



# **Local Emergency Planning Committees**

Mary Ann Christian, Presenting



# A What??

A Local Emergency Planning Committee (LEPC) is a local community group that pre-plans for hazardous material spills and releases. They focus on the EPA determined worst chemicals found on the “List of Lists”.

# BHOPAL, INDIA 1984

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- 27 tons of methyl isocyanate (MIC) gas released
- Over 500,000 people were exposed
  - 3800 Dead
  - 11, 000 with disabilities
  - 40 permanent total disabilities
  - 2800 permanent partial disabilities



# Institute, West Virginia 1985

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- Aldicarb Oxime is released from another Union Carbide facility into a valley area.
- Hundreds of residents went to the hospital complaining of burning eyes and throats.

## Bayer Crop Science, WV 2008

- Runaway chemical reaction leading to pressure valve exploding. Shrapnel went into tank containing MIC.
- The blast killed two workers, injured eight others



# Recent Incidents

- Train derailment, Mosier OR, 2016
- West Texas, April 2013 (15 killed)
- Dust explosion, Silverton OR 2021 (1 killed)





# **LEPCs: A Legal Overview**



# **Emergency Planning and Community Right to Know**

**(EPCRA)**





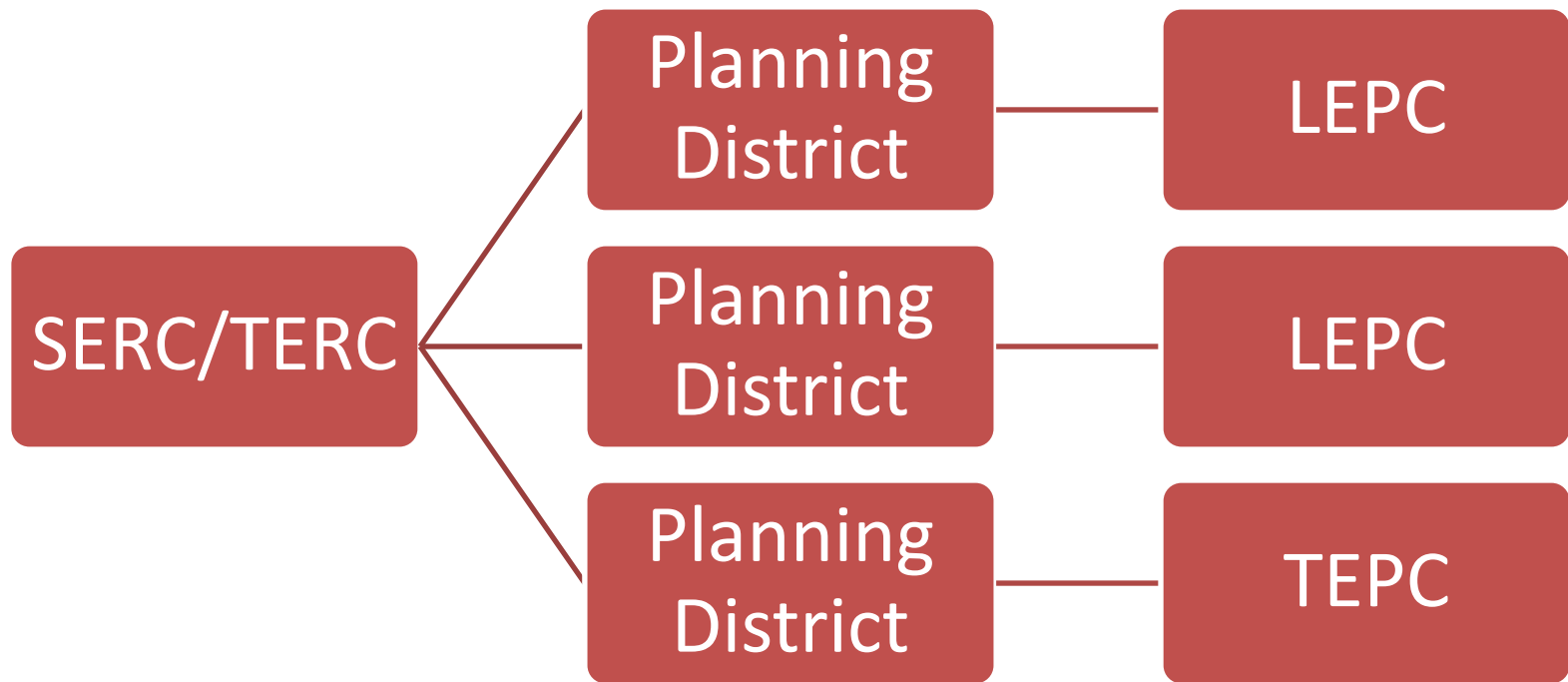
# EPCRA has two main goals:



- ✓ To require emergency planning for chemical releases
- ✓ To provide local government and citizens with information about hazardous substances in their communities

# EPCRA Provisions

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



The State Fire Marshal, Mariana Ruiz-Temple, is the Oregon SERC. She is assisted by the SERC Executive Committee. The membership of this committee is established at OAR 837-095-0030 and represents a variety of agencies and interests. This committee provides oversight to the LEPCs.

# EPCRA Section 301

## Required participants for an LEPC

- ✓ Emergency Responders (police, fire, ambulance)
- ✓ Hospital/Emergency Medical/Health Dept.
- ✓ Civil Defense (National Guard, Coast Guard, etc. )
- ✓ Regulated Industry
- ✓ Elected Officials
- ✓ Public Works (esp. water)
- ✓ Media
- ✓ Environmental Personnel
- ✓ Transportation
- ✓ Community Groups



# Desired Participation

- ✓ Emergency Management
- ✓ Academia – K-12 and higher education
- ✓ Environmental Groups
- ✓ Tribes (NOTE: Tribes can set up a separate TEPC for tribal trust land)

# Outreach to Vulnerable Populations

- ✓ Elders
- ✓ Youth
- ✓ Homeless/Unhoused
- ✓ Low Income Individuals
- ✓ Limited English proficiency
- ✓ Outdoor workers
- ✓ Agriculture Workers
- ✓ Refugee Communities
- ✓ Tribal Nations



Artwork by Sergio Maciel and Provoke Culture

- ✓ People Living in Flood or Fire Zone
- ✓ Frontline Workers (emergency staff)
- ✓ People Living with Health Disparities



# General Public

- ✓ Public has the right to know what extremely hazardous and radioactive substances are in the community.
- ✓ Applies ONLY to EHS's, with some exceptions:
  - Trade secrets
  - Substance only, not the amount or location
- ✓ States required to develop a plan by which information can be obtained

# EPCRA Section 302

- ✓ EPA designates over 300 chemicals as Extremely Hazardous Substances (EHS)
- ✓ Sets a Threshold Planning Quantity (TPQ) for each substance
- ✓ Sets requirements for facilities possessing a TPQ of EHS
  - ✓ Notify SERC / LEPC
  - ✓ Participate with LEPC/TEPC in the planning process



# EPCRA Section 303

- ✓ Development of community emergency response plan
- ✓ Focused on facilities with EHS
- ✓ Encompassing nine planning elements



West, TX (2013)

# **EPCRA Section 303**

## **The Nine-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. Identify a facility emergency coordinator and a community emergency coordinator
4. Outline emergency notification procedures

# **EPCRA Section 303**

5. Methods for determining the occurrence of a release, and the area likely to 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

If there is a release of a listed chemical, at a reportable quantity, regulated industry must:

## Immediately

- ✓ Notify the SERC/TERC, LEPC/TEPC (OERS)
- ✓ Notify the National Response Center

## Within 30 days:

- ✓ File a detailed follow up report



# **Oregon Community Right to Know**



# Oregon Community Right to Know

The Oregon Community Right to Know and Protection Act (ORS 453.307-414) requires Oregon employers to report hazardous substances, their locations, specific amounts, and the associated hazards to OSFM. CR2K has reporting thresholds **lower than EPCRA**.



CHS Manager

# Regulation in Oregon

Regulated industry in Oregon is required to comply with EPCRA. Oregon Community Right to Know is more stringent, so EPA defers to Oregon Community Right to Know.

Put another way, Oregon's law requires that the presence of lower levels of substances be reported to OSFM. All EPCRA regulated facilities complying with Oregon Community Right to Know, are also complying with EPCRA regulations.

## EPCRA

- Federal law
- Sets Reportable Threshold Planning Quantities (TPQ) for 300+ chemicals
- Requires regulated industry to report all chemicals that meet the TPQ to EPA
- Requires that if there is a release event, specific information must be reported to the SERC and the LEPC
- Requires that LEPCs create emergency response plans and practice the plans
  - Response plans encompass the entire planning district

## OREGON COMMUNITY RIGHT TO KNOW

- State law
- Covers all substances required to have a SDS per OSHA
- Sets upper and lower reporting levels per ORS and OAR
  - Upper Reporting Levels - 500 pounds, gallons or cubic feet
  - Lower Reporting Levels - 5 gallons, 10 pounds or 20 cubic feet for all highly toxic substances and explosives
- Non-Sealed Radioactive - any amt
- Requires industry to annually report substances for entry into CHS Manager
- CHS Manager information is available to the EPA



# **Additional Laws**

# **America's Water Infrastructure Act of 2018 (AIWA)**

- ✓ Amends EPCRA by **requiring community drinking water systems serving more than 3000 people develop or update risk and resilience plans and emergency plans.** The plans must be reviewed every five years.
- ✓ MUST coordinate with LEPC/TEPC (section 213) so that emergency planning is seamless. LEPC/TEPC membership is optional.
- ✓ Provide mechanism to shut water off or take other measures to protect system in case of hazardous waste event

# **Clean Air Act RMP Rule**

The Risk Management Program (RMP) in Section 112(r) of the 1990 Clean Air requires facilities that use EHS develop and exercise a Risk Management Plan.

These plans must be revised and resubmitted to EPA every five years.

# Open Meeting Laws

- ✓ Public Notice (published agenda)
  - ✓ Public Comment
  - ✓ Record Retention
  - ✓ Remote Option







# **Responsibilities of LEPCs**

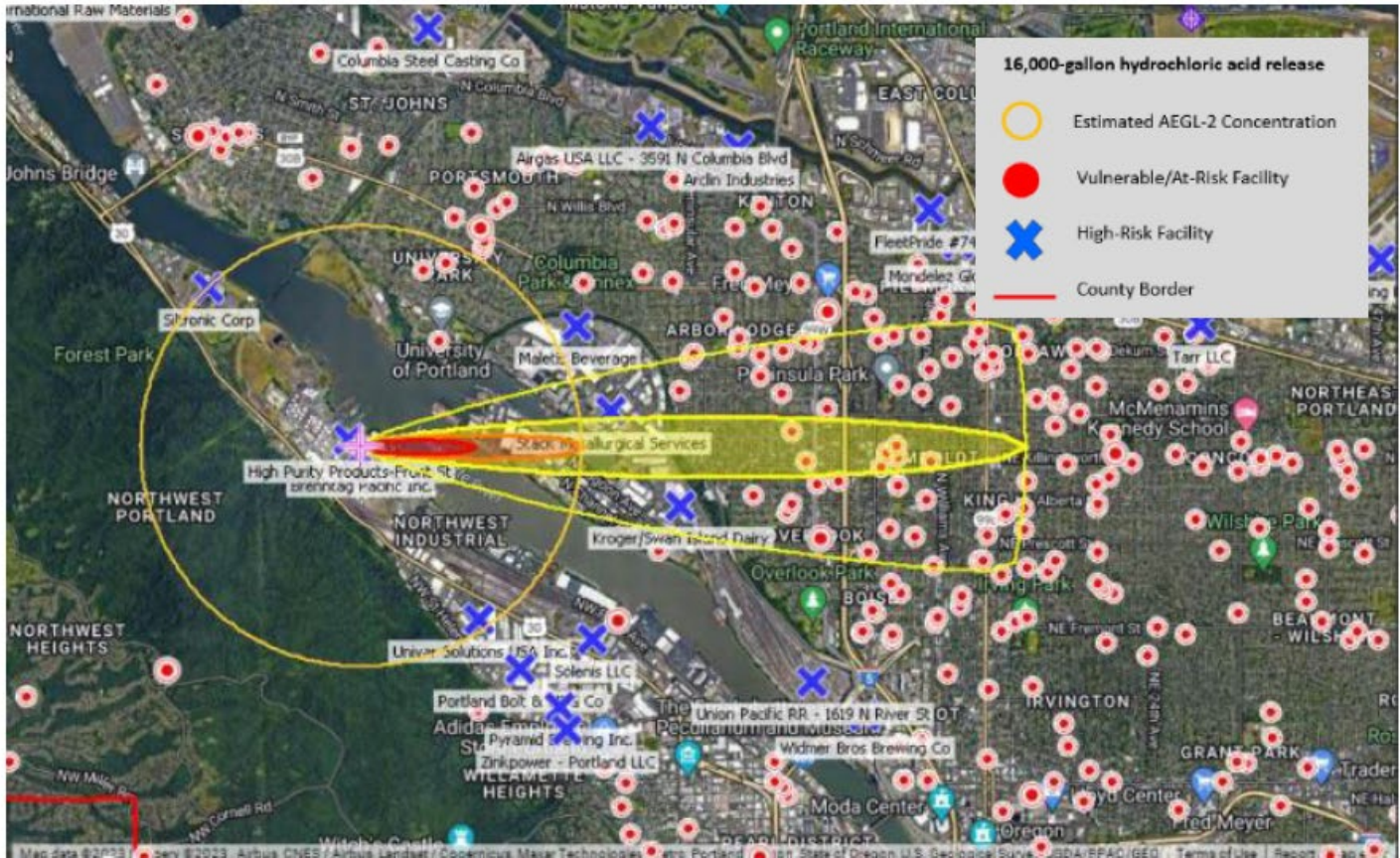
# Ongoing Responsibilities

- ✓Oversee and coordinate the development of a county wide emergency plan using of the Nine Planning Elements
- ✓Exercise / Evaluate the plans
  - ✓Review plans at least annually
- ✓Hold annual public meeting
  - ✓Receive new plans from regulated industry
  - ✓Receive and make public Emergency Release Reports
- ✓Assure that the public is aware of your activities

Figure 5-17: Brenntag Pacific Inc. Facility Profile Sheet

<b>Facility Name:</b> Brenntag Pacific Inc.	<b>Facility Address:</b> 5700 NW Front Avenue Portland, OR 97210	<b>Facility Coordinator:</b> Bob Long (610) 781-7046 <a href="mailto:Bob.long@brenntag.com">Bob.long@brenntag.com</a>	<b>Responding Fire Dept:</b> Portland Fire and Rescue	<b>Vulnerable/At-Risk Facilities</b> <ul style="list-style-type: none"> <li>Astor Elementary School (NNE)</li> <li>Imagination Station Daycare (NNE)</li> <li>University of Portland (NE)</li> </ul>
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**16,000-gallon hydrochloric acid release**

- Estimated AEGL-2 Concentration
- Vulnerable/At-Risk Facility
- High-Risk Facility
- County Border



**Plans/procedures summary:** Plans direct employees to retreat from a HAZMAT incident and notify the Emergency Coordinator. The coordinator will conduct a risk assessment and initiate control and containment measures. Outside notifications are made using the phone numbers contained in Appendix B of the Emergency Preparedness Contingency Plan. Plans address the establishment of an Incident Command System; command will be transferred to local responders upon arrival. HAZMAT shutdown procedures have been developed and take 10 minutes to execute. Storage plans are developed to prevent inadvertent mixing of incompatible products. The evacuation plan directs employees to assemble at the front gate near the office. Plans are reviewed annually and updated as needed.

**Organization summary:** This facility operates one shift, Monday through Friday, 6:30 a.m. to 5 p.m. There is an on-site HAZMAT response team at this location available during normal working hours. The HAZMAT team is trained to conduct both defensive and offensive operations to include the handling of high-risk chemicals with IDLH properties. Arrangements are in place with Cura Emergency Services to provide spill response management for fuel, cargo, and HAZMAT spills. This facility receives HAZMAT shipments every month via rail and weekly by truck. Buildings where HAZMAT is stored are placarded with the NFPA 704 four-colored diamond sign. Responders can access this location after hours with use of the lockbox and key maintained by the fire department. Garrett Deschand, [garrett.deschand@brenntag.com](mailto:garrett.deschand@brenntag.com), (971) 710-5189 and Doug Bunn, [doug.bunn@brenntag.com](mailto:doug.bunn@brenntag.com), (503) 519-5977 are listed as alternate emergency coordinators for this site.

**Equipment/resources summary:** This facility does not have any automated leak detection systems installed. Portable HAZMAT detection equipment is not maintained at this site. Adequately sized secondary containment is in place as well as spill containment resources (e.g., booms and pads). Employees (to include HAZMAT team) wear Tyvek suits, Gortex chemical resistant suits, a variety of gloves, air-purifying respirators (half and full-face styles), and chemical resistant boots. A fire suppression system adequately reaches all areas of the facility when activated.

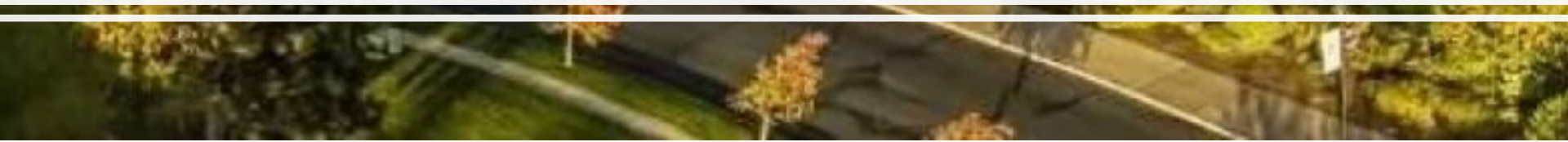
**Training/exercise summary:** All employees receive hazard communication, HAZMAT Awareness, HAZMAT Operations and DOT training.

Plans	Organization	Equipment	Training	Exercises
HAZMAT ERP <input checked="" type="checkbox"/> Emergency Action Plan (EAP) <input checked="" type="checkbox"/> SPCC Plan <input type="checkbox"/> Risk Management Plan <input type="checkbox"/> Hazardous Waste Large Quantity Generator Plan <input checked="" type="checkbox"/> Stormwater Pollution Prevention Plan <input checked="" type="checkbox"/> Evacuation Plan <input checked="" type="checkbox"/>	Onsite HAZMAT Team Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Eyewash stations <input checked="" type="checkbox"/> Water showers <input checked="" type="checkbox"/> Arrangements in place with third party emergency response or spill cleanup contractors Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Facility leak detection systems: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Secondary containment present where bulk liquid HAZMAT is stored: <input checked="" type="checkbox"/> Facility fire suppression system present: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Hazard Communication (HAZCOM) <input checked="" type="checkbox"/> HAZMAT Awareness <input checked="" type="checkbox"/> HAZWOPER <input type="checkbox"/> HAZMAT Transportation (DOT) <input checked="" type="checkbox"/> HAZMAT Operations <input checked="" type="checkbox"/>	Facility HAZMAT release exercises conducted: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>





LEPCs focus on the big picture





# Questions?

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**Thank you!!!**