

**Department of State Police  
Office of State Fire Marshal**

**Division 95**

**STATE EMERGENCY RESPONSE COMMISSION**

**837-095-0010**

**Purpose and Scope**

These rules establish emergency planning districts as required by the Emergency Planning and Community Right to Know Act (EPCRA) of 1986 (42 U.S.C. Chapter 116, Section 11001 et seq.). The rules provide guidelines for the establishment of a Local Emergency Planning Committee (LEPC) within each emergency planning district. The rules also establish a State Emergency Response Commission (SERC) Executive Committee.

**837-095-0020**

**Definitions**

For purposes of Oregon Revised Statutes (ORS) 453.520 only, the following definitions apply:

- (1) “Emergency Planning District” means geographic boundaries designated by the State Emergency Response Commission to facilitate preparation and implementation of emergency plans related to hazardous materials incidents.
- (2) “Industry” means facilities subject to the Emergency Planning and Community Right to Know Act of 1986 (42 U.S.C. Chapter 11001 et seq.).
- (3) “Local Emergency Planning Committee” means a federally mandated, quasi-governmental entity representing local government, emergency response officials, facility owners/operators, environmental and citizen groups and other interested parties.
- (4) “State Emergency Response Commission” means the Office of the State Fire Marshal as designated by the Governor pursuant to the Emergency Planning and Community Right to Know Act of 1986 (42 U.S.C. Chapter 11001 et seq.).
- (5) “State Emergency Response Commission Executive Committee” means a body established to assist the SERC in carrying out the responsibilities mandated in EPCRA.

**837-095-0030**

**SERC Executive Committee**

- (1) The State Emergency Response Commission shall form a SERC Executive Committee whose purposes include but are not limited to:
  - a) Advising the SERC on the designation of Emergency Planning Districts consistent with Oregon Administrative Rules (OAR) 837-095;
  - b) Advising the SERC on the creation, modification, or dissolving of Local Emergency Planning Committees (LEPC) and on the confirmation of appointments to those committees;
  - c) Reviewing plans developed by Local Emergency Planning Committees and making plan recommendations to the SERC;
  - d) Supporting Local Emergency Planning Committee efforts to implement EPCRA and ORS 453.520;
  - e) Supporting and assisting SERC and Local Emergency Planning Committee efforts to enhance hazardous materials emergency preparedness and response capabilities; and
  - f) Coordinating hazardous materials training, education, and outreach activities as well as grant and technical assistance opportunities in support of the SERC and Local Emergency Planning Committees.
  
- (2) The membership of the SERC Executive Committee shall be by agency or organization, each with one representative and one alternate. The SERC Executive Committee shall consist of the following:
  - a) The director or a designee of the following state agencies:
    - Oregon State Fire Marshal
    - Oregon Office of Emergency Management
    - Oregon Department of Transportation
    - Oregon State Police
    - Oregon Governor's Office
    - Oregon Health Authority
    - Oregon Department of Environmental Quality
  
  - b) A representative from each of the following organizations or groups:
    - Local Emergency Management
    - Oregon Emergency Management Association
    - Local Emergency Planning Committees
    - Industry
    - Oregon Fire Chiefs Association

Oregon Regional Hazardous Materials Response Teams  
Oregon State Sheriffs' Association  
Oregon Tribes  
Association of Oregon Counties

- (3) The SERC Executive Committee shall adopt bylaws and establish such policies and procedures as are necessary to conduct its work.

### **837-095-0040**

#### **Emergency Planning Districts**

- (1) The SERC designates each of the 36 counties of Oregon as an Emergency Planning District (EPD) for the purposes of EPCRA.
  - a) Two or more emergency planning districts may combine resources and function as a single EPD by providing documentation of such request to the SERC from an authorized representative of each county.
  - b) Should any county participating in a combined EPD desire to dissolve the combined EPD for any reason, an authorized representative of the county must notify the SERC as well as the other county(ies) involved in the combined EPD of their desire to withdraw from the combined EPD.

### **837-095-0050**

#### **Local Emergency Planning Committees**

- (1) A Local Emergency Planning Committee (LEPC) shall be formed in each EPD.
- (2) Membership in the LEPC should be guided by the EPCRA and be reflective of the stakeholders within each EPD.
- (3) The duties and responsibilities of the LEPC should be consistent with the intent of EPCRA and focus on enhancing hazardous materials emergency planning, preparedness and response capabilities within the EPD.
- (4) Each LEPC shall appoint a chairperson and adopt such policies and procedures as are necessary to conduct its work.
- (5) Each LEPC shall maintain and provide to the SERC a list of contact information for all committee members.

- (6) Each LEPC shall prepare an emergency plan, or annex to an appropriate county emergency operations plan, in accordance with EPCRA.
- (7) Each LEPC shall review its community emergency response plan annually and submit the reviewed plan to the SERC for review and recommendations.