



Missouri Emergency Response Commission

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573-526-9249



Missouri Emergency Response Commission
State Emergency Management Agency
2302 Militia Drive
Jefferson City, MO 65102
SEOC Floor

10:00 a.m.

MERC Commissioners

William Brinton,
Chairman

Brian Allen, Vice-
Chairman

Ronald Walker

Dave Hinson

Bob Dixon

Brian Munzlinger

Bill Halmich

Lisa Cardone

Cory Jorgensen

Bill Ransdall

January 27, 2017

Welcome/Introductions –

Commission members Present: Bill Brinton, Ron Walker, Cory Jorgensen, Senator Brian Munzlinger, Bill Halmich, Brian Allen, Lisa Cardone, and Gabrielle Fee for Bill Ransdall

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

Guests: Brad Harris, Greg Landwehr, Keith Henke, Brett Henren, Steven Shaw, Patricia Reitz, Kim Fitzsimmons, Brenda Heidbreder, Kevin Virgin, Keith Henke,

Conference Call in line: Shelia Hockel

Minutes from previous meeting: A motion to approve meeting minutes from previous commission meeting was made by Lisa C. seconded by Bill H. and passed unanimously.

MERC Staff

Paul Kirchhoff

Patti Tye

Karen Eagleson

Lana Nelson

Lisa Jobe

Reports:

EPA report presented by Patricia Reitz

The new RMP rule has been signed, but not yet published. The effective date is 60 days after the publish date. Other effective dates for new provisions vary from 1 year (for some emergency coordination items) to five years from the publish date. For the full description of changes see: <https://www.epa.gov/rmp/final-amendments-risk-management-program-rmp-rule>

This online training course is designed to help state, local, and tribal agencies to know the requirements of EPCRA and their role and responsibilities prescribed in the law. Participants in this course will learn facilities' reporting requirements providing information on the storage and releases of hazardous chemicals and how state and local agencies could use that information to prepare and protect the community from chemical emergencies. This training is available on the following website:
http://epawebconferencing.acms.com/epcranon313nonepa/event/event_info.html

The next conference is scheduled for July 20-22, 2017 in Overland Park, Kansas. If you have any questions about the conference, please contact Patricia Reitz, Planning Committee Chair, at reitz.patricia@epa.gov or (913) 551-7674

On June 13, 2016 federal register 39104 FR 81 was published amending EPA's hazardous chemical reporting regulations at 40 CFR part 370 (EPCRA 311/312) to conform to the revisions of OSHA's HCS due its adoption of the GHS classification and labeling of chemicals. Facilities will be required to report the new information on their CY 2017 Tier II reports (due March 1, 2018). Though EPA will immediately begin work modifying Tier2 Submit and the associated forms, EPA is providing flexibility to allow states to modify their software by January 1, 2018 to accept the new information. For questions please contact your EPCRA Missouri State Coordinator, Dave Hensley at hensley.dave@epa.gov or 913-551-7768

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

To ensure that this nation is better prepared for environmental emergencies, EPA is working with other federal partners to prevent accidents as well as to maintain superior response capabilities. One of our roles is to provide information about response efforts, regulations, tools, and research that will help the regulated community, government entities, and concerned citizens prevent, prepare for, and respond to emergencies. If you are interested in learning more about this effort, please visit:

<http://www.epa.gov/emergency-response>

Local Government Reimbursements – 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/emergency-response/local-governments-reimbursement-program>

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, 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/>

The DNR report was given by Brad Harris.

Section 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. Staff also attend the EPA RRT meeting at the EPA Region 7 office and participate in other meetings such as Region 7 EPCRA and associated sub-area committee meetings.

Through the first half of 2016 (July 1, 2016-December 31, 2016), 537 incidents have been entered (55 meth-related; 482 non-meth) into the Missouri Environmental Emergency Response Tracking System (MEERTS) and State On-Scene Coordinators (SOSCs) have made 110 responses. SOSCs generally respond to 20-25% of non-meth related incidents received on the spill line in any given year to ensure adequate and appropriate cleanups are undertaken. The department is continuing to experience a decrease in methamphetamine lab seizures in Missouri. In addition to the incidents documented in MEERTS, staff have logged and managed 169 technical assistance inquiries into the spill line and logged participation at 198 outreach events. The department has also implemented enhancements that have updated the ability for the public to search for incident data in an effort to better serve the public and stakeholders interested in that data.

Currently, the department is coordinating with other state and federal agencies on the topical issue of Harmful Algal Blooms. The department is planning for and assisting local, state, and federal officials for next summer's season of incidents.

The department is planning and will be assisting with six pesticide collection events in 2017 through funds resulting from a federal settlement. These events will be at Portageville, Fairfax, St. Peters, Sikeston, Chillicothe, and Lockwood. Details on the program and future events may be viewed at <http://www.dnr.mo.gov/env/hwp/pesticide/> (on the DNR website).

The EER Section was requested to provide radiological security at the NHL Winter Classic in Busch Stadium on December 31, 2016, and January 2, 2017. St. Louis City Fire officials managed homeland security for the event. Staff from the EER Section, Department of Health and Senior Services, St. Louis City Health Department, and the Missouri National Guard 7th Civil Support Team provided radiological surveillance for the event.

EER Section staff was on standby during the Governor's Inauguration Day event.

Division of Fire Safety report was included in the packet.

A report from DHSS was given by Keith Henke. There is an exercise coming up in the second quarter. It is an Ingestion pathway exercise. Usual radius in this type of exercise is 10 miles. Because detailed monitoring would be needed during actual event, the radius for this exercise will be increased to 50 miles. Rather than working with the 4 counties around Callaway County, 22 counties will be involved. This will be a hands on exercise. March 7-8 will be dress rehearsal exercise. The evaluated exercise is April 25-26, 2017. Greg Boss is point of contact from SEMA for this exercise.

DHSS continues to inspect highway shipments (radioactive). Have done approximately 15 shipments to date, this fiscal year.

EPCRA Report from Karen Eagleson was included in the packet.

Regional Coordinators reports were provided in the packet. Paul K explained how the SEMA Regional Coordinators are assisting the LEPC/Ds, and attending the LEPC meetings. Ron W. contributed to the explanation.

Training numbers were included in the packet.

Training from October 1 to December 31, 2016 (after last MERC meeting):

Number	Course	Participants
1	MC306 Tanker Rollover	5
1	Chemical Suicide	44
4	Hazardous Materials Incident Response: Operations	91
2	Hazardous Materials Incident Response: Awareness	40
1	Hazmat IQ	21
9		201

HMEP Training Grant Request forms sent to each LEPC chair in early October. Grants were sent by hard copy and email with a follow-up phone call to each LEPC chair. November 15 was original deadline for submission. LEPC chairs were offered an extension, if necessary until 12/15/16. 66 counties responded to our inquiry, see attached table for breakdown by county.

Recommend to fund all 1st choices requested, with the exception of Hazmat Tech 80 Hour Class. Recommend to fund 2 Hazmat Tech classes, one in MARC region (KC area) and one in a central location, such as the SEMA conference. If a county requested Hazmat Tech as 1st choice & did not get their class as requested, recommend to fund their 2nd choice. Recommend to fund all Awareness & Operations courses requested. Recommend to fund all Chemical Suicide as a 2nd choice since it is under \$1,000.

Director's report was given by Paul Kirchhoff

2016 HMEP Training	
Federal Authorized - Training	\$314,676.44
Federal Expenditures - Training	\$300,553.91
Payroll	\$14,287.53
Remaining - Training	-\$165.00
2016 HMEP Planning	
Federal Authorized - Planning	\$114,555.56
Federal Expenditures - Planning	\$110,796.35
Payroll	\$3,583.20
Remaining - Planning	\$176.01
2016 CEPF	
SFY 16 Beginning Cash Balance	\$826,207.78
Tier II Receipts	\$867,053.54
Penalties	\$23,192.41
Interest	\$3,479.41
Total Revenue	\$1,708,246.77
Less Expenditures	\$840,092.01
Cash Balance	\$868,154.76

2017 HMEP Training	
Federal Authorized	\$429,232.00
Federal Expenditures	\$8,839.66
Payroll	\$0.00
Remaining	\$420,392.34
2017 CEPF	
SFY 16 Beginning Cash Balance	\$868,154.76
Tier II Receipts	\$18,209.76
Damage Funds	\$6,500.72
Penalties	\$0.00
Interest	\$17,107.00
Total Revenue	\$909,972.24
Less Expenditures	\$460,097.60
Cash Balance	\$449,874.64

Paul provided a calendar of MERC events, providing the Commission with basic information on what the staff of the MERC is working on at various times of the year.

A CEPF update was given, reaffirming with the Commission that by statute, all CEPF must be paid to the county not the LEPC. Also given were copies of letters that will be sent to the county receiving funds, as well as to the LEPC of the funds that they were awarded.

Paul spoke to the commission on the subject of CEPF. A spreadsheet listing the CEPF applications received and not received was included in the packet. Paul submitted a possible plan of action regarding the CEPF funds that have not been remitted to various counties who have not filed their applications. Paul suggested a plan for “Forfeiture of Funds”, as follows:

CEPF funds cannot exceed \$1,000,000.00

47 Counties have not filed this year. There is no mention of forfeiture and/or redistribution in the statutes. Proposal: Work with counties to help them file

If counties have not intent on filing – Request they sign a waiver for funds older than 5 years

Annually re-distribute funds to counties evenly among those that complete request

The intent of this proposal is to encourage the counties that have not filed, to do so. Ron W. suggested that DPS legal counsel look over proposal to insure the MERC is not exceeding authority in this proposal.

Motion to approve the proposal for Forfeiture of Funds made by Brian M, upon review.
Second by Bill H. Motion carried.

Paul requested approval of scheduling the classes mentioned in the Training Coordinators report. Motion to approve made by Brian A. Second by Cory J. Motion carried.

Paul asked the Commission to set the dates for the Quarterly Commission for the remainder of this year. Dates were set as follows:

2nd Qtr. Commission Meeting- April 07, 2017

3rd Qtr. Commission Meeting- August 22, 2017

4th Qtr. Commission Meeting- October 06, 2017

Old Business:

Tier II updates were given by Lana Nelson. Lana reported that Tier II reports received in 2016 were down a little from 2015. There are some facilities that were closed, so this could account for the lower number. 519 manual Tier II reports were mailed out. Those have started coming in. To date for 2017, we have received 3,592 Tier II reports.

New Business:

CEPF- LEPC Membership List

Motion to approve lists made by Brian A. Second by Cory J. Motion carried.

Next MERC Meeting –is on January 13, 2017.

Closed Session in accordance with RSMO 610.021(1) and (3) – No closed session needed.

Motion to adjourn by Ron W. seconded by Bill H. Motion carried. Meeting adjourned at 11:55am.

Respectfully submitted,
Patti Tye

