



Missouri Emergency Response Commission

2302 Militia Drive PO Box 3133
Jefferson City, Missouri 65102
573-526-9249



Missouri Emergency Response Commission Agenda
State Emergency Management Agency
SEMA Warehouse
754 MO DOT Driver
Jefferson City, MO 65102
Conference Call Number: 573-418-9401

10:03 a.m.

February 08, 2019

Welcome/Introductions –

Commission members Present: Bill Brinton, Brian Allen, Ron Walker, Lisa Cardone, Cory Jorgensen

Staff Present: Paul Kirchhoff, Patti Tye, Lana Nelson, Lisa Jobe

Guests: Chris Berndt, Brad Harris, Dave Hensley, Annette Seamands, Patrick Seamands, Becky Tripani, Greg Landwher, Jeff Riddle, Mark Kempker,

On the Phone: Dave Hensley, Karen Eagleson, Jeff Alton, Bill Kidd

Minutes from previous meeting: A motion was made by Ron W. to accept the minutes as written, seconded by Lisa C. and passed unanimously

Reports:

EPA report presented by Dave Hensley

On September 21, 2018, the U.S. Court of Appeals for the D.C. circuit issued its mandate, which made the 2017 amendments effective.

For more information visit www.epa.gov/rmp/risk-management-plan-rmp-delay-rule-vacatur

For information on compliance, dates visit [www.epa.gov/sites/production/files/2018-](http://www.epa.gov/sites/production/files/2018-09/documents/rmp_emergency_coordination_minor_provisions_compliance_info_9-24-18_final.pdf)

[09/documents/rmp_emergency_coordination_minor_provisions_compliance_info_9-24-18_final.pdf](http://www.epa.gov/sites/production/files/2018-09/documents/rmp_emergency_coordination_minor_provisions_compliance_info_9-24-18_final.pdf)

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

More information about the conference can be found at the following www.regonline.com/2019LEPC
Requesting nominations for the 2019 Conference. Award categories include Outstanding LEPC Award (3 per state, 1 tribal), Industry Award (2 per state), Exercise Award, Digital Communication Award, and Innovation Award. For more information or to receive nomination forms contact Karen Eagleson at (573) 526-9240 or karen.eagleson@sema.dps.mo.gov

The next RRT meeting will be held March 27-28, 2019 in Oklahoma City, OK. For those unable to travel, please consider attending via teleconference <https://epawebconferencing.acms.com/r7-rrt/>. If you have questions about this meeting, please contact Eric Nold at nold.eric@epa.gov or (913) 551- 7488

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 (HAZWOPER) 40-Hour, Kansas City, MO, April 15-19, 2019

Long Term Response Action (LTRA): Planning, Competing and Administering Task Orders Under the EPA Remedial Acquisition Framework (RAF) Contracts, Lenexa, KS, May 14-16, 2019

Best Practices for Site Characterization Throughout the Remediation Process Hosted by U.S. EPA, Lenexa, KS, December 3, 2019- December 5, 2019

Long Term Response Action (LTRA): Planning, Competing and Administering Task Orders Under the EPA Remedial Acquisition Framework (RAF) Contracts, Lenexa, KS, May 14-16, 2019

Dave provided publications on Combustible dust and spoke on how to estimate the dust quantity. Publications were included in the commission packets.

Brad Harris presented DNR report

The EER staff continues to engage and support local planning efforts through regular attendance at LEPC/LEPD and RHSOC meetings, either as standing committee members or in an Ex-Officio capacity. The EER staff also represents the Department at EPA Region 7 Regional Response Team (RRT) meetings, associated sub-area committee meetings, and participates in other committees such as EPA Region 7 EPCRA meetings. EER staff are scheduled to attend the upcoming EPA Region 6 & 7 joint RRT meeting in Oklahoma City on March 27-29, 2019.

In an effort to serve the public and stakeholders better, the Department has implemented enhancements that have updated the ability for the public to search for incident data on our website at <https://dnr.mo.gov/env/esp/meerts/>

The following efforts have been documented in the Missouri Environmental Emergency Response Tracking System (MEERTS) and other databases.

FY19 (July 2018 through January 2019)

562 incidents (13 meth-related; 549 non-meth)

149 responses (27.1%)

178 technical assistance inquiries into the spill line were managed by EER staff

84 outreach events were participated in by EER staff

In an effort to serve the public and stakeholders better, the Department has implemented enhancements that have updated the ability for the public to search for incident data on our website at <https://dnr.mo.gov/env/esp/meerts/>.

Four 8-hour Clandestine Drug Lab HAZWOPER recertification courses are scheduled to take place in coordination with the Missouri State Highway Patrol on November 28, 29, and December 4, 6, 2018. A 40-hour Clandestine Drug Lab HAZWOPER was scheduled for August 20-24, 2018, but was canceled due to low enrollment.

EER staff will continue to provide personal protective equipment, supplies and waste disposal services to law enforcement and fire personnel who interact with clandestine drug labs throughout the state.

On December 7, 2018, a private motor vehicle crashed into an aboveground storage tank and containment wall at a convenience store gasoline service station in Qulin, Butler County. Associated fuel piping and containment structure was damaged and a 300 gallon release of gasoline and diesel fuel pooled up on the property of the facility. The car driver was not seriously injured. The SOSOC provided cleanup oversight to the contractor that was hired by the service station to recover the released fuel. (Picture #1)

On November 24, 2018, the EER Section responded to an incident involving the dumping of a 55-gallon drum of used oil on a gravel bar in the Bourbeuse River near Union, Franklin County. The drum had been turned on its side and placed on a driftwood fire with a bung missing, which caused a release to the river. The responsible party could not be found and a SOSOC hired a state contractor to conduct a cleanup. Later, the

On November 27, 2018, a commercial truck carrying automotive batteries wrecked down a ravine and lost much of its cargo (approximately 100 batteries) near Roach, Camden County. The responsible party's employees conducted a cleanup by removing the batteries by hand and spreading powdered lime on the areas where acid was released. The truck lost 15 gallons of diesel fuel during recovery efforts and MoDOT assisted with providing sand to absorb that part of the release. The SOSOC provided cleanup and safety oversight until the cleanup was complete. (Picture #3).

Picture #1



Picture #2



Picture #3



The EER staff will be attending a section-wide technical skills training held in Jefferson City the week of April 2-4, 2019.

EER Staff are conducting WebEOC and ICS training to internal and external partners as part of disaster response preparation.

Greg Landwher gave division of Fire Safety report. All contract funding is expected to be expended by end of year. Training numbers were included in the commission packets.

DFS has received calls from instructors delivering the Hazmat Awareness and Ops classes. They are wondering how they can get books, who can teach, and what are minimum attendance numbers, and who approves the class, etc.

Paul K. explained that class requests must go through the LEPC for class approval. He also spoke on the process of book delivery, and instructors available.

Greg also spoke of concerns over the NFPA 1403 Live Fire training. This is basically a live fire class for instructors across the state. A question brought to Greg was Since we have LP burns, hazmat training, which includes live fire; can we fund 1403 certification classes through LEPC funds?

Paul K spoke of concern if that course meets the hazmat requirement, and seeks guidance from commission in this matter. After discussion, Paul will research and bring a proposal for these classes, to further advise the commission, before a decision is made on this matter.

A report from DHSS was not received.

Patti Tye gave the Tier II update.

We have received 4,858 Tier II reports for the 2018 filing year. Tutorial videos were placed on the website, and seem to be very helpful to our filers. It has decreased the call volume coming into our office.

Paul spoke on CEPF.

Facilities added to Non-Reportable Quantities List – 12 - total 1690

In September 354 letters were mailed from the above database. Of those, 18 were returned. 210 facilities still need to update their Tier II reports.

Lana Nelson gave CEPF report. First quarter report update consists of previous maps showing you the progress that has been made from 2015-2018. Lana is receiving 2019 CEPF applications, she will look to see if the applications are completed but will not be paid until July 1, 2019.

Paul, the MERC Director, has approved 32 counties since our last commission meeting.

Lisa J. gave hazmat Trainer Report. A list of requested classes was included in the commission packets.

Paul spoke about CEPF monies. He stated that due to staff efforts of visiting counties and assisting with CEPF questions, along with the willingness of counties to work with us, monies due to counties are being paid out faster than in years past.

Another success came from the videos that were placed on our website for Tier II filer assistance. Patti, Lisa and SEMAs PIO, Caty worked on the videos. They were posted on our site, and as a result of those efforts, Patti was awarded the DPS Employee of the Month.



MERC Director's Report



2019 HMEP Training

Federal Authorized	\$318,367.00
Federal Expenditures	\$56,942.60
Remaining	\$261,424.40

2019 CEPF

SFY 19 Beginning Cash Balance	\$963,102.20
Tier II Receipts	\$197,998.75
Damage Funds	\$50,177.40
Interest	\$6,336.09
Total Revenue	\$1,217,855.90
Less Expenditures	\$784,735.36
Cash Balance	\$433,120.54

As of: February 5, 2018

Director's report was given by Paul K. Paul reported on the monies available through HMEP, and CEPF as shown above.

Paul gave a Tier II system update. He stated that OA is looking over everything again, and looking to take an "in house" approach. Therefore, we are at a bit of halt. We will keep the commission updated when we again hear from OA ITSD.

Lisa gave an update on the Tablecloth and pull up stands for MERC. They have been ordered and should arrive any day.

LEPC Membership List

Current Year Approval

2018

Bollinger	Iron	Phelps
Boone	Johnson	Randolph
Caldwell	Linn	Schuyler
Cape Girardeau	Madison	Scott
Chariton	Maries	Stoddard
Christian	Mississippi	St. Francois
Crawford	New Madrid	Sullivan
Dent	Osage	
Dunklin	Ozark	
Gasconade	Pemiscot	
Grundy	Perry	

Multiply Year Approval

2017

Cole	Randolph
Douglas	Schuyler
Dunklin	Scott
Linn	Stoddard
Mississippi	
New Madrid	
Ozark	
Pemiscot	

2016

Jasper

2014, 2015, 2016

Dunklin
Mississippi
New Madrid
Ozark
Pemiscot
Randolph
Scott
Schuyler
Stoddard

Motion to approve by Cory J. Second by Lisa C. Motion passed.

Paul spoke to the commission on Outreach expenses. These are small items that are used as giveaways during conferences or special events where the MERC is represented. For example, in the past, we have purchased coolers for a donation to the Fire Safety Stair Climb. Paul asked for guidance on spending amounts for such things.

After some discussion, an amount of \$200.00 for the Stair Climb, and \$1500.00 for future outreach items would be sufficient, and could be revisited at a later date if found not sufficient.

Motion for \$200.00 for Stair Climb, and \$1500.00 for outreach expenses, made by Ron W. Second by Cory J. Motion carried.

HMEP spreadsheet provided in commission packet, are listed by 1st, 2nd, and 3rd choices. Paul recommended that go by one of the following:

Option 1 – Fund county requests according to the date of scheduling until we reach the amount allocated. The remaining unscheduled classes will be alternates should a scheduled class be cancelled for any reason.

Option 2 – Transfer funds from the amount allocated for flow studies (\$50,000) to cover HMEP Class overage.

Option 3 – Do not approve requested classes for some counties.

After a brief discussion, a motion to accept Option 1 was made by Brian A. Second by Cory J. Motion carried.

Paul addressed the commission regarding flow studies.

While we have been allocated, \$50,000 for flow studies, some of these funds can be re-allocated for other priorities as the Commission sees fit in order to meet the overarching needs of the state and locals. In some cases, requesting organizations have a considerably large amount of CEPF money not being utilized. Flow studies are an acceptable expense for CEPF money. In some cases, the organization has recently received funding from the MERC for flow studies.

1. Allocate \$17,762.50 from the Flow Study budget to pay for existing class requests.
2. Withhold funding from the Flow Study and re-allocate \$10,000.00 for one additional Contract Trainer in Southeast MO.
3. Utilize the full \$50,000.00 toward Flow Studies. Without full funding where required.

Paul suggested we go with option 3. Motion to approve option 3 made by Ron W. Second by Brian A. Motion carried.

Paul also address the commission on Hazmat Contract Trainer pay. The MERC currently pays contractors at a rate of \$25 per hour and 37¢ per mile. The mileage rate is the state travel rate.

Many of our instructors have been with the organizations for several years and are considered highly skilled professionals within the field. There has not been an increase in their pay for at least six (6) years. I believe that the current pay rates are based on SEMA travel and pay requirements. The MERC is not obligated to follow SEMA requirements. Most instructors are full-time fire professionals who must use vacation time from work in order to instruct MERC classes. In some cases, this constitutes a loss in pay for them to instruct. As a result, it is becoming increasingly difficult to conduct classes

It is proposed that for the next fiscal year, the MERC approve a raise in contractor pay to \$30 per hour. It is also proposed that the MERC follow the federal standard mileage rates. The mileage rate for 2018 was 54¢.

After some discussion over a concern that the state would be able to allow the \$.54 per mile. The commission requests further exploration on if the possibility of paying the mileage would be Allowable.

Motion to raise contract trainer pay to \$30.00 per hour for the next fiscal year (October 2020), and gain additional guidance on mileage reimbursement was made by Ron W. Second by Lisa C. Motion carried.

Paul spoke of the usage of drones purchased with CEPF funds. Due to concerns over liability, changing laws/regulations, and cost, the MERC has prohibited the purchase of Unmanned Aerial Systems (UAS) by LEPC/LEPDs using CEPF money. Many LEPC/Ds have expressed a very strong desire to purchase UAS in order to meet response requirement shortfalls.

The FAA does provide guidance on becoming a licensed UAS pilot; and there are multiple schools in Missouri that provide the required training. While the costs for UAS can range from \$1,000 to \$10,000 per unit, many LEPCs have the funding available. Liability insurance is readily available for LEPC/Ds seeking to use UAS. The remaining critical risk is the ever-changing technology in the areas of cameras and battery life.

Paul proposed that the MERC approve the purchase and use of UAS using CEPF money provided they first enter into an agreement with the MERC (see Draft UAS – MOU). This Memorandum of Agreement requires a certified pilot, a comprehensive plan for the use of UAS as well as liability insurance.

After much discussion, concerns were voiced regarding the MERC liability and the usage of drones. This discussion was tabled until next meeting for legal advice.

Sherry Crowe, a representative of Aristatek asked for a few minutes of the Commission time to explain a product her company offers. Commission allowed to put her contact information in the minutes for future reference, but was unsure of accepting a vendor presentation during a commission meeting.

Sherry Crowe

Cell: 270-202-0399

sherryc@aristatek.com

<https://protect2.fireeye.com/url?k=dd3a5f78-817b2357-dd3893b2-0cc47a6d17a8-232ebfcc7aff3c88&u=http://www.aristatek.com/>

Motion to adjourn was made by Brian A. Second by Lisa C. Motion carried.

Meeting adjourned.

Respectfully Submitted,
Patti Tye