

SERC MEETING

January 7, 2014

Mauerer Center for Public Health, UNMC Campus
519 South 40th Plaza Circle
Omaha, Nebraska
1:00 PM CST

I. Call to Order, Introduction of Members

An Open Meeting Statute was available for review on the registration table.

Keith Hanson, Chair, called the meeting to order at 1:04 PM.

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

Others in attendance: Terri Blunt, Region 7 EPA via telephone conference, Mark DeKraai Public Policy Center, Steve Eddy NOAA & Adams County LEPC, Michele Kassmeier UNMC, Deb Robinson NEMA, Hayley Sutter Public Policy Center and Nikki Weber NEMA.

II. Approval of the Agenda for January 7, 2014

Sue Semerena made a motion to approve the agenda. Tim Hofbauer seconded the motion; the motion passed by consensus.

III. **Approval of the Minutes** from October 1, 2013 meeting.

Joe Francis made a motion to approve the meeting minutes from October 1, 2013 with the following addendum: include a list of the local approved LEPCs from the October 1, 2013 meeting. Tom Schwarten seconded the motion; the motion passed by consensus.

IV. **New Business**

a. **SERC Strategic Plan Review and Update**

A meeting request for a two-hour meeting in February has been sent to SERC Strategic Plan Subcommittee members; the meeting will discuss a draft tool. Meeting logistics will be finalized once all subcommittee members have responded to the request.

b. **Executive Order on Chemical Facility's Update**

The Executive Order 13650, Improving Chemical Facilities Safety and Security, was signed by President Obama on August 1, 2013; this Executive Order seeks to improve the safety and security of chemical facilities and reduce the risks of hazardous chemicals to workers and communities. The mission of the Executive Order is to create lines of communication and collaboration between the Department of Homeland Security (DHS), the Environmental Protection Agency (EPA), the Department of Labor (DOL), the Department of Justice (DOJ), the Department of Agriculture (USDA), and the Department of Transportation (DOT), the Department of Alcohol Tobacco and Firearms (ATF) and to improve operational coordination with state and local partners. In response to Executive Order 13650, many federal and regional agencies are offering listening sessions for SERCs, LEPCs, and other third-party stakeholders; five listening sessions will be offered in January. More information can be found online.

A State meeting hosted by the Department of Environmental Quality (NDEQ) and other State agencies and attended by the Occupational Safety and Health Administration (OSHA), EPA, and DHS was recently held to discuss each agencies handling and association with ammonia nitrate (the Bureau of Alcohol, Tobacco, Firearms and Explosives was invited to the meeting but did not attend). Recommendations from this meeting were to conduct joint inspections and exercises, ensure communications lines between agencies are open, and to engage with local LEPCs with ammonia nitrate facilities.

In November, DHS released a request for comments on suggested changes to the DHS Chemical Facilities Anti Terrorism Standards (CFATS). On behalf of the SERC, Tonya Ngotel submitted a letter supporting increased access of SERCs and LEPCs to the information. OSHA has released a similar request for information regarding the Executive order; EPA will likely release a request for comments in April.

V. **Old Business**

a. **LEPC Membership Approval** (Vote)

A number of LEPC membership applications have been received; most of the applications are for LEPC renewal with only a few new applicants. Tim Hofbauer made a motion to approve the application for membership. Keith Deiml seconded the motion; the motion passed by consensus.

b. SERC Membership Committee

i. Status Report

The Governor's office has renewed the appointments of Sherry Blaha, Ben Salo, Larry Johnson, and John Grimes. Keith Hansen, Dana Miller, and Tim Hofbauer will be up for renewal in 2014. The City Elected Official position is currently open. Inquiries should be sent to Tonya Ngotel.

c. 2014 State LEPC Conference

The 2014 State LEPC Conference will be held in conjunction with the Hazmat Symposium on Friday, April 4 – Sunday, April 6, 2014 in Kearney, Nebraska at the Kearney Holiday Inn. The Hazmat Symposium will begin Friday morning and end Sunday afternoon; the LEPC Conference will begin at 1:00 PM on Friday and will conclude by 5:00 on Saturday. The LEPC Conference and Hazmat Symposium will hold separate trainings and presentations during the day; however, Mark Callan will present several joint presentations. The next SERC meeting will be held in conjunction with LEPC Conference on Friday, April 4 beginning at 1:00 PM.

d. Other

i. Executive Order – Follow Up

Previously reported. See section IV. b.

VI. Report from NEMA

The FY2013 grants were released to the states in September; in Nebraska, allocations have been made to the PET regions and Hazmat cities, budgets have been submitted and approved, and purchases are being made. NEMA has hired new Exercise Training Officer, Brandon Burton. The Nebraska Hazmat Challenge has been set for September 11-12, 2014 in Omaha Nebraska at the Public Training Safety Center. Volunteers are needed; please contact Tonya if interested. The Regional Response Team Spring Meeting will be held in April 2014. Funding is available to send SERC members to the conference; if you are unable to travel, online participation will be available. The University of Nebraska – Lincoln Nebraska Transportation Center is expected to present the final product on the commodity flow study at the April meeting.

VII. Report from NDEQ/EPA

EPA Report: New anhydrous ammonia equipment, which compresses atmospheric air and adds it to the nurse tank to increase pressure resulting in a higher flow rate of anhydrous ammonia, is being marketed in Nebraska.. The addition of oxygen into the nurse tank increases the rate of stress corrosion cracking; over time this can lead to catastrophic failure. The EPA has recommended facilities utilizing this equipment address it in their risk management plans. Roughly twenty percent of risk management facilities are due for resubmission this year. Increased call Webinar trainings may be available soon.

NDEQ Report: Tier II reminder letters were sent to facilities on January 2, 2014; 128 facilities out of 3200 facilities have already reported. Mike Linder has resigned as the director of the NDEQ to accept a position in private practice. Pat Rice is serving as the acting director. Prior to coming to Nebraska, Pat served in South Dakota's equivalent to NDEQ. A Food, Animal, and Veterinary Exercise on Foot-and-Mouth Disease were recently held in Kansas City. No significant spills have occurred since the last meeting.

VIII. Public Forum/Presentation

Two trainings will be held prior to the next meeting in April. A Hazardous Materials Transportation Workshop will be held on February 11 in Omaha and February 13 in Grand Island. These one-day workshops provide a basic overview of how to use the Hazardous Materials Regulations and a summary of its requirements for shipping and transporting hazardous materials. For more information, call 847-294-8580 or register online at <http://goo.gl/JzHbZz>. A two day training on Advanced Planning Concepts: Developing Incident Action Plans will be held on February 18-19 in Columbus and February 20-21 in McCook. This course is designed to immerse participants in Advanced Planning Processes in the usage and understanding of the ICS Forms and other critical advanced planning products and techniques. There is no fee for this training; however, registration is required. Those interested in registering for the Columbus training should contact mevert@colfaxne.com; those interested in registering for the McCook training should contact dwilkinson@rwcso.org.

Many railroad companies are trying to relocate their anhydrous ammonia tanks outside city limits; while this is supported, many of the tanks were manufactured in the 1960s-1970s and are no longer in the National Board of Registry and do not have their original manufacturing documents. Without the necessary supporting documentation, the condition of the tanks is unknown and it is highly likely many of the tanks have stress corrosion cracking and are unsafe to move. Magnetic Flux Resonance Testing must be completed before the tanks can be moved; the cost for this test is about \$1 per tank gallon.

IX. Adjournment

Tom Schwarten made a motion to adjourn the meeting. Sue Semerena seconded this motion; the motion passed by consensus. The Meeting adjourned at 2:10 PM.

X. Next Meeting

The next SERC meeting will be held on April 4, 2014 at 1:00 PM in Kearney, Nebraska; the meeting will be held in conjunction with the State LEPC Conference.

**Appendix I:
LEPC Membership Applications**

Name	Email	Representing	Occupation	County
Brad Grummert	bradgrummert@hotmail.com	County Commissioner	Elected Official	Jefferson
Drew Hughes	Drew_hughes@nps.gov	Park	National Park	Gage
Robert Latimer	Rob_latimer@transcanda.com	Pipeline	TRANSCANDA	Jefferson
Tim McDermott	nebraskatim@gmail.com	Commissioner	Elected Official	Saline
William McPherson	rcem@windstream.net	EM	EM	Thayer
Loveland Products	Michael.Moritz@cpsagua.com	Industry	Fertilizer	Homestead
Keith Deiml	Cuddykd@cox.net	Community/SERC	SERC	Sarpy
Dena Howard	Dena.howard@redcross.org	Red Cross	Red Cross	Sarpy
JJ Kuzma	John.kumza@scs.salvationarmy.org	Vol.	Salvation Army	Sarpy
Barb Shaver	bshaver@dutton-laison.com	Industry	Safety Techn.	Adams
Val Snyder	Val.snyder@tallgrassenergy.com	Pipeline	Safety	Adams
Kenny Morris	Kenny.morris@tallgrassenergy.com	Pipeline	Safety	Adams
Steve Eddy	Steven.eddy@noaa.gov	Government	Meteorologist	Adams
Ryan Parks	ryan@ncdhd.ne.gov	Public Health	EM	Elkhorn Valley
Marvin Elwood		Farmer	Citizen	Elkhorn Valley

Mike Frohberg	mfrohberg@teltbeep.com	Industry	Norfolk Iron	Elkhorn Valley
Northern Natural Gas	Vogel.buck@nngco.com	Pipeline	Northern Natural Gas	Cass County
Roger Behrns	rbehrns@navix.net	Government	Retired	Cass County
PCS Nitrogen	Span.119@hotmail.com	Safety	Industry	Cass County
Brenda Konfist	Brenda.confst@nebraska.gov	NSP	State Trooper	Sarpy
Steven Matthew	Steven.matthew1@offutt.af.mil	Air Force	US Airforce	Sarpy
Nancy Braswell	nbraswell@sarpy.com	Public Health	Public Health	Sarpy
Jan Fink	Jan.fink@offutt.af.mil	Air Force	USAF	Sarpy
Bradley Lahm	brad@co.cass.ne.us	Sheriff	Law	Cass
Dale Tedder	dtedder@sarpy.com	Public Health	Public Health	Cass
Mike Wilson	mwilson@liquidtrucking.com	Industry	Trucking	Cass
John Baroni	JohnBaroni@inebraska.gov	Business Owner	Citizen	Cass
Teresa Keck	Teresa.keck@noaa.gov	Weather	NOAA	Southwest
Pamela Reichert	prechert@hotmail.com	EM	EM	Southwest
Karon Harris	kharris@perkinscoso.org	Sheriff	Sheriff	Southwest
Connie Linder	Kchssafety2@kchs.org	Hospital	Hospital	Southcentera l
Richard Esparza	Richard.esparza@offutt.af.mil	Air Force	Medical	Sarpy
Charles Ramsdale	Chramsedale.bellevuemed.com	Industry	Ramsdale	Sarpy

Steve Smith	sesmith@dxgroup.com	Industry	DPC Industries Inc	Sarpy
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EPA Report-Out Nebraska State Emergency Response Commission Meeting January 7, 2014



Clean Air Act (CAA) 112(r) - Risk Management Program

- 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 Steve Greenwald at 913-551-7408 or greenwald.steven@epa.gov.
- If you have concerns about any Risk Management Program facility or know of one that has closed, contact Terri Blunk at blunk.terri@epa.gov or 913-551-7013.
- 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 Blunk.

Executive Order on Improving Chemical Facilities Safety and Security

On August 1, 2013, the President issued an executive order on improving chemical facility safety and security. To view/print a copy of this order, please visit: <http://www.whitehouse.gov/the-press-office/2013/08/01/executive-order-improving-chemical-facility-safety-and-security>. This order directs the federal government to:

- Improve operational coordination with state and local partners;
- Enhance Federal agency coordination and information sharing;
- Modernize policies, regulations and standards; and
- Work with stakeholders to identify best practices.

On August 30, 2013, EPA, OSHA, and ATF jointly issued a chemical advisory in response to the Executive Order. This advisory provides information on the hazards of ammonium nitrate storage, handling and management. To view/print a copy of the advisory, please visit: <http://www.epa.gov/emergencies/content/rmp/index.htm>.

DHS has been providing listening sessions where the public has an opportunity to give input on the implementation of the President's Executive Order and anticipates that there will be some sessions in late January. Please visit the following website in for more information: <https://www.govevents.com/listings.php?q=EO+13650+Improving+Chemical+Facility+Safety+and+Security+Listening+Session>.

Region 7 Regional Response Team (RRT) Meeting to Discuss the Executive Order

At the Chemical Safety and Security Meeting a subset of the RRT members will meet to discuss the following items relating to the Executive Order:

- Collection, storage and use of facility information at the Local, State and Federal level;
- Providing effective outreach to stakeholders on chemical safety and security information, activities and issues;
- Better unified planning and execution of inspections at chemical facilities (pre –post inspection activities).

The meeting will be held January 8, 2014 in Kansas City, MO at EPA Region 7's Training and Logistic Center: 8600 NE Underground Rd, Pillar 253; Kansas City, Missouri 64141 from 11:30 to 4:30 with teleconference capabilities available. Please contact Janice Kroone at kroone.janice@epa.gov or (913) 551-7005 if you would like to attend in person or want the call-in number and AdobeConnect meeting information.

CAA 112(r) - Risk Management Program (cont.)

New Version of myRMP Tool for Anhydrous Ammonia Fertilizer Retailers Released

EPA, the Fertilizer Institute (TFI), and ASMARK have greatly revised and improved the anhydrous ammonia fertilizer compliance assistance tool, myRMP. The *myRMP Suite of Retail Guidance Materials* can be found at: <https://www.asmark.org/myRMP>.

New Anhydrous Ammonia Tool Bar Equipment Increases Risk

A new piece of equipment has come on the market that increases risk of anhydrous ammonia equipment failure. Essentially this piece of equipment is a compressor that is added to the tool bar (usually owned by the retailer or farmer) to compress atmospheric air and add it to the nurse tank to increase pressure so the anhydrous ammonia will maintain a higher flow rate. The concerns are that this piece of equipment will add normal atmospheric air that contains approximately 21% oxygen and moisture into the nurse tank. The addition of any oxygen will increase the rate of stress corrosion cracking (SCC) which over time can lead to catastrophic failure of the nurse tank and ultimately, the whole retailer's bulk plant the nurse tank is returned to. Only a few parts per million is considered the primary cause of SCC of steels in liquefied ammonia service, see <http://www.nationalboard.org/Index.aspx?pageID=182> for more information.

The manufacturer has indicated they intend to market the equipment in the Midwest. EPA Region 7 has notified the four state agencies that regulate anhydrous ammonia usage about the concerns with this piece of equipment and it is anticipated that this piece of equipment will not comply with the new ANSI K61.1 standard (part 5.10.3) when it gets released. EPA Region 7 believes this piece of equipment should be addressed in a facility's RMP Program/Plan if used. For more information contact George Hess at hess.george@epa.gov or 913-551-7540.

Many RMP Program Facilities Due for Resubmission in 2014

A large percentage of facilities that filed RMPs when the regulation first went into effect in June 1999 will be required to file their 5 year update in 2014. The update can be filed online through eSubmit at http://www.epa.gov/emergencies/content/rmp/rmp_esubmit.htm. The agency has developed a fact sheet to help facilities with the update filing. It can be found at: http://www.epa.gov/emergencies/docs/chem/RMP_checklist.pdf. The Region 7 will be doing some compliance assistance outreach after the first of the year.

One area that facilities should review is the longitude and latitudes used for the off-site consequence analyses. In 1999 when many facilities first filed this information was not easily obtained and our inspectors have found several facilities where these coordinates are many miles off (sometimes not even in the correct county or state). This has led to facilities not coordinating with all LEPCs and fire departments that can potentially be impacted by a release and an increased risk to communities.

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

Amendments to the Emergency & Hazardous Chemical Inventory Forms (Tier II)

On July 13, 2012, EPA published a final rule to revise Tier I and Tier II reporting forms, as well as the Confidential Location Information Sheet. The revisions add some new data elements and revise some existing data elements. The rule becomes effective on January 1, 2014, and facilities must comply with the new requirements on the Tier II inventory form starting reporting year 2013, which is due by March 1, 2014. For more information, please visit the following website:

<http://www.epa.gov/emergencies/content/epcra/tier2.htm>.

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

[Toxic Release Inventory \(TRI\) Updates](#)

- **2014 National Training Conference on the TRI and Environmental Conditions in Communities.** EPA and Dillard University's Deep South Center for Environmental Justice (DSCEJ) are the co-sponsors of the Training Conference which will be held May 7-9, 2014, in Arlington, Virginia. The Training Conference serves as the main public outreach and training event for EPA's community right-to-know TRI program, the goal of which is to provide communities with information about toxic chemical releases and waste management activities. The conference augments existing online training provided throughout the year and fosters the exchange of information between EPA, localities, states, tribes, federal agencies, industry, community groups, researchers, and non-governmental organizations. Visit the following website for further information: <http://www2.epa.gov/toxics-release-inventory-tri-program/2014-national-training-conference>.
- **Electronic Reporting of TRI Reports Required.** In a final rule issued August 27, 2013, EPA requires facilities to report non-trade secret TRI reports to EPA electronically via the Internet (i.e., not on paper forms or CD-ROMs). EPA also requires facilities to electronically submit any revisions or withdrawals of previously submitted TRI reporting forms. This rule becomes effective on January 21, 2014. For more information, visit: <http://www2.epa.gov/toxics-release-inventory-tri-program/electronic-reporting-toxics-release-inventory-data-final-rule>.
- **Release of TRI 2012 Preliminary Dataset.** The 2012 TRI preliminary dataset contains the most current TRI data available and reflects toxic chemical releases and pollution prevention activities that occurred at TRI facilities during the 2012 calendar year. Please note that this dataset is not yet complete and will be updated every two weeks as the TRI Program continues to process additional reporting year 2012 TRI submissions. For more information, visit: <http://www2.epa.gov/toxics-release-inventory-tri-program/2012-tri-preliminary-dataset>.

[Emergency Response and Removal Update](#)

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

[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/>.

[Other News](#)

[New Versions of CAMEOfm, Tier2Submit, and MARPLOT are Available](#)

CAMEOfm (version 3.0), Tier2Submit (2013), and MARPLOT (version 4.2.4) were released in November 2013. See the websites below for further details and download instructions:

- CAMEOfm 3.0 at <http://www2.epa.gov/cameo/downloading-installing-and-running-cameofm>
- Tier2 Submit 2013 at <http://www2.epa.gov/epcra-tier-i-and-tier-ii-reporting/tier2-submit-software>
- MARPLOT 4.2.4 at <http://www2.epa.gov/cameo/cameo-downloading-marplot>

Other News (cont.)

Planned Training in Region 7

The following training opportunities are planned for October 2013 through September 2014. Exact locations and dates are still to be determined. When more information is available it will be posted on the following website: <http://www.trainex.org/default.cfm>.

- Air Monitoring for Emergency Response
- Chemistry for Environmental Professionals (Fundamentals & Applied)
- Emergency Remedial Technologies
- Groundwater High-Resolution Site Characterization (HRSC)
- Introduction to Ecological Risk Assessment Guidance for RCRA/Superfund
- Introductory Risk Assessment Guidance
- Preliminary Assessment/Site Investigation
- Remedial Design/Remedial Action
- Remedial Project Manager 201
- Sampling for Hazardous Materials

EPA Web Tool Expands Access to Scientific, Regulatory Information on Chemicals

EPA has launched a web-based tool, called ChemView, to significantly improve access to chemical specific regulatory information developed by EPA and data submitted under the Toxic Substances Control Act (TSCA). The ChemView web tool displays key health and safety data in an online format that allows comparison of chemicals by use and by health or environmental effects. The search tool combines available TSCA information and provides streamlined access to EPA assessments, hazard characterizations, and information on safer chemical ingredients. Additionally, the new web tool allows searches by chemical name or Chemical Abstracts Service (CAS) number, use, hazard effect, or regulatory action. It has the flexibility to create tailored views of the information on individual chemicals or compare multiple chemicals sorted by use, hazard effect or other criteria. The new portal will also link to information on manufacturing, processing, use, and release data reported under the Chemical Data Reporting Rule, and the Toxics Release Inventory. To view and search ChemView visit: <http://www.epa.gov/chemview>.