

LEPC Starting Documents and Requirements

I. PURPOSE:

- A. Local Emergency Planning Committees (LEPC) were organized under Federal Law in 1987 and Nebraska Statute (81-15, 191 to 81-15, 235) in 1997 to provide two major services to the citizens of their districts.
1. To develop and exercise a plan to identify and coordinate the local response to an incident involving hazardous materials.
 2. To provide information to the citizens of the district on the hazardous substances stored and used in their neighborhoods and to help define the risk those substances pose to the communities.

II. RELATIONSHIP TO THE STATE EMERGENCY RESPONSE COMMISSION:

Members of a LEPC are appointed by the State Emergency Response Commission (SERC) (81-15, 212 (1)(a)) who is charged to supervise and coordinate the LEPC's activities (81-15, 212 (1) (b)). New member applications need to be submitted to the SERC Coordinator of two weeks prior, at a minimum, to the next SERC meeting to be approved (*see new member LEPC application*).

The SERC meets on a quarterly basis, January, April, July and October, on the second Tuesday of the Month. The SERC meetings are open to the public and LEPC members are encouraged to attend.

III. MEMBERSHIP:

The membership of an LEPC is defined in both Federal Law and State Statute (81-15, 215). The committee membership should include representative from as many of the following interest groups as possible:

- A. State and local elected officials
- B. Public Health
- C. Local environmental protection
- D. Firefighters
- E. Local Emergency management
- F. Law Enforcement
- G. Broadcast and print media
- H. Transportation
- I. Neighborhood and community organization
- J. Facility owners subject to the regulation under the law

IV. OFFICERS:

- A. Each LEPC shall annually elect a chairperson (81-15, 216).
- B. Each LEPC shall designate an officer to serve as Coordinator of Information to receive and organize the Tier II reports from the regulated facilities and to make the reports available to the citizens of the district. PL 99-499 Section 301(c) and 81-15,217 (1)(b).
- C. Each LEPC shall elect a secretary to take minutes of the committee's proceedings and make minutes available to the citizens according to the Nebraska Public Meeting Laws (84-1413).
- D. The LEPC may elect other officers, as it deems necessary.

V. REQUIREMENTS FOR OPERATIONS:

- A. Local Emergency Planning Committees are governed by Nebraska Statute 81 15, 217 (a) through (e) and 81-15, 221, The Nebraska Emergency Planning and Community Right to Know Act. Under this, the LEPCs are required to:
 - 1. Establish rules governing the function of the committee.
 - 2. Establish procedures for receiving and processing requests from the public for information.
 - 3. Complete preparation of an emergency plan and review and update the plan once a year.
 - 4. Evaluate the need for resources necessary to develop, implement, and exercise the emergency plan and make recommendations with respect to additional resources that may be required and the means for providing such additional resources.
 - 5. Designate a public library in each county within its district as depository for the emergency plan.
 - 6. Provide the emergency plan to the governing bodies having jurisdiction in the district for review prior to submitting the plan to the SERC.
- B. LEPCs are also required under Federal Public Law 44-499 to:
 - 1. Respond to a request for Tier II information no later than 45 days after the date of receipt of the request (section 311 (e)(3)(D)).
 - 2. Annually publish a notice in a local newspaper that the emergency response plan and Tier II form have been submitted and that members of the public who wish to review the plan or Tier II's may do so at a designated location (section 324(b)).

VI. EMERGENCY PLANS:

LEPCs have to meet planning requirements under Federal and State Laws. Under Nebraska Statute 81-15, 220 1 through 9, shall include but not be limited to:

- A. Identification of facilities containing an extremely hazardous substance in an amount which exceeds the threshold planning quality.
 - 1. Identification of routes likely to be used for transportation of extremely hazardous substances.
 - 2. Identification of additional facilities contributing or subject to additional risk due to their proximity to other facilities.
- B. Methods and procedures to be followed by the facility, emergency responders, and medical personnel to respond to any release.
- C. Designation of a community emergency coordinator.
 - 1. Identification of facility emergency coordinators.
- D. Notification procedures by the facility emergency coordinator and the community emergency coordinator to the public.
- E. Methods for determining the occurrence of a release and the area or population likely to be affected.
- F. A description of emergency equipment in the community, emergency equipment at the facilities, and a contact person responsible for the emergency equipment.
- G. Evacuation plans that include provisions for a precautionary evacuation and alternative traffic routes.
- H. Scheduled training programs for emergency responders and medical personnel.
- I. Methods and schedules for exercising the emergency plan.

LEPCs are required to provide the emergency plan/updates to their governing board (county board) having jurisdiction in the planning district for review prior to submitting them to the SERC.

The LEPC can request information and the owner/operator of a facility shall promptly provide information to the LEPC necessary for development and implementing the emergency plan (303 (d)(3)).

The local fire department with a facility in the jurisdiction that files inventory forms the facility owner/operator shall allow the fire department to conduct an on site inspection of the facility and shall provide to the fire department specific locations on hazardous chemicals at the facility (312(f)).

VII. ANNUAL MEETINGS AND REPORTS:

Each LEPC shall hold an annual public meeting and prepare a report for the SERC. At the meeting there is to be election of the chairperson and secretary and a review and update of the Local Emergency Operations Plan (LEOP). The LEOP update changes need to be submitted to the governing body of the county for review before submitting to NEMA.

As well as publishing a notice in the local newspaper about the annual meeting, an LEPC also needs to publish a notice that the LEOP has made some changes and the Tier II reports have been submitted to the LEPC. The notice needs to inform the public that the above is available for review during normal business hours at a location that the LEPC designates. (*See notice example*)

The annual report to the SERC shall contain an accounting of any gifts, bequests, grants, or other contributions or donations from public or private sources. The LEPC also needs to review their membership to see whose terms have expired and if the member wishes to remain on the LEPC, they will need to submit a LEPC application to the SERC for approval.

Included in the annual report is a list of all members of the LEPC, the areas they represent, and who has been elected to be chairperson and secretary, and who is the coordinator of Information.

The SERC is also interested in how many Tier II's your LEPC received and what special projects or items of interest you would like to share.

VIII. HAZARDOUS MATERIALS EMERGENCY PLANNING (HMEP) GRANT

Through NEMA your LEPC can use HMEP grant funds allocated through a mini-grant process. Your LEPC chairperson or point of contact must complete a mini-grant application, exhibit C, and have it approved prior to sending the monies, the application along with a reimbursement form, exhibit D, will then be sent to NEMA. For further details check the SERC web page at www.nema.ne.gov.