

# Upper Mississippi River Hazardous Spills Coordination Group

April 16-17, 2014  
La Crosse, Wisconsin

## Meeting Summary

### Participants

Roger Lauder	Illinois EPA
Joe Sanfilippo	Iowa DNR
David Morrison	Minnesota PCA
Rick Gann	Missouri DNR
Tom Kendzierski	Wisconsin DNR
Ed Culhane	Wisconsin DNR
Jason Lowery	Wisconsin DNR
John Sager	Wisconsin DNR
Lisa Olson-McDonald	Wisconsin EM
Roger Larson	Wisconsin DOT
John Punkiewicz	USACE, Rock Island District
Frank Catalano	USACE, St. Louis District
Dave Edelson	USCG, Atlantic Strike Team
Bryan Klostermeyer *	USCG, Sector UMR
Michael Bennett	USDOT, Federal Railroad Administration
Steve Illich	USDOT, Federal Railroad Administration
Mark Venecek	USDOT, Federal Railroad Administration
Allan Beshore *	USDOT, Pipeline and Hazardous Materials Safety Administration
Steve Faryan	USEPA, Region 5
Ramon Mendoza	USEPA, Region 5
Ann Whelan	USEPA, Region 5
Paul Ruesch *	USEPA, Region 5
Elissa Buttermore	USFWS
Annette Trowbridge	USFWS
Dave Warburton	USFWS
Kevin Richards	USGS
Jennie Sauer	USGS
Jerry Schulte *	ORSANCO
Derek Lampkin	BNSF Rail
Greg Jefferies	BNSF Rail
Ed Dankbar	CP Rail
John Giebenhain	CP Rail
Jim Macaluso	National Response Corporation
Bobby Breed	National Response Corporation
Matt Stokes	STARS Training
Josh Harren	West Central Environmental Services
Jeremy Burns	West Central Environmental Services
Cory Teff	West Central Environmental Services
Mark Stevens	KWQC-TV
Dave Hokanson	UMRBA
Mark Ellis	UMRBA
Matt Jacobson	UMRBA

\* By telephone

## **Call to Order and Introductions**

Chair Tom Kendzierski called the meeting of the Upper Mississippi River Hazardous Spills Coordination Group (UMR Spills Group) to order at 10:10 a.m. Introductions by all meeting participants followed.

## **Approval of Previous Meeting Summary**

The summary of the previous (October 8-9, 2013) meeting was approved by voice vote.

## **Welcome to UMESC**

Kevin Richards, Acting Director of the USGS Upper Midwest Environmental Sciences Center (UMESC) welcomed the UMR Spills Group to UMESC and to the La Crosse area. He briefly described the variety of activities undertaken by UMESC staff and features of the facility.

## **Agency and Partner Updates**

### *BNSF Rail*

Derek Lampkin gave a brief overview of rail industry response planning and response capabilities. He described the notification system used by rail companies during incidents and also highlighted the mapping available from the Federal Railroad Administration at <http://fragis.fra.dot.gov/Apps/GISFRASafety/>.

Lampkin noted that the rail companies are in the process of developing geographic response plans (GRPs) for specific sections of their lines in the upper Midwest and also described the distribution of rail response assets throughout the region. Dave Edelson asked how specific information about commodities shipped in an area can be obtained. Lampkin replied that traffic flow information can be made available to responders as needed, upon request.

### *Wisconsin*

Kendzierski said there were no recent spill events or other UMR-related activities to report from Wisconsin. Jason Lowery thanked the group for the opportunity to participate in the meeting and tabletop exercise to be held later in the day.

### *Minnesota*

Dave Morrison said Minnesota has seen a number of recent legislative initiatives addressing response, particularly in regard to the rail-based transportation of petroleum. He noted in particular, that the release of oil from a train between Red Wing and Winona in February had drawn a considerable amount of attention, adding that he would be giving a detailed presentation about this incident later in the meeting. Morrison said he has been involved in a number of training events involving local fire departments, adding that turnover in local fire departments presents an ongoing need for training. He also mentioned that the next meeting of the Region 5 RRT would take place in St. Paul on April 29-30, 2014.

Morrison called the group's attention to a planned modification in the use of an existing Kinder-Morgan pipeline running through Minnesota, Illinois, and Iowa. He explained that this pipeline would now be used to return diluent to Canada for re-use in the thinning of heavier oil sands petroleum.

### *Illinois*

Roger Lauder commented that a couple of recent spills on and near the Ohio River, while not affecting the UMR, have certainly raised interest in spill preparedness in response throughout the region. In particular, he said the Elk River, West Virginia chemical spill had created a great deal of interest and awareness.

Lauder said Illinois EPA's Office of Emergency Response had responded to more than 400 incidents in the past year, with most of these being road-based and involving semi trucks where fuel/saddle tanks are compromised, leading to a diesel spill. He also commented on a pipeline release at Kankakee which may have been caused by a falling electrical line and resulting transformer fire.

Lauder also noted an active barge grounding on the section of the UMR shared by Illinois and Missouri near Grand Tower (at approximately river mile 83), but deferred to Rick Gann to provide an update on the situation.

#### *Missouri*

Rick Gann further described the grounding incident mentioned by Lauder, explaining that two barges are currently sitting on sandbar in the open (non-dammed) river and that these are carrying a "decant oils" (also known as slurry oils –high density, relatively low viscosity materials that are a byproduct of a refinery's fluid catalytic cracking unit). Gann said the response operation is now focused on removing the product from the barges (lightering), but that falling river levels have hindered response. Additionally, the removal is complicated by the fact that the product must be transferred under heat and pressure. Due to the complex nature of the response, the USCG Atlantic Strike Team has been called in and many other precautions are in place.

Gann also noted that both Missouri and Illinois staff participated in a recent full scale exercise hosted by Enbridge, Inc. This exercise took place in Quincy, Illinois and involved over 50 participants. He added that Enbridge is also seeking to complete a new pipeline running 70 feet below the UMR.

#### *Iowa*

Joe Sanfilippo introduced himself to the Group, explaining that he would now be Iowa DNR's representative, noting that the agency has chosen to represent itself to this Group using regional office staff and that he is based in the Manchester, Iowa office.

Sanfilippo said the most notable incident in the past few months was the sinking of the towboat Stephen L. Colby at LeClaire, Iowa, which will be discussed in a more extended presentation later in the meeting. He noted that Iowa DNR staff were on site at the Colby sinking for a significant amount of time and that a primary goal in that response was to limit the loss of fuel from the vessel.

#### *US EPA Region 5*

Steve Faryan said US EPA has been quite busy responding to a number of recent incidents, including pipeline releases, several of which were relatively small. Greg Jefferies asked what is meant by small releases. Faryan responded that an example of such an incident is the release of less than 100 gallons of product within a pumping station's fence line. Whelan concurred but added that two recent pipeline events have been much larger, with approximately 10,000 released in the Kankakee spill mentioned by Lauder and approximately 20,000 released in a nature preserve near Cincinnati. She said she would be describing the Cincinnati area incident in greater detail later in the meeting.

#### *US Coast Guard*

As had been mentioned in earlier reports, Dave Edelson noted that USCG's Atlantic Strike Team (AST) is currently assisting in response operations associated with the barge grounding at Grand Tower on the Upper Mississippi River. He added that the AST has specific familiarity with the heating and extraction necessary to transfer the decant oils from the barge. Edelson said that, to date, the operation has proceeded successfully without any loss of product.

#### *US Army Corps of Engineers*

Frank Catalano said USACE personnel from the St. Louis District have been engaged in the Grand Tower barge grounding incident as well. While not spill-related, Catalano also noted that a major focus of work in the St. Louis District has been maintenance work on Mel Price Lock and Dam (Lock and Dam 26).

John Punkiewicz noted that Rock Island District staff have also been involved with the incidents already discussed, including the Colby sinking and the Grand Tower barge grounding. Punkiewicz said low water levels may be an increased concern as the navigation season proceeds, both for spills and for navigation traffic generally.

#### *US DOT Pipeline and Hazardous Materials Administration*

Allen Beshore request that, if USACE pursues pinnacle removal during the upcoming navigation season, it remain in contact with PHMSA regarding potential pipeline impacts.

#### *US Fish and Wildlife Service*

Annette Trowbridge said she will now represent USFWS on the Group, noting also that Mike Coffey had recently taken a new position in southern Illinois and would no longer be stationed on the Mississippi River.

#### *STARS Training*

Matt Stokes noted upcoming training being hosted by Pinnacle Engineering, as well as Wakota CAER boom schools. He also reported that plans are in process to conduct a full scale exercise in the Red Wing, Minnesota area.

### **RRT 5 Website Demonstration**

Ann Whelan showed the Group the updated Region 5 Regional Response Team (RRT) website (<http://www.rtt5.org>). Website functions/content demonstrated by Whelan included:

- Region 5 RCP/ACP text
- Air monitoring evaluation flow chart
- Inland sensitivity atlas
- Jurisdictional viewer
- Hydroviewer
- RRT meeting information

Whelan emphasized that US EPA Region 5 continues to develop and enhance the website, seeking to be responsive to user feedback. Morrison asked who is envisioned as an audience for the air monitoring information, and if it is targeted for use by local agencies. Whelan replied that this information is available for whatever entities or individuals need to use it. Faryan added that the information was initially developed in response to a need within US EPA, but has been found to be useful for a wider audience.

Kendzierski asked how the website and its content can be accessed. Whelan replied that most of the content is unrestricted and can be reached via <http://www.rtt5.org>, while some of the web mapping applications are restricted and require the user to request a password via the website.

### **UMR Spill Plan**

Hokanson walked through of the contents of the updated UMR Spill Response Plan and Resource Manual. He said the text of the Response Plan has been updated and is now considered finished. Hokanson further explained that the Resource Manual component has also been fully updated with the exception of the response equipment inventory and the dischargers list. He said these two items would be completed soon and that any other outcomes/feedback from the upcoming exercise would be addressed in final revisions.

## **Tabletop Exercise Preview**

Hokanson explained that a four-hour tabletop exercise would be held in the afternoon, and that the UMR Spills Group's business meeting would then reconvene the following morning. He noted that additional individuals would be arriving just participate in the afternoon exercise, which is focused on a rail-based release of Bakken crude in the Goose Island section of UMR Pool 8. Hokanson said the tabletop builds on a need identified at the previous UMR Spills Group meeting to test out plans such as the UMR Spill Plan and various geographic response plans (GRPs) developed for the river.

*The business meeting of the UMR Spills Group adjourned for the day at 11:30 a.m. and resumed at 8 a.m. on Thursday, April 17, following the completion of the tabletop exercise.*

## **Tabletop Exercise Debrief**

The Group briefly discussed outcomes and potential next steps related to the tabletop exercise held the preceding afternoon. Hokanson said 72 individuals representing local, state, federal, and private sector entities had participated, with 34 attendee feedback forms submitted.

Whelan said she sensed interest from the participants in follow-up activities including training/exercising ICS structure, testing out a Pool 8 GRP, and addressing volunteers in response. Annette Trowbridge agreed, saying there is definitely interest in creating and utilizing the Pool 8 GRP, and potentially in holding a full scale exercise. Lisa Olson-McDonald asked whether it might be possible to hold a larger exercise in fall 2014. Whelan responded that either fall 2014 or spring 2015 would appear to be opportune times to hold a follow-up exercise. Trowbridge and Steve Faryan suggested that fall 2014 would be preferred if an exercise could be organized on that timeline.

## **Recent Spill Case Studies**

### *Stephen L. Colby Towboat Sinking*

Bryan Klostermeyer presented an overview of the response to the sinking of the tow Stephen L. Colby near downtown Le Claire, Iowa on November 26, 2013. He explained that the Colby took on water after striking a submerged object near river mile 496, subsequently sinking in approximately 12 minutes at LeClaire, Iowa riverfront. Klostermeyer said there were nine crew members on board, six of whom went ashore immediately, with the remaining three subsequently picked up by the tow Aaron Barrett. He described the spill potential from the Colby as being 89,392 gallons of #2 diesel fuel and 1,180 gallons of lube oils.

Klostermeyer said the initial response was carried out by Le Claire's fire department, which deployed boom from the Colby's onboard spill response kit and also requested boom from a nearby Alcoa, Inc. facility. With assistance from USCG, the Le Claire Fire Department was able to deploy 800 feet of containment boom and 700 feet of sorbent boom. He emphasized that these initial steps highlighted both the value of having pre-positioned equipment in place and local officials being aware of how to access this equipment. Downstream water intakes were also notified early in the response. Subsequently, an oil spill response organization (OSRO) and dive teams arrived on the site, with divers securing 8 submerged fuel vents. The response then expanded with the OSRO deploying more resources and a Unified Command being formed. Members of the Unified Command included the responsible party, USCG, the state of Iowa, and the state of Illinois.

Klostermeyer explained that the response ultimately lasted a total of 20 days, including lightering, pollution recovery, salvage, and towing/transit operations. Approximately 20,000 gallons of fuel was still in the vessel at the time of transit, with 89,000 gallons of oily water having been recovered during lightering and 66,000 gallons of oily water recovered via skimming.

Key issues in this response identified by Klostermeyer included:

Location & Timing: The incident occurred in downtown LeClaire close to Thanksgiving and Christmas in LeClaire Festival making scene control an issue

Pollution Recovery: Due to cold temperatures, some oil became trapped in ice, complicating recovery and removal. Ice also interfered with effective boom deployment. Freezing temperatures also impacted the function of hoses and pumps.

Wildlife: The incident took place during fall migration of canvasbacks and diving ducks. Up to 300,000 canvasback and 70,000 diving ducks could potentially move through the area during this time. Color streamers placed by volunteers were utilized to help haze waterfowl, keeping them away from the scene. It also appeared that waterfowl were deterred by amount of human activity in the area. An agreement was also reached with the Le Claire Police Department to use a shotgun blast if necessary to haze waterfowl. Only two oiled waterfowl were identified, both of which had suffered previous injury prior to oiling.

Safety: Cold temperatures contributed to responder fatigue and equipment issues. There is an active rail line running between incident site and shoreline cleanup equipment. Vacuum hoses had to be run across the railroad tracks. Coordination was carried out with railroad dispatch to avoid incidents. In some cases, there was insufficient communication/coordination between responder boats and divers, where boats were too close or divers were not using flags.

Media and Other Issues: USCG Public Information Assist Team (PIAT) was key to a successful response. The PIAT distributed timely information via media, fliers at local businesses, and community outreach. There were also protesters present due to the use of non-union divers in the response, though they kept their distance from the response and therefore did not create safety issues.

Klostermeyer noted that following as areas of greatest success in the response: rapid initial local response, effectiveness of PIAT, interagency collaboration, local logistics support, and safety focus. Areas for improvement included: gaps in necessary materials/equipment in “go” kits, need for better check-in procedures, early establishment of cost documentation, daily completion of ICS 214 forms, and use of standardized templates for various plans (lightering, salvage, etc.).

Whelan asked which OSROs were engaged in the response and what their response time to the scene was. Klostermeyer said that both Environmental Restoration and SWS Environmental Services were involved in the response, with the initial OSRO arrival within a few hours of the incident.

Rick Gann asked what types of equipment were included in the Colby’s on board response kit. Klostermeyer replied that these kits typically contain a couple hundred feet of boom, plus some sorbent pads. Morrison asked if the amount of fuel on the tow (approximately 90,000 gallons) was typical, as this seems to be a very large amount of fuel. Klostermeyer said the tow had recently filled up on fuel and was essentially totally full when the incident occurred.

Hokanson thanked Klostermeyer for his presentation as well as for his contributions to the UMR Spills Group in recent years, as Klostermeyer would soon be transferring out of the Sector UMR.

#### *Elk River West Virginia Chemical Spill*

Jerry Schulte of the Ohio River Valley Water Sanitation Commission (ORSANCO) provided the Group with a detailed case study of the January 2014 release of the chemical 4-methylcyclohexane methanol (MCHM) to the Elk River near Charleston, West Virginia.

He began by reviewing the timeline of the incident, which began with reports of odor around the site of the release and was followed by the discovery of a tank leak on the morning of January 9, 2014. This

leak was later determined to have released approximately 10,000 gallons of raw MCHM into the Elk River. By the afternoon of the spill, Schulte explained, the public water system serving Charleston was no longer able to remove the MCHM using its carbon filtration system and a do not use order was issued that evening. Ultimately, he said approximately 300,000 people in nine counties were affected by water supply contamination and do not use orders were in place for up to ten days. When asked if interconnections with other water systems could have been used to supply Charleston during the incident, Schulte replied that this would not have been successful due to the elevations in the area, resulting in head pressures that preclude pumping into the system.

Schulte said MCHM is a chemical foam used to wash coal and remove impurities that contribute to pollution during combustion. The chemical has a very strong licorice-like odor which can be detected at very low concentrations. He said MCHM is not currently regulated a hazardous chemical and very little health and safety data about it is available. Schulte explained that the odor of the chemical was an important consideration in the incident, as individuals were able to detect the presence of the chemical due to its odor at very low concentrations, which precluded them from consuming the water (i.e., people won't drink water if it has a chemical smell).

Schulte next described ORSANCO's engagement in monitoring the spill, as the Elk River connects to the Kenaw River, which empties into the Ohio River. He detailed ORSANCO's monitoring via its organics detection system (ODS) along the Ohio River, noting that as the spill traveled downstream both the peak level and duration of the contamination event declined. Schulte said ORSANCO's monitoring was essentially able to follow the leading edge, as well as the end, of the contamination plume. This helped show that it was a short duration event, indicating a quick release of the material and not an ongoing leak. He also noted that the quick decline in concentrations as the plume moved downstream indicated that more than just dilution was at work, and the chemical appeared to also be degrading. Schulte said Louisville was that last location downriver where the chemical was detected, at a level of approximately 1 part per billion. Overall, he said, monitoring indicated that the incident affected the Ohio River for a period of 10 days from release on January 9 to the plume declining to no detect levels at Evansville on January 19. Schulte credited coordination among a number of government and private sector entities in supporting successful monitoring of the contaminant plume.

Schulte noted that this incident has led to legislative initiatives at both the state and national level. He explained that bills proposed in the US House and Senate direct states to establish new, unfunded oversight and inspection programs aimed at chemical storage facilities, and also include provisions regarding notification of downstream public water systems and the sharing of chemical inventory information with the state.

#### *Southeast Minnesota Rail Spill*

Dave Morrison next gave a presentation summarizing events surrounding a release of crude oil from a train traveling between Red Wing and Homer, Minnesota on February 3, 2014. He described the approximately 68 mile extent of the spill noting that it was caused by a malfunctioning bottom outlet valve on a tank car holding crude oil. This was the 101<sup>st</sup> car out of total of 102 that were part of the train. Morrison and John Giebenhain both noted that the valve had not been properly secured by the shipper, allowing for the leak to occur. Morrison said the leak appeared to have occurred intermittently over the length of the train's journey, with a total estimated loss of 12,000 gallons.

Morrison said the train had stopped in Weaver Bottoms for 45 minutes, about halfway through the length of the leak, to perform a crew change, but the leak was not detected at that time. Rather, the first report of a spill came from Winona and the crew stopped shortly thereafter in Homer to inspect.

In executing the response, Morrison noted that one of the most challenging questions was whether contaminated material in the rail bed (ballast) should be removed, or whether – given the time, expense, and potential for additional impacts, it is better to leave the material in place. He explained that MPCA

decided it is preferable to leave the ballast in place and focused response on elements including removal of contaminated snow/ice, concentrating on most heavily oiled areas (where the train had been moving slowest), developing a warm weather runoff plan, testing ballast run-off, and evaluating the feasibility of remedial technologies; including use of a solidifying agent and a biological agent.

Morrison described another challenge in the response as the handling of contaminated liquids from the site, which were largely composed of some oil mixed with a larger volume of snow and water. Eventually, the decision was made to send the liquid waste to the Twin Cities to be run through a separator.

Morrison said the Natural Resources Damage Assessment (NRDA) process was also initiated as a follow-up to the response and is currently ongoing.

Suckow asked how the decision to use the solidifying and biological agents was made. Morrison said these ideas were originally proposed by the railroad company and that MPCA is open to testing out their efficacy as part of this response. Whelan said it is important to get Region 5 RRT approval for the use of novel treatment approaches such as these.

#### *Ohio Pipeline Spill*

Whelan gave the final case study presentation to the Group, describing a pipeline leak of approximately 10,000 gallons of crude oil that impacted the Oak Glen Nature Preserve near Cincinnati in March 2014. She said this spill involved light, sweet crude oil and that the product was contained on site (i.e., not reaching the nearby Great Miami River).

Whelan said the pipeline had broken at a creek crossing, but that the pressure drop had not been detected by the pipeline company. Rather, the spill was first reported by a passerby on Monday, March 14. Whelan described an underflow dam that had been constructed to help gather spilled product from the creek, noting that there had been differing expectations among those involved in the response regarding how the dam should be constructed.

Whelan noted that one of the leading natural resource concerns in the response is that the spill happened in habitat for the Indiana bat, a federally-listed endangered species. She said there is also a sensitive salamander species in the area that needed to be considered in executing the response. Whelan added that the flow of the most impacted stream was also a challenge, both due to debris and the fact that the stream went subsurface at certain points.

Whelan said shoreline assessment cleanup techniques (SCAT) had been utilized in this response, as well as in another recent, but smaller spill, to Lake Michigan at Whiting, Indiana. In both cases, she explained, the impact of the spills had been lessened due to a late spring, which resulted in less oiling of animals and vegetation. More broadly, Whelan commented that SCAT work brings out the question of what is meant by “clean” in a response, noting that a standard of “no visible sheen” can be very hard to attain. She added that a goal set this high can render SCAT ineffective as in that case the answer would be to remove any affected soil and vegetation, very likely causing much more harm to the system than the oil itself.

#### **Atlantic Strike Team**

Dave Edelson provided an overview of the US Coast Guard’s Atlantic Strike Team (AST), noting that the AST, located in Fort Dix, New Jersey and is one of three National Strike Teams which compose the National Strike Force (NSF). He explained that the AST’s area of responsibility includes the northeast and Midwest United States, including US EPA’s Regions 5 and 7. Edelson said the mission of the NSF is to provide assistance to the Coast Guard and US EPA Federal On Scene Coordinators (OSCs), augmenting of federal OSC and responsible party capacity as needed. He added that the



equipment and procedures of all the strike teams are equivalent to ensure interoperability and consistency in approach and that the Strike Teams have experience interacting with many agencies.

Edelson described the Strike Teams' capabilities as including not only oil and chemical spill response, but also biological and radiological agents, as well as weapons of mass destruction. He then provided examples of a number of incidents where the AST has been engaged, including the grounding of the Stephen L. Colby, Marshall, Michigan pipeline spill, Marseilles Dam barge damage, Hurricane Sandy, 2013 Presidential inauguration, and Super Bowl 48.

Tom Kendzierski asked to what extent the AST coordinates with the National Guard Civil Support Teams (CSTs). Edelson answered that the AST capabilities have a broader suite of focus, while the CSTs are primarily equipped to address weapons of mass destruction incidents.

Giebenhain asked if a responsible party can call the AST directly or whether the request must come through other channels. Edelson replied that the request for AST assistance must come through the federal (US Coast Guard or US EPA) OSC. He added that funding must be in place before the AST can mobilize, noting that mechanism to provide this funding include opening the Oil Spill Liability Trust Fund and a Stafford Act declaration.

### **Federal Railroad Administration**

Mike Bennett provided a briefing on the role of the Federal Railroad Administration (FRA) in regard to the transportation of hazardous materials via rail. He described FRA's roles as: enforce federal regulations; investigate accidents, incidents, and injuries; promote a safer, more productive rail industry; provide funding for rail system development and testing of new, improved equipment; and work in partnership with the rail industry. Bennett noted that, in regard to the Upper Mississippi River, FRA's Region 4 (headquartered in Chicago) is responsible for part of Illinois, Minnesota, and Wisconsin while Region 6 (headquartered in Kansas City) is responsible for the remainder of Illinois, Iowa, and Missouri. He also described FRA as a component of the Department of Transportation (DOT) and the relationship between FRA and the Pipeline and Hazardous Materials Safety Administration (PHMSA) within DOT.

Bennett noted that regulations governing hazardous materials transportation, including via air, rail, vessel, and highway, can be found in the Code of Federal Regulations under 49 CFR Parts 100-185.

Bennett next focused on the responsibilities of shippers in the transportation of hazardous materials, including the following:

- Class and describe the hazardous material
- Choose an authorized packaging
- Properly communicate the hazard of the material
- Comply with all applicable special permits (exemptions)
- Instruct each of their officers, employees and agents/contractors as to applicable regulations
- Develop a security plan and provide emergency response information during transport
- Limit the quantity of the product loaded per DOT standards
- Comply with applicable loading and unloading requirements
- Examine the shipment before offering into transportation

Hokanson asked Bennett to clarify the term "shippers" and how it relates to rail companies. Bennett replied that shippers are the entities that provide the product and prepare it for transportation, such as

a chemical company. Giebenhain added that shippers can be thought of as the rail companies' customers. Kendzierski asked whether the rail company needs to do an inspection above and beyond that done by the shipper. Bennett said the rail companies do a ground level inspection of the shipment to review its condition. Giebenhain said a rail company can reject a shipment if it identifies issues in how it has been prepared.

Bennett then provided more detail regarding the carrier's (rail company's) responsibilities in regard to hazardous materials transportation. He explained that the carrier's ground level inspection must include a review of each rail car for required markings, labels, and placards, as well as securement of closures. Additionally, a carrier cannot accept or transport a hazardous material by rail unless that unless shipping papers are received which include all required information. Bennett also explained that the train crew must have a document that reflects the current position in the train of each rail car containing hazmat (load or residue). He then described requirements governing the placement of hazardous materials within a series of rail cars and the expedited movement of hazardous materials. Lastly, Bennett reviewed DOT requirements for reporting of hazardous materials transportation incidents, as well as situations where a detailed incident report is required.

Greg Jefferies asked if FRA could provide an update on new tank car standards. Steve Illich replied that a tank car committee including DOT/PHMSA and the American Association of Railroads (AAR) is currently examining this issue. Jefferies noted that BNSF is moving forward to upgrade tank cars above and beyond current regulations.

Kendzierski asked for clarification regarding the relationship between FRA and the National Transportation Safety Board (NTSB). Illich said FRA is the regulator responsible for the shipping package (e.g., tank car) while NTSB is the entity which investigates an incident. He explained that NTSB will typically take the lead in investigating major incidents and FRA will work under NTSB in these cases. Bennett explained that FRA staff cannot enter an incident site until cleared and that FRA will inspect tank cars involved in an incident to see how/if they were impacted in order to help guide future improvements. Illich noted that FRA will also receive investigation reports from NTSB.

## **Coal Residuals**

Paul Ruesch began his presentation by describing recent incidents – at Oak Creek Bluff, Wisconsin; Kingston, Tennessee; and Dan River, North Carolina – where coal residuals storage structures failed and nearby waterbodies were impacted. He noted that these incidents have brought increased attention to coal residuals management.

Ruesch said these residuals often contain constituents considered hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). These CERCLA hazardous substances may include arsenic, various heavy metals, and radioactive isotopes. However, he explained, the residuals usually do not test out as hazardous materials when a toxicity characteristic leaching procedure (TCLP) is performed. Nonetheless, these storage areas have raised concerns nationwide regarding potential impacts to ground water and surface water resources.

Ruesch explained that, as a result of the interest in coal residuals and their storage, US EPA Region 5 has developed an inventory of these sites within the region. He said there are roughly 600 coal-fired power plants in the United States, with 179 of these located in Region 5. Further, there are 90 plants with impoundments with potential impacts in Region 5, including 63 in Region 5 states and 27 bordering the region.

Ruesch said US EPA Region 5 has made the inventory available via its Flexviewer application at <http://www.r5t5.org/RCPACPTools/R5SpatialMapping.aspx> and that the inventory includes company and facility name, address, the number of impoundments, hazard rating, adjacent water body, lat/long coordinates, and operating status. Ruesch said contractor reports assessing the structural integrity of

impoundments and similar management units containing coal combustion residuals are available at: <http://www.epa.gov/osw/nonhaz/industrial/special/fossil/surveys2/>.

Ruesch also noted that US EPA has proposed a rule addressing coal residuals as a special waste, and that the agency is still in the data gathering phase in regard to this rule. He said information on the rule can be found at: <http://www.epa.gov/osw/nonhaz/industrial/special/fossil/ccr-rule/index.htm>

## **Mapping and Planning Updates**

### *Inland Sensitivity Atlas*

Mark Ellis said work on the Minnesota Atlas update is ongoing, with a goal of completing the atlas by the end of 2014. He added that Illinois Atlas is the next to be updated and work on this will begin as the Minnesota Atlas moves toward completion.

### *Geographic Response Plans (GRPs)*

Ellis reported that Pool 19 GRP work continues, with a field day to be held this summer and GRP completion scheduled for the fall. Work on Pool 8 GRP is anticipated to begin this summer, as part of followup from tabletop exercise.

### *Response Fact Sheets*

Matt Jacobson said ten habitat-specific fact sheets have been completed and are available on the UMRBA web site at <http://www.umrba.org/spillplans.htm>. Three fact sheets have been reformatted and comments are requested on this new format by May 31, 2014.

## **Confirming Priorities and Action Items**

Hokanson listed the following priorities and action items emerging from the meeting:

- Send followup information to exercise participants (e.g., participants list, notes, evaluations, presentation), post on UMRBA website.
- Proceed in work on Pool 8 GRP.
- Explore the possibilities for a follow-up exercise in the La Crosse area in fall 2014.
- Complete work on the UMR Spill Plan.
- Complete Minnesota Inland Sensitivity Atlas update.

Rick Gann commented that an additional area to investigate is that status of US Coast Guard response trailers, as their disposition still seems to be unresolved and Missouri is interested in stationing a trailer at Hannibal.

## **Next Meeting**

The Group agreed that its next meeting should take place in fall 2014, dependent on whether a follow-up exercise occurs in La Crosse during that time period.

*With no further business, the meeting adjourned at noon on April 17, 2014.*