

# **AGENDA**

## **South Dakota State Emergency Response Commission**

**Tuesday September 15, 2015  
5:00 p.m. Central**

- 1. Introductions**
- 2. Call to Order and Roll Call**
- 3. Approval of June 22, 2015, SERC Meeting Minutes**
- 4. Federal Updates**
- 5. TRI Report Update – DENR**
- 6. LEPC Grant Application Package - DENR**
- 7. HMEP Grants, Training, and Planning Report – OEM**
- 8. Rally Report– OEM**
- 9. Tier II Database - DENR**
- 10. Regional Haz Mat Team Update – HLS/OEM**
- 11. Other Business**
- 12. Adjourn**

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**The SERC meeting is being held in conjunction with the South Dakota Emergency Management Association 2015 Fall Conference.**

**RAMADA  
Mitchell Hotel and Conference Center  
1525 West Havens Avenue  
Mitchell, SD 57301**

**Notice is given to individuals with disabilities that this meeting is being held in a physically accessible location. Please notify the Department of Environment and Natural Resources at least 48 hours before the meeting if you have a disability for which special arrangements must be made at the meeting. The telephone number for making arrangements is (605) 773-3296.**

Minutes of the  
South Dakota Emergency Response Commission Meeting  
Conducted via the Digital Dakota Network

State Capitol Building  
Pierre, SD

South Dakota Department of Transportation  
Brooking, SD

Rapid City/Pennington County Emergency Management  
Rapid City, SD

SD School of Mines and Technology  
Rapid City, SD

Mitchell Technical Institute  
Mitchell, SD

June 22, 2015  
1:00 p.m. CT

CALL TO ORDER AND ROLL CALL: Chairman Bob McGrath called the meeting to order. The roll was called and a quorum was present.

COMMISSION MEMBERS PRESENT: Robert McGrath, Becky Pitz, Doug Hinkle sitting in for Paul Merriman, Mike Carter, John Forman, Tina Titze, and Dustin Willett.

COMMISSION MEMBER ABSENT: Andrew Canham, Joe Nadenicek, and Patrick Snyder.

PRESENT VIA TELEPHONE CONFERENCE CALL: Mary Beth Vasco, FEMA and Lori Reed, EPA Region VIII.

OTHERS PRESENT: See attached attendance sheets.

INTRODUCTIONS: Participants at the DDN sites introduced themselves.

APPROVAL OF MINUTES FROM MARCH 23, 2015: Motion by Titze, seconded by Forman, to approve the minutes from the March 23, 2015, State Emergency Response Commission meeting. A roll call vote was taken, and the motion carried unanimously.

FEDERAL UPDATE (EPA): Lori Reed provided an update on recent EPA Region VIII activities.

FEDERAL UPDATE (FEMA): Mary Beth Vasco provided an update on recent FEMA Region VIII activities.

HMEP GRANTS, TRAINING, AND PLANNING REPORT: Bob Van Winsen provided a quarterly review of the training and planning grant activities.

To date, \$122,946 has been allocated for training with \$532 unallocated, and \$45,385 has been allocated for planning with \$1,967 unallocated. Mr. Van Winsen noted that \$12,500 was moved from planning to training to accommodate requests for awareness training.

Mr. Van Winsen reported that for the second quarter 56 people were trained in awareness, 12 people were trained for hazcat, and three people attended various conferences.

He noted that applications and reimbursements requests were processed as they were received.

For the planning grant, three additional requests for hazmat plans were submitted – Roberts, Yankton, and Jones. Mr. Van Winsen stated that Hanson County intended to conduct a commodity flow study, but he doesn't believe it will be completed this year.

Mr. Van Winsen noted that he attended the hazmat exercise conducted in Todd County.

For the second quarter the three new hazmat plans were added to be completed under this grant cycle. No reimbursement requests were submitted during this quarter.

The applications for the 2015 grant were sent to the LEPC's, Fire Chiefs, Local Emergency Managers, and EMS providers for the GY2015 HMEP Planning and Training grant. The return date for these applications was March 6, 2015.

The request for funding submitted by the locals was used to create and submit the State application to HMEP Grants.Gov. The State of South Dakota has been provided a preliminary amount of \$171,612.00 for the planning and training grant.

The applications submitted by the locals will be prepared and ready to send out once HMEP Grants. Gov. authorizes expenditure of the GY2015 funds. The State of South Dakota is to be notified before the performance period begins October 1, 2015.

The federal grant administrators have scheduled an audit and will be in South Dakota sometime in September.

Mr. Van Winsen noted that he had attended a NASSTPO conference in Maine. The HMEP administrators are working to change it to a two-year grant.

Mr. Van Winsen answered questions.

TRI REPORTING UPDATE/TIER II REPORTING UPDATE: Trish Kindt stated that TRI reports are annual reports that certain facilities are required to submit to EPA and the SERC.

These reports are due by July 1 every year. A TRI report needs to be filed if a facility manufactures, processes, or otherwise uses enough of a TRI reportable chemical. The report summarizes emissions, discharges, wastes that go to the landfills, wastes that go to the POTW - what is recycled and what is sent off site for other treatment.

In South Dakota, about 100 facilities submit TRI reports each year. To date, 35 facilities had submitted their TRI report. Ms. Kindt noted that several facilities will submit their reports during the last week of June.

TRI reporting fees assessed to date total \$31,350, but since the fee payment deadline is August 1, only a fraction of these fees have been paid.

Tier II reports are the annual reports that facilities storing bulk chemicals are required to submit to the SERC, LEPC, and the local fire department. Tier II reports summarize the bulk hazardous storage at the facility.

Since the last SERC meeting, 48 additional Tier II reports were submitted, bringing the total reports for this year to 1,689.

Ms. Kindt and other staff members continue to look for facilities that should be reporting. Staff has also been working with facilities that have not yet submitted the fees.

Tier II fees assessed to date total \$98,650. The fee payment deadline was April 1, but not all fee payments have been submitted.

SD SPILLS DATABASE: Ms. Kindt presented a demonstration on the spills database website. She answered questions from the SERC and audience. The spills database is located on DENR's website at <http://arcgis.sd.gov/server/denr/spillsviewer/>.

RALLY PLANNING: Tina Titze provided an overview of planning that has taken place during the past year for the August 2015 Sturgis Motorcycle Rally.

The ROC will be open from 8:00 a.m. to 8:00 p.m. starting on July 27 and continuing through August 10.

Ms. Titze answered questions.

REGIONAL HAZMAT TEAM UPDATE: Don Rowland, assistant chief, Watertown fire department, reported that the first regional hazmat exercise for the four regional response teams will be August 2-5 in Rapid City, during the Sturgis rally. The second exercise will be from August 5- 8, 2015.

APPROVAL OF LEPC ROSTERS: There are 60 designated LEPCs in South Dakota, some of which are multi-county districts. The SERC previously approved rosters received from 51 LEPCs.

Prior to the meeting, copies of the rosters submitted since the last SERC meeting were sent to the SERC members.

Union County LEPC submitted a revised roster and new rosters were submitted by Aurora, Edmunds, Fall River County, Grant, Moody County LEPCs.

Chairman McGrath requested approval of the six rosters.

Motion by Willet, seconded by Titze, to approve the rosters submitted by Aurora, Edmunds, Fall River County, Grant, Moody, and Union County LEPCs. A roll call vote was taken, and the motion carried unanimously.

Mr. Carter asked whether staff checked into the possibility of Oglala Lakota joining in with the Fall River county LEPC.

Ms. Kindt stated that Frank Maynard, the Fall River County Emergency Manager, had spoken to the Oglala Lakota county commission and it appears there is not support locally for a joint LEPC. However, Mr. Maynard said that Oglala Lakota County plans to add LEPC duties to their county commission agenda, and Mr. Maynard is going to assist them with development of a hazmat plan for Oglala Lakota County.

Motion by Forman, seconded by Titze, to authorize Chairman McGrath to send a letter appointing the County Commission, State's Attorney, Emergency Manager, and County Sheriff to serve as the LEPC for the Oglala Lakota LEPC. The appointment is effective until such time as a roster has been submitted and accepted by the SERC. A roll call vote was taken, and the motion carried unanimously.

OTHER BUSINESS: The next meeting will be held at 5:00 p.m. CT on September 15, 2015, at the Ramada in Mitchell, which is during the South Dakota Emergency Management annual conference.

ADJOURN: Motion by Titze, seconded by Forman, to adjourn. A roll call vote was taken, and the motion carried unanimously.

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Chairman

Date

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Witness

Date

Memorandum

To: State of South Dakota SERC  
 From: Bob Van Winsen  
 CC: Cari Leidholt  
 Date: September 11, 2015  
 Re: GY2014 HMEP Grant

Training grant:	Fed Share: <b>\$110,979.69</b>	Non Federal Share (Match): <b>\$27,744.69</b>	Total: <b>\$170,832.63</b>
Planning grant:	Fed Share: <b>\$59,852.94</b>	Non Federal Share (Match): <b>\$14,963.70</b>	Total: <b>\$74,816.64</b>

First Quarter: **October, November, December, 2014**

Training: Allocated: <b>\$100,446.88</b>	Unallocated: <b>\$10,532.81</b>
Planning: Allocated: <b>\$33,900.00</b>	Unallocated: <b>\$25,952.94</b>

(\$30,000.00 has been allocated for 9 awareness classes to be held during the GY2014 performance period)

Second Quarter: **January, February, March**

Training: Allocated: <b>\$122,946.69 (see note)</b>	Unallocated: <b>\$532.81</b>
Planning: Allocated: <b>\$45,385.00</b>	Unallocated: <b>\$1,967.94</b>

**Third Quarter: April, May, June**

Training: Allocated: <b>\$123,969.43</b>	Unallocated: <b>\$(489.74)</b>
Planning: Allocated <b>\$41,385.00</b>	Unallocated <b>\$5,967.94</b>

Fourth Quarter **July, August, September**

Training: Allocated \$	Spent \$	Remaining funds \$
Planning: Allocated \$	Spent \$	Remaining funds \$

**Note: \$12,500.00 was moved from planning to training to accommodate requests for awareness training**

## GY2014 HMEP Activities and Goals.

The GY2014 HMEP training grant application was sent to fire chiefs, local emergency managers and EMS personnel throughout the state. The goal of the training grant is to assist in training public sector personnel and first responders how to identify and properly respond to transportation related hazardous materials incidents. The following classes to name a few are listed in the State application:

- Awareness and Operations
- EMS Hazardous Material, level 1 and level 2
- Technician level and above, for State of South Dakota recognized hazardous material teams
- Various conferences allowable under the grant guidelines.

The GY2014 HMEP planning grant application was sent to LEPC chairmen and the local emergency managers. The planning grant is available to assist the local LEPC's meet their responsibilities for planning of hazardous materials in the community. Specifically, these funds can be used to:

- Prepare the annual update to the hazardous materials plan required under SARA Title III. The cost of hiring a contractor and all related out of pocket expenses can be covered with this grant. **If the last major plan update was several years ago, each county is encouraged to apply for this grant.**
- Conduct a commodity flow study to determine the hazardous materials flowing through the road/rail system in each jurisdiction. This information can then be used to improve planning for hazmat incidents.
- Conduct hazardous material exercises to better prepare personnel in response to a hazardous materials event.

The application deadline stated is the requested time to get applications to OEM but we will accept applications after this date as long as funds are available and the work is completed and invoiced by the end of the performance period.

The performance period for the HMEP GY2014 grant is October 1, 2014 through September 30, 2015.

### Challenges and Goals:

- Training:

The challenge expending funds due to the consortium the hazmat teams were once utilizing has come to an end. The waiting period for the facilities using FEMA funds has drastically increased. The 4 state hazmat teams have returned to the HMEP grant for assistance. With the limited amount of money the State of South Dakota receives, allotments of \$25,000.00 are being awarded to the hazmat teams. If all of the funding is not allocated the hazmat teams will be notified and they can apply for more.

The goal of providing awareness classes is being met. There are 9 eight hour classes are being scheduled using GY2014 funds. There are also going to be five 4 hour classes sponsored by LEPC's.

Request for Proposal (RFP) is the method the State of South Dakota has been using to attract and secure contractors for the training courses. The RFP requires the contractor furnish proof of eligibility to teach the class which eases the burden of verifying instructor qualifications for the State. This also allows competition creating fair pricing.

- Planning

With the commodity flow study completed in the western portion of the state in 2012 the State feels with the increase in oil field related activity more in depth flows studies should be completed.

The local planning districts have been getting involved in assisting LEPC's update or write hazmat emergency operating plans. This has created an avenue for the local authorities to take that is familiar and utilizes grant dollars available.

- GY2014Grant Planning and Training

The HMEP grant application process at the federal level has been evolving over the last couple of years. At the present time it is a little cumbersome but I believe the changes that are being made will produce a more efficient program. This in turn will benefit the LEPC's and their communities.

One change calls for the grantee (SD) who is applying for the grant submit all training and planning projects in detail with costs. This requires that the grant administrator contact VFD's, regional hazmat teams, EMS providers, LEPC's and County Emergency Managers to request application submittals. Presently we wait to see what the grant amount proposed will be which usually comes out the 1<sup>st</sup> of February each year. Applications are sent to the locals, returned by the first week in March and processed. The application package the State fills out has to be turned in to HMEP grants by the 4<sup>th</sup> of April. This process gives a 2 month period to send and receive applications from the locals and submit an application.

As grant administrator I would like to request that the SERC find and make available funds to match the planning grant portion. I would request using the same process as when the state wide commodity flow studies were conducted for the East and West portion of the State of South Dakota. This would allow the state grant administrator to develop an RFP to secure a contractor to conduct commodity flow studies starting in the NW region where the oil field activity is prevalent. This should be implemented each grant cycle which would prevent grant dollars being returned at the end of the grant year.

The state grant administrator attended the 6 emergency management quarterly region meetings. Information about the HMEP grant purpose, availability and performance timelines was shared.

## GY2014 HMEP Training Grant

Activity	Proposed	1 <sup>st</sup> Quarter	2 <sup>nd</sup> Quarter	3 <sup>rd</sup> Quarter	4 <sup>th</sup> Quarter
Awareness	240	0	56	37	
Operations	68	0	0	0	
Specialist	3	0	0		
Technician	2	0	0	2	
Incident Command	0	0	0		
Hazmat Monitoring	0	0	0		
Safety Officer	3	0	0	3	
Cold Zone	9	0	0	4	
Airport Rescue Live Burn	18	0	0	7	
Airport Rescue Specialist	0	0	0		
Airport Rescue Refresher	18	0	0		
Hazmat IQ	55	0	0		
Hazmat IQ Advanced	30	0	0		
Hazmat IQ Air Monitoring	0	0	0		
HazCat	16	0	12	0	
Various Conferences	12	0	3	1	
Total	466	0	71	54	

# Training

## First Quarter Review

- Prepare and send out the GY2014 HMEP applications to each of the 4 Hazmat teams, Fire Chiefs, County Emergency Managers, and State of South Dakota Regional Coordinators.
- Applications were returned and processed.
- Agreements were returned.
- Work can proceed.
- No requests for reimbursements have been received.

## Second Quarter Review

- Process applications as received
- Process reimbursement requests as received

## Third Quarter Review

- Work with contractor to hold awareness classes. Had a few cancellations. Found a couple of other agencies wishing to hold a course.
- Process applications.
- Plan for 2015 and 2016 HMEP grant.
- HMEP offered an extension to the 2014 grant. Asked for and received a 90 extension so Butte County can finish there Hazmat Plan.

## Fourth Quarter Review

## GY2014 Planning Grant

Planning Activity	County	1 <sup>st</sup> Quarter
Hazmat Plans	Butte, Edmunds, Tripp, Todd, Warhawk District (to include Campbell, Walworth, Dewey, Corson, & Ziebach counties.)Roberts, Yankton, Jones	
Commodity Flow Study	To be determined	
Hazmat Exercise	Todd	

Planning Activity	County	2 <sup>nd</sup> Quarter
Hazmat Plans	Butte, Edmunds, Tripp, Todd, Warhawk District (to include Campbell, Walworth, Dewey, Corson, & Ziebach counties.)Roberts, Yankton, Jones	
Commodity Flow Study	To be determined	
Hazmat Exercise	Todd	

Planning Activity	County	3 <sup>rd</sup> Quarter
Hazmat Plans	Butte, Edmunds, Tripp, Todd, Warhawk District (to include Campbell, Walworth, Dewey, Corson, & Ziebach counties.)Roberts, Yankton, Jones	Todd County
Commodity Flow Study	To be determined	
Hazmat Exercise	Todd	Todd County

Planning Activity	County	4 <sup>th</sup> Quarter
Hazmat Plans	Butte, Edmunds, Tripp, Todd, Warhawk District (to include Campbell, Walworth, Dewey, Corson, & Ziebach counties.)Roberts, Yankton, Jones	
Commodity Flow Study	To be determined	
Hazmat Exercise	Todd	

## Planning

First Quarter Review:

- Prepare and send applications to LEPC chairpersons, County EM's and Regional Coordinators
- Applications were returned and processed.
- Work can proceed
- No requests for reimbursements have been received.

#### Second Quarter Review

- Added three new Hazmat Plans to be done under this grant cycle.
- No reimbursement requests this quarter.

#### Third Quarter Review

- Process Todd County reimbursement requests for a hazardous materials exercise and to write a hazardous materials plan.
- Contact applicants to monitor progress on planning projects.

#### Fourth Quarter Review

## HMEP Grant Year 2015

The applications for the 2015 were sent out to the LEPC's, Fire Chiefs, Local Emergency Managers, and EMS providers for the GY2015 HMEP Planning and Training grant. The return date for these applications was March 6, 2015.

The request for funding submitted by the locals was used to create and submit the State application to HMEP Grants.Gov.

The State of SD has been provided a preliminary amount of \$171,612.00 for the planning and training grant.

The applications submitted by the locals will be prepared and ready to send out once HMEP Grants. Gov. authorizes expenditure of the GY2015 funds. The State of South Dakota is to be notified before the performance period begins October 1, 2015.

The federal grant administrators have scheduled an audit and will be in SD sometime in September.

The HMEP2015 grant has been awarded. The State administrator will sign the award. Applications for the funds were received in March. Agreements will be written and sent out to applicants for signature. The performance period for the 2015 HMEP grant is October 1, 2015 through September 30, 2016.

The grant administrator wishes to have discussion with the SERC about the quarterly report. Is there something the SERC would rather see in the report that is not currently being reported? Does the SERC wish to have anything in particular removed?

FY 2014 HMEP Training Grant Applications

Region	County	Applicant	Training Level	Date of Trainin	Date Reimbursed	Course Length In Hours	Student	Cost Requested	HMEP Payment Amount	HMEP Match Supplied	HMEP Match Used	HMEP Match Remaining	
1	Minnehaha	Sioux Falls Fire and Rescue	Hazmat IQ					\$ 5,950.00		\$ 7,272.00	\$ -	\$ 7,272.00	
1	Minnehaha	Sioux Falls Fire and Rescue	Advanced Hazmat IQ					\$ 5,950.00		\$ 7,272.00	\$ -	\$ 7,272.00	
1	Minnehaha	Sioux Falls Fire and Rescue	HERS					\$ 10,719.00		\$ 3,636.00	\$ -	\$ 3,636.00	
1	Minnehaha	Sioux Falls Fire and Rescue	I/AF Conference					\$ 4,083.00		\$ 848.00	\$ -	\$ 848.00	
1	Minnehaha	Sioux Falls Fire and Rescue	Challenge Workshop					\$ 4,083.00		\$ 848.00	\$ -	\$ 848.00	
								*****	\$ -	*****	\$ -	*****	
2	Codington	Watertown Fire and Rescue	FRI					\$ 6,440.00		\$ 3,500.00	\$ -	\$ 3,500.00	
2	Codington	Watertown Fire and Rescue	FDIC Conference	4/21 - 4/25/2015	06/10/2015	24	3	\$ 8,639.00	\$ 6,398.22	\$ 2,857.32	\$ 1,539.56	\$ 1,258.37	
2	Codington	Watertown Fire and Rescue	Hw/MDTST	3/01 - 3/14/2015	06/24/2015	80	2	\$ 11,026.00	\$ 10,373.73	\$ 5,883.20	\$ 2,743.45	\$ 3,139.75	
2	Codington	Watertown Fire and Rescue	HIG					\$ 6,000.00		\$ 4,420.00	\$ -	\$ 4,420.00	
								\$ 32,105.00	\$ 17,372.01	\$ 16,661.12	\$ 4,343.00	*****	
								\$ -	\$ -	\$ -	\$ -	\$ -	
								\$ -	\$ -	\$ -	\$ -	\$ -	
								\$ -	\$ -	\$ -	\$ -	\$ -	
2	Brown	Aberdeen Fire and Rescue	Safety Officer Class	5/4/15 - 5/7/15	03/11/2011	24	3	\$ 3,756.17	\$ 3,756.17	\$ 939.05	\$ 939.05	\$ -	
2	Brown	Aberdeen Fire and Rescue	I/AF Conference	5/28/15 - 5/30/15	03/03/2015	24	1	\$ 1,904.20	\$ 1,904.20	\$ 620.16	\$ 476.05	\$ 144.11	
2	Brown	Aberdeen Fire and Rescue	Airport F&R 8 Hr Refresher					\$ 2,250.00		\$ 3,557.70	\$ -	\$ 3,557.70	
2	Brown	Aberdeen Fire and Rescue	FRI conference					\$ 7,500.00		\$ 6,047.50	\$ -	\$ 6,047.50	
2	Brown	Aberdeen Fire and Rescue	Hazmat Refresher	4/21 - 4/24/2015	06/10/2015	28.5	12	\$ 3,000.00	\$ 3,000.00	\$ 6,689.37	\$ 2,250.00	\$ 4,439.37	
2	Brown	Aberdeen Fire and Rescue	Cold Zone	5/6/15 - 5/8/15	03/10/2015	20	4	\$ 2,345.80	\$ 2,320.90	\$ 1,891.64	\$ 580.23	\$ 1,311.42	
2	Brown	Aberdeen Fire and Rescue	ARFF Live Burn Fall					\$ 3,500.00		\$ 1,768.30	\$ -	\$ 1,768.30	
2	Brown	Aberdeen Fire and Rescue	ARFF Live Burn Spring	05/20/2015	07/06/2015	6.5	7	\$ 3,500.00	\$ 3,500.00	\$ 320.45	\$ 875.00	\$ 45.45	
								\$ 33,756.17	\$ 20,481.27	*****	\$ 5,120.33	*****	
3	Campbell	Campbell CO EM	Awareness Herreid	Cancelled									
2	Codington	Codington CO EM	Operations Watertown			12	25	\$ 1,500.00		\$ 4,797.00	\$ -	\$ 4,797.00	
3	Edmunds	Edmunds Co EM	Awareness Ipswich			4	15	\$ 677.88		\$ 953.40	\$ -	\$ 953.40	
3	Edmunds	Edmunds Co EM	Awareness Bowdle			4	15	\$ 703.88		\$ 703.88	\$ -	\$ 703.88	
5	Bennett	Bennett CO EM	Operation Martin			16	15	\$ 1,752.00		\$ 3,637.00	\$ -	\$ 3,637.00	
1	Turner	Turner CO EM	Awareness Viborg Hospital			4	15	\$ 300.00		\$ 953.40	\$ -	\$ 953.40	
1	Clay	Vermillion Fire Dept.	40 hour Operations			40	15	\$ 3,800.00		\$ 3,534.00	\$ -	\$ 3,534.00	
2	Roberts	Roberts County EM	Awareness	02/21/2015	04/26/2015	4	26	\$ 1,089.40	\$ 1,095.00	\$ 2,043.60	\$ 273.75	\$ 1,769.85	
6	Hanson	State of SD	8 hour awareness	03/28/2015	04/13/2015	8	8	\$ 2,500.00	\$ 2,500.00	\$ 1,218.56	\$ 625.00	\$ 593.56	
1	Lake	State of SD	8 hour awareness	08/16/2015	03/03/2015	8	7	\$ 2,500.00	\$ 2,500.00	\$ 625.00	\$ 625.00	\$ -	
2	Brown	State of SD	8 hour awareness	Cancelled				\$ -					
2	Brown	State of SD	8 hour awareness	Cancelled				\$ -					
5	Todd	State of SD	8 hour awareness	06/01/2015	06/11/2015	8	22	\$ 2,500.00	\$ 2,500.00	\$ 3,458.40	\$ 625.00	\$ 2,833.40	
5	Brule	State of SD	8 hour awareness	07/11/2015	03/03/2015	8	6	\$ 2,500.00	\$ 2,500.00	\$ 625.00	\$ 625.00	\$ -	
5	Buffalo	State of SD	8 hour awareness	07/12/2015	03/03/2015	8	5	\$ 2,500.00	\$ 2,500.00	\$ 625.00	\$ 625.00	\$ -	
2	Hamlin	State of SD	8 hour awareness	08/15/2015	03/03/2015	8	19	\$ 2,500.00	\$ 2,500.00	\$ 625.00	\$ 625.00	\$ -	
1	Lincoln	State of SD	8 hour awareness					\$ 2,500.00		\$ 625.00	\$ 625.00	\$ -	
<b>Awareness &amp; Operations Total</b>								*****	\$ 16,095.00	*****	\$ 4,648.75	*****	
								<b>Totals</b>	*****	\$ 53,946.28	*****	\$ 14,112.06	*****
								<b>FFY2014 HMEP funding awarded</b>	*****				
								<b>FFY 2014 HMEP Planning funds allocated to training</b>	\$ 12,500.00				
								<b>Requested Technician &amp; Specialist Funding:</b>	\$ 96,646.17				
								<b>Requested Awareness and Operations Funding:</b>	*****				
								<b>FFY2014 HMEP Training/Planning Funding Allocated:</b>	*****				
<b>In progress agreement sent</b>								<b>FFY2014 HMEP Funding Unallocated</b>	\$ (489.74)				
<b>Funds allocated and agreement signed</b>								<b>FFY2014 Funds Spent</b>	*****				
<b>Planning funds allocated and agreement signed</b>								<b>FFY2014 Funds Remaining</b>	\$ 69,531.41				
<b>Processed, Not Balanced with Accountant</b>													
<b>Completed</b>													
<b>State Sponsored Paid For</b>													
<b>Cancelled</b>													

**GY2014 HMEP PLANNING GRANT**

Performance period 10/01/2014 - 09/30/2015  
Grant Amount \$74,816.64

Region	County	Hazmat Plan/Commodity Flow Study/Exercise	Beginning Date	Agreement Amount	Agreement Date	Payments	Match Amount Provided	Match Required	Match Amount Remaining
4	Butte	Hazmat Plan		\$6,400.00				\$1,600.00	(\$1,600.00)
3	Edmunds	Hazmat Plan		\$5,500.00				\$1,375.00	(\$1,375.00)
5	Tripp	Hazmat Plan		Cancelled					\$0.00
3	Warhawk District	Hazmat Plan		\$8,000.00				\$2,000.00	(\$2,000.00)
5	Todd	Hazmat Plan		\$4,500.00		\$4,500.00	\$1,762.85	\$1,125.00	\$637.85
5	Todd	Hazmat Exercise		\$5,500.00		\$5,500.00	\$2,000.00	\$1,375.00	\$625.00
2	Roberts	Hazmat Plan		\$2,600.00				\$650.00	(\$650.00)
6	Yankton	Hazmat Plan		\$6,325.00				\$1,581.25	(\$1,581.25)
5	Jones	Hazmat Plan		\$2,560.00				\$640.00	(\$640.00)
<b>Totals</b>				\$41,385.00		\$4,500.00	\$1,762.85	\$10,346.25	-\$6,583.40

Planning Grant Total	\$74,816.64
Moved to Training	\$12,500.00
Fed Share	\$59,852.94
Non-Fed Share	\$14,963.70
Fed Share Minus Training	\$47,352.94
Amount Allocated	\$41,385.00
Amount Unallocated	\$5,967.94
Amount Paid Out FED	\$4,500.00
Amount Paid Out Non-FED	
Amount Remaining	\$42,852.94

Agreement signature in process
Funds allocated and agreement signed
Paid & Not Balanced with Accountant
Completed
Cancelled



**STATE EMERGENCY RESPONSE COMMISSION - DENR**

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3181

<http://www.state.sd.us/titleiii>

September 25, 2015

MEMO TO: Local Emergency Planning Committees

MEMO FROM: Trish Kindt

SUBJECT: LEPC Grants

I am contacting you regarding the Local Emergency Planning Committee (LEPC) grants. Active LEPCs in South Dakota are eligible for funding under the provisions of SDCL 1-50-10. An LEPC that does not meet the provisions of SDCL 1-50-10, is not considered "active" and is not eligible for grant funds.

There are four forms you may need to submit in order to apply for a grant.

1. **Certification of Eligibility** - The first step in applying for a grant is to provide information demonstrating that your LEPC is active. If your LEPC is not "active," you are not eligible for a grant;
2. **Activity and Expenditure Summary** – Any LEPC that has received past grant funds must submit this form to demonstrate funds were utilized responsibly;
3. **Request for LEPC Grant Carryover** – Any LEPC with a total outstanding/unspent LEPC Grant balance in excess of \$200.00 must submit this request for a grant extension; and
4. **LEPC Grant Application** – Indicate your plans for utilization of grant funds.

**The complete grant application package must be postmarked, received, or hand-delivered by November 30, 2015.**

**Applications postmarked, received, or hand-delivered after the November 30, 2015, deadline WILL NOT be accepted.** You may wish to consider submitting your application via certified or registered mail for the purpose of documenting and confirming the delivery date.

The information you provide in the application package will be reviewed for completeness. If your LEPC meets the provisions of SDCL 1-50-10, and if you can demonstrate past LEPC grant funds were utilized in a responsible manner, you will be contacted regarding the grant.

Please be aware that some LEPCs may receive more than one copy of this application package. Only one application should be submitted per LEPC.

If you have any questions about the grant process, please contact Trish Kindt via e-mail at [Trish.Kindt@state.sd.us](mailto:Trish.Kindt@state.sd.us) or by calling 800-433-2288.

# APPLICATION GUIDE FOR LEPC GRANTS

## **Program Intent**

The intent of this program is to provide local emergency planning committees (LEPCs) with funding to support Emergency Planning and Community Right to Know activities at the local level. It also gives LEPCs the option of using the funds to provide Title I training for first responders. This is designed to be a streamlined grant program with simplified application and summary reporting processes. Every attempt has been made to keep forms short and concise, and to reduce paperwork requirements.

## **Compliance and Eligibility** (Certification of Eligibility for LEPC Grant form)

"Active" LEPCs in South Dakota are eligible for funding under the provisions of SDCL 1-50-10. To qualify for funding, a statement of compliance with the criteria for an "Active" LEPC must be submitted. An LEPC must also certify that they have a mechanism to receive, expend, and track funds.

## **Eligible Uses for Funds**

SDCL 1-50-10 states that the funds will be distributed as grants to be "Expended by the LEPCs to defray the expenses of operating the SARA Title III program and for related Title I activities." *Remember that Title I outlines the five levels of training for response to a hazardous materials incident.* This can incorporate a wide variety of activities including, but not limited to:

- ⇒ General office expenses needed to operate the program - postage, copying, printing, paper, meeting room rental, other meeting expenses, advertising costs, office expenses, etc.;
- ⇒ Salaries for personnel hired to do data entry, risk assessment, hazards analysis, commodity flow studies, or other special projects;
- ⇒ Expenses associated with updating the emergency response plan;
- ⇒ Expenses related to holding hazardous materials response exercises;
- ⇒ Training of local emergency response personnel and first responders;
- ⇒ Hazardous Materials Incident response equipment; and
- ⇒ Computer hardware and/or software to be used for Title III data management, responding to information requests, hazardous materials emergency response, and/or hazardous materials response planning activities.

## **Application and Signatures** (LEPC Grant Application form)

Current bylaws and membership rosters must be on file with the state or included with the application. If bylaws are revised, they must be resubmitted. Information management procedures and meeting schedules must be identified if they are not contained in the bylaws.

## **Grant Amounts**

Individual grant amounts will be determined by the distribution formula contained in SDCL 1-50-10. The first \$16,500 will be divided evenly among LEPCs that qualify for and have applied for the grant. The remaining amount will be divided among the qualifying LEPCs, based upon the number of facilities that paid Tier II fees for the reporting year from which the grant is funded. Increasing facility compliance in your planning district can result in an increase in your portion of grants for future years.

## **Carryover of Funds**

Under certain circumstances a small amount of unspent grant funds may be carried over to the next fiscal year. However, the LEPC must continue to track and document use of these funds.

## **Tracking** (Activity and Expenditure Summary form)

Failure to submit the required summary documentation will affect future eligibility for grant funds.

## **Questions**

If you have questions or require assistance, please contact Trish Kindt via e-mail at [Trish.Kindt@state.sd.us](mailto:Trish.Kindt@state.sd.us) or by calling toll free (800)-433-2288.

Trish Kindt  
SD DENR – State Emergency Response Commission  
523 East Capitol Avenue  
Pierre, South Dakota 57501

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## **ADDITIONAL INFORMATION PROVIDED TO LEPCs FOR INFORMATIONAL PURPOSES**

### **SDCL 1-50**

A link to the SDCL 1-50 website is available from <http://denr.sd.gov/titleiii>

1-50-10. SERC report--Contents--Appropriations--Distribution of grants. At the end of the budget year the SERC shall submit a report to the Legislature detailing any fees collected pursuant to § 1-50-8 which are in excess of the amount appropriated for these purposes and request a budget appropriation to remit this amount to the local emergency planning committees in the form of grants to support emergency planning and community right-to-know activities at the local level. Grants shall be distributed according to the following schedule:

- (1) An amount not to exceed sixteen thousand five hundred dollars shall be distributed equally to all active local emergency planning committees if the active committees have addressed the minimum requirements of the program including:
  - (a) Annually submit a membership roster which meets the requirements of this section to the SERC for approval;
  - (b) Elect officers and adopt bylaws;
  - (c) Hold regular meetings at least once per quarter;
  - (d) Develop a procedure to provide information to the public on request;
  - (e) Provide public notice of meetings and of the availability of right-to-know information;
  - (f) Submit a draft emergency response plan; and
  - (g) Exercise and update the plan as required.
- (2) Any additional excess funds shall be included in the next year's legislative budget to be appropriated to be divided by the total number of facilities reporting statewide and the funds shall be disbursed to the local emergency planning committees on a per-facility basis.

Grants distributed under this program shall be expended by the local emergency planning committees to defray the expenses of operating the SARA title III program and for related SARA title I activities.

**Source:** SL 1992, ch 254, § 65; SDCL, § 34A-12-23; SL 1993, ch 257, § 1.

### **SDCL 1-25 - MEETINGS OF PUBLIC AGENCIES – OPEN GOVERNMENT**

Open Meeting Brochure:

<http://atq.sd.gov/LinkClick.aspx?fileticket=371iSBCRhs%3d&tabid=258&mid=811>

or

<http://atq.sd.gov/LinkClick.aspx?fileticket=G3lowd6D-BM%3d&tabid=258&mid=811>

Attorney Generals Office Website:

<http://atq.sd.gov/OpenGovernment/OpenMeetingsCommission/FAQs.aspx>

## Certification of Eligibility for LEPC Grants

### Requirements

Your LEPC must be an “active” committee, as per South Dakota Codified Law 1-50-10.

**Important: You must complete EVERY section or your grant application will be considered incomplete!**

Date LEPC bylaws were adopted:	
Date LEPC officers were elected:	
Establish a meeting schedule (what is the meeting schedule?):	
Dates of the four quarterly meetings (Oct. 1, through Sept. 30)*:	Meeting #1: Meeting #2: Meeting #3: Meeting #4:
Do you have a procedure for providing information to the public?	
Are meetings held in compliance with public notice requirements of the open meeting law?:	
Date a written emergency response plan was finalized (plans should be submitted to the SERC for review):	
Date of your <b>annual</b> update of the written emergency response plan**:	
Date of your last Haz Mat exercise:	

*\*Some newly formed committees may not have held four meetings and must include dates of future scheduled meetings. For all LEPCs, if a postponement results in failure to meet quarterly, but there were four meetings, provide the dates and explain the circumstances on the back of this form.*

*\*\*The annual update is not a plan rewrite. Rather, the update refers to an annual review and revisions made to ensure the plan remains current and up to date.*

### Certification

The completed table shows the LEPC is an “active” committee and is eligible to apply for funds available through SDCL 1-50-10. The LEPC understands:

1. The amount awarded will depend on the formula in the law;
2. The committee will not receive a grant if it does not meet requirements outlined in SDCL 1-50-10;
3. Grant funds must be utilized to support the SARA Title III program or related SARA Title I activities;
4. A completed application package includes the “Certification of Eligibility” form, the “LEPC Grant Application” form, and when applicable, the “Activity and Expenditure Summary” form and the “Request for LEPC Grant Carryover” form; and
5. Failure to utilize funds for their intended purpose may result in ineligibility for future grants.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Local Emergency Planning Committee

\_\_\_\_\_  
Date



## LEPC GRANT APPLICATION

### APPLICANT INFORMATION

LEPC Name \_\_\_\_\_

Chairperson \_\_\_\_\_

Mailing Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

### PROJECT INFORMATION

Grant funds will be utilized for:  Title III Program Activities/Expenses  Title I Activities  
Provide a brief description of your proposed plans for the grant funds.

### CERTIFICATION

I certify under penalty of law that I have personally examined and am familiar with the information contained in this application and I agree, on behalf of the LEPC, to provide documentation of funds expended, and to abide by the terms of the agreement.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Local Emergency Planning Committee

\_\_\_\_\_  
Date

**Request for  
Local Emergency Planning Committee  
Grant Carryover**

The Local Emergency Planning Committee (LEPC) hereby acknowledges LEPC grant funds received during a prior grant year have not been utilized. Rather than return the funds, the LEPC formally requests the State Emergency Response Commission (SERC) consent to an extension.

Unspent/outstanding LEPC Grant balance: \$ \_\_\_\_\_

The LEPC will utilize unspent/outstanding funds for the following projects/purchases:

- \_\_\_\_\_  
Estimated Cost: \_\_\_\_\_ Completion date: \_\_\_\_\_

Note:

Original grant restrictions remain in effect.

The SERC may request grant funds be returned if they are not utilized within three years of the original grant award date.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
(Signature – LEPC Chairperson)

\* Please note that any LEPC with a total outstanding/unspent LEPC Grant balance in excess of \$200.00 must submit this request for a grant extension.