



Missouri Emergency Response Commission
2302 Militia Drive PO Box 3133
Jefferson City, Missouri 65102
573-751-1700

Missouri Emergency Response Commission Meeting Minutes

Date and Time: 10:00 a.m. July 31, 2025

Location:
SEMA Conference Room

WebEx Call In: (650) 479-3207

Meeting number (access code): 2867 392 6983

Meeting password: 8eYixPYrp33

Attendees: Lana Nelson, Karen Eagleson, Sara Allen, Lisa Jobe, LeAnn Hoelscher, Kim Brundage, Alex Fisher, Terry Cassil, Pete Martin, Chris Berndt, Ronnie Metcalf, Cory Jorgensen, Sean Counihan, Jodi Harper, Patrick Seamands, Caty Luebbert, Tyler Bax, John Trower, Brett Redel, Amy Lepper, Tim Taylor, Stephanie Norton, Lisa Cardone, Cody Garner

Welcome/Introductions

Minutes from the previous meeting 5-15-25

Motion to Approve: Sean Counihan
Second: Cory Jorgensen
Approved meeting minutes

Minutes from virtual meeting 6-5-25 for purchase of truck

Motion to Approve: Cory Jorgensen
Second: Sean Counihan
Approved meeting minutes

Explanation from Terry regarding truck: When you are going to expand your fleet, it has to go before OA and actually to Commissioner Zellers. It's making its way to that desk. When we get that approval, we will proceed with that purchase. We need nothing from the Commission at this point but will let you know if anything pops up.

Approval of Consent Agenda

Motion to Approve: Patrick Seamands
Second: Sean Counihan
Approved Consent Agenda

Old Business:

- EPA- Jodi Harper- Lithium-Ion Batteries and Reporting Requirements under EPCRA. In a nutshell, LI-Ion batteries are not directly reportable under EPCRA 311-312. They go back to 302 Extremely
Chris Berndt, Chairman
Cory Jorgensen, Vice-Chairman

Hazardous Substances for the chemicals. So, if we are looking at that, there are some exemptions to the chemicals: If there's an SDS required, there's a handful of usages that would exempt that chemical from reporting requirements (e.g. Agricultural use). States are allowed to be more stringent than what EPCRA requires. There's a consumer product exemption for items used for personal, household, consumer use. This is for items packaged for consumer use (even if used for industrial). It doesn't apply to large commercial batteries unique to industrial use (are not exempt under consumer product exemption). What if it's end of life? That could be exempt if those batteries meet the RCRA hazardous waste, it's not reportable under EPCRA, it's reported under RCRA hazardous waste. Doesn't exempt facilities or industries from reporting, just for the chemicals.
40 CFR 370.13.

I did talk to colleagues in Superfund program. We have folks sitting on the Li-Ion battery work group. We are working on a training product and a response document for Li-Ion batteries. It's an interesting conundrum because the suppression methods don't work well, and it smolders so you're trading one product for another. Our Superfund Response folks are working on it.

Can deenergize these batteries in a brine solution.

Could that be a subject for an RRT meeting? Reach out to Eric Nold

DNR has received some emails about experimental deenergizing in a brine solution.

That facility that had the fire was supposed to be state of the art so how did it get so out of control. There's still an investigation ongoing so Jodi can't speak to root causes of that. We are seeing more and more Li-Ion battery facilities being built so it makes sense that there will need to be a solution for disposal of end-of-life li-ion batteries. There has also been a presidential push to build more battery plants stateside. We need to put the response tools in the hands of our responders to respond to these events.

A lot of this is evolving, we are still putting together what works and what doesn't work in dealing with these fires.

If you as the response community finds anything about these fires, what can be done to help mitigate or prevent these fires.

We do have someone from EPA coming to the SEMA conference. We might want to consider recording that presentation and make it available to others online.

We need to keep abreast of emerging technology with relation to dealing with Li-Ion emergencies.

Under EPCRA and RMP, LEPCs can request/compel facilities to give them information. Hopefully it doesn't come to that.

On the state level and as a commission we are able to add anything we want as far as reporting to require these larger facilities to report. It might require regulatory changes, but we have that ability. EPCRA law directed each state to implement EPCRA and it must be AT LEAST as stringent as EPCRA, but it can be more stringent than federal EPCRA.

While we're talking about CMR (Critical Mineral Recovery), they were in the process of a large international merger. That has fallen through at this point. It's kind of up in the air at this point. Also,

that facility (Fredericktown) has been remediated, building is down, concrete slab is gone. We are working on transferring that out of EER and into water protection.

There are some other states that are requiring reporting. Illinois has already put stuff into state regulations to require reporting.

Karen will reach out to other states to see what they are doing as far as Li-Ion reporting.

If we want to go down that route (reporting for Li-Ion) as a state, we could reach out to other states.

Tim Taylor did a quick google search and it looks like California and Louisiana both have requirements for reporting.

- Status of MERC Director-
 - Received 28-29 applications. Will set up interviews for first week of September. We will sort through the applications and only interview the best candidates. Probably will weed those candidates down to 8-9 candidates for the position and only interview the best candidates.
- Bylaws-
 - Bylaws are still sitting in our legal department. Nothing for us to do right now. We will put a little reminder to them and see if we can get that going.
- Pipeline Company- Kayla Kemp
 - Terry sent this over to Kayla. We don't disagree that the pipelines already report under a more stringent system. But this is a state law. He would need to pursue state law change. There is an argument from the fire service that it's nice to have it all in one place. As a commission, there's nothing for us to do. We consider our part to be complete.
- LEPC Grant Update- Amy Lepper
 - Everything from FY 25 was reimbursed within the deadline. Awarded over \$780,000. Year went very well.
 - New grants specialist who will be doing reminders, so folks don't wait until the last minute.
 - Allocation for FY 26 will be \$500,000. We are updating program manual. Hope to have this out to locals within 2 weeks from today. They will go out mid-August. The application will be open 30 days. There will be an 8-month period of performance to get everything complete.

New Business:

- SEMA Conference- Holly Otto
 - Holly can't make it. Everything is going on as planned. The conference will be October 8-10. You're welcome to spread those around. We are right on track for registration, etc. People can use LEPC funds for registration for the conference. Can't use for mileage or per diem, just registration. Sara sent an email out to the chairmen of LEPC/D letting them know.
- Tier II Workshops- Karen Eagleson and Lana Nelson-
 - Karen and Lana did 2 workshops that they coordinated with Mid-America in KC. They sent out 227 notices, they did 2 workshops last week. Not too many showed up. Workshop went very well. Next workshop will be August 11 at North KC hospital in one of their auditoriums. Mid America is doing a 2nd push out to those who haven't responded. Karen sent notices out as well to some who weren't on the Mid-America list. Have had some requests for other workshops around the state. This has never been done before. We are

getting a lot of interest from LEPCs themselves so they can better understand the system and what facilities need to file. It was very well received from the ones that were in attendance.

Partner Agency Reports

- DHSS- no additional report
- DFS- Pete Martin was here because Greg Landwehr had another meeting. He will follow up at the next meeting with numbers. They are setting a record pace with certifications for hazmat. At an above average pace for hazmat training. Will be some new hazmat training available.
- EPA- Dave Hensley has accepted a position as national RMP expert with EPA Criminal folks. Dave will no longer be with the program. Currently on a hiring freeze so that could be interesting.
- MoDNR- no additional report
- 7th CST- Mr. Trower-Q2 was slow for them. Commander is settled in, getting promoted today. Had Bahrain and Jordan defense force coming by to cross train and information share. This quarter have Chiefs and MU football. At Arrowhead there's also NE vs Cincinnati they will work. Are prepping for world cup. PGA event in St Louis in September. Starting planning for world cup. Steipel PGA classic. At MU games, set up area Raes. CST does initial sweeps with Mid Mo bomb and arson guys primarily for radiation. If they get a reading on something, they will remediate it. Unattended bags and stuff like that.

MERC Staff reports

- CEPF-
 - Lana has been trying to coordinate those who didn't file from last year. Looking at discrepancies. In March, ran a report and there were 8,372 facilities filed as of March 1. Last week, ran it again 8,386 have filed. Have increased in the number of companies. This has increased by 3. Still looking at new companies. Karen finds people from EERs that haven't filed all the time. Lana sent out the financials and Sara will send out compliance side. Due back end of September.
 - Karen went through all RMP facilities to find out who hadn't filed. Sent out 23 notices to RMP facilities who haven't filed a Tier II.
 - Did a compliance visit to a facility with EPA and DNR in Rockville, MO. The new group in DNR is working with anhydrous ammonia. Trying to coordinate some stuff with getting them started and access to Tier IIs. Awesome teaching from Jodi for an on-site visit.
- HMEP- Busy training schedule, trying to fill and hold all classes so we don't lose the money and working on PAM meetings. The sessions were 1:15-1:30 in classroom then went out to burn facility and did a dozen burns. Hands on for each student was 45 minutes working with the new educators. This stuff is thicker, but its suppression capability was less than AFFF so had to increase. It breaks down under heat. Used all propane (gas fired) props.
- Tim introduced a bill to get rid of the AFFF foam. He learned quickly that DNR is already aware of the issues. Tim Taylor would love to attend some training on the new foams. Also wondered, is the legislation necessary or are we moving to this new foam already. It seems that the migration has already started. Chris feels that this stuff is still laying around in departments. He thinks it would be a good idea to move forward with the legislation. Large agencies have more money, but they also have more foam. Tim said he filed the bill late, but he doesn't want to put any department in a hurt. You should look at that legislation and see if it needs to be tweaked. That legislation exempts airports that have the largest quantities of that. He intends to refile that again this year. Tim will send that over to us and we will share it out to the folks.

Tim's question was how much of this is out there right now. DNR is flirting with a collection program again for collection of this foam. The Fire Marshall's office should be putting out another survey to see where this foam is throughout the state. Only given \$500,000 with potential for another

\$500,000. That may not go too far considering how much is out there. Still in early stages of that. Please keep Tim in the loop. The budget will get tighter and tighter. If there's a chance to get any other funding, there's a chance he could assist with that.

- Director Items-

MERC staff will be working at the state fair on the 9th and 14th. World Cup planning is coming to KC, but it will affect the entire state. There will be a giant influx of folks from other countries. Please keep a watchful eye for anything. There will be a morning session talking about the World Cup. Thank you to the MERC staff because March 1 to July 4 had a lot of storms Terry and SEMA was busy dealing with. Big thank you for Tim Taylor for carrying the ball on the MERC fees. This bill got passed on 3 different pieces of legislation. He hopes that the changes in the budget committee to recoup the funds is working ok. We will start collecting those September 1. We have confidence that we will be able to recoup those fees starting January 1. We learned not to wait until the last minute to get this passed.

- Fiscal Report- Cash balance \$430,981.77. Have applied for next year's funding but haven't heard back.
- We have several openings on the commission. Should we push to get those positions filled? Maybe we should send a note to the Governor's Office. We will send a list out of what positions are open to the commission and try to push toward getting those positions filled.

Next Meeting:

October 9, 2025, Columbia, MO Wyndham Hotel

Time: 2:00 pm