

**SERC Business Meeting**  
 Holiday Inn Conference Center  
 York, Nebraska  
 July 12, 2012, 1:00 PM

- I. Call to Order, Introduction of Members  
 Call to Order – 1:00 pm, Keith Hansen, Chairing

The open meeting Statute is available for review on the registration table.

Member		Affiliation	Present
John	Baroni	County Elected Official	X
Al	Berndt	NE Emergency Management	X
(empty)		Industry	
Steven	Danon	Small Business	X
Keith	Deiml	Education	X
Don	Eisenhauer	Agribusiness	X
John	Falgione	State Fire Marshal	X
Joe	Francis	Department of Environmental Quality	X
Gary	Gandara	Labor	
Keith	Hansen	Community Health	X
Tim	Hofbauer	Local Emergency Management	X
Larry	Johnson	Trucking Association	
Judd	Lyons	ARNG	
Mark	Lohnes	NDEQ SARA Title III	X
(empty)		City Government	
Mark	Maday	Transportation	X
Dana	Miller	Vice Chair, Fire	
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	
Jessica	Sherwood	NDOR Alt	X

*Other Attendees:* Andra Backer, Public Policy Center; Mark DeKraai, Public Policy Center; Terri Blunk, Region 7 EPA; Doug Ferguson, Region 7 EPA; Don Linegar, Region 7 EPA; Aemel Khattack, UNL Transportation Center; Renee Cristser, Nemaha County EMA; Laura McDougall, Four Corners Health Dept; Larry Fichtner, Nebraska Safety Council; John Hauser, UN Medical Center; Barb Liska, Seward County 911; Cathy Sigler, Hamilton County EMS; Leo Larkin, NEMA; Clint Strayhorn, Johnson County EMA; Mark Hosking, Lancaster County EMA; Gary Peterson, Seward County LEPC.

- II. Approval of the agenda for 7/12/12  
 John Falgione made a motion to approve the agenda for July 12, 2012. Mark Mayday seconded the motion; the motion passed by consensus.
- III. Approval of minutes for 4/3/12 meeting

Tim Hofbauer made a motion to approve the minutes from the April 3, 2012 SERC Business Meeting. Thomas Schwarten seconded the motion; the motion passed by consensus.

#### IV. New Business

##### a. LEPC Annual Report Template – carried over from April meeting

By state statute, all 93 counties need to provide LEPC reports annually. As discussed at previous meetings, all of the reports are not being submitted. Great work is being done by the LEPCs, but those activities are not well reported. Also, many of the reports that are submitted have not been substantial enough to reflect the LEPCs activities accurately. The strategic action planning subcommittee will review the annual report and look into possible solutions and to identify specific action steps to make these reports easier for LEPCs and thus increasing their quality.

The LEPC support subcommittee conducted a conference call in May to review the LEPC guide and discuss how to make it more user friendly and more functional for LEPCs. The goal is to create written documentation to outline what is the role of an LEPC is, standard operating procedures, etc. as well as to create a brief video series and web based training that is simple to understand. The next step for the subcommittee is a more in-depth review of the LEPC guide and to begin work on the video education piece. Information should be standardized across the state and provide information that new LEPC members can benefit from.

The public outreach committee chaired by Keith Deiml, Education Rep, created a newsletter last winter that was fantastic. If anyone would like to share any stories, lessons learned etc. please send them to Keith Deiml and/or Tonya Ngotel.

##### b. LEPC Member Application Rewrite – carried over from April Meeting

Maintaining consistent a membership list continues to be an issue with LEPCs across the State. At the April LEPC Workshop and SERC meeting in Scottsbluff, it was suggested that the committee consider establishing organizational memberships so that representatives from an agency could serve as members rather than just a single individual. Tonya developed a draft of the proposed language on the membership application, allowing the option for an individual or an organization to establish membership. Voting would still be limited to one vote per organization. A suggestion was made to stress that representatives from the organization be familiar with the voting items at each meeting so they are able to be informed enough to make a decision/vote. Kim Plouzek made a suggestion to change the language for facilities with more than one person, to “please list all alternate members.” Joe Francis made a motion to accept the proposed changes to the LEPC membership application. Motion was seconded by John Baroni; the motion passed by consensus.

#### V. Old Business

##### a. LEPC Membership Approval – (vote)

Tonya Ngotel presented the list of current LEPC membership applications and explained the application approval process for those in the audience. Thomas Schwarten made a motion to approve all applications as submitted. The motion was seconded by Mark Maday; the motion passed by consensus.

##### b. SERC Membership Committee

###### i. Status Report

The SERC membership committee currently has two vacancies and is seeking those interested in submitting membership applications for an industry and city official representative.

##### c. SERC Subcommittee Report

###### i. Public Outreach/LEPC Support

ii. LEPC Function

1. Strategic Report – Survey Results

A strategic planning subcommittee was developed in April 2011 and is being led by the Public Policy Center. Progress is being made and Keith Hansen encouraged SERC members to participate in subcommittees and strategic planning committees.

d. 2013 Regional LEPC Conference

Mark Lohnes and Tonya Ngotel recently attended a 2013 Regional LEPC Conference planning meeting in Kansas City. The 2013 conference will be held at the Marriott Hotel in Overland Park on July 25-27, 2013. There will likely be five tracks; Health and Safety, LEPC 101, Medical, Technology and Fire/HazMat. The conference is being co-hosted with the International Association of Fire Chiefs. The conferences in the past have been excellent. They are still looking for a keynote speaker. The hotel is offering free internet and breakfast included in conference attendee's room rates upon registration. HMEP DOT money will be used to assist funding members to attend (the grant cycle for October 2012 will determine how much funding will be dedicated to the conference). Save the dates cards will be sent out by Tonya Ngotel.

VI. Report from NEMA – Al Berndt, NEMA

Al Berndt reported on the meeting that was held between the policy research office, HHSS, NEMA and the Governor's office. NEMA was given permission to propose legislation to the Emergency Management Act to protect functional needs information on reporting databases. The goal is to develop a system to shield confidential contact information from public record. Any info obtained for functional needs dealing with emergency response would then be covered under the Emergency Management Act. This is currently being developed and NEMA would like it to be ready to introduce during the next session.

A bill was passed last session to allow a HazMat team up to \$10,000 worth of response at the local level. However, the bill didn't pass with an emergency clause thus it will go into effect August 1, 2012. This will require a rewrite of the Governor's Guide to Elected Officials and will be similar to the coordination process for aerial support activation.

The new 2012 Emergency Response Guides (ERGs) have arrived and need to be distributed to LEPCs and first responders. Please contact Tonya Ngotel to make arrangements.

VII. Report from NDEQ/EPA – Joe Francis

The DEQ Immediate Response Team hasn't been involved in many mercury-related incidents over the last several years. The majority of them have been handled by DHHS. Region 7 has requested more response capabilities to be able to provide a 24 hour response. As DEQ has 24/7 response capability, they will now be the agency to respond to mercury incidents. DEQ is looking EPA to act in a backup capacity for mercury response. DEQ and DHHS have developed a very positive working relationship and DHHS will continue to provide advice on how to clean up these incidents. The DEQ receives approximately \$15,000 annually to respond to mercury incidents. They want to work toward using that funding wisely.

Boom training was held in Lincoln with EPA, Lincoln Lancaster County Health Department (LLCHD) and Lincoln Fire and Rescue (LFR) the training went very well. July 3, 2012 was the compliance deadline for Toxic Release Inventory (TRI) reports to be completed. The Norfolk LEPC Workshop in June appeared to be well attended and well received.

VIII. Region 7 Environmental Protection Agency (EPA) – Terri Blunk

Terri Blunk reported that Steven Greenwold has been hired as a new compliance assistance expert to replace Herb Zursky. Steve has a background in industry and is a good resource to contact. This time of year, the EPA is targeting for inspections. Terri explained her role is to work with LEPC's concerns about facilities in located in their communities that may be of concern. The EPA can go inspect those facilities upon request and if they are not currently of the inspection list, Terri Blunk can add them. The reporting deadline has just recently passed. Facilities are now required to report for Hydrogen Sulfide so the EPA may see an increase reporting for this year. Terri stated that their regional office that is located north will be moving down to Lenexa, KS. This may result in delays around November. The last page of the handout outlines upcoming training opportunities. Most of the trainings scheduled are located outside of Lincoln. Jason talked about removal program. The York area is conducting underground water testing and as a result of the findings, a few of the area residents have been hooked into city water. The contamination was identified and that work is being transitioned into the remedial program. Jason will meet with local official and NDEQ to discuss moving to the next step.

IX. Public Forum / Presentations

a. UNL Transportation Center – Commodity Flow Update – Dr. Aemal Khattak

The University Transportation Center was contracted to perform a statewide commodity flow study. This is the third year of the project. Dr. Aemal Khattak presented HazMat data obtained by the railroad systems within the state. As the data was reviewed it was found that the numbers were duplicated in many instances. When the data is aggregated, they will need to go back and look at each material that was transported to see if it was reported multiple times i.e., when the trains were stopped at a location while en route to another location. When the data was collected, it was then imported into different GIS systems to create representative maps. The data pertains to the entire 2011 year and illustrates how many car loads of a particular material passed through which counties around the state. The data in this report is from BSNF. Union Pacific data was received last month and the Transportation Center will soon begin to work on that data. Dr. Khattak expects that the data will look similar and hopes to have results relatively soon. Currently, 40 locations have been tasked with collecting trucking data. The purpose of this study is not only for response but to increase preparedness. When the project ends next year and a final report has been compiled, a decision will need to be made what information will be shared with the LEPCs due to the secure nature of the information (all railroad information is considered classified).

b. NE Safety Council – OSHA Standards (GHS/PSM) – Larry Fichtner

Larry Fichtner from the Nebraska Safety Council gave a presentation to outline the new OSHA standards and the Global Harmonization System (GHS) that was enacted in March of 2012. The focus of the presentation was to illustrate the changes in manufacturer's labels and what impact it will have on responders if any and the shippers. The materials in which responders have been previously trained will begin to be phased out and the numbers previously used are going to be replaced with nine different pictograms (many similar to placards). MSDS have already begun to reflect this transition. The purpose behind this is to standardize manufacturer labels globally. The deadline for training of personnel is December 1, 2013 but full implementation will not be mandated until June 1, 2016. If anyone is interested in a copy of Larry's slideshow presentation, please contact Tonya Ngotel.

X. Adjournment

a. Next Meeting –

The next meeting of the SERC will be held October 2, 2012 at 1:00pm at the Nebraska Educational Television located in Lincoln, NE.

Mark Maday made a motion to adjourn the meeting. The motion was seconded by Tom Sands; the motion passed by consensus.



## EPA Report-Out Nebraska State Emergency Response Commission Meeting July 12, 2012



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

- CRIB welcomes its new compliance assistance expert, Steve Greenwald. 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 at 913-551-7408 or [greenwald.steven@epa.gov](mailto: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 913-551-7013 or [blunk.terri@epa.gov](mailto:blunk.terri@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.
- Information about webinars on RMP\*eSubmit is posted at [http://www.epa.gov/emergencies/content/rmp/rmp\\_esubmit.htm](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 Planning and Community Right-to-Know Act \(EPCRA\) / Comprehensive Environmental Response, Compensation, and Liability Act \(CERCLA\)](#)

#### [EPCRA On-line Training](#)

EPA Headquarters is developing an on-line EPCRA training course designed to help EPCRA inspectors obtain their credentials. Although the primary audience is EPCRA inspectors, it is also useful for EPCRA regulators. Tentative date of release is the beginning of calendar year 2013.

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

- **EPA Finalizes Rule for TRI Reporting in Indian Country.** The rule provides tribal governments with the right to directly receive TRI information from facilities located in their Indian country. The rule also clarifies the rights of tribal leaders to take an active role in TRI through petitions to modify the TRI chemical list or through requests to add a facility within their Indian country to the TRI Program. This action is part of EPA's ongoing efforts to improve access to information on toxic chemical releases that may affect the local communities in Indian country.
- **EPA released its annual national analysis of the TRI data** on January 5, 2012. The release is an annual report that displays EPA's analysis and interpretation of the most recent TRI data. It includes a variety of documents and webpages that outline national and local trends in toxic chemical disposal and other releases to the environment. It also includes trends in toxic chemicals managed by TRI facilities, and analyses of certain chemicals of interest, industry sectors, parent companies and geographic areas. 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. For more information on the 2010 TRI analysis, please visit <http://www.epa.gov/tri>
- **EPA has reinstated the TRI reporting requirements for hydrogen sulfide.** This action will be effective for the 2012 reporting year, with the first reports due from facilities by July 1, 2013.
- **EPA invites interested stakeholders to provide input** on a variety of topics related to EPA plans to potentially broaden the scope of industry sectors covered by TRI. EPA is considering adding or expanding coverage of the following industry sectors: Iron Ore Mining, Phosphate Mining, Solid Waste Combustors and Incinerators, Large Dry Cleaning, Petroleum Bulk Storage, and Steam Generation from Coal and/or Oil. For further information or to provide input, visit: <http://www.regulations.gov/exchange/topic/trisectorsrule>.

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

### [2013 Region 7 LEPC/TERC Conference](#)

The next conference is planned for July 25-27, 2013 at the Marriott hotel in Overland Park, KS. If you want to participate in planning for the conference, please contact Steve Wurtz at 913-551-7315 or [wurtz.stephen@epa.gov](mailto:wurtz.stephen@epa.gov).

### [Emergency Response and Removal Update](#)

- EPA, along with NDEQ, has recently conducted environmental site assessment work at three sites in the York area in order to determine the extent of groundwater contamination in the area. As a result of the sampling, several residences have been provided alternate drinking water sources. EPA's Removal Program will continue to provide alternate drinking water sources to eligible residences and is working on possible transition of the sites to the Remedial Program in order to address long term cleanup of the sites. 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/>.

### [Multimedia Resources](#)

The United States Environmental Protection Agency and other federal agencies are constantly preparing for disastrous events, including events involving chemical, nuclear and radiological materials. EPA has developed a variety of multimedia resources related to emergency response. Please visit: [www.epa.gov/emergencies](http://www.epa.gov/emergencies).

## [Other News](#)

### [Social media](#)

EPA is using social media tools in the firm belief that by sharing and experimenting with information we greatly increase the potential for better understanding of all environmental conditions and solutions. Collaboration among individuals or groups to solve problems is particularly exciting when people bring "different parts of the puzzle" to help find solutions. EPA participates on existing social media sites: [Twitter](#), [Facebook](#), [YouTube](#), [Flickr](#), [Challenge.gov](#).

### [EPA Region 7 Regional Office Move](#)

EPA Region 7 office is scheduled to move to 11201 Renner Blvd., Lenexa, KS 66219 October 3-15. The move is a result of the current building lease expiring. EPA Region 7 phone numbers and e-mail addresses will remain the same. Please be mindful and patient during these move dates as some correspondence may be delayed at that time.

## Other News (cont.)

### Various Training Opportunities – In Nebraska

- Emergency Response Training Program (ERTP) - Sampling for Hazardous Materials. September 25-27 in Lincoln, NE. This introductory course provides classroom and field instruction for the environmental sampling of soil, groundwater, surface water, sediment and waste. Visit the following website or call Patricia Maxwell at 913-551-7365 for more information: <http://www.trainex.org/offeringlist.cfm?courseid=20>

### Various Training Opportunities – In Iowa, Kansas, and Missouri

- ERTP - Environmental Remediation Technologies. July 24-26 in Des Moines, IA. This introductory-level course provides participants with an overview of the treatment technologies most frequently used for cleanups of contaminated media. The emphasis of the course is on the technology description, applicability, and limitations of appropriate treatment technologies. It is intended for new On-Scene Coordinators, Remedial Project Managers, Waste Site Managers, and other environmental personnel interested in remediation. Visit the following website or call Patricia Maxwell at 913-551-7365 for more information: <http://www.trainex.org/offeringlist.cfm?courseid=2>
- ERTP - Introduction to Risk Assessment Guidance for Superfund. September 10-12 in Topeka, KS. This course provides participants with the fundamentals of risk assessment as applied to the Superfund cleanup process. This course is designed to present an introduction of the Superfund risk assessment process to Project Managers, On-Scene Coordinators, Risk Assessment Reviewers, and potentially new Risk Assessors working at hazardous waste sites or treatment, storage and disposal facilities. Visit the following website or call Patricia Maxwell at 913-551-7365 for more information: <http://www.trainex.org/offeringlist.cfm?courseid=24>
- CERCLA Education Center (CEC) Training – RPM 201. December 10-12, 2012 in Kansas City, MO. This intermediate-level training course expands on the Remedial Process Course and is offered as part of the ongoing effort to prepare Remedial Project Managers for the challenges they will encounter during all aspects of a remedial action. For additional information, please visit the following website or call Patricia Maxwell at 913-551-7365: <http://www.trainex.org/classdetails.cfm?courseid=1374&classid=5737>
- CEC Training - OSC 201. December 10-12, 2012 in Kansas City, MO. This intermediate-level training course expands on the Removal Process Course and takes a hands-on practitioner's approach to removal and emergency response management, based on the perspective of field operations. The course is offered as part of the ongoing effort to prepare On-Scene Coordinators (OSCs) for the challenges they will encounter during a removal action and an emergency response. For additional information, please visit the following website or call Patricia Maxwell at 913-551-7365: <http://www.trainex.org/offeringlist.cfm?courseid=285>.
- CEC Training - Waste, Treatment, Transportation and Disposal. December 13-14, 2012 in Kansas City, MO. This advanced training course focuses on specific technical and regulatory issues that OSCs must address when treating, transporting, and disposing of waste. For additional information, please visit the following website or call Patricia Maxwell at 913-551-7365: <http://www.trainex.org/classdetails.cfm?courseid=46&classid=5739>