

Oregon Local Emergency Planning Committees



“Local Resources for Local Issues”

Presentation Agenda

- Historical Context
- EPCRA Law and LEPCs
- The LEPC In Oregon, A New Model
- Structure Recommendations
- OSFM Support
- Where We Go From Here

CERCLA Established

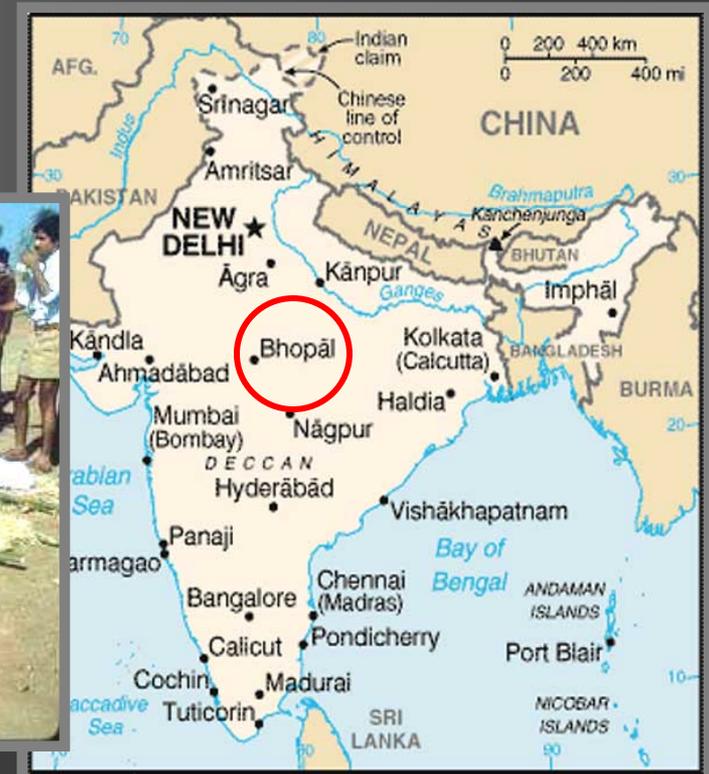
1980 - Comprehensive Environmental Response
Compensation and Liability Act (CERCLA)

- Also known as “Superfund”
- Creates fee on Chemical Manufacturers
- Intended for cleanup of abandoned sites
- Requires notification of release
- Liability for the release
- Enhanced EPA authority



Catastrophic Events

- ✓ December 3, 1984 - Bhopal India
 - 40 tons of Methyl Isocyanate Leak from Union Carbide pesticide facility
 - Over 3,800 die
 - Over 11,000 disabled



Catastrophic Events

- ✓ August 11, 1985 - Institute West Virginia
 - Similar leak of Adicarb Oxime
 - No deaths, several hundred injured



EPCRA Established

- ✓ 1986 – CERCLA Amended
 - Superfund Amendment & Reauthorization Act (SARA Title III)
 - Reauthorized fee on chemical manufacturers
 - Increased state involvement
 - Increased enforcement authority
- ✓ Establishes Emergency Planning & Community Right to Know Act (EPCRA)



EPCRA Goals

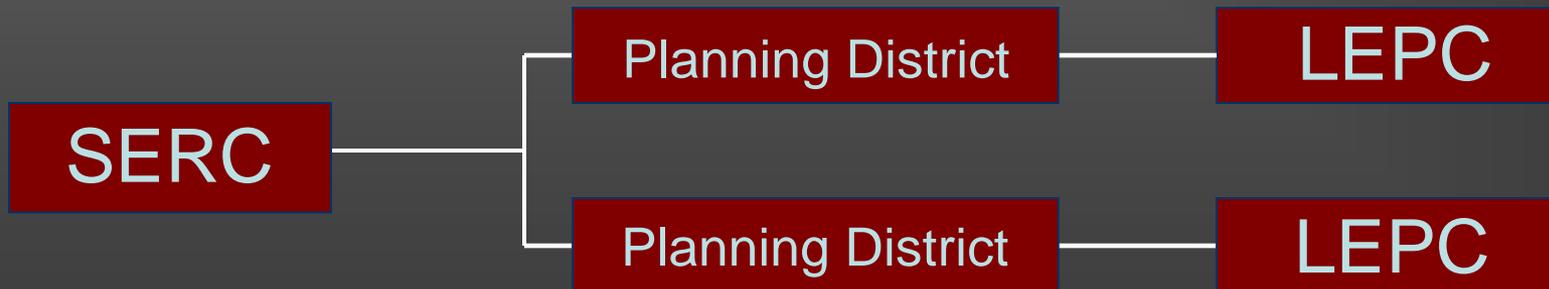
- ✓ EPCRA has two main goals
 - Require and support emergency planning for chemical releases
 - Provide local government and citizens with information about hazardous substances in their communities
- ✓ Goals achieved through four major provisions

EPCRA Provisions

- ✓ Emergency Planning
(Sections 301-303)
- ✓ Emergency release notification
(Section 304)
- ✓ Chemical storage reporting requirements
(Sections 311-312)
- ✓ Toxic chemical release inventory
(Section 313)

EPCRA Section 301

- ✓ Establish State Emergency Response Commission (SERC)
- ✓ Designate Local Emergency Planning Districts
- ✓ Appoint Local Emergency Planning Committee (LEPC) for each district



EPCRA Section 301

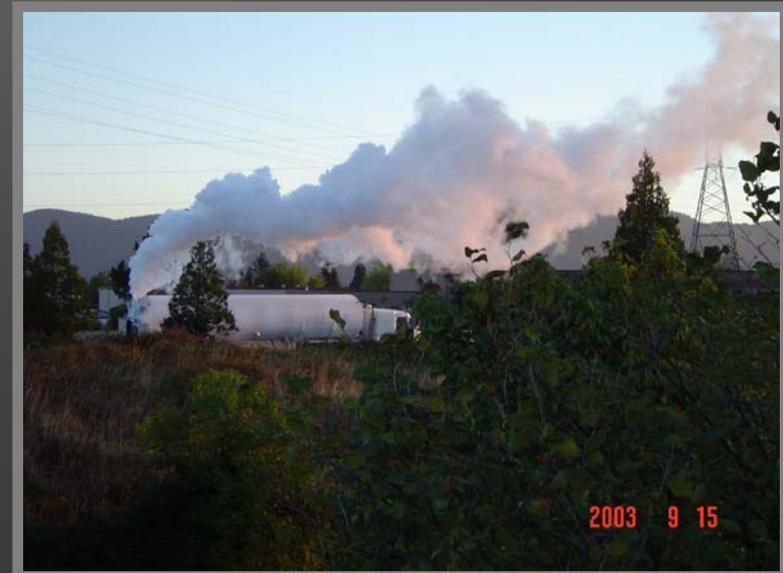
➤ Required disciplines on an LEPC

- Emergency Responders (police, fire, etc.)
- Emergency Management
- Hospital / emergency medical
- Industry
- Elected officials
- Broadcast/print media
- Academia
- Public Works
- Transportation
- Environmental Groups
- Public



EPCRA Section 302

- ✓ EPA designates 356 substances as Extremely Hazardous Substances (EHS)
- ✓ Sets a Threshold Planning Quantity (TPQ) for each substance
- ✓ Sets requirements for facilities possessing a TPQ of EHS
 - Must notify SERC / LEPC
 - Must participate with LEPC



EPCRA Section 302

TITLE 42 / CHAPTER 116 / SUBCHAPTER I / § 11003 (d)(1)

(d) Providing of information

For each facility subject to the requirements of this subchapter:

- (1) Within 30 days after establishment of a local emergency planning committee for the emergency planning district in which such facility is located, or within 11 months after October 17, 1986, whichever is earlier, **the owner or operator of the facility shall notify the emergency planning committee** (or the Governor if there is no committee) **of a facility representative who will participate in the emergency planning process as a facility emergency coordinator.** *et.seq*

EPCRA Section 303

- ✓ Development of community emergency response plans
- ✓ Must include the 9 planning elements
- ✓ Focused on, but not limited to, facilities with EHS



EPCRA Section 303

The 9-Planning Elements

1. Identify facilities and transport routes of extremely hazardous substances within the planning district
2. Describe onsite and offsite emergency response procedures
3. Designate a community emergency coordinator and a facility coordinator
4. Outline emergency notification procedures

EPCRA Section 303

5. Methods for determining the occurrence of a release, and the areas that will be affected
6. Description of emergency equipment at each facility subject to these requirements
7. Description of evacuation plans
8. A training program for emergency responders
9. Methods and schedules for exercising the emergency plan

EPCRA Section 304

Emergency Release Reporting

- ✓ Provides for timely notification of releases to appropriate entities
- ✓ Facilities must notify the SERC and LEPC about release of a reportable quantity (RQ) of a regulated substance
 - Immediate initial notification (within 15 minutes)
 - Written follow-up notification (within 30 days)
- ✓ Includes notification to the National Response Center (NRC)

EPCRA Section 304

Initial Notification (15 minutes)

- ☑ Chemical name
- ☑ Whether it was an Extremely Hazardous Substance
- ☑ Approximate quantity released
- ☑ Time and duration of release
- ☑ Medium it was released into (soil, water, air)
- ☑ Acute/Chronic health risks
- ☑ Precautions to be taken (evacuation/shelter-in-place)
- ☑ Name and telephone number of a contact person

EPCRA Section 304

Written Follow-up (*Within 30 days*)

- Updates the initial notification information
- In addition, it includes the following:
 - ☑ Actions taken to respond to and contain the release
 - ☑ Any known or anticipated acute/chronic health risks associated with the release
 - ☑ Advice regarding medical attention necessary for exposed individuals

Sections 311, 312 & 313

- ✓ Section 311 / MSDS Chemical List Reporting
 - Requires facilities to submit an MSDS for all Extremely Hazardous Substances
- ✓ Section 312 / HazMat Inventory Reporting
 - In Oregon, facilities comply with EPCRA 311/312 by completing the Hazardous Substance Information Survey
- ✓ Section 313 / Toxic Release Inventory Reporting
 - Must submit an annual toxic chemical release report (Form R) by July 1 of each year to:
 - EPA
 - Designated State Agency

Oregon's Previous LEPC System

➤ Section 301 (1985 – 2005)

– Interagency Hazard Communication Council

- Assigned SERC responsibilities
- Designated entire state as Planning District
- Developed single “state-wide” LEPC

– 2005 – IHCC legislatively abolished

- SERC responsibilities assigned to SFM
- SFM directs LEPC's to be localized, updated and direct support provided

The New Oregon LEPC

- Addresses minimum federal requirements
 - ☑ Chairperson
 - Vice-Chair optional but recommended
 - ☑ Information Coordinator (*emergency coordinator*)
 - Records management / integrity
 - ☑ By-Laws
 - ☑ Identification of Planning District
(*Determined locally*)



The Oregon LEPC

- LEPC Emergency Plan *(not required)*
- ✓ Community Capability Assessment Process (CCAP) *(required)*
 - a) Plan review between the facility and first responder
 - b) Validates Planning Elements are addressed
 - c) Identifies gaps between plans
 - d) Facilitates mutually agreeable solutions to fill gaps
 - e) Sets timelines for addressing gaps
- ✓ Can also be performed at community and county level

The Oregon LEPC

➤ Resource Assessments

- ✓ Assessment of needs, as well as capabilities
 - a) Identifies equipment and/or training deficiencies among emergency response community
 - b) Identifies additional resource availability
 - c) Training needs included in LEPC business plan
 - d) Equipment needs documented for justification of local requests for support or funding
 - e) Resource list can assist during major incidents

The Oregon LEPC

➤ Public Outreach / Education

- ✓ Identify areas of the community at risk
- ✓ Develop message based on hazard
- ✓ Coordinate public outreach
- ✓ Provide information to public
- ✓ Respond to questions



The Oregon LEPC

- ✓ Can be tailored to meet other requirements
 - Called the “All-Hazard Option”
 - Coordinated independently from EPCRA
 - Autonomy from state level authority
 - Tailoring based on local priorities



The Oregon LEPC

➤ Potential benefits of the “All-Hazard” Option

- ✓ Most emergency response organizations included
- ✓ Larger number of resources to call upon for input, guidance and assistance with local priorities
- ✓ Seamless / simplified information dissemination
- ✓ Meeting consolidation
- ✓ Improved attendance
- ✓ Dedicated staffing for priority projects
- ✓ Elimination of redundancies

Structure Recommendations

- Subcommittee or Workgroup structure
 - ✓ Identify the priorities
 - ✓ Identify individuals with expertise or desire
 - ✓ Develop sub-committee exclusive to topic
 - ✓ Sub-committee members focus on single task
 - ✓ All sub-committees report progress to full body
 - ✓ Entire LEPC membership updated on all priorities



Support From the OSFM

- ✓ LEPC development assistance
- ✓ Training
 - EPCRA
 - Plan Evaluations
 - Hazardous Substance Information System
 - Reporting requirements
 - First Responder (HazMat related)
- ✓ Grant funding
- ✓ Training and promotional materials for public
- ✓ Information Clearinghouse
- ✓ Communications conduit to state and federal

Where We Go From Here

- Extremely Hazardous Substance (EHS) Facilities
 - ✓ Review your most current Hazardous Substance Information Survey
 - ✓ Ensure your facility has a Threshold Planning Quantity (TPQ) of EHS, which subjects your facility to the requirements of EPCRA
 - ✓ If you find you have misreported and do not have a TPQ of EHS, notify the Office of State Fire Marshal immediately
 - ✓ Review your Emergency Operations Plan and confirm it is current and complete
 - ✓ Your plan will be evaluated with the fire department, so be sure it is the plan you want to use for that evaluation

Where We Go From Here

➤ Fire Departments

- ✓ Review the facility to fire department break out
 - ✓ This document identifies the individual fire stations and the EHS facilities that are within their response area
 - ✓ This document needs to be validated locally, to ensure it correctly identifies which station responds to a certain facility
 - ✓ Based on the state proposal, if accepted, this would establish the EHS Planning Sub-Committee(s)
- ✓ The OSFM PATA personnel are available to work with the fire departments to validate this information
 - ✓ If you did not receive this document, please contact our office for a copy and assistance

Where We Go From Here

- Determine the governing body structure
 - ✓ This would be the “Executive Sub-Committee”
 - Provide LEPC Committee management
 - Provide information coordination
 - Conduit between sub-committees, LEPC and State resources
 - Would maintain federally mandated components
 - ✓ Chair
 - ✓ Information Coordinator
 - ✓ By-Laws maintenance
 - Would also;
 - ✓ Promote/facilitate local communications
 - ✓ Facilitate public outreach activities
 - ✓ Provide representative to the SERC Advisory Board

Where We Go From Here

➤ All Participants

- ✓ Begin reading up on EPCRA to help build an understanding of what your role is
- ✓ Review the OSFM / LEPC Web site to see the tools and services available and what other LEPCs in the state are doing
- ✓ The State Fire Marshal Web Site
 - <http://www.oregon.gov/OSP/SFM/>
- ✓ The State LEPC Web Site
 - http://www.oregon.gov/OSP/SFM/Local_Emergency_Planning_Committees.shtml

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“Creating opportunities for improvement in preparedness and response”