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# MONTANA STATE EMERGENCY RESPONSE COMMISSION (SERC)

**NOVEMBER 12, 2024**

**9:00 AM – 2:00 PM**

Location: Remote Meeting through Teams or in person HAFRC Room 113

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## SERC Meeting Notes Tuesday, November 12, 2024

- I. **Welcome and Member Roll Call**
- II. **\*\*\* (Voting Items) May Meeting Minutes Approval**
- III. **Old Business**

- a. **\*\*\*State Hazmat Plan**

Brett (MTDES SERC Chair): Propose to put together a small workgroup to incorporate public comment and feedback into State HazMat Plan.

Doug (MEMA): Needs more clarification added to the plan. Needs more time and discussion among stakeholders. Agrees with Brett's proposal and thinks it is the right path forward.

Justin (MTDES): Who will be on review group? Brett proposed Patrick, Doug, and John. Brett will ask if Adrienne will participate.

Brett: Reminder the State HazMat Plan is an umbrella plan that tie into local EOPs. Needs to be high-level.

- b. **Speakers List**

Justin and Brett: Develop list of keynote speakers that can present before LEPCs. This is part of LEPC Efforts. For example, CST wants to be more involved with LEPCs. Main point is to get good information out to local jurisdictions. Also do outreach on what a Local Emergency Response Authority (LERA) is per statute. Supplementing local capabilities with regional capabilities.

Peter (BNSF): Role is to get out and do outreach to local communities. Maintains significant HazMat equipment. Specialize in setting out booms in rivers. Asked to be added to LEPC Speaker List.

Brett: Will push Peters info out to DFOs.

Doug: How to share AARs from train derailments with BNSF and get BNSFs perspective.

Walter (Regional HazMat Team): Have people who can be on Speaker List. Best way to coordinate speakers with Hazmat team is to contact Walter.

Brett: Too many assumptions on what HazMat Teams can and cannot do. Good to have them on speakers list for outreach. Also rules on how to pay for HazMat Teams.

Doug: Questions on backfill costs for using HazMat Team. Walter answered and said currently the requesting agency does not need to do backfill, the HazMat Team takes care of backfills.

Breann (EPA): Provide topics speakers are able to cover as well.

### **c. EPCRA Reporting**

#### **i. 304 Reports**

Brett: EPCRA spells out these requirements. Goals of SERC is to be more advisory and assistance and less oversight. MT DES quarterly newsletter has LEPC burbs as outreach to LEPCS. Also, SERC is not getting all the reports or calls that they should. How to improve?

Justin: Do get reports of what facilities have on hand from EPCRA. 304 are incident reports/spills. Need to do a “follow up” report as required by EPCRA. EPlans does not have any follow up reports. Either house in EPlans or at MT DES or in CIMS? We are working on this and making steady progress.

Doug: State fees on submitting reports or when incidents happen.

Brett: We don't get a lot of the dangerous HazMat chemicals on initial reports/spills. Usually are diesel spills.

**ii. LEPC Report Changes**

Justins: Want to add questions on the LEPC survey. Will incorporate into the next cycle. Doing online, those filling out surveys cannot fill out parts and then come back and fill out remainder. Having in PDF they are able to do so.

Brett: Need to first educate and have information on what a LERA is. Once this is completed then can include in the survey.

**d. Commodity Flow Study Update**

Justin: After doing outreach, it does look feasible to incorporate into EPlans. Working on getting verification on logistics and potential costs using EPlan to ask questions to do study.

Doug: Be able to capture patterns of EHS traveling through jurisdictions to do better planning.

Peter: Be sure to have "Ask Rail" app on phones. When doing training, please be sure to mark "training event" to prevent confusion from real event.

Brett: Maybe resend "Ask Rail" app flyer to local jurisdictions again.

**a. Outreach Survey**

Justin: Hoping to have this completed by end of year. Survey on what kind of outreach LEPCs want or need.

**b. LEPC Outreach**

**i. Newsletter sections**

**ii. Brochures and 1-pagers**

Justin and Brett: LEPCs can choose to use these to discuss during their LEPC meetings and can have on their agendas. Can also be a springboard for bringing in speakers. Want to piece meal these brochures out to LEPCs one month at a time. We have 13 topics. Also, can share with other states.

Doug: This is a great idea and a fantastic product/tool.

**iii. Montana LEPC Handbook update**

Justin and Brett: Planning on updating the MT LEPC Handbook. Not able to update currently with other priorities, but still plan on updating when able. Need to update due to statutory changes. Want to make sure it meets intent of EPA Handbook and state laws. Working on updating LGDM and want to ensure handbook does not conflict with LGDM.

**iv. LEPC / TEPC Conferences**

Brett: Looking at ways to potentially do an LEPC conference. Piggyback into other conferences, have a stand-alone, add to MEMA conferences, incorporate into EPA trainings, etc.

Breann: Has supported Colorado and Utah LEPC Conferences. Works with NATTSPO. Western Region SERC/TERC Conferences. EPA has a training menu.

John: Attended a few EPA trainings this year. A shout out to EPA for excellent trainings.

**c. LERA Subcommittee/Workgroup**

Brett: Received a lot of questions on LERA when HazMat plan was pushed out. Asking Patrick Lonergan to chair the workgroup for this since he has already met with his County Attorney and discussed ways to implement this law. Goal is to help identify ways and strategies to meet intent of law. Develop outreach and informational material. Asked for a motion to form this workgroup? John makes a motion. Doug has seconded the motion. All SERC in favor and nobody opposed.

Doug: Discussion on motion. The role of workgroup is different than HazMat Subcommittee? See Brett's answer above.

**d. ASTM LEPC Standards**

Justin: Did send those out. If SERC needs Justin to send out again, please let him know.

**e. CAMEO Training Notices**

Justin: Did send those out. Sent out notices on training opportunities. How often do we want to send out these notices?

Doug: Add these to Betsy Training list that Betsy sends out.

## IV. New Business

### a. CIMS Processes

- i. **Duty Officer (DO) Reporting**
- ii. **GIS Map Integration**
- iii. **Partner Awareness & Coordination**

Brett: Looking at 4 vendors systems/software and hopefully have a decision made on which one to use in two weeks and a contract by end of month. Hoping CIMS system can automate a lot of MT DES processes and outreach to partners. Also need system to be modified to meet needs of MT DES.

### b. \*\*\*New HazMat Team Approvals

- i. **MOUs**
- ii. **Certifying Letters**
- iii. **Deployment Rates**

Brett: Renew MOUs due to change in SERC and statutes. Increase in rates. Moved to have SERC approve HazMat Team to recertify the teams as deployable resources. Doug moved motion. John second motion. All approved with no opposes.

### c. DO Report

Justin: Presented on DO Reports. **Refer to PPT prepared for SERC for information.** Not everything gets reported to DO so this report only reflects what was reported to DO. Shared information obtained from NASTTPO mid-year conference relative to the hazards of lithium ion batteries.

Brett: Meeting with ESF partners next week to see how to improve reports to DO. DO takes all hazards call which includes HazMat calls. Have statutory requirements to respond to public information requests. Must do the best we can to report as much as we can. Ed Greiberis reported DO information for his tenure as DO. **Refer to Ed's report provided to Brett for more information.** MHPs dispatch passes info to DO they get from Law Enforcement on scene and dispatch does not always ask all the required questions or get all the required information, which is one of the reasons for wanting to meet with ESF partners to improve reporting process. What calls do we need and why? MT DES can do a better job on outreach with

turnover of local EMs.

John: DEQ needs basic information from reports to do follow ups. There are no reporting requirements for gas spills to soil. DEQ does not have funding to clean up spills that responsible parties are not cleaning up. Needs a DOT number from trucks to track them down. DEQ does see affair number of refinery flaring's (some are emergency flares and other times it is not).

Doug: Need to educate local responders on the information needed and required to help improve reporting. Data from HazMat TEAM activities is critical for SAC to see the return on investment for the TEAMS. How often the resource of HazMat TEAM is being utilized is key.

Breann: EPA creating a National Task Force for Lithium-Ion Batteries.

Benjamin (EPA): Received calls on people illegally dumping Lithium-Ion Batteries and how to properly dispose of them.

Walter: Can help make happen with HazMat Team providing reports to DO on activities done by TEAMS even though they are not deployed (technical information).

Ed: Report is a snapshot of events. Has seen in the past two years an increase in reporting with refineries flaring. Wonders if the equipment is getting old or if the root cause is something else.

#### **d. LEPC Report**

Justin: Purpose of report is to help SERC determine how to better support LEPCs and is not intended to be oversight of LEPCs. **Refer to PPT for information.** Media is least engaged in LEPCs and find ways to help LEPCs engage media more effectively. Justin will look over data and extract any good ideas to share with SERC that can be shared with LEPCs.

Doug: Some LEPCS not using or being aware of EPlan can be due to the LERA not attending LEPCs. Share LEPC and DO reports to LEPCs. Why do we want the media involved is to educate the media and the public.

Brett: Add follow up question to survey. Why are you not using EPlan? Share LEPC report in newsletter or standalone? Invite media virtually to attend LEPC (especially ones that are long distance from area).

Ed: Not all Fire Chiefs attend the LEPCs due to being volunteers.

Tom (Fire Chiefs Association): Can do presentations or online videos to educate LEPCs on EPlan.

**e. NASTTPO Midyear Conference Update**

Justin: Demoad the SERC webpage to the SERC. **Refer to PPT on NASTTPO Conference information.**

**V. Q&A, Closing Comments, Next Meeting**

Ben: EPA Training and exercise menu. Dong earthquake exercise in EPA Region 8 in SLC. If any state or local jurisdiction wants to do exercise with EPA they are open to discussing it.

Justin: Please give Justin feedback.

Brett: Tentatively looking at SERC meeting on May 8, 2025. If you want to be involved in workgroups send Brett an email.

