



# Missouri Emergency Response Commission

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Missouri Emergency Response Commission  
State Emergency Management Agency  
2302 Militia Drive  
Jefferson City, MO 65102  
Governor's Conference Room  
573-526-5747

### MERC Commissioners

William Brinton,  
Chairman

9:30 a.m.

Brian Allen, Vice-  
Chairman

October 01, 2017

Ronald Walker

Brian Munzlinger

Bill Halmich

Lisa Cardone

Cory Jorgensen

Representative  
Bill Kidd

Representative  
Don Phillips

### **Welcome/Introductions –**

Commission members present: Brian Allen, Senator Brian Munzlinger, Lisa Cardone, Rep. Don Phillips, Bill Halmich, Cory Jorgensen, Rep. Bill Kidd

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

Guests: Dave Hensley, Dave Compton, Tammy Snodgrass, Keith Henke, Kim Fitzsimmons, Michelle Kidwell, Brad Harris, Brenda Gerlach, Trisha Rooda,

On The Phone: Bill Brinton

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

### **Reports:**

EPA report presented by Dave Hensley.

On April 11, 2017, the DC Circuit Court vacated EPA's exemption which allowed farmers not to report air releases to the National Response Center, as directed by CERCLA, and only required large animal feeding operations to report certain types of releases to local and state agencies, as directed by EPCRA. Starting November 15, 2017 all farms that meet or exceed the reportable quantities will have to begin reporting air releases to the NRC, state, and local agencies. EPA Headquarters is working on guidance to assist farms in reporting their air releases under CERCLA and EPCRA and plans to have this guidance available by October 16, 2017 to farmers with enough time to review it prior to the November deadline. <https://www.epa.gov/epcra/cercla-and-epcra-reporting-requirements-air-releases-hazardous-substances-animal-waste-farms>

### MERC Staff

Paul Kirchhoff

Patti Tye

Karen Eagleson

Lana Nelson

Lisa Jobe

EPA has published a direct final action to update the NAICS codes that are currently used to classify facilities subject to reporting under Section 313 of EPCRA. Facilities meeting these TRI reporting requirements will be required to use 2017 NAICS codes on TRI reporting forms, beginning with reporting forms that are due on July 1, 2018 (covering releases and other waste management activities at facilities for the 2017 calendar year). For more information visit [www.epa.gov/toxics-release-inventory-tri-program/adoption-2017-north-american-industry-classification-system](http://www.epa.gov/toxics-release-inventory-tri-program/adoption-2017-north-american-industry-classification-system)

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). For questions please contact your EPCRA Nebraska State Coordinator, Terri Blunk at [blunk.terri@epa.gov](mailto:blunk.terri@epa.gov) or 913-551-7013.

EPA collects data from states and territories regarding UST performance measures. These data include information such as the number of active and closed tanks, releases confirmed, cleanups initiated and completed, facilities in compliance with UST requirements, and inspections. The data table for October 1, 2016 through March 31, 2017 is now available and provides data for all states, territories, and Indian country. For more information, visit [www.epa.gov/ust/ust-performance-measures](http://www.epa.gov/ust/ust-performance-measures)

DNR Report was given by Brad Harris

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 the Regional Response Team meeting and participates in other meetings such as Region 7 EPCRA and associated sub-area committee meetings.

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

The Joint State of Missouri and FEMA Region VII New Madrid Seismic Zone (NMSZ) Interagency Operational Plan (NMSZ-IOP) is being developed to address the threat of a catastrophic earthquake. The plan will provide a detailed description of the concept of operations and support for response and recovery missions to include detailed roles and responsibilities, objectives, tasks, and integration and coordination efforts using a Whole Community approach.

The Department, along with partners in the Departments of Public Safety and Health and Senior Services, continues to provide MERRTT to response agencies along Missouri's radiation transportation corridors. The EER staff continues to be engaged with planning additional classes. The Moberly Fire Department has been engaged to accept a class by the end of December 2017.

EER staff responded to a release of crude oil at a collection facility (Picture #1) in rural Vernon County (very close to Kansas) where the facility collects oil from oil wells in the area. Vandalism caused the release with the berm surrounding the facility being compromised. Oil flowed down a road on the state line and into a wet weather drainage in Kansas. Kansas and EPA Region 7 officials also responded. The responsible party removed oil from the road in Missouri and worked with Kansas officials to clean up the drainage.

MoDNR staff maintains a daily presence in St. Louis County to conduct continuous air monitoring, support twice-daily screening checks, and assist with sampling associated with the subsurface smoldering event at Bridgeton Landfill.

Division of Fire Safety report was given by Kim Fitzsimmons. Copies were distributed to commission.

A report from DHSS was not received.

Hazmat Planners reports were provided in the packet.

Training numbers were included in the packet.

We have added a few classes since we had so many cancelled this year and are trying to spend down last year's grant money.

We have been able to hold a few classes due to our new lower minimum participant requirement. Comments from our points of contact have been all positive.

HMEP Grant Applications will be distributed in October with a due date of November 17, 2017.

Adding a Chemical Suicide Train the trainer

New Trainers are beginning to attend classes for on the job training

PAM activities

Assisting Paradigm with site selection for 2018 regional HSEEP meetings

MERC and SEMA training will provide support by writing AARs for all of the fall 2017 HSEEP meetings

EPCRA Specialist report given by Karen Eagleson. 237 Facilities were reviewed. Total on NO RQ list is now 1,614. She has been working with several counties to complete their previous years of CEPF funding. There were six follow ups for facility with spills and releases.

Directors report was given by Paul Kirchhoff

<b>2017 HMEP Training</b>	
Federal Authorized	\$429,232.00
Federal Expenditures	\$247,955.56
Remaining	\$181,276.44
<b>2018 CEPF</b>	
SFY 18 Beginning Cash Balance	\$919,026.23
Tier II Receipts	\$11,200.17
Damage Funds	\$0.00
Penalties	\$0.00
Interest	\$0.00
Total Revenue	\$930,226.40
Less Expenditures	\$405,457.01
Cash Balance	\$524,769.39

Paul spoke of how two of our contractors have begun the training process. Sara Allen has begun her training process. Paul also spoke of the tasks that are assigned to the Planners as opposed to the Regional Coordinators.

**Old Business:**

Tier II updates were given by Patti Tye. She reported that MERC has received 8,274 Tier II reports for the 2016 season. MERC is working on the archive process. Manual reports are set to go out in December.

The website for Tier II filing will open on January 02, 2018,

**CEPF Update:**

There are 10 counties that are pending for more documentation on the 2017 CEPF applications. I've emailed these counties and have gotten some response, but now I'm calling the counties that are still pending. I've been traveling with Karen Eagleson to some of these counties that need assistance to complete their 2017 CEPF's or prior years so that the counties are able to receive money. The majority of these counties are going back as far as 2012 through 2017. The reason that a few counties are so far behind is because, some of the LEPC's have retired or they didn't want the hassle or know how to fill them out. There are 13 counties that have been approved by the MERC Director, since our last commission meeting.

**New Business:**

Paul addressed the issue of contractor pay. Currently, SEMA contractors make \$25.25 per hour. Paul is asking at this time to be allowed to do a review of MERC contractor pay, by checking other states as well as other agencies within the state. He is asking guidance from the commission. Paul would propose specific guidelines to be followed for pay per hour.

Paul requested guidance on spending for give "free items" ie sponsoring the stair climb with Division of Fire safety. Paul would like to propose a "draft spending line".

LEPC Membership list approval for 2017

Christian, Crawford, Dent, Gasconade, Lawrence, Lincoln  
Maries, Osage, Phelps, St Charles, Washington

Need Approval for 2014, 2015, & 2016

Butler  
Ripley  
Wayne

Motion to approve by Bill H. Seconded by Cory J. Motion carried unanimously.

Next MERC Meeting –is on January 12, 2018.

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

Motion to adjourn by Bill K. Second by Bill P. Motion carried. Meeting adjourned.

Respectfully submitted,  
Patti Tye