

2014

Commonwealth
Emergency Response
Commission

Kentucky Emergency
Management



KENTUCKY LEPC'S - IT IS YOUR RIGHT TO KNOW!

Kentucky Local Emergency Planning Committees (LEPC's) forge partnerships with government agencies, emergency responders, and local businesses to help enhance response to any hazard that could threaten a community. LEPC members represent a wide cross section of the community with many areas of interest and expertise. This document provides an overview of the various roles and responsibilities Kentucky LEPC's must fulfill.

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Contents

Landmark Hazardous Material Laws and Regulations5

 Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)5

 Occupational Safety and Health Administration (OSHA)5

 Superfund Amendment and Reauthorization Act (SARA)5

EPCRA & SARA Title III5

CERC.....6

LEPC6

 Planning Districts6

 Role in a Community7

 Membership7

 All-Hazards Planning.....8

 Hazardous Material Release Notification.....9

 Extremely Hazardous Substances (EHS) 10

 Warning Points 10

 CERC..... 11

 LEPC 11

 Kentucky Department for Environmental Protection 11

 Responsibilities 11

 Authorities 12

 Meetings..... 12

 Annual Public Legal Notice 12

 Material Safety Data Sheets (MSDS) 13

 Hazardous Material Inventory Reporting (Tier2) 13

 Reporting Quantities and Thresholds..... 14

Kentucky Tier2 Reporting Fee Schedule..... 15

 Reporting Dates..... 15

 Electronic Payment..... 15

 Fees..... 15

 Facility Definitions 15

 Category One Facility - \$0..... 15

 Category Two Facility - \$40 15

Category Three Facility - \$250..... 15

Category Four Facility - \$250..... 15

Category Five Facility - \$250..... 15

TAB Q-7's 16

Conducting Exercises..... 17

Exercise Types 17

Funding Kentucky's LEPC's 18

 KyERC Fee Account Grant..... 18

 DOT Pipeline and Hazardous Material Safety Administration Grant 19

Important Dates For Kentucky LEPC's 20

 January 20

 March 20

 April 20

 May..... 20

 June..... 20

 July..... 20

 August..... 20

 September 20

 October..... 20

 December 20

Common Acronyms 21

Important Phone Numbers 22

Landmark Hazardous Material Laws and Regulations

In the 1980s, Americans were becoming increasingly aware of the hazardous chemicals in their workplaces and communities. During that decade, several landmark laws and regulations were passed in favor of community and workplace right-to-know movements. Key legislation includes the following:

Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, later known as the Superfund Act. For more information on CERCLA visit:
www.epa.gov/superfund/policy/cercla.htm

Occupational Safety and Health Administration (OSHA) 29 CFR 1910.1200 - Hazard Communication
<https://www.osha.gov/law-regs.html>. This standard went into effect in 1985.

Superfund Amendment and Reauthorization Act (SARA) of 1986. Title III of SARA consists of the Emergency Planning and Community Right to Know Act (EPCRA). For more information, visit:
<http://www.epw.senate.gov/sara.pdf>.

EPCRA & SARA Title III

The Federal Emergency Planning and Community Right to Know Act (EPCRA) was passed by Congress in 1986 and required annual inventory reporting from facilities having amounts above a threshold quantity of hazardous material.

EPCRA was passed following the tragic events of December 1984, when a poisonous gas was released in Bhopal, India killing thousands. In August 1985, the same chemical was released from a plant in Institute, West Virginia and caused the hospitalization of 135 people, prompting Congress to act. EPCRA ensures that Americans are educated about hazardous chemicals in their community and prepared to respond in the event of a chemical release. For more information, visit:
www.epa.gov/oem/content/lawsregs/epcraover.htm

EPCRA was included as Title III of the Superfund Amendments and Reauthorization Act (SARA) and is sometimes referred to as SARA Title III. EPCRA provides for the collection and availability of information regarding the use, storage, production, and release of hazardous chemicals to the public and emergency responders in your communities. The law promotes a working relationship among government at all levels, business and community leaders, environmental and other public interest organizations, and individual citizens to improve hazard communication and emergency planning.

CERC

Kentucky has adopted EPCRA into law through Kentucky Revised Statutes 39 A-F and the regulations found in 106 KAR Chapter 1. EPCRA requires that every State have a State Emergency Response Commission (SERC). In Kentucky, the SERC is known as the Commonwealth Emergency Response Commission (CERC). The Governor appoints all members, a maximum of twenty-five, for a term of two years. Members can be reappointed, and must include representatives from the following:

- Fire Commission
- Department for Environmental Protection
- State Fire Marshal
- Kentucky State Police
- Local Emergency Planning Committees (LEPC's)
- Attorney General's Office
- Local Government
- Local Emergency Management
- Health Services
- Private Industry
- Technical experts in emergency response

The CERC is attached as an administrative body to Kentucky Emergency Management (KYEM). KYEM personnel provide administrative support for the CERC, and the KYEM director serves as the chairperson.

The CERC is required to meet at least twice a year. Meetings are currently held bi-monthly to help provide effective emergency preparedness, response, and recovery advice for all hazards.

LEPC

Planning Districts

The CERC designates Local Emergency Planning Districts and assigns Local Emergency Planning Committees (LEPC's) to them. Kentucky's planning districts are set up along county boundaries. Several planning districts can be joined. In such instances, only one LEPC can represent them. Three of Kentucky's counties have adopted this structure: Boone, Campbell, and Kenton, which comprise the Northern Kentucky Emergency Planning Committee. Kentucky's remaining 117 counties are represented by individual LEPC's.

Role in a Community

Traditionally the role of the LEPC consists of partnering with state and local governments, businesses, and responders to enhance the following with regard to hazardous materials:

- Prevention
- Preparedness
- Response and recovery
- Planning
- Exercising and training

LEPC's give communities access to key information about hazardous substances. Companies are required to submit this information if they exceed designated reporting quantities. LEPC's also work with companies to develop comprehensive emergency response plans.

Membership

LEPC members are from within the community and play a crucial role in local planning and right-to-know programs. Among other things they are familiar with factors that affect public safety, the environment, and the local economy. The following groups must be represented in every LEPC:

- Local and State Elected Officials
- Law Enforcement
- Emergency Management
- Fire Department
- First Aid (EMS)
- Health Personnel
- Local Environmental Agency
- Hospitals
- Transportation Personnel
- Broadcast and Print Media
- Community Groups
- Owners and operators of regulated facilities

LEPC members are appointed to terms of no more than 4 years, but they can be reappointed. Every LEPC must designate a chairperson. Chairpersons serve for a term of 2 years and can be reappointed. For a list of Kentucky's LEPC chairpersons, visit:

<http://kyem.ky.gov/Pages/LEPC.aspx>

All-Hazards Planning

Since EPCRA was passed in 1986 U.S. Communities have faced new concerns, issues and challenges including the following emergencies:

- 1989 Loma Prieta Earthquake California
- 1992 Hurricane Andrew
- 1995 Oklahoma City Bombing
- 2001 World Trade Center Bombing
- 2005 Hurricane Katrina
- 2008 Hurricane Ike
- 2009 Kentucky Ice Storm
- 2009/10 Kentucky Flooding
- 2012 Hurricane Sandy

Faced with the changing dynamics of community preparedness many states and communities across the country are transitioning to an All-Hazards approach for their SERCs and LEPC's. In 2009 Kentucky and the CERC re-organized to facilitate an "All-Hazards" approach to providing emergency preparedness, response and recovery advice across the Commonwealth. LEPC's are encouraged to look beyond hazardous materials and address all hazards that could threaten our communities. LEPC's can provide a great forum for awareness and planning for all types of hazards because their membership represents a wide cross section of the community that would respond in a local emergency. Also, their mission already includes planning, training and conducting exercises.

If your LEPC is not currently organized as an All-Hazards LEPC, ask yourself the following:

- How many of your facilities meet the EPCRA planning and reporting requirements?
- If your LEPC switches to an All-Hazards approach, will you still be able to complete all your EPCRA reporting and planning responsibilities?
- If you are responsible for a limited number of chemical facilities, how will you keep LEPC members interested in meetings?
- What skills and capabilities could your LEPC members contribute to your Community's Emergency Preparedness?
- How can you organize your LEPC to keep the members interested and take advantage of their capabilities and skills?
- What All-Hazards plans should your LEPC consider reviewing?
- Would your LEPC benefit from inviting other community groups to participate?
- How often should your LEPC meet?

As you consider switching your LEPC to an All-Hazards approach, the most important thing is to evaluate how your LEPC can best serve your community. After all, LEPC stands for Local Emergency Planning Committee.

Hazardous Material Release Notification

The Emergency Planning and Community Right to Know Act (EPCRA) expanded the reporting requirements for hazardous substance release as outlined in the Comprehensive Environmental Response Compensation and Liability Act (CERCLA). CERCLA required that the release of certain hazardous substances be reported to the National Response Center if it exceeded a certain quantity. Under EPCRA, the following organizations must also be notified in the event of a release:

State Emergency Response Commission (SERC) known in Kentucky as the Commonwealth Emergency Response Commission (CERC)

Local Emergency Planning Committee (LEPC) representing the community where the release occurred.

ACT	Responsibilities
Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) 1980 (Superfund)	Notify the National Response Center for chemical releases
Emergency Planning and Community Right to Know Act (EPCRA) 1986	<ul style="list-style-type: none"> • Establish CERC and LEPC's • Notify CERC and LEPC's of chemical releases • Submit MSDS or SDS • Submit Annual Hazardous Material Inventory Report (Tier2) • Plan for EHS's (TAB Q-7's)

For more information on the laws and regulations governing the implementation of EPCRA in Kentucky, consult KRS 39E and 106 KAR Chapter 1 at the Kentucky Legislature website: www.lrc.ky.gov/law.htm

The Emergency Planning and Community Right to Know Act (EPCRA) requires facilities using, storing or manufacturing hazardous substances above a designated quantity submit Material Safety Data Sheets (MSDS) for substances with health or physical hazards, report releases of these substances if above a specified reporting quantity (RQ), and also prepare Annual Hazardous Material Inventory Reports (widely known as Tier2). Facilities must provide immediate notification in the event of a release to the State Emergency Response Commission (SERC) and to the Local Emergency Planning Committee (LEPC) representing the community where the release occurred. Material Safety Data Sheets (MSDS) for substances with health or physical hazards and Annual Hazardous Material Inventory (Tier2) reports must also be provided to the SERC, LEPC, and the responding fire department for the facility.

Submission	Recipient
Material Safety Data Sheets (MSDS) or Safety Data Sheets (SDS) for substances with health or physical hazards	<ul style="list-style-type: none"> • CERC • LEPC • Responding fire department for the facility
Immediate notification in the event of a release	<ul style="list-style-type: none"> • CERC • LEPC
Annual Hazardous Material Inventory (Tier2) Report	<ul style="list-style-type: none"> • CERC • LEPC • Responding fire department for the facility

Extremely Hazardous Substances (EHS)

The Emergency Planning and Community Right to Know Act (EPCRA) also requires the development of an Extremely Hazardous Substances (EHS) list. If a substance on the EHS list equals or exceeds the Threshold Planning Quantity (TPQ), the LEPC must prepare a comprehensive emergency response plan for the facility, in Kentucky the EHS Plans required under SARA Title III are called TAB Q-7 Plans. Each facility must designate an emergency response coordinator to participate in the TAB Q-7 planning process.

LEPC's must adopt policies and protocols to review all plans (TAB Q-7's) and reports (Tier2's), and it must make these documents available to the public. However, the specific location of a substance can be kept confidential if the facility requests it.

The Consolidated List of Chemicals, which includes all EHS's subject to EPCRA, CERCLA, and the Clean Air Act (CAA), is commonly known as the List of Lists. It was prepared to help firms handling chemicals determine, for a specific chemical, whether they may be subject to reporting requirements. A Consolidated List of Lists (October 2012 Version) can be found on the Environmental Protection Agency website: <http://www.epa.gov/emergencies/tools.htm#lol>

Warning Points

Kentucky's Local Emergency Planning Committees (LEPC's) are also responsible for receiving, maintaining, and providing to the public, initial notifications of releases, and follow up notifications, for releases of hazardous materials.

If a substance covered under the Emergency Planning and Community Right to Know Act (EPCRA) is released in a reportable quantity, the owner or operator of the facility or owner or operator of the vehicle transporting the substance must notify the local (LEPC) and state (CERC) warning points.

CERC

The Duty Officer at the Commonwealth Emergency Operations Center (800-257-2587) serves as the contact for the Commonwealth Emergency Response Commission.

LEPC

Each LEPC has a designated warning point. This point is usually the 911 call center or public safety answering point (PSAP).

Kentucky Department for Environmental Protection

The Environmental Response Team must be notified of any reportable releases at (502-564-2380).

Releases of certain chemicals regulated by the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) must also be reported to the National Response Center (800-424-8802). Chemical Reporting Quantities (RQ) triggering release notification requirements can be found on the EPA List of Lists:

<http://www.epa.gov/emergencies/tools.htm#lol>

Note: Transporters should contact 911, a PSAP, and the Kentucky Department for Environmental Protection.

Responsibilities

All Kentucky LEPC's are responsible for the following:

- Develop and maintain plans that will prepare emergency responders and the community to respond effectively to releases of hazardous substances; all plans must be made available to the public.
- Annually review all TAB Q-7 plans developed by the LEPC.
- Designate an Emergency Coordinator for their district.
- Establish a twenty-four (24) hour warning point within their planning district to which responsible parties of releases of hazardous substances must report.
- Provide public access to chemical release and Tier II reports as required under the Emergency Planning and Community Right to Know Act (EPCRA).
- Educate the public about the risks involved with chemical releases; whether accidental or routine.
- Conduct community exercises.
- Prepare and submit by-laws to the Kentucky Division of Emergency Management (KYEM).
- Appoint Officers and a Chairperson from among its current members.
- Provide a copy of minutes, rosters, and a published Annual Legal Notice of meetings to KYEM.

Authorities

All Kentucky LEPC's have the authority to:

- Request the Fire Chief to inspect a facility as per EPCRA requirements and report the findings
- After consulting the CERC Chairperson, seek civil remedies as provided in EPCRA Section 326
- Upon consent of CERC Chair, submit information to the County Attorney for prosecution.

Meetings

Kentucky's Local Emergency Planning Committees (LEPC's) may hold meetings as often as they deem necessary. In order to keep the LEPC functioning effectively, regularly scheduled meetings that address local issues and work toward progress on key concerns are important. However, they are only required to meet once a year, twice a year if the LEPC has EHS facilities in its jurisdiction. LEPC rosters and a published Annual Public Notice must be provided to KYEM.

Proceedings are public record and the following actions must be taken for every meeting:

- All meetings must be made open to the public
- Meeting Minutes must be submitted to the Commonwealth Emergency Response Commission (CERC) within 30 days of the meeting
- Minutes must be made available to the public upon request

Annual Public Legal Notice

Kentucky's LEPC's are required to publish an Annual Public Legal Notice in a local newspaper which includes the following:

- Location and times of all meetings
- Where submitted notifications, reports, and plans can be reviewed
- The local 24 hour number for emergency notifications per EPCRA

Circumstances often change, as do phone numbers and contacts. As such, LEPC's are encouraged to meet regularly so they can address local issues and key concerns effectively. Regular meetings also allow members to become familiar with one another and their roles in the community. Some LEPC's hold meetings on the same day each month to facilitate scheduling. Others hold meetings during the lunch hour, and the involved agencies and industry take turns providing lunch. Companies sometimes offer tours of their facilities prior to, or following, meetings.

Material Safety Data Sheets (MSDS)

If hazardous substances are used, manufactured, or stored in quantities exceeding the established reporting limit, facilities must submit MSDS's and or SDS's to their responding fire department and Local Emergency Planning Committees (LEPC's). Unless there are changes regarding the substances, facilities only need to submit individual forms or a list once. MSDS's and/or SDS's are due within 60 days after the changed substance is received or within 30 days of an LEPC request.

Hazardous Material Inventory Reporting (Tier2)

A hazardous material inventory (Tier2) report that includes all hazardous substances that matched or exceeded the reporting limit at the facility during the previous calendar year must be submitted annually between January 1 and March 1. Reports must be submitted to their responding fire department, Local Emergency Planning Committees (LEPC's), and the Commonwealth Emergency Response Commission (CERC).

The CERC is responsible for implementing the provisions of EPCRA. On September 17, 2013 the CERC voted unanimously to pass Policy 004-2013, which states that effective January 1, 2014, all Kentucky facilities that are subject to EPCRA are required to submit Tier2 forms and payments for associated fees electronically. Submissions require using the EPA's Tier2 Submit program which can be downloaded at: <http://www.epa.gov/oem/content/epcra/tier2.htm#tierii> Fees are due at the time of submittal.

Kentucky Emergency Management (KYEM) annually updates the "EPCRA - How to Comply Packet," which includes step-by-step instructions required to be compliant with Kentucky and EPCRA regulations. Prior to the start of the reporting period on January 1st, this and other relevant documents will be available for download on the SARA Title III page of the KYEM website: <http://kyem.ky.gov/programs/Pages/SARATitleIII.aspx>.

Most, but not all LEPCs require electronic submission of Tier2 reports, the complete list of requirements "LEPC Tier2 Inventory Reporting Contact Information" can be found in the SARA Title III Documents Library: <http://kyem.ky.gov/programs/Pages/SARATitleIII.aspx>. Fire Departments in KY still require a hard copy report. No fee is required to submit Tier2 reports to either the LEPC or Local Fire Department.

Kentucky's Local Emergency Planning Committees are required to receive, maintain, and make publically available all Material Safety Data Sheets (MSDS), Safety Data Sheets (SDS), and Tier2 Annual Hazardous Material Inventory Reports from Kentucky facilities that use, manufacture and/or store hazardous substances above established reporting quantities.

Reporting Quantities and Thresholds

Substance	Threshold
Extremely Hazardous Substances (EHS)	500 pounds or the Threshold Planning Quantity (TPQ) whichever is less
Gasoline (all grades combined) stored entirely in a compliant (UST*) at a RETAIL GAS STATION	75,000 gallons
Diesel fuel (all grades combined) stored in a compliant (UST*) at a RETAIL GAS STATION	100,000 gallons
Other Hazardous Chemicals	10,000 pounds
*Underground Storage Tank (UST): Must comply with applicable UST requirements under 40 CFR part 280 or 40 CFR part 281 at all times during the preceding calendar year.	

The following substances are not considered hazardous and are exempt from EPCRA reporting requirements:

- Any food, food additive, color additive, drug, or cosmetic regulated by the Food and Drug Administration (FDA);
- Any substance present as a solid in any manufactured item to the extent exposure to the substance does not occur under normal conditions of use;
- Any substance to the extent it is used for personal, family, or household purposes, or is present in the same form and concentration as a product packaged for distribution and use by the general public;
- Any substance to the extent it is used in a research laboratory or a hospital or other medical facility under the direct supervision of a technically qualified professional; and
- Any substance to the extent it is used in routine agricultural operations or is fertilizer held for sale by a retailer to the final customer.

Kentucky Tier2 Reporting Fee Schedule

Reporting Dates

Tier2 reporting is required each year between January 1 and March 1. Submissions filed after the March 1st deadline will be classified as late and, Per KRS 39E.990, may be assessed a civil penalty and/or fined a minimum of two hundred and fifty dollars. Each day upon which the violation occurs shall be considered a separate violation and a separate civil penalty may be imposed.

Electronic Payment

Beginning January 1, 2014, all Kentucky facilities are required to file tier2 reports and pay all associated fees electronically in accordance with KYEM's annually published "EPCRA - How to Comply Packet". A processing fee will be charged automatically and included with the online payment submission.

Fees

Fees shall be payable in accordance with the schedule listed below except the same owner or owners of two or more facilities in a single county subject to paying a fee shall pay a fee not to exceed \$250 for all those facilities in that county.

Facility Definitions

Category One Facility - \$0

Any facility owned or operated by local, state or federal government. Category One facilities are exempted from paying any fee in accordance with KRS 39E.050. This exemption applies solely to fees and does not exempt any Category One Facility from reporting requirements.

Category Two Facility - \$40

Any facility that has ten thousand (10,000) pounds and not more than four hundred ninety nine thousand, nine hundred ninety nine (499,999) pounds of each of ten (10) or fewer hazardous substances at any time during the calendar year. The combined total of all hazardous substances shall not exceed four hundred ninety nine thousand, nine hundred ninety nine (499,999) pounds.

Category Three Facility - \$250

Any facility that has ten thousand (10,000) pounds or more of each of eleven (11) or more hazardous substances. The combined total of all hazardous substances shall not exceed four hundred ninety nine thousand, nine hundred ninety nine (499,999) pounds.

Category Four Facility - \$250

Any facility that has a total inventory of over four hundred ninety nine thousand, nine hundred ninety-nine (499,999) pounds of hazardous substances. (Poundage must be listed on the form.)

Category Five Facility - \$250

Any facility that has an Extremely Hazardous Substance listed in 40 CFR 355 as amended (EPA's list of Extremely Hazardous Substances) in excess of the threshold planning quantity or 500lbs whichever is less.

TAB Q-7's

As per the Emergency Planning and Community Right to Know Act (EPCRA) if a facility matches or exceeds the Threshold Planning Quantities for and Extremely Hazardous Substance (EHS), they must designate an Emergency Response Coordinator to work with the Local Emergency Planning Committee (LEPC) and develop comprehensive emergency response plans. In Kentucky these plans are known as TAB Q-7 Plans and are incorporated into the County's Emergency Operations Plan.

As per EPCRA and provisions made by the State of Kentucky all TAB Q-7 Plans must contain the following elements:

- Facility Identification (Federal requirement)
- Designation of Facility Emergency Response Coordinator and Alternate
- Identification of all Extremely Hazardous Chemicals (EHS)
- Facility Response Point
- Staging Point
- Transportation Routes
- Special facilities likely to be affected by a release
- Protective Actions
- Emergency Equipment On-Hand
- Training and Exercising for Facility and Community
- Procedures for Spill Containment, Cleanup, and Disposal
- Emergency Notification

Site specific data on the locations of particular chemicals can be removed before it is made available to the public.

LEPC's are required to conduct an annual review of their facilities to determine if existing TAB Q-7 Plans need to be updated and to determine if additional facilities may need TAB Q-7 Plans.

LEPC's must include the information collected in their review with the Annual Certification Letter, and they must submit it to the Commonwealth Emergency Response Commission (CERC).

For more information on Kentucky's TAB Q-7 Plans, visit <http://kyem.ky.gov/programs/Pages/SARATitleIII.aspx>

Conducting Exercises

The worst time to check if the established response plans actually work is during an emergency. As such, Local Emergency Planning Committees (LEPC's) and their facilities must conduct exercises to test and validate their plans.

The training and experience of all LEPC representatives and of others in the community with technical expertise in emergency response should be used when planning an exercise.

Participants may include, but are not limited to, the following groups:

- County Emergency Medical Services (EMS)
- County Hospitals
- City and County Police Departments
- County Judge Executives
- KY State Police
- County Rescue Squad
- County Emergency Management
- County School Board
- Boy Scouts
- Local Amateur Radio
- Red Cross
- Industry personnel

Exercise Types

There are three types of exercises.

- Tabletop: participants develop a scenario and discuss the outcomes
- Functional: participants test a particular part of a plan, such as communications
- Full-scale: persons and equipment are actually deployed

Some examples of exercises that Kentucky's LEPC's have undertaken:

- A chlorine release at a Waste Water Treatment Plant, with workers overcome by fumes and transported to hospital
- A Paraquat spill at a farm supply store
- An accident involving a school bus and a chemical truck with decontamination of students and transport of injured to hospital
- Derailment of a pressurized railcar and release of a toxic gas affecting a nearby school and businesses

Funding Kentucky's LEPC's

LEPC's accomplish most of their work with little or no funding. Committee members often donate time and other resources. Local businesses and agencies also contribute their services. Some of the most active funding programs in the country for LEPC's are set up through companies that are members of the LEPC. These companies can provide for funding special projects, equipment, and expertise.

KyERC Fee Account Grant

Kentucky Emergency Management is committed to supporting our LEPC's. It provides funding through the Kentucky Emergency Response Commission Fee Account Grant.

Every year, 50% of the total amount collected from Tier2 fees is redistributed to eligible Local Emergency Planning Committees (LEPC's) in the form of a grant known as the Kentucky Emergency Response Commission (KyERC) Fee Account Grant. Eligibility is established from the calendar year preceding the grant application.

All LEPC's are required to submit the following information annually, by May 1:

- Roster of Members and Cover Letter
- Meeting Minutes
- Annual Public Notice
- Annual Certification Letter
- Inventory List
- By-laws

Banking documentation must also be submitted initially and whenever account changes are made.

Every LEPC that submits the required documentation is eligible to receive a grant. To obtain an application, and a list of allowable expenditures under the grant, visit <http://kyem.ky.gov/Pages/LEPC.aspx> or contact the KyERC Grant Manager:

Boone National Guard Center
C/o KyERC Grant Manager
100 Minuteman Parkway,
Frankfort, KY 40601

Or
connie.g.estill.nfg@mail.mil
502.607.5732

For information about the formula on which the account grant distribution is based, call 502.607.5712 or consult 106 KAR 1:121 at: <http://www.lrc.ky.gov/kar/title106.htm>

DOT Pipeline and Hazardous Material Safety Administration Grant

The United States Department of Transportation (DOT) provides funding for the Hazardous Materials Emergency Preparedness (HMEP) Program. Each state receives funding through the DOT Pipeline and Hazardous Material Safety Administration. The state share of this Federal grant is administered by Kentucky Emergency Management (KYEM).

The DOT Pipeline and Hazardous Material Safety Administration Grant is an 80/20 in kind match. The grant period is based on the Federal fiscal year that runs from October 1 to September 30. All grant activities and all paperwork must be completed and returned to KYEM by July 31.

Funding is available in two broad categories:

- Training
- Planning and Exercising

KYEM works with the Kentucky Community and Technical College System (KCTCS) to provide first responders and LEPC members with Hazardous Materials and Emergency Response Training.

The following classes are regularly offered free of charge:

- Hazardous Material Awareness
- Emergency Response Guide (ERG) Book
- Hazardous Material Operations Level
- Hazardous Material Technician Level

HMEP funds are also used to increase the awareness of LEPC members and community leaders in regard to hazardous materials and their threat to their community. Using HMEP funding, the Warren and Lexington/Fayette County LEPC's have conducted Commodity Flow Studies identifying the transportation of hazardous materials on the major roads in their areas.

Information about the grant and the application process is available at:

<http://kyem.ky.gov/programs/Pages/HazardousMaterials.aspx>

Boone National Guard Center
C/o HAZMAT Program Coordinator
100 Minuteman Parkway,
Frankfort, KY 40601

Or

Contact the KYEM HAZMAT Program Manager at 502.607.5726

Important Dates For Kentucky LEPC's

January Tentatively set at least two meeting dates for the calendar year so the LEPC can conduct business and complete statutory requirements. Submit HMEP and LEPC project proposals for the upcoming budget year.

March Facilities must submit Tier2 Inventory Forms to CERC, LEPC's, and responding FDs before March 1.

April LEPC's submit a letter certifying the current status of all TITLE III PLANS (TAB Q-7) to the Kentucky Emergency Management (KYEM) Regional Response Managers (RRM's). A CERC designee will send LEPC's the "Notice of Availability of Grant Funds" and "Notice of Eligibility Status."

May KYEM RRMs must submit LEPC certification letters to the CERC designee. Eligible LEPC's submit their grant applications on form SARA-303 to KYEM RRMs in accordance with "Guidance for LEPC Grants" no later than May 1. Successful grant proposals and HMEP grant amounts are decided by May 31.

June The CERC approves or rejects any plan revisions or certification. KYEM RRMs review LEPC grant request form SARA-303 for completeness and conformance to statutes and regulations, notes recommendations, and forwards to the Chairman of the CERC or designee by June 1.

July Chairman of CERC or a designee reviews all LEPC grant requests received for completeness and conformance to statutes and regulations, notes recommendations, and forwards to the Grant Review Committee of the CERC no later than July 1.

August The CERC Grant Review Committee reviews every grant application received from the Chairman or designee, and makes recommendation to the CERC before August 15.

September All LEPC projects must be complete and the final paperwork for the previous year's HMEP must be submitted before September 1. LEPC grant monies will be awarded by the CERC no later than September 15.

October LEPC's review preceding calendar year's activities to make sure all statutory requirements for an LEPC have been met. Successful LEPC's are awarded HMEP and LEPC sub-grants for the upcoming year on October 1.

December LEPC's review, update, and submit their cover letter and membership to the CERC. Make sure to include: meeting minutes, a copy of the public notice published in a newspaper through the KYEM Regional Response Manager, and your counties 24-hour phone number.

Common Acronyms

CAA	Clean Air Act
CERCLA	Comprehensive Environmental Response Compensation and Liability Act
CERC	Commonwealth Emergency Response Commission
CFR	Code of Federal Regulations
DOT-HMEP	Department of Transportation – Hazardous Materials Emergency Preparedness
EHS	Extremely Hazardous Substance
EMS	Emergency Medical Service
EPCRA	Emergency Protection and Community Right to Know Act
ERG	Emergency Response Guidebook
FDA	Food and Drug administration
KAR	Kentucky Administrative Regulations
KRS	Kentucky Revised Statutes
KYDEP-ERT	Kentucky Department for Environmental Protection Environmental Response Team
KYEM	Kentucky Emergency Management
KYERC	Kentucky Emergency Response Commission same group as SERC and CERC
LEPC	Local Emergency Planning Committee
LOL	List of Lists
MSDS	Material Safety Data Sheet
OSHA	Occupational Safety and Health Administration
PSAP	Public Safety Answering Point
PHMSA	Pipeline and Hazardous Material Safety Administration
RQ	Reporting Quantity
RRM	KYEM Regional Response Manager
SARA	Superfund Amendment and Reauthorization Act
SERC	State Emergency Response Commission ALSO known as the Commonwealth Emergency Response Commission (CERC)
TPQ	Threshold Planning Quantity
UST	Underground Storage Tank

Important Phone Numbers

Commonwealth Emergency Operations Center (24-hour warning point)	800.255.2587
Commonwealth Emergency Response Commission (CERC) Information	502.607.5712
Kentucky Department for Environmental Protection – Spill Hotline	800.928.2380
National Response Center	800.424.8802
U.S. Environmental Protection Agency (EPA) Hotline	800.424.9346
Chemical Transportation Emergency Center (CHEMTREC)	800.424.9300
KYEM Hazardous Materials Program Coordinator	502.607.5728
KYEM TAB Q-7 Plan Manager	502.607.5727
KYEM LEPC Program Manager	502.607.5712
KYEM LEPC Program Coordinator	502.607.5732

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