comments Now Being Accepted on TRI Information Collection Request Renewal. On February 11, 2011, EPA published a Federal Register notice (76 FR 7841-7844) requesting comment on proposed changes and renewal of the Form R, Form A, Form R Schedule 1 and the Information Collection Request (ICR) for the TRI Program. As part of this ICR renewal, the TRI Program recommends minor revisions to Form R and Form A. Comments must be submitted to EPA on or before April 12, 2011. To view the FR notice and associated documents, click on the "ICRs" section of the "[TRI Laws and Regulations](#)" page, or see Docket ID Number EPA-HQ-OEI-2010-0835 at "[regulations.gov](#)".
- EPA has released its annual national analysis of the TRI data. The TRI program publishes information on toxic chemical disposals and releases into the air, land and water, as well as information on waste management and pollution prevention activities in neighborhoods across the country. In 2009, 3.37 billion pounds of toxic chemicals were released into the environment, a 12 percent decrease from 2008. For more information on the 2009 TRI analysis, please visit <http://www.epa.gov/tri>
- 16 chemicals have been added to TRI reportable list (effective November 26, 2010). Based on a review of available studies EPA concluded that these 16 chemicals could cause cancer in humans and therefore meet the listing criteria. For more information visit: http://www.epa.gov/tri/lawsandregs/ntp_chemicals/final.html.
- A TRI comparative analysis tool has been added to the ECHO website which offers users a quick and easy way to compare TRI data with facility-level data from other EPA data sources. TRI data can be compared with data from the Agency's Air Facility System (AFS), Permit Compliance System (PCS), Integrated Compliance Information System for the National Pollutant Discharge Elimination System (ICIS-NPDES), and Resource Conservation and Recovery Act Information system (RCRAInfo). The tool can be accessed from the TRI Homepage at www.epa.gov/tri or directly at www.epa-echo.gov/echo/tricomparative.

[EPCRA / CERCLA \(cont\)](#)

[New Versions of CAMEO and Tier II Submit Are Available](#)

- CAMEO 2.2
 - What's changed: Added a New Record button to the toolbar; Added a lat/long check in the Facilities module (compares the lat/long values against a bounding box area that approximates the area of the county listed on the facility record's street address); Added ability to link to documents within the Resources module (similar to site plans in the Facilities and Special Locations modules); Enhanced search capabilities in the Resources module; Allows import of Tier2 Submit 2010 files; Fixed minor bugs.
 - Note: If you're upgrading to CAMEO 2.2 from a previous version of CAMEO, follow the instructions in the guidance document (provided on the download page) to ensure that you don't lose your current data.
 - Download at <http://www.epa.gov/emergencies/content/cameo/cameo.htm>.
- Tier2 Submit 2010
 - What's changed: Updated state-specific fields and fixed minor bugs.
 - Download at <http://www.epa.gov/emergencies/content/epcra/tier2.htm>.

[Omaha Area Chosen for 2011 Region 7 Local Emergency Planning Committee \(LEPC\)/ Tribal Emergency Response Commission \(TERC\) Conference](#)

Scheduled for July 28-30, 2011 at the Embassy Suites Hotel in LaVista, NE the conference tracks include LEPC 101, Health and Medical, Industrial Facility Preparedness and Planning, Hazmat Response, and Chemical Transportation and Security Awareness. The following all-day training courses will also be provided on Thursday July 28: Hazmat Refresher, Hazmat IQ, DuPont Isotainer (hands on), social media, and EPA/Coast Guard Oil Spill Boom (hands on). To register or for further information please visit www.marc.org/gti/lepc-terc/.

[Clean Air Act \(CAA\) 112\(r\) - Risk Management Program](#)

- If you have concerns about any Risk Management Program facility or know of one that has closed, contact Terri Blunk at 913-551-7013 or blunk.terri@epa.gov.
- If you know of any facility in Nebraska that needs compliance assistance with their Risk Management Program or Risk Management Plan (RMP), please contact EPA Region 7's Nebraska compliance assistance expert, George Moody, at 913-551-7806 or moody.george@epa.gov.
- 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 Terri.

[Chemical Emergency Preparedness and Prevention \(CEPP\) Grants](#)

EPA Region 7, plans to award grants totaling \$70,000 under the CAA 112(r), for the CEPP Program during the Fiscal Year (FY) 2011. The purpose of this grant opportunity is to provide EPA funding to help implement CEPP requirements, as required by 40 CFR Part 68. State, local or tribal governments/agencies are eligible to apply and compete for the FY11 funding. The grant announcement number is EPA-R7AWMD-11-002. Please visit the following websites to get detailed information and to submit your proposal:

Page Link: http://www.epa.gov/region7/grants_funding/r7_grant_opportunities.htm

Document Link: http://www.epa.gov/region7/grants_funding/pdf/epa_r7awmd_11_002.pdf

Instructions and requirements are included with the solicitation. If you have any questions regarding the announcement, please contact Tina Wilkins at (913) 551-7964 or e-mail her at wilkins.tina@epa.gov

[Clean Air Act \(CAA\) 112\(r\) - Risk Management Program \(cont\)](#)

Webinars offered on new RMP*eSubmit

Information about webinars on the new RMP reporting process, RMP*eSubmit, is posted at http://www.epa.gov/emergencies/content/rmp/rmp_esubmit.htm. No webinar is currently scheduled but the presentation slides can be viewed at the website above. To request a webinar be scheduled please contact Terri Blunk.

Emergency Response and Removal Update

● For information on removal actions completed by EPA, please visit <http://www.epaosc.org>.

Upcoming Training Events:

The following training events are planned for EPA Region 7. For more information please contact Pat Maxwell at 913-551-7365 or maxwell.patricia@epa.gov.

- 40 Hour HAZWOPER SW, April 4-8, 2011, Lincoln, NE.
- 24 Hour Confined Space Entry/Rope Rescue, April 11-13, 2011, Omaha, NE.

Local Government Reimbursements (LGR) – Hazardous Substance Claims

To make a claim to EPA for reimbursement of costs associated with a hazardous materials response, go to <http://www.epa.gov/oem/content/lgr>. If you have questions, call the EPA Helpline at 1-800-431-9209.

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 (OPA), use the two-page form found at the bottom of the NPFC Claimant's Guide, which can be found at <http://www.uscg.mil/npfc/urg/>.

TRANSCAER Tour

This event provides responders with hands on training opportunities using rail, highway and farming transport equipment. The special emphasis this year is on the transportation of anhydrous ammonia. For more information contact Rodney Tucker at 515-725-0387 or Rodney.Tucker@dnr.iowa.gov. Register at www.transcaer.com.

Event in Nebraska include: Alliance on June 25, Broken Bow on July 6, Seward on July 9, Hastings on July 15-16.

Events near Nebraska include: Sioux City on April 18-20; Council Bluffs on May 24-26.

Misc.

EPA Updates Web Tool Providing Clean Water Violation Trends and State Enforcement Response

EPA released an updated data and a mapping tool designed to help the public compare water quality trends over the last two years. The web-based, interactive map includes “state dashboards” that provide detailed information for each state, including information on facilities that are violating the Clean Water Act and the actions states are taking to enforce the law and protect people’s health. The state dashboards incorporate data for both large and small sources of water pollution, along with the latest information from EPA’s 2009 Annual Noncompliance Report. The public can examine and compare information on the inspections conducted by both EPA and the state in their region, violations and enforcement actions in their communities over the past two years and the penalties

levied in response to violations. For more information on interactive state dashboard for Clean Water Act violations visit: <http://www.epa-echo.gov/echo/ancr/us/>.

Misc. (cont)

EPA Provides Public with Easier Access to Chemical Information

EPA has introduced a new web-based tool that will enable the public to search for and have easy access to health and safety studies on industrial chemicals. The chemical data access tool allows users to conduct a chemical-specific search for health and safety studies that have been submitted to the agency under the Toxic Substances Control Act (TSCA). The tool will also be added to Data.Gov. For more information about the new web tool please visit:

<http://www.epa.gov/oppt/existingchemicals/pubs/transparency.html>

New Web-based Tool for Accessing Wastewater Pollutant Discharge Information Available

The Discharge Monitoring Report (DMR) Pollutant Loading Tool is a new tool designed to help you determine who is discharging, what pollutants they are discharging and how much, and where they are discharging. The tool calculates pollutant loadings from permit and DMR data from EPA's Permit Compliance System (PCS) and Integrated Compliance Information System for the National Pollutant Discharge Elimination System (ICIS-NPDES). The tool ranks dischargers, industries, and watersheds based on pollutant mass and toxicity, and presents "top ten" lists to help you determine which discharges are important, which facilities and industries are producing these discharges, and which watersheds are impacted. The tool can be found at

<http://cfpub.epa.gov/dmr/>.