

2015

Kentucky Emergency
Response Commission
(KERC)

Kentucky Emergency
Management (KYEM)



LEPCS IN KENTUCKY: SELF-STUDY MANUAL

This manual is designed to provide readers with an understanding of the history, composition and responsibilities of the State Emergency Response Commission (SERC) and Local Emergency Planning Committees (LEPC) and how these organizations are established in Kentucky.

KERC: 710-LEPCSS

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UNIT 1 Overview:

This is the 1st module of the Kentucky Emergency Response Commission (KERC) Local Emergency Planning Committee (LEPC) Courses.

This manual provides an introductory look at Local Emergency Planning Committee (LEPC), the laws and regulations that govern it and the importance of an LEPC providing the community - its citizens and its leaders - with needed information that will better prepare them in the event of a chemical emergency.

Purpose:

This manual is designed to provide readers with an understanding of the history, composition, and responsibilities of the State Emergency Response Commission (SERC) and the Local Emergency Planning Committee (LEPC) and how these organizations are established in Kentucky.

Target Audience:

The manual is designed for current and prospective members of an LEPC, personnel from facilities with hazardous materials, and all citizens with an interest in community awareness and emergency preparedness.

Who can / should be involved with the Local Planning Committee?

Listed in no particular order:

- Representatives of Special Facilities
- Representatives from the local school district
- Facility personnel
- First Responders
- Local Elected Officials and government personnel
- Any private citizens with an interest in Community Awareness and Emergency Preparedness

Can you identify others?

Design:

This manual is comprised of the following lessons:

- Unit 1: Course Overview
- Unit 2: Historical Background
- Unit 3: SARA Title III
- Unit 4: EPCRA in Kentucky
- Unit 5: Funding a LEPC
- Appendix

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Objectives:

After completing this manual you should be able to:

- Provide a historical overview of the developments of State Emergency Response Commission (SERC) and Local Emergency Planning Committee (LEPC)
- Describe the major components of the Emergency Planning and Community Right to Know Act (EPCRA), passed by the US Congress in 1986, and the composition and legal responsibilities of the SERC and LEPC
- Describe how Kentucky has implemented the requirements of EPCRA into our state laws (KRS) and regulations (KAR) and the paperwork required of Kentucky LEPCs
- Discuss the primary funding streams for Kentucky LEPCs

Acronyms:

As you will see, part of learning about LEPCs is becoming familiar with a multitude of acronyms. There is an expanded list in your appendix; some of the more common acronyms are:

- EPCRA - Emergency Planning and Community Right to Know Act
- LEPC - Local Emergency Planning Committee
- LOL - List of Lists
- SARA - Superfund Amendment and Reauthorization Act

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UNIT 2 Historical Background:

This unit will provide a historical overview of the development of State Emergency Response Commission (SERC) and Local Emergency Planning Committee (LEPC).

Unit Objectives:

After completing this unit, you should be able to:

- Identify the name of the act establishing the requirement to have a SERC and LEPCs
- Tell what EPCRA stands for and identify the two main concepts it contains
- Name the catastrophic event that was the impetus for the passage of EPCRA
- Describe how Local Emergency Planning Districts are designated in Kentucky
- Name of the larger piece of legislation which EPCRA is Title III

HAZMAT History – Bhopal, India:

December 2, 1984 - the catalyst that led to EPCRA

Midnight December 2nd, 1984: Highly toxic Methyl Isocyanate gas (MIC is an irritant but the reaction products are deadly) from a Union Carbide pesticide plant in India is released in the unaware and unprepared community of Bhopal, India. The gas causes the immediate death of thousands, and injuries to hundreds of thousands. Birth defects attributed to the release impact multiple generations and the water supply remains contaminated to this day.

The Bhopal accident was the result of an MIC storage tank being contaminated with water. The water was being used in routine line cleaning. Four systems designed to prevent or mitigate the accident either failed or were turned off. The mixture of MIC and water resulted in a reaction that generated heat and pressure causing a relief valve to release approximately 40 tons of this deadly gas. The International Medical Commission on Bhopal estimated that, as of 1994, more than 50,000 people remained partially or totally disabled as a result of this accident and the Death Toll was as high as 20,000.

Bhopal is considered the world's greatest human caused chemical disaster to date.

- The site is still abandoned
- No cleanup has occurred
- Soil & groundwater remain contaminated
- Waste in disposal lagoons

Institute, West Virginia:

Even before Bhopal, Americans were becoming increasingly aware and concerned about the potential dangers posed by hazardous substances in their communities. In 1985, the same chemical released in Bhopal was released from the Union Carbide facility in Institute, West Virginia causing the hospitalization of 135 people. Union Carbide later admitted that it had 28 releases of MIC between 1980 and 1985.

August 11, 1985 the Institute, West Virginia facility leaked Methylene Chloride and Aldicarb Oxime, chemicals used to manufacture the pesticide Temik, into the Kenawa Valley; six workers were injured, and more than a hundred residents were sent to the hospital. Luckily, there were no deaths. Congress decided it was time to act.

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Other fatal accidents in the U.S.:

TEXAS CITY, TEXAS – 4/16/1947

Ship loading Ammonium Nitrate (AN) fertilizer explosion - 3,500 injuries and 576 killed

TEXAS CITY, TEXAS – 3/23/2005

BP Refinery explosion – 15 killed and 180 injured

Bayer CropScience Explosion:

Incident: Bayer CropScience Pesticide Waste Tank Explosion

Location: Institute, WV

Date: Accident Occurred On: 28 August 2008

Use the link below to view an animation of the Bayer CropScience Pesticide Waste Tank Explosion. This is a 3D animation of the sequence of events leading up to the August 2008 explosion at Bayer CropScience in Institute, WV. Two workers were fatally injured when a waste tank containing the pesticide Methomyl violently exploded, damaging a process unit at the chemical plant. The facility replaced an old pressure tank and the unit was restarted prematurely. Managers used a password to work around safety measures and failed to refill tank before start-up. The tank ruptured and 2200 gallons of flammable & toxic materials sprayed, a massive fire erupted, and debris struck steel mesh surrounding an MIC tank. This was an incident that could have “eclipsed” Bhopal, India. Bayer CropScience had 13,700 pounds of MIC in the storage tank next to the tank that exploded, killing 2 and injuring 8 (2 workers & 6 volunteer fireman).

Video duration: 4:00 minutes <http://www.youtube.com/watch?v=lblz3vWegcU&feature=related>

The U.S. Chemical Safety Board (CSB) is an independent federal agency investigating chemical accidents to protect workers, the public, and the environment. Follow the link below to watch a more in-depth CSB video “Fire in the Valley” depicting events leading to the August 28, 2008, catastrophic explosion and fire at the Bayer CropScience facility in Institute, WV.

Video duration: 16:11 minutes <http://www.csb.gov/investigations/detail.aspx?SID=3>

EPCRA / SARA Title III Enacted:

EPCRA was passed in 1986, largely in response to the devastating release of a toxic chemical gas from the pesticide facility in Bhopal, India in December 1984. To reduce the likelihood of such a disaster occurring in the United States, Congress imposed requirements on states and regulated facilities.

EPCRA stands for the Emergency Planning and Community Right to Know Act (EPCRA) and establishes requirements for federal, state, and local governments, and industry regarding emergency planning and reporting on hazardous and toxic chemicals. EPCRA is Title III of the Superfund Amendment and Reauthorization Act (SARA) of 1986. “Superfund” is the name by which the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) is commonly known.

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“Community Right to Know” provisions exist to increase the public’s knowledge and access to information on the chemicals in their community. In passing EPCRA, Congress put in action their belief that it is a community’s “Right to Know” about the chemicals at individual facilities, their uses, and the potential consequences of their release into the environment. Equipped with this knowledge, the public is better prepared in the event that a release occurs.

Purpose of EPCRA:

The name itself, Emergency Planning and Community Right to Know Act, tells us what its two main concerns are:

1. **Emergency Planning**
2. **Community Right to Know**

EPCRA’s primary focus is to **ensure communities are better prepared when the “BAD” thing happens by:**

- Protecting and safeguard the public health and environment
- Increasing the public’s knowledge and access to information on hazardous and toxic chemicals
- Encouraging applicable entities to develop working relationships to improve emergency response to chemical incidents

Significant State Requirements:

EPCRA established requirements for federal, state and local governments, and industry regarding emergency planning and reporting for hazardous and toxic chemicals. EPCRA required:

- Every state have a State Emergency Response Commission (SERC)
- SERCs designate Local Emergency Planning Districts
- Each District have a Local Emergency Planning Committee (LEPC)

Unit 2 Fundamentals Review:

This unit provided a historical overview of the developments of the State Emergency Response Commission (SERC) and Local Emergency Planning Committee (LEPC). You should be able to identify:

- What catastrophic event is considered the main reason for the passage of EPCRA
- What does EPCRA stand for
- What are the main components of EPCRA
- What larger piece of legislation EPCRA is Title III
- What two groups did EPCRA require every State to have

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UNIT 3 SARA Title III:

This Unit will provide a description of the major components of EPCRA passed by the US Congress in 1986. After completing this unit you should be able to identify:

- Which groups and organizations are required to have representatives as members of the Local Emergency Planning Committee
- Which LEPC functions must specifically be identified in LEPC by-laws
- Where to find a complete list of the chemicals subject to EPCRA's planning requirements (EHSs)
- How much time facilities have to notify the LEPC that they are subject to the planning requirements of EPCRA following the first receipt of an EHS
- Who is responsible for creating an EHS facility emergency plan (TAB Q-7) and how often must the plan be reviewed
- How quickly EHS facilities must inform the LEPC of changes relevant to a TAB Q-7
- How quickly facilities must report accidental releases of EHS chemicals
- What information facilities are required to include in an accidental release follow-up notice
- How quickly facilities are required to provide updated MSDSs if new information is discovered concerning an aspect of a hazardous chemical
- What an LEPC is required to do if they receive a public request for an MSDS that they do not have in their possession
- The five categories of substances exempt from EPCRA planning and/or reporting requirements
- The two classes of chemicals bound by EPCRA and their established thresholds
- What the deadline is for filling a Tier2 Report
- Who, upon request, EPCRA requires is allowed to conduct an on-site facility inspection
- What the two requirements there are for a public request for Tier2 information
- Who receives EPCRA Section 313 reports, Toxic Release Inventory (TRI), and where the LEPC can access them
- Who has the authority to allow facilities to withhold the specific identity of a chemical regulated under EPCRA as a trade secret from reports and planning documents
- Which documents LEPCs are required to make available, during normal working hours, to the general public
- What information is required in the local newspaper as part of the LEPCs annual public notice
- What is EPCRA's applicability to transportation

Emergency Planning & Community Right to Know Act (EPCRA):

On October 17, 1986 the U.S. established Public Law (PL) 99-499, The Superfund Amendments and Reauthorization Act (SARA), which was an amendment to Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). It was in response to concerns that US citizens were unaware of the chemical dangers in their communities and unprepared to deal with chemical emergencies. Title III of SARA is also known as the Emergency Planning and Community Right-To-Know Act (EPCRA) or the Community Right-to-Know regulation. The Community Right-to-Know provisions help increase the public's knowledge and access to information on chemicals at individual facilities, their uses, and releases into the environment. States and communities can use the information to improve chemical safety and protect public health and the environment.

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EPCRA is administered by the EPA, and there are four major provisions:

- Emergency planning (Section 301-303)
- Emergency release notification (Section 304)
- Hazardous chemical storage reporting requirements (Section 311-312)
- Toxic chemical release inventory (Section 313)

EPCRA gave the U.S. public the right to:

- Know which toxic substances or chemicals are in their neighborhoods
- Know how bad the toxic substances or chemicals are
- Know how much stuff is there
- Know that there are emergency plans in place to deal with it

EPCRA Section 301:

Section 301 required that each state:

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

The SERC is charged with:

- Appointing Local Emergency Planning Committees (LEPC)
- Supervising and coordinating the activities of LEPCs.

The LEPCs are charged with facilitating the preparation and implementation of emergency plans.

LEPC Membership:

Section 301 establishes the LEPC. It requires the SERC to appoint members of a LEPC for each emergency planning district. LEPCs must include, at a minimum, representatives from each of the following groups or organizations:

- Elected state and local officials
- Law enforcement
- Civil defense
- Firefighting
- First aid
- Health
- Local environmental
- Hospital
- Transportation personnel
- Broadcast and print media
- Community groups
- Owners and operators of facilities subject to EPCRA

LEPC Requirements:

- LEPCs must appoint a chairperson
- The LEPC must establish procedures for receiving and processing requests from the public for information under Section 324, including Tier2 information under Section 312.
 - LEPC procedures must include the designation of an official to serve as coordinator for information.

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LEPC Bylaws:

LEPCs must establish rules, by-laws, by which the LEPC shall function, to include provisions for:

- Public notification of committee activities
- Public meetings to discuss the emergency plan
- Receiving public comments
- Response to such comments by the committee
- Distribution of the emergency plan

EPCRA Section 302:

Section 302 established the substances that are covered under EPCRA planning requirements. It required the publication of a list of extremely hazardous substances (EHS); a substance is subject to the EPCRA planning requirements if it is on this list. The list was formally established in **40 CFR Part 355 Appendix A and B**. A complete list of EHS substances can be found in the EPA's "list of lists". Section 302 also required that regulation be published establishing a threshold planning quantity (TPQ) for each EHS.

Section 302 also gives the Governor or SERC the authority to designate additional facilities, for purposes of emergency planning, which shall be subject to EPCRA. Designation must be made after public notice and opportunity for comment. Following designation, the SERC must notify facilities concerned of the planning requirements.

EPCRA / CERCLA / CAA Consolidated List of Lists – March 2015 Version

The List of Lists is a consolidated list of chemicals subject to:

- Emergency Planning and Community Right-to-Know Act (EPCRA)
- Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)
- Section 112(r) of the Clean Air Act (CAA)

It was prepared to help facilities handling chemicals determine, for a specific chemical, whether they may be subject to certain reporting requirements. These lists should be used as a reference tool, not as a definitive source of compliance information. Please refer to the requirements in the appropriate part of the Code of Federal Regulations (CFR).

- Emergency planning notification under EPCRA section 302 (40 CFR Part 355)
- Emergency release notification under EPCRA section 304 (40 CFR Part 355)
- Toxic chemical release reporting under EPCRA section 313 (40 CFR Part 372)
- Hazardous substances release notification under CERCLA sections 102-103 (40 CFR Part 302)
- Accidental release prevention requirements under CAA 112(r) (40 CFR Part 68)

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The List of Lists is available at <http://www2.epa.gov/epcra/epcracerclacaa-ss112r-consolidated-list-lists-march-2015-version> in the following formats:

- Adobe PDF
- Microsoft Excel

There are NO trade names on this list, only specific chemical names. The specific chemical names may appear in the list of active ingredients on the label of a trade-named product/material, or are stated on the SDS.

Facility Requirements:

Section 302 also established that facilities are subject to the 302 planning requirements, except as provided in Section 304, if an EHS is present at the facility in excess of the Threshold Planning Quantity (TPQ). Furthermore, each facility subject to the planning requirements is required to notify the SERC acknowledging that the facility is subject to EPCRA section 302. Subsequently, the facility must notify the SERC and the LEPC within 60 days if a new EHS substance becomes present at the facility in excess of the TPQ.

EPCRA Section 302 is echoed in KRS 39E.120. Facilities which manufacture, use, or store extremely hazardous substances shall advise the SERC, LEPC, and fire department of the name of the substance and its quantity, within sixty (60) days of the date the facility first receives the substance.

302 FACILITY REQUIREMENTS:

- Applicable to any facility that has an EHS present at any time at or above its TPQ
- One-time notification to SERC and LEPC if any EHS is present in an amount \geq TPQ
- Within 60 days after becoming subject to EPCRA or acquiring a new EHS's
 - (Echoed in KRS 39E.120)

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EPCRA Sections 303:

Section 303 established that each LEPC shall complete preparation of an emergency plan (TAB Q-7) for all facilities with an EHS chemical above TPQ and review the plan, at minimum, once a year. Kentucky specific planning requirements are listed within KAR 1.081. EPCRA requires each emergency plan shall include, but is not limited, to each of the following:

- Identification of facilities, identification of routes likely to be used for the transportation of EHSs, and identification of additional facilities contributing or subjected to additional risk due to their proximity to the facility, such as hospitals or natural gas facilities
- Methods and procedures to be followed by facility owners and operators and local emergency and medical personnel to respond to any release of such substances
- Designation of a community emergency coordinator and facility emergency coordinators (FERC), who shall make determinations necessary to implement the plan
- Procedures providing reliable, effective, and timely notification by the FERC and the community emergency coordinator to persons designated in the emergency plan, and to the public, that a release has occurred
- Methods for determining the occurrence of a release, and the area or population likely to be affected by such release
- A description of emergency equipment in the community and at each facility and an ID of the persons responsible for equipment
- Evacuation plans, including provisions for a precautionary evacuation and alternative traffic routes
- Training programs, including schedules for training of local emergency response and medical personnel
- Methods and schedules for exercising the emergency plan

After completion of an emergency plan, the LEPC shall submit a copy of the plan to the SERC for review and recommendations.

Facility Requirements:

Facilities subject to the 302 planning requirements must:

- Within 30 days of becoming subject to the planning requirements of Section 302, notify the LEPC of a facility representative who will participate in the emergency planning process as a FERC
- Promptly inform the LEPCs of any relevant changes occurring at the facility as such changes occur or are expected to occur
- Upon request from the LEPC, promptly provide information necessary for developing and implementing the emergency plan. This is echoed in KRS 39E.220

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EPCRA Section 304:

Section 304, and CERCLA 103: Reporting Spills and Releases - ensure that all levels of government are notified of potential emergencies. Facilities must immediately report accidental releases of quantities greater than corresponding Reportable Quantities (RQs) to state and local officials. While there are less than 500 chemicals identified as EHSs, there are thousands of chemicals required to be reported under CERCLA. This greatly increases the likelihood and frequency of the SERC and LEPCs receiving release notifications.

- Facilities must immediately report accidental releases of EHS chemicals and "hazardous substances" in quantities greater than corresponding Reportable Quantities (RQs) defined under CERCLA, amended in 1986 by SARA Title III to the National Response Center (NRC), 1-800-424-8802, and state and local officials
- Facilities are required to provide immediate release notification for EHSs if the release requires a notification under Section 103(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA)
- Facilities are required to provide immediate release notification for EHSs that are not subject to 103(a) CERCLA if the release is not a federally permitted release as defined in Section 101(10) of CERCLA, or is in an amount in excess of the RQ, and occurs in a manner which would require notification under Section 103(a) of CERCLA
- Facilities are required to provide immediate release notification for non-EHSs if the substance is subject to 103(a) of CERCLA and exceeds the established RQ under Section 102(a) of CERCLA. For those substances without an established RQ under Section 102(a) of CERCLA, a release notification is required when the release exceeds one pound
- Release notification is not required for releases in which exposure is limited to persons solely within the site or sites on which the facility is located
- ❖ Release notification must be given verbally by such means as telephone, radio, or in person. Notification must be given to the community emergency coordinator for the LEPC for any area likely to be affected by the release and to the SERC of any State likely to be affected by the release. With respect to transportation, the notice requirements shall be satisfied by dialing 911
- The exemption provided in EPCRA Section 327 (relating to transportation) does not apply to this section

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Notifications Content: Initial and Follow-up:

Initial release notifications, to the extent known at the time of the notice and so long as no delay in an emergency response occurs, must include:

- The chemical name or identity of any substance involved in the release
- An indication of whether the substance is an EHS
- An estimate of the quantity of any such substance that was released into the environment
- The time and duration of the release
- The medium or media (air, soil, water) into which the release occurred
- Any known or anticipated acute or chronic health risks associated with the emergency and, where appropriate, advice regarding medical attention necessary for exposed individuals
- Proper precautions to take as a result of the release, including evacuation (unless such information is readily available to the community emergency coordinator pursuant to the emergency plan)
- The name and telephone number of the person or persons to be contacted for further information

Follow-up notifications must be written and are required as soon as practicable after a release and must include updates to the information provided in the initial notification as well as:

- Actions taken to respond to and contain the release
- Any known or anticipated acute or chronic health risks associated with release
- Where appropriate, advice regarding medical attention necessary for exposed individuals

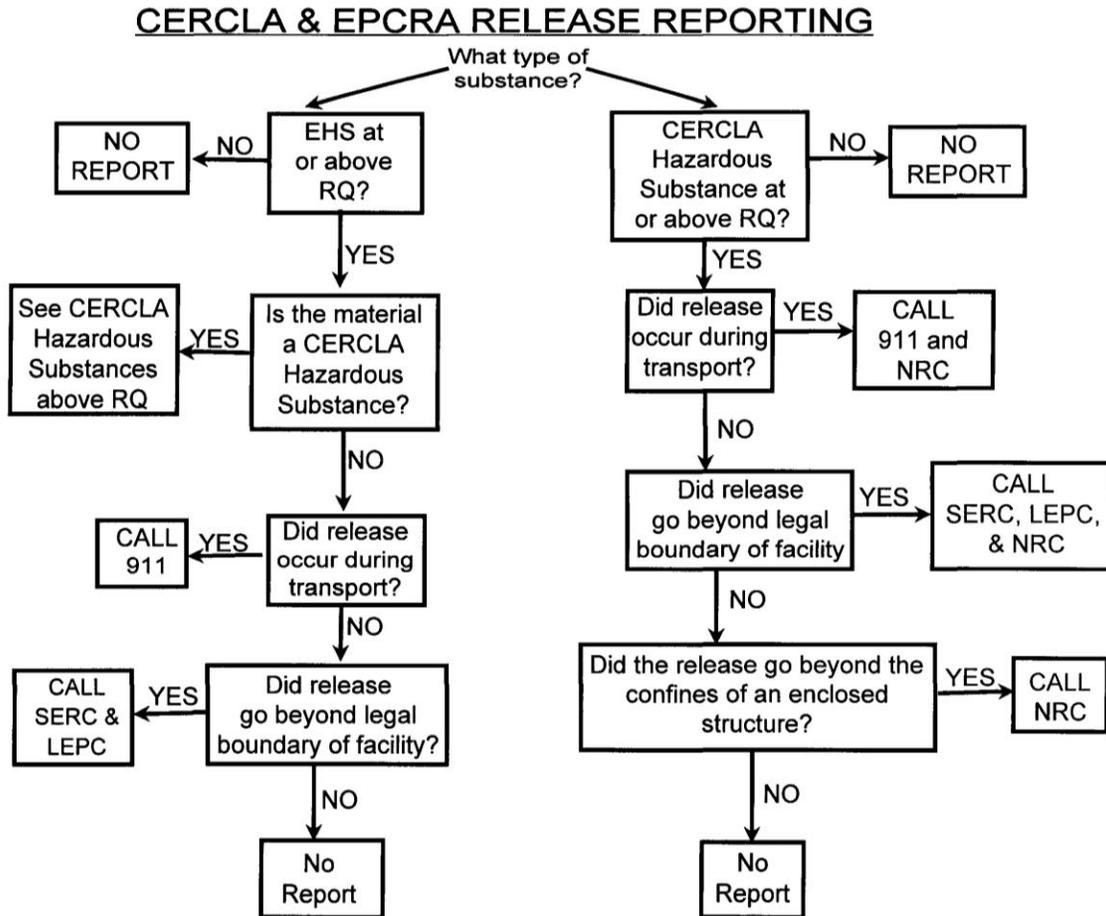
EPCRA Section 304 is echoed in KRS.190. When a release of a substance covered under SARA Title III occurs in a reportable quantity, the owner or operator of the facility where the release occurs, or the owner or operator of the vehicle transporting the hazardous substance, shall notify the local and state warning points within times established by administrative regulation. These regulations shall also specify information to be provided upon initial report and in written follow-up reports.

State 24-hour warning point for HAZMAT Spill Notification:

If you need to report a spill in accordance with SARA Title III Section 304 and KRS 39E.190, please contact the Duty Officer at the Commonwealth Emergency Operations Center at 800.255.2587 which serves as the twenty-four (24) hour warning point and contact for the Kentucky Emergency Response Commission.

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Emergency Notifications, Reporting Decision Tree:



EPCRA Section 311:

This section requires that any facility which is required to prepare or have available a MSDS for a hazardous chemical under the Occupational Safety and Health Act of 1970 must submit a MSDS for each chemical, or a list of chemicals to each of the following:

- ❖ The appropriate LEPC
- The SERC
- The fire department with jurisdiction over the facility

If the facility submits a list of chemicals it must include each of the following:

- A list of the hazardous chemicals grouped in categories of health and physical hazards as set forth under the OSHA Act
- The chemical name or the common name of each such chemical as provided on the MSDS
- Any hazardous component of each such chemical as provided on the MSDS

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Facilities may meet the requirements of Section 311 with respect to a hazardous chemical, which is a mixture by doing one of the following:

- 1) Submitting a MSDS for, or identifying on a list, each element or compound in the mixture which is a hazardous chemical. If more than one mixture has the same element or compound, only one MSDS, or one listing, of the element or compound is necessary.
- 2) Submitting a MSDS for, or identifying on a list, the mixture itself.

The initial MSDS or list required under this section, with respect to a hazardous chemical, shall be provided within three (3) months after becoming subject to EPCRA or within three (3) months following discovery of significant new information concerning an aspect of a hazardous chemical for which a MSDS was previously submitted to the LEPC.

Availability of MSDS:

- If a facility submits a list of chemicals upon request by the LEPC, the facility shall submit the MSDS for any chemical on the list to the LEPC.
- An LEPC, upon request by any person, shall make available an MSDS. If the LEPC does not have the requested MSDS, the LEPC shall request the MSDS from the facility and then make the MSDS available to the person.

Exceptions:

EPCRA Section 311 exempts several categories from the definition of "hazardous chemical" and are, therefore, exempt from EPCRA planning and/or reporting requirements. "Hazardous Chemical" is defined by section 1910.1200(c) of title 29 of the Code of Federal Regulations. 40 CFR 370, the current version of EPCRA regulation, states:

What Substances are Exempt from Reporting?

You do not have to report substances for which you are not required to have an MSDS under the OSHA regulations, or that are excluded from the definition of hazardous chemical under EPCRA section 311(e). Each of the following substances are excluded under EPCRA section 311(e):

(a) Any food, food additive, color additive, drug, or cosmetic regulated by the Food and Drug Administration (FDA).

(b) 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.

(c) Any substance to the extent it is used:

(1) 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. Present in the same form and concentration as a product packaged for distribution and use by the general public means a substance packaged in a similar manner and present in the same concentration as the substance when packaged for use by the general public, whether or not it is intended for distribution to the general public or used for the same purpose as when it is packaged for use by the general public;

(2) In a research laboratory or hospital or other medical facility under the direct supervision of a technically qualified individual; or

(3) In routine agricultural operations or is a fertilizer held for sale by a retailer to the ultimate customer.

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311 / 312 Thresholds:

Section 311 allowed for the establishment of threshold quantities for hazardous chemicals below which no facility shall be subject to the provisions of this section. EPCRA SEC. 312 established that a hazardous chemical subject to the requirements of this section is any hazardous chemical for which an MSDS or a listing was required under Section 311.

Reporting thresholds were established as follows:

- 10,000 pounds for non-EHS
- 500 pounds or the TPQ whichever is less for EHS

*FYI: There are 81 EHS chemicals on the EPA List of Lists that have TPQ less than 500 lbs.

Understanding the Difference between RQ and TPQ:

In unit 3, both Reporting Quantities (RQ) and Threshold Planning Quantities (TPQ) have been referenced. What is the difference and when does each apply under EPCRA?

RQs apply only to the Spill Notification requirements in Section 304. Originally, a large group of chemicals were assigned RQs under CERCLA in 1980. Some, but not all, of the chemicals on the CERCLA list were later identified as EHSs. However, not all EHSs are on the CERCLA list, so after passage of EPCRA the EHSs not on the CERCLA list were assigned an RQ equal to their TPQ.

TPQs are used in EPCRA Sections: 302, 303, 311 and 312. Only those chemicals with a TPQ are subject to the EPCRA section 303 planning provisions. All chemicals having an OSHA MSDS are subject to the MSDS reporting and Hazardous Material Inventory reporting of Sections 311 and 312 if they are manufactured, used or stored in a quantity of 10,000 pounds or more for non-EHS and 500 pounds or the TPQ for EHS, whichever is less.

EPCRA Section 312:

Section 312 requires that any facility, public or private, required to have an MSDS available under the Occupational Safety and Health Act of 1970 shall prepare and submit a hazardous chemical inventory form (Tier2 Report) to the following:

- ❖ The appropriate LEPC
 - The SERC
 - The fire department with jurisdiction over the facility

Tier2 reports must be submitted annually by March 1, and shall contain data with respect to the previous calendar year.

An owner or operator may meet the requirements Tier2 reporting with respect to a hazardous chemical which is a mixture by doing one of the following:

- 1) Providing information on each element or compound in the mixture, or
- 2) Providing information on the mixture itself

Upon request, the facility shall provide specific location information on hazardous chemicals at the facility to the fire department with jurisdiction over the facility and allow the fire department to conduct an on-site inspection of the facility.

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Fuel Tier2 Reporting Exceptions:

The Federal EPA has established the following threshold exceptions for gasoline and diesel fuel in compliant Underground Storage Tanks (UST) at retail stations.

Tier2 Reporting thresholds are:

- **Gas: 75,000 gals ~ 470,250lbs**
- **Diesel: 100,000 gals ~730,000lbs**

All retail gas stations that have at least 10,000 pounds of gasoline or diesel fuel, stored in tanks that are not entirely underground, or are below ground but not in compliance with the UST requirements, must submit a Tier2 report. Similarly, any retail gas station that has more than 75,000 gallons of gasoline or 100,000 gallons of diesel fuel stored entirely underground, regardless of compliance with the UST requirements, must submit a Tier2 report. In other words, retail fuel stations are exempt from Tier2 reporting if they have less than 75,000 gallons of gasoline or 100,000 gallons of diesel fuel stored entirely underground and are in compliance with the UST requirements. To summarize:

Tier2 Reporting Thresholds for gasoline:

- Above ground tank: 10,000 pounds
- Below Ground Tank, not in compliance with the UST requirements: 10,000 pounds
- Below Ground Tank, in compliance with the UST requirements: 75,000 gals or 470,250 lbs

Tier2 Reporting Thresholds for diesel:

- Above ground tank: 10,000 pounds
- Below Ground Tank, not in compliance with the UST requirements: 10,000 pounds
- Below Ground Tank, in compliance with the UST requirements: 100,000 gals or 730,000 lbs

The EPA exemption does not cover Kerosene. Facilities that have more than 10,000 pounds (approximately 1,468 gallons) of kerosene onsite are required to file annual Tier2 reports.

Availability of Tier2 Information:

- **Availability to SERC, LEPCs, and Fire Departments:** Upon request by a SERC, a LEPC, or a jurisdictional fire department, the facility shall provide Tier2 information, regardless of chemical inventory or RQ, to the person making the request. Any such request shall be with respect to a specific facility.
- **Availability to Other State and Local Officials:** A state or local official acting in official capacity may have access to Tier2 information by submitting a request to the SERC or the LEPC. Upon receipt of a request for Tier2 information, the SERC or LEPC shall request from the facility Tier2 information, regardless of chemical inventory or RQ, and make available such information to the official.

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- **Availability to Public:** Any person may request a SERC or LEPC for Tier2 information relating to the preceding calendar year with respect to a facility. Any such request shall be in writing and shall be with respect to a specific facility.
 - **Automatic:** Any Tier2 information which a SERC or LEPC has in its possession shall be made available to a person making a request under this paragraph in accordance with EPCRA Section 324. If the SERC or LEPC does not have the Tier2 information in its possession, upon a request for Tier2 information the SERC or LEPC shall request the facility for Tier2 information with respect to a hazardous chemical which a facility has stored in an amount in excess of 10,000 pounds present at the facility at any time during the preceding calendar year and make such information available to the person making the request.
 - **Discretionary:** In the case of Tier2 information which is not in the possession of a SERC or LEPC and which is with respect to a hazardous chemical which a facility has stored in an amount less than 10,000 pounds, a request from a person must include the general need for the information. The SERC or LEPC may request the facility for the Tier2 information on behalf of the person making the request. Upon receipt of any information requested on behalf of such person, the SERC or LEPC shall make the information available to the person.

A SERC or LEPC shall respond to a request for Tier2 information within 45 days of the request. This is echoed in KRS 39E.230.

Reports to the SERC or LEPC shall be available to the public upon request in accordance with the provisions of KRS relating to open records, if this information is not protected from release to the general public as a trade secret under federal law.

EPCRA Section 313:

Section 313 requires that facilities must complete and submit annually to the United States Environmental Protection Agency (USEPA) and to the state (in Kentucky, the Department for Environmental Protection (KY-DEP)) a Toxic Chemical Release Inventory Form for each toxic chemical in quantities exceeding the threshold quantity. The form must be submitted on or before July 1, annually and shall contain data reflecting releases during the preceding calendar year.

LEPCs do not normally see these reports since they go directly to the USEPA and to KY-DEP, however, LEPCs and the public can access information from these reports from the EPA database available at <http://www.epa.gov/enviro/facts/tri/search.html>.

Toxic chemical release form requirements apply to facilities that have 10 or more full-time employees and are in the Standard Industrial Classification (SIC) Codes 20 through 39 and are in excess of the quantity established during the calendar year for which a release form is required.

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There are more than 600 Toxic Release Inventory (TRI) chemicals subject to reporting requirements. The chemicals are listed in the "Toxic Chemicals Subject to Section 313 of the Emergency Planning and Community Right-To-Know Act of 1986".

The threshold amounts for purposes of reporting toxic chemicals under this section are as follows:

- With respect to a toxic chemical used at a facility, 10,000 pounds of the toxic chemical per year
- With respect to a toxic chemical manufactured or processed at a facility, 25,000 pounds of the toxic chemical per year

These are not the amounts stored on site; rather, these are the amounts of chemicals used during the year and can be found on List of Lists at:

<http://www2.epa.gov/epcra/epcracerclacaa-ss112r-consolidated-list-lists-october-2012-version>

EPCRA Section 321:

Section 321 states that nothing in EPCRA shall preempt any state or local law. Nothing in EPCRA shall affect any State or local law or the authority of any state or local government to adopt or enforce any state or local law. A state or locality may require the submission of information which is supplemental to the information required on the data sheet (including information on the location and quantity of hazardous chemicals present at the facility), through additional sheets attached to the data sheet or such other means as the state or locality considers appropriate, i.e. a state may enact tougher restrictions and requirements, but not lesser.

EPCRA Section 322:

Section 322 allows facilities to withhold from reports and planning the specific identity of a chemical regulated under EPCRA as a trade secret if the facility submits a claim with substantiation to the USEPA and the USEPA upholds that claim.

Facilities may, with regard to a hazardous chemical, an extremely hazardous substance, or a toxic chemical, withhold from such submittal the specific chemical identity (including the chemical name and other specific identification) if the facility includes:

- the generic class or category of the hazardous chemical, extremely hazardous substance, or toxic chemical in place of the chemical identity, and
- an explanation of the reasons why such information is claimed to be a trade secret, including a specific description of why such factors apply

The facility must also show that the requested trade secret information has not been disclosed to any other person, other than a member of a LEPC an officer or employee of the United States or a state or local government, an employee of such person, or a person who is bound by a confidentiality agreement, and such person has taken reasonable measures to protect the confidentiality of such information and intends to continue to take such measures, and

- The information is not required to be disclosed, or otherwise made available, to the public under any other Federal or State law
- The disclosure of the information is likely to cause substantial harm to the competitive position of such person
- The chemical identity is not readily discoverable through reverse engineering

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Nothing in EPCRA Section 322 shall authorize any person to withhold information which is required to be provided to a health professional, a doctor, or a nurse if such knowledge will assist in the diagnosis or treatment of an individual exposed to the chemical - in accordance with Section 323.

In any case in which the identity of a hazardous chemical or an extremely hazardous substance is claimed as a trade secret, the SERC shall identify the adverse health effects associated with the hazardous chemical or extremely hazardous substance and shall assure that such information is provided to any person requesting information about such hazardous chemical or extremely hazardous substance.

EPCRA Section 324:

Section 324 ensures that information collected and plans prepared under EPCRA sections 302-303, 311-312 must be made available to the general public, consistent with Section 322, during normal working hours at the location or locations designated by the SERC, or LEPC. This includes:

- Chemical Emergency Response Plans (TAB Q-7)
- Individual MSDS or SDS
- Hazardous Chemical list
- Tier2 inventory form
- Toxic Chemical Release Forms
- Written Follow-up Emergency Notifications

Upon request by an owner or operator of a facility subject to the requirements of Section 312, the SERC and the LEPC shall withhold from disclosure under this section the location of any specific chemical on a Tier2 inventory form.

Public Notice:

Section 324 requires that each LEPC annually publish a notice in local newspapers that the emergency response plan, material safety data sheets, and inventory forms have been submitted according to EPCRA Section 324. The notice shall state that follow-up emergency notices may subsequently be issued. Such notice shall announce that members of the public who wish to review any such plan, sheet, form, or follow-up notice may do so at the location designated.

EPCRA Section 327:

Section 327 states that, except as provided in Section 304, EPCRA does not apply to the transportation, including the storage incident to such transportation, of any substance or chemical subject to the requirements of EPCRA, including the transportation and distribution of natural gas. Section 304 stipulates that the exemption provided in Section 327 (relating to transportation) does not apply to this section.

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Unit 3 Fundamentals Review: This unit provided a description of the major components of EPCRA passed by the US Congress in 1986; you should be able to identify:

- Which groups and organizations are required to have representatives as members of the Local Emergency Planning Committee (LEPC)
- Which LEPC functions must specifically be identified in LEPC by-laws
- Where to find a complete list of the chemicals subject to EPCRA's planning requirements (EHSs)
- How much time facilities have to notify the LEPC that they are subject to the planning requirements of EPCRA following the first receipt of an EHS
- Who is responsible for creating an EHS facility emergency plan (TAB Q-7) and how often must the plan be reviewed
- How quickly EHS facilities must inform the LEPC of changes relevant to a TAB Q-7
- How quickly facilities must report accidental releases of EHS chemicals
- What information facilities are required to include in an accidental release follow-up notice
- How quickly facilities are required to provide updated MSDSs if new information is discovered concerning a hazardous chemical
- What an LEPC is required to do if they receive a public request for a MSDS that they do not have in their possession
- The five categories of substances exempt from EPCRA planning and/or reporting requirements
- The two classes of chemicals bound by EPCRA and their established thresholds
- What is the deadline for filling a Tier2 report
- Who, upon request, EPCRA requires is allowed to conduct an on-site facility inspection
- What the two requirements are for a public request for Tier2 information
- Who receives EPCRA Section 313 reports, Toxic Release Inventory (TRI), and where the LEPC can access them
- Who has the authority to allow facilities to withhold the specific identity of a chemical regulated under EPCRA as a trade secret from reports and planning documents
- Which documents LEPCs are required to make available, during normal working hours, to the general public
- What information is required in the local newspaper as part of the LEPCs annual public notice
- What is EPCRA's applicability to transportation

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UNIT 4 EPCRA in Kentucky:

This unit provides information on how the Commonwealth of Kentucky has implemented the requirements of EPCRA into our state laws and regulations. After completing this unit you should be able to identify:

- Which laws govern the LEPC
- What duties are assigned to the KERC in relation to the LEPC
- What EHS facility emergency response planning requirements the LEPC are responsible for
- What the state Tier2 reporting requirements are for facilities
- What program facilities must use when filing a Tier2 report
- How planning districts in Kentucky are established, and if they can be reorganized
- What liability protection is afforded to LEPC members
- The yearly LEPC meeting requirements and what meeting documentation is required to be submitted to the KERC
- Which groups and organizations are required to have representatives as members of the LEPC according to KRS
- Who is responsible for developing EHS facility emergency response plans (TAB Q-7)
- Who provides the facility related information needed to complete a TAB Q-7
- How often TAB Q-7 plans must be reviewed
- Where approved TAB Q-7 plans reside
- Who, beside facilities and LEPC members, are required to participate in the planning process for TAB Q-7s
- How TAB Q-7s affect local response agencies in relation to HAZMAT incidents
- What inspection authority the LEPCs have for facilities suspected of being subject to EPCRA

Governing Bodies & Regulations:

The LEPC falls under Title V of the KRS (Department of Military Affairs) and:

- 39E KRS
- 106 KAR
- 401 KAR 31 Haz waste generators
- 401 KAR 32 Haz waste generators
- PL 99-499 (SARA Title III) – EPCRA 1986
- KRS 61.805-850 Open Meetings
- KRS 61.870-884 Open Records

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Kentucky Emergency Response Commission (KERC):

The Kentucky Emergency Response Commission (KERC) was established to:

- Implement all provisions of SARA Title III, Pub. L. No. 99-499, associated federal regulations, and subsequent related legislation and regulations related to hazardous substances
- Develop policies related to the response of state and local governments to releases of hazardous substances
- Develop standards for planning for releases of hazardous substances
- Develop reporting requirements for those who manufacture, use, transport, or store these substances
- Provide information to the public concerning hazardous substances in the community;
- Develop training requirements
- Develop requirements for local governments and covered facilities to exercise plans related to hazardous substance response

KERC Membership:

The KERC shall be composed of not more than twenty-five (25) members, appointed by the Governor, and shall be chaired by the director of the Division of Emergency Management. Other members shall include, but not be limited to:

- The executive director of the Kentucky Fire Commission
- Representatives of KY-DEP
- The state fire marshal
- Kentucky State Police
- Representatives of the Office of the Attorney General
- Affected industry
- Local government
- Health services
- Environmental interests
- Persons who have technical expertise in the emergency response field

The commission shall meet not less than semi-annually, or as convened by the chairman. Currently, the commission meets bi-monthly.

The presence of thirteen (13) members shall constitute a quorum and actions taken at these meetings shall be considered as actions of the full commission.

Members of the commission shall not receive a salary for serving on the commission, but travel and per diem may be paid if funds are appropriated or otherwise made available for these purposes.

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KERC Member Duties:

The KERC shall:

- Appoint LEPCs (KRS 39E.040 outlines the LEPC membership requirements which will be discussed later in this manual)
- Adopt standards and procedures for the operations of LEPCs
- Develop guidance and standards for plans (TAB Q-7) related to hazardous substances
- Approve, disapprove, and, where necessary, make recommendations to improve plans (TAB Q-7) developed by LEPCs
- Develop policies relating to the training of LEPCs and persons subject to respond to releases of hazardous substances
- Develop policies relating to exercising and testing plans developed by LEPCs
- Specify a warning point to which all required emergency notifications shall be made
- Develop a procedure by which facilities may report the Tier2 inventories and by which members of the public may obtain these reports

The KERC shall establish warning and notification standards, which shall include, but not be limited to:

- The establishment of twenty-four (24) hour warning points
- Public warning
- Notification of local emergency response organizations

EHS Plan Requirements:

The KERC annually publishes a TAB Q-7 Plan Development Guidance Manual and offers a specific training course that reviews each required section. Plan requirements are listed in full in EPCRA Section 303 and KAR 1.081. In general:

- LEPCs must have an approved Tab Q-7 for each facility in the county that has an EHS in excess of 500 lbs or the TPQ, whichever is lower
- LEPCs must submit new Tab Q-7 plans to the KYEM AM within sixty (60) days of notification that the facility has an EHS in excess of the TPQ
- LEPCs shall annually review all existing Tab Q-7's and, no later than April 1 each year and send an Annual Certification Letter (ACL) to the KYEM Area Manager (AM) identifying the status of each plan

Kentucky Online Tier2 Reporting:

Kentucky requires all facilities subject to EPCRA to submit Tier2 forms and payments for associated fees electronically. Fees are due at the time of submittal, either by electronic check or credit card payment. Submitters must use the Kentucky's Online Tier2 Submit Website: <https://secure.kentucky.gov/kyem/Tier2submission>

CERC Policy 004-2013:

It shall be Commonwealth Emergency Response Commission (CERC) policy, beginning January 1, 2014, to require that all facilities within the Commonwealth of Kentucky, subject to Emergency Planning and Community Right-To-Know Act (EPCRA) Sections 311-312, file Tier2 reports and pay all associated fees electronically in accordance with KYEM's annually published "EPCRA - How to Comply Packet".

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Those facilities which submit paper documents, either reporting forms or payment, shall have those documents marked "Return to Sender" and classified as non-compliant. Furthermore, if a facility remains non-compliant they shall be subject to the maximum penalty allowable, as stated in KRS 39E.990.

This policy was voted on and approved by the CERC Board of Commissioners at the September 17th, 2013 meeting.

Kentucky Tier2 Forms:

Kentucky's Online Tier2 Submission process requires using the EPA's Tier2 Submit program. The "Tier2 Submit 20xx Software" is free and annually available around Thanksgiving at: <http://www2.epa.gov/epcra-tier-i-and-tier-ii-reporting/Tier2-submit-software>. After downloading the program, facilities complete the required information and upload the file through the KYEM Online Tier2 Submission page.

Tier2 Submit was developed by NOAA and EPA and is now maintained by the Risk Management Plan (RMP) Reporting Center. If you have any problems downloading a copy of Tier2 Submit or for technical support, contact the RMP Reporting Center (RMPC@epacdx.net) or call (703) 227-7650. The RMP Reporting Center is staffed on weekdays from 8 AM to 4:30 PM, Eastern Standard Time.

Kentucky's Planning Districts:

Local emergency planning districts shall be consistent with county boundaries. The commission may authorize two (2) or more districts to combine, upon request of the LEPCs of the affected districts. There shall be only one (1) LEPC within a district.

Kentucky's Local Emergency Planning districts correspond to 118 of Kentucky's 120 counties. The counties of Boone, Campbell, and Kenton have chosen to combine and are part of the Northern Kentucky Emergency Planning Committee.

Kentucky's Local Emergency Planning Committee (LEPC):

LEPCs are created as part of the SERC. LEPC members shall be appointed by the SERC, and shall be considered as agents of the state for all purposes, including purposes of liability protection.

Kentucky's LEPCs are required to meet a minimum of:

- Twice a year if the LEPC has EHS facilities in its jurisdiction
- Once a year if the LEPC does not have EHS facilities in its jurisdiction

As of the 2013 Tier2 Reporting Cycle (calendar year 2014) there were only four counties in Kentucky without an EHS facility: Menifee, Robertson, Rockcastle, & Wolfe.

LEPCs are required to provide a copy of their meeting minutes to the KERC within thirty (30) days of the date of the meeting.

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LEPC Mission & Goals:

The major responsibility of an LEPC is to plan and prepare its community to be ready to respond to a chemical emergency by providing for joint emergency planning, training, and public outreach. As a result, communities working with industry are better able to protect public health and the environment. LEPCs also:

- Effectively administer the core requirements of EPCRA
- Provide the vital link between citizens, government, and industry
- Develop and maintain partnerships with federal, state, and local entities
- Increase hazardous materials awareness and preparedness in the community
- Assist communities with the development of emergency action plans
- Maintain and administer Tier2 information
- Participate in public and private entity drills and exercises
- Serve as a source of accurate and timely information for local hazardous materials and chemical incidents

LEPC Membership:

KRS 39E.040 establishes LEPC membership. LEPCs must include, at a minimum, representatives from each of the following groups:

- Elected Local Officials
- Law Enforcement
- Emergency Management
- Fire Service
- First Aid
- Health Service
- Local Environmental
- Hospital
- Transportation
- Broadcast and Print Media
- Community Groups
- Owners and Operators of Facilities Subject TO EPCRA

LEPC Duties:

Shall include:

- Development of plans (TAB Q-7) to prepare emergency response organizations to respond effectively to releases of hazardous substances
- Identification of a twenty-four (24) hour warning point to which persons responsible for releases of hazardous substances must report those releases
- Establishment of a method by which manufacturers, users, or storers of hazardous substances may report the presence of those substances, and by which members of the public may obtain information about those substances
- Appointment of a LEPC chairman
- Development and maintenance of plans (TAB Q-7)
- Development of procedures for the annual review of emergency plans (TAB Q-7)

In addition:

- LEPCs may establish attendance standards for continued membership and shall advise the commission of any additions or deletions from the membership that are desired
- LEPC meetings shall be subject to provisions of open records

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Planning Participation for Facilities:

EHS facilities must identify, within thirty (30) days the name of a facility representative (FERC) who will work with the LEPC in the development of emergency plans, and that person shall provide information necessary to the development of those plans. This is echoed in KRS 39E.130. Facilities must promptly inform the LEPC of any relevant changes occurring at facility as such changes occur or are expected to occur.

Upon request of the SERC or LEPC, EHS facilities must provide additional information necessary for developing and implementing the emergency plan about each substance to include, but not be limited to, material safety data sheets.

Planning development, approval, and review:

Plans developed under the guidance of the SERC shall be a part of the local EOP. These plans shall emphasize a coordinated response by all local emergency response organizations.

If, in the judgment of the SERC, the local plan is inadequate, or is inconsistent with the Kentucky EOP, the local plan shall be returned to the LEPC and the committee shall revise the plan until approved by the SERC.

LEPCs shall annually review and update, where appropriate, each plan and submit revisions to the SERC.

Planning Participation Other:

Local governments and school districts shall participate in the planning process conducted by the LEPC.

City, county, urban-county governments, and charter county governments, school districts, special purpose district boards, or other municipal corporations or political subdivisions of the state or local government shall participate in the planning process conducted by LEPC.

This participation shall include, at a minimum, providing information concerning government-owned or controlled emergency response assets, reviewing plans developed by the LEPC, and concurring that the final plan can be executed with existing resources.

Planning & Incident Response:

After the SERC approves plans developed by the LEPC, emergency response organizations of each local government shall respond in a manner consistent with those plans.

Administration & Funding Support:

In local governments where the local EMA receives state or federal funds, those agencies shall provide administrative and planning support to the LEPC as specified by the director of the division.

If state or federal funds are appropriated specifically to support emergency response planning, these funds may be allocated to the local EMA and may be expended as specified by the director.

Local Ordinances:

Local governments may enact ordinances specifying standards which owners or operators of facilities shall meet to provide warning of releases to workers and to the public which may be affected by a release.

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Facility Inspection, Prosecution, and Fines:

There are twenty-five (25) laws within KRS 39E that pertain to the KEREC, establishment of LEPCs, state and local committee duties, Title III plan development, and Title III grants.

Specifically it is important to remember:

KRS 39E.110 summary:

- Section (3) LEPCs may request the local chief of the fire department to make on-site inspections, and to report all findings to the KEREC chairman, of any facility which has, or may have, HAZMAT substances
- Section (6) The LEPC may, after consultation with the KEREC chairman, seek civil remedies
- Section (7) The LEPC may, with the advice and consent of the KEREC chairman, submit information to the county attorney for prosecution

KRS 39E.990 summary:

Any person violating any provision of this chapter shall be guilty of a Class A misdemeanor. First conviction fines begin at two hundred and fifty dollars (\$250), some violations start at \$2,500. Each day upon which the offense is continued constitutes a separate offense.

Unit 4 Fundamentals Review:

This unit provided information on how Kentucky has implemented the requirements of EPCRA into our state laws (KRS) and regulations (KAR). You should be able to identify:

- Which laws govern the LEPC
- What duties are assigned the KEREC in relation to the LEPC
- For what EHS facility emergency response planning requirements the LEPC are responsible
- What the state Tier2 reporting requirements are for facilities
- What program facilities must use when filing a Tier2 report
- How planning districts in Kentucky are established, and if they may be reorganized
- What liability protection is afforded LEPC members
- The yearly LEPC meeting requirements and what meeting documentation is required to be submitted to the KEREC
- Which groups and organizations are required to have representatives as members of the LEPC according to KRS
- Who is responsible for developing EHS facility emergency response plans (TAB Q-7)
- Who provides the facility related information needed to complete a TAB Q-7
- How often TAB Q-7 plans must be reviewed
- Where approved TAB Q-7 plans reside
- Who, beside facilities and LEPC members, are required to participate in the planning process for TAB Q-7s
- How TAB Q-7s affect local response agencies in relation to HAZMAT incidents
- What inspection authority the LEPCs have for facilities suspected of being subject to EPCRA

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UNIT 5 Funding a LEPC:

There are two primary grants in Kentucky that are used to fund the LEPC - the KERC Fee Account Grant and the Hazardous Materials Emergency Preparedness Grant. This unit will provide information on available funding streams for Kentucky LEPCs. After completing this unit you should be able to identify:

- What are the two main grants used to fund LEPCs
- What documentation a LEPC must submit to be eligible for the KERC Fee Account Grant
- When ACL and LEPC Membership lists are due the KERC
- How many times each year a LEPC must meet
- What eligible activities the HMEP Grant may be used to fund and what is the in-kind split for the HMEP Grant

KERC Fee Account Grant:

This grant is managed by the KYEM LEPC program coordinator. Full requirements are contained within 106 KAR 1:091. Kentucky Emergency Response Commission fee account grant requirements for LEPCs. For grant guidance and questions contact:

Connie Estill
LEPC Program Coordinator
Kentucky Division of Emergency Management
EOC - Room 210
110 Minuteman Parkway
Frankfort, KY 40601
Office: 502-607-5732
Fax: 502-607-1622
connie.g.estill.nfg@mail.mil

KERC Grant Funding Source:

The Kentucky Emergency Response Commission (KERC) Fee Account Grant is derived from the annual Tier2 reporting fees. 50% of the total money collected from Tier2 fees goes to LEPCs. The amount each LEPC may be eligible to receive is based on the formula contained in 106 KAR Chapter 1:121.

The remaining 50% of the Tier2 fees is:

- Awarded according to 106 KAR 1:101. Kentucky Emergency Response Commission fee account grant requirements for state agencies, and/or
- Utilized by the KERC to cover the expenses of KERC meetings, sponsored trainings, and reimbursement of member's travel expenses

For reporting year 2015 (Calendar year 2014 Tier2 Reports), a total of \$396,247 was collected in fees.

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The KEREC shall make the grant awards no later than September 15. Funds provided by the KEREC must be deposited in a separate LEPC Fee Account and fiscal accountability shall be prescribed by the state auditor of public accounts. All funds shall be subject to audit by the KEREC. The bylaws of each LEPC shall identify the position or person who will be responsible for accountability for the funds and who will be listed as the authorized applicant as shown on DES/SARA-303.

KEREC Grant Documentation Requirements:

To be eligible for financial assistance through the KEREC Fee Account Grant, LEPCs which have at least one EHS, in excess of the TPQ, present in their community must meet all of the following criteria during the preceding calendar year, January 1 through December 31, including all documentation submitted on time to the SARA Title III Program Coordinator.

(A) The LEPC shall meet all requirements set forth in KRS 39E.110.

(B) The LEPC shall have an EHS Facility Emergency Response Plan as set out in the "Emergency Response Planning Guide for EHS Facilities" (KEREC Document #730-PGSS) for each facility in the planning district that has an EHS in excess of the TPQ that has been approved by the KEREC.

(i) The LEPC shall submit a completed EHS Facility Emergency Response Plan Checklist (KEREC Document #303-PC) with all EHS Facility Emergency Response plans submitted for KEREC approval.

(C) The LEPC which have EHS, in excess of the TPQ present in their community shall meet at least twice during each calendar year to conduct its business and a quorum shall be required. LEPCs which do not have an EHS above TPQ shall meet at least once during each calendar year. A copy of the minutes must be provided to the Chairman of the KEREC or designee, within thirty (30) days of the date of the meeting.

(D) No later than January 31st each calendar year the LEPC shall publish public information on committee activities entitled "Public (Legal) Notice Advertisement" (KEREC Document #107-PLN).

(i) No later than February 28th LEPC must provide the Chairman of the KEREC or designee, with a photocopy of the legal notice publish as described clearly showing the name of the newspaper and the date of publication.

(E) No later than April 1 each year, the LEPC shall review EHS Facility Emergency Response plans and send current status of each in an Annual Certification Letter (ACL) (KEREC Document #302-ACL) to the KYEM AM stating that there were no changes and therefore the plan is correct as is; or the plan has been revised and the revisions are included with the ACL.

(F) No later than April 1st the LEPC shall submit Grant Application (KEREC Document #101-GA) to the KYEM AM

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(G) No later than April 1st the LEPC shall provide the Chairman of the KERC or designee, documentation of expenditures, including but not limited to, bank statements, canceled checks, invoices, receipts, and a LEPC Bank Ledger (KERC Document #105-GL) for the preceding year.

(H) No later than June 1st LEPC shall submit a detailed budget (KERC Document #102-DB) to the Chairman of the KERC or designee, identifying how the funds requested on the Grant Application, KERC Form 101-GA, are to be spent.

(I) No later than December 1 each year, the LEPC shall submit an updated membership list and cover page (KERC Document #104-MCP) to the Chairman of the KERC, or designee.

(J) No later than December 1 each year, the bylaws of each LEPC committee must be provided to the Chairman of the KERC, or designee, with certification stating that there were no changes and therefore the bylaws are identical to last year; or the bylaws have been revised and the revisions are included.

(i)The bylaws shall identify the position or person who will be responsible for accountability for the funds and who will be listed as the authorized applicant as shown on the grant application.

(K) No later than December 1st LEPC shall submit a Personal Property Inventory Maintenance: (KERC Document #103-PPI) identifying all property items valued in excess of \$500.00 purchased using KERC Grant funds.

HMEP Grant: The Hazardous Materials Emergency Preparedness (HMEP) is administered through the KYEM HAZMAT Program Coordinator. For full grant guidance and questions contact:

Danita Farrier
HAZMAT Program Coordinator
Kentucky Division of Emergency Management
Suite #113
100 Minuteman Parkway
Frankfort, KY 40601
Office: 502-607-5728
Fax: 502-607-1622
danita.e.farrier.nfg@mail.mil

HMEP Grant Funding Source:

PHMSA's National Goal is to reduce the risk of death or major injury associated with hazmat incidents. Effective response by appropriately trained personnel, operating under an efficient emergency plan and with strong institutional cooperation, can, among other things:

- Effectively isolate and stop a hazardous material release once an accident happens
- Administer appropriate and expedient medical treatment to those injured
- Stop the release of hazardous material
- Prevent a fire or explosion resulting from a hazardous materials release
- Reduce the amount of time in the closure of a major transportation artery
- Avoid unnecessary evacuations

LEPCs in Kentucky: Self-Study Manual

The Hazardous Materials Emergency Preparedness Grant (HMEP) is funded through the Federal Department of Transportation (DOT). The funds are distributed through the Pipeline and Hazardous Materials Safety Administration (PHMSA). The Grant period runs from Oct 1 – September 30 annually. 75% of the Grant Funds are distributed for Training, Planning and Exercises. The remaining 25% are used for administration of the grant. Grant funds are divided into two categories: Training and Planning & Exercise. The grant is an 80/20 in-kind match.

In 2012, the total amount expended to Kentucky LEPCs through the HMEP Grant for Planning, Preparedness, and Pre-Planning was \$74,677. The total amount expended for HAZMAT first responder training was \$198,367.

HMEP Grant Eligibility Requirements:

Timeline for Application:

- The applications are distributed to LEPCs for project proposals on the first workday of January each year.
- March 15th annually is the deadline for project proposals to be submitted to the KYEM HAZMAT Program Coordinator.
- March 31st the successful projects will be selected for inclusion in the application to PHMSA for the federal grant.
- April 14th is the deadline for KYEM to submit the federal grant application to PHMSA for approval.
- September 30th PHMSA will notify KYEM of the grant award.
- September 1 will be the deadline for completion of the sub-grantee projects from the previous grant cycle and submission of paperwork and invoices to KYEM for reimbursement of funds.
- October 1 successful sub-grantees will be notified and they can begin work immediately.
- The sub-grantee has until September 1st the following year to perform their projects and complete the necessary paperwork.

HMEP Planning & Exercise:

The HMEP Grant funds dedicated to Planning & Exercise are expended through the LEPC for planning and exercises to test the community's capability to respond to hazardous materials incidents in their communities. The LEPC can:

- Perform tabletop and/or full scale exercises
- Perform a Commodity Flow Survey (CFS)
- Use the planning funds for development, improvement, and public awareness campaigns for their LEPC

Unit 5 Fundamentals Review: This unit provided information on available funding streams for Kentucky LEPCs; you should be able to identify:

- What are the two main grants used to fund LEPCs
- What documentation an LEPC must submit to be eligible for the KERC Fee Account Grant
- When ACL and LEPC Membership lists are due to the KERC
- How many times each year an LEPC must meet
- What eligible activities the HMEP grant may be used to fund and what is the in-kind split for the HMEP grant

LEPCs in Kentucky: Self-Study Manual

Noteworthy Resources

Kentucky Emergency Management

- <http://kyem.ky.gov/Who%20We%20Are/Pages/KERC.aspx>
- <http://kyem.ky.gov/Who%20We%20Are/Pages/LEPC.aspx>
- <http://kyem.ky.gov/programs/Pages/SARATitleIII.aspx>

The following documents and other relevant items can be found in at least one of the Document Libraries found on the above websites:

- EPCRA: (SARA-TITLE-III)
- KRS 39E
- 106 KAR 1.081 – 1.131
- County Title III Plan Checklist
- TAB Q-7 Plan Development Guidance
- Sara Title III Sample Certification Letter
- List of Lists
- EPCRA How to Comply Packet
- Tier2 Reporting Fee Schedule
- Battery Lead-Acid KERC Policy Documents
- Kentucky LEPC's - It Is Your Right To Know
- Kentucky's TAB Q-7 Plan Development Guidance
- Tier II Retail Gas Station Reporting Rule

Noteworthy Websites:

National Association of SARA Title III Program Officials

<http://www.nasttpo.com/>

EPA - EPCRA information

<http://www2.epa.gov/epcra>

EPA Risk Management Program

<http://www2.epa.gov/rmp>

CAMEO (Computer Aided Management for Emergency Operations)

<http://www2.epa.gov/cameo>

Department of Homeland Security (DHS)

Chemical Facility Anti-Terrorism Standards (CFATS)

<http://www.dhs.gov/chemical-facility-anti-terrorism-standards>

LEPCs in Kentucky: Self-Study Manual

LEPC Forms & Appendices

The KERC adopt the “KERC Document Library” (KERC Document #001-LIB) at their November 18, 2015 meeting as the official document management process where which all approved KERC forms will be published. The KERC Document Library provides the official organizing, naming, and numbering protocol for all current and future forms.

Furthermore, all LEPCs must submit documentation in the current approved form as listed within the KERC Document Library. All documents will be submitted by LEPCs using electronic formats of forms listed within the KERC Document Library which will be made available to LEPCs through download from either the KYEM External SharePoint (or similar public location as designated by the Kentucky Division of Emergency Management), or download from the public KYEM Website on any/all of the KERC and LEPC webpages (KERC, LEPC, SARA Title III).

Specific EHS facility planning documents include:

- 003-CAL: KERC Calendar of Events
- 301-PT: EHS Plan Template
- 302-ACL: Annual Certification Letter
- 303-PC: EHS Plan Checklist
- 505-AC: Active LEPC Checklist
- 507-Acronym KERC Acronym List
- 304-EP: Example EHS Plan
 - Kentucky County Codes

KERC Form Naming Protocol:

- 1-99 Level Forms: Administrative & Promotional Items
- 100 Level Forms: Grant Forms
- 300 Level Forms: Planning Forms
- 500 Level Forms: Optional Forms
- 700 Level Forms: TBD

KERC Form Repository:

ALL forms and manuals are posted on the KYEM Website:

- <http://kyem.ky.gov/Who%20We%20Are/Pages/KERC.aspx>
- <http://kyem.ky.gov/Who%20We%20Are/Pages/LEPC.aspx>
- <http://kyem.ky.gov/programs/Pages/SARATitleIII.aspx>

Forms are also available on the KYEM External SharePoint under KYEM Forms

<http://www.kyemweb.com/kyem/KYEM%20Forms/Forms/AllItems.aspx>

KYEM Web Page: <http://kyem.ky.gov/Pages/default.aspx>

KERC Mailing Address:

Kentucky Emergency Response Commission
c/o LEPC Program Coordinator
EOC, Boone National Guard Center
110 Minuteman Parkway
Frankfort, KY 40601

“Serving Our Commonwealth”



2016

KERC / LEPCC

Calendar of Events





“Serving Our Commonwealth”

Program Notes:

- **Module 1: “LEPCs in Kentucky”**
- **Module 2: LEPC Grant Application**
- **Module 3: Emergency Response Planning Guide for EHS Facilities**
- **Module 4: Tier2 / EHS Plan Validation Exercise**

Purpose (KERC LEPC Calendar):

This document is designed to provide LEPC members with a timeline of the grant requirements found in EPCRA, KRS, and KAR. It will also serve as a valuable toll in planning yearly LEPC meetings and Exercises. Tentative dates for the KERK meeting have been included. All LEPC Chairs are welcome to attend and encouraged to contact the KERK Program Manager to schedule agenda time for presentations regarding current LEPC events, issues, requests, and general updates of activities.

Target Audience (KERC LEPC Calendar):

The target audience for this document is any private citizen with an interest in community awareness and emergency preparedness and current members of an LEPC. Specifically, the Chair, the Vice-Chair, the Treasurer, and persons whose role with the LEPC typically includes the responsibility to complete any/all of the following forms and documents:

Annual Certification Letter
Detailed Budget
Grant Application
Grant Ledger

Membership Cover Page
Personal Property Inventory
Public Legal Notice



~ February 2016 ~



Sun	Mon	Tue	Wed	Thu	Fri	Sat	
	1	2	3	4	5	6	
7	8	9	10	11	12	13	
14	15	16	17	18	19	20	
21	22	23	24	25	26	27	
28	29	<p>1) No later than <u>February 28</u> submit to the KERC a photocopy of the "Public (Legal) Notice Advertisement" published, clearly showing the name and date of the newspaper.</p>					

Submit photocopy of published "Public Notice"



~ March 2016 ~



Sun	Mon	Tue	Wed	Thu	Fri	Sat
Facilities must submit by <u>March 1</u> : 1) Tier2 Reports 2) Facility Annual Certification Letter (FACL)						
		1 Facility Deadline: Tier2 Report and FACL				
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31	Notes - FACL must state: 1) there were no changes to EHS Plan; or 2) EHS Plan has been revised and the revisions are included with the FACL	



~ April 2016 ~



Sun	Mon	Tue	Wed	Thu	Fri	Sat
Notes: No later than April 1st: 1) Review EHS Facility plans and send an ACL to the KYEM AM stating: a. that there were no changes; or b. plan has been revised and the revisions are included with the ACL 2) Submit Grant Application to the KYEM AM 3) Submit documentation of expenditures, including LEPC Bank Ledger						
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

**Submit: ACL
and EHS Plans,
Grant App, &
Expenditures**

~ May 2016 ~



Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31	Notes:			



~ June 2016 ~



Sun	Mon	Tue	Wed	Thu	Fri	Sat
Notes: No later than June 1 submit detailed budget to the KERC or designee, identifying how the funds requested on the Grant Application are to be spent.						
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	Notes:	

**Submit
Detailed
Budget**



~ July 2016 ~



Sun	Mon	Tue	Wed	Thu	Fri	Sat
Notes:						
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31	Notes:					



~ August 2016 ~



Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31	Notes:		



~ September 2016 ~



Sun	Mon	Tue	Wed	Thu	Fri	Sat
Notes: No later than <u>September 15</u> the KERC will make the grant awards.						
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	Notes:



**KERC makes
Grant Award
Payments**

Notes:



~ October 2016 ~



Sun	Mon	Tue	Wed	Thu	Fri	Sat
Notes:						
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31	Notes:				



~ November 2016 ~



Sun	Mon	Tue	Wed	Thu	Fri	Sat
Notes:		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	Notes:		





~ December 2016 ~



Sun	Mon	Tue	Wed	Th	Fri	Sat
No later than December 1 submit to the KERC: 1) Updated membership list and cover page 2) Bylaws, with certification stating: a. There were no changes; or b. They have been revised and the revisions are included 3) Personal Property Inventory for all items valued > \$500.00						
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

1
 Submit: Member list w/ cover page, Bylaws, Property Inventory

Please do not hesitate to contact any of the KYEM Staff if you have any questions:

HAZMAT Program Coordinator

Danita Farrier

Kentucky Emergency Management (KYEM)

Boone Center National Guard

EOC Room 209-P-5

110 Minuteman Parkway

Frankfort, KY 40601

Office: 502-607-5728

Fax: 502-607-1622

danita.e.farrier.nfg@mail.mil

LEPC Program Coordinator

Connie Estill

Kentucky Emergency Management (KYEM)

Boone Center National Guard

EOC Room 210-P-5

110 Minuteman Parkway

Frankfort, KY 40601

Office: 502-607-5732

Fax: 502.607.1008

connie.g.estill.nfg@mail.mil

tier2kyem@gmail.com

LEPC Program Manager

David M Davis

Kentucky Emergency Management (KYEM)

Boone Center National Guard

EOC Room 210-P-6

110 Minuteman Parkway

Frankfort, KY 40601

Office: 502.607.5712

Fax: 502.607.1008

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kentuckyserc@gmail.com

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Active Local Emergency Planning Committee Checklist:



1. Identification of Hazards		
YES	NO	a) Our LEPC has identified facilities with extremely hazardous substances.
YES	NO	b) Our LEPC has identified facilities with hazardous chemicals.
YES	NO	c) Our LEPC has identified major transportation routes for extremely hazardous substances.
YES	NO	d) Our LEPC has identified other facilities contributing to or subjected to risk that are in close proximity to those facilities with extremely hazardous substances or hazardous chemicals.
2. LEPC Plan Development within the County Emergency Operations Plan {ANNEX Q, APPENDIX Q-7}		
YES	NO	a) Our LEPC has included Emergency response information for those facilities identified above in our County Emergency Operations Plan.
YES	NO	b) Our LEPC has included emergency response methods and procedures of first responders into our County Emergency Operations Plan.
YES	NO	c) Our LEPC has included emergency response measures used by medical personnel in our County Emergency Operations Plan.
YES	NO	d) Our LEPC has identified emergency equipment available in the community and at the facilities identified above, as well as the persons responsible for them, and has included this information in our County Emergency Operations Plan.
YES	NO	e) Our LEPC has established plans for shelter-in-place or evacuation. It has established early warning systems and has identified emergency shelters. This information has been included in the County Emergency Operations Plan.
YES	NO	f) Our LEPC has identified emergency coordinators within the community and at facilities having extremely hazardous substances that will be responsible for implementing the County Emergency Operations Plan. This information is included in our County Emergency Operations Plan.
3. Implementing the Local Emergency Plan		
YES	NO	a) Our LEPC has established notification procedures by which facility coordinators, identified in 2f, will notify first responders in the event of an extremely hazardous substance emergency.
YES	NO	b) Our LEPC has established notification procedures by which the public will be notified in the event of an extremely hazardous substance emergency.
YES	NO	c) The County Emergency Operations Plan describes the incident command system to be used in responding to hazardous chemical emergencies.



Active Local Emergency Planning Committee Checklist:

4. Hazard Analysis		
YES	NO	a) Our LEPC has established a process to identify and record releases of extremely hazardous substances.
YES	NO	b) Our LEPC has established a process to determine the level of risk if extremely hazardous substances are involved in an accident.
YES	NO	c) Our LEPC has established a process to determine the areas and populations that will be affected in the event that extremely hazardous substances are released.
5. Emergency Response Exercises		
YES	NO	a) Our LEPC has developed emergency response drills and exercises to evaluate the effectiveness of our County Emergency Operations Plan.
YES	NO	b) Our LEPC has established a schedule to regularly conduct drills and emergency response exercises.
6. LEPC Organizational Maintenance		
YES	NO	a) Our LEPC regularly schedules, announces, and holds meetings. (Twice a year if EHS present in county)
YES	NO	b) Our LEPC annually reviews, and revises if necessary, facility plans. (Tab Q-7's)
YES	NO	c) Our LEPC regularly conducts exercises and tests emergency procedures.
YES	NO	d) Our LEPC has developed procedures for responding to inquiries concerning extremely hazardous substances in the community.
YES	NO	e) Our LEPC regularly submits documentation required to comply with KyERC grant guidelines.
7. Facility Compliance		
YES	NO	a) Our LEPC actively seeks to increase the number of facilities in our community that must annually report extremely hazardous substances or hazardous chemicals. (TAB Q-7's, Tier2's, & MSDS's)
YES	NO	b) Our LEPC regularly contacts each reporting facility to promote better understanding of EPCRA requirements by the facility owner or operator.
YES	NO	c) Our LEPC provides both basic and detailed EPCRA information to new businesses.
8. Public Awareness		
YES	NO	a) Our LEPC develops articles about EPCRA and prints an annual notice for local news releases.
YES	NO	b) Our LEPC provides public service announcements concerning EPCRA to local radio and television stations.



KERC - LEPC Acronym List



ACL	-----	Annual Certification Letter
ACPH	-----	Air Change per Hour
AM	-----	Area Manager
AN	-----	Ammonium Nitrate
ATSDR:	-----	Agency for Toxic Substances and Disease Registry
CAA	-----	Clean Air Act
CAMEO	-----	Computer Aided Management for Emergency Operations
CAS #:	-----	Chemical Abstract Service
CERC	-----	Commonwealth Emergency Response Commission - now called KERC
CERCLA	-----	Comprehensive Environmental Response, Compensation, and Liability Act
CFATS	-----	Chemical Facility Anti-Terrorism Standards
CFR	-----	Code of Federal Regulations
CSB	-----	Chemical Safety Board
DES	-----	Disaster and Emergency Services
DHS	-----	Department of Homeland Security
DOT	-----	Department of Transportation
EEC	-----	Energy and Environment Cabinet
EHS	-----	Extremely Hazardous Substance
EMA	-----	Emergency Management Agency
EMS:	-----	Emergency Medical Service
EOC:	-----	Emergency Operations Center
EOP	-----	Emergency Operations Plan
EPA	-----	Environmental Protection Agency
E&PPC	-----	Environmental & Public Protection Cabinet
EPCRA	-----	Emergency Planning and Community Right-to-Know Act
ERG	-----	Emergency Response Guidebook
ERIL:	-----	Emergency Resource Inventory List
ERT:	-----	Environmental Response Team
FACL	-----	Vfacility Annual Certification Letter
FCC:	-----	Federal Communications Commission
FDA	-----	Food and Drug administration
FEMA:	-----	Federal Emergency Management Agency
FERC	-----	Facility Emergency Response Coordinator
GIS	-----	Geographic Information Systems
GPS	-----	Global Positioning System
HAZMAT	-----	Hazardous Materials
HMEP	-----	Hazardous Materials Emergency Preparedness
HSC:	-----	Highway Safety Commission
KAR	-----	Kentucky Administrative Regulations
KCTCS:	-----	Kentucky Community and Technical College System
KERC	-----	Kentucky Emergency Response Commission
KRS	-----	Kentucky Revised Statutes
KY DEP	-----	Kentucky Department of Environmental Protection
KYEM	-----	Kentucky Emergency Management
LEPC	-----	Local Emergency Planning Committee
Lat/Long	-----	Latitude and Longitude
LOC:	-----	Level of Concern
LoL	-----	List of Lists
MIC	-----	Methyl Isocyanate
MSDS	-----	Material Safety Data Sheets (now known as SDS)



KERC - LEPC Acronym List



NASTTPO	-----	National Association of SARA Title II Program Officers
NFPA	-----	National Fire Protection Association
NIMS:	-----	National Incident Management System
NOAA	-----	National Oceanic and Atmospheric Administration
NRC	-----	National Response Center
NREPC:	-----	Natural Resources and Environmental Protection Cabinet
OSHA	-----	Occupational Safety and Health Administration
PHMSA	-----	Pipeline and Hazardous Materials Safety Administration
RMP:	-----	Risk Management Plan
RP:	-----	Response Point
RQ	-----	Reportable Quantity
SARA	-----	Superfund Amendments and Reauthorization Act
SCBA	-----	Self-Contained Breathing Apparatus
SDS	-----	Safety Data Sheets (formerly MSDS)
SERC	-----	State Emergency Response Commission - Known in KY as KERC
SIC	-----	Standard Industrial Classification
SIP	-----	Shelter-In-Place
TAB Q-7:	-----	Former name for an EHS Facility Emergency Response Plan in KY
Tier2	-----	Tier2 Report
TPQ	-----	Threshold Planning Quantity
TRI	-----	Toxic Release Inventory
UN ID#:	-----	United Nations Identification Number
USC:	-----	United States Code
USCG:	-----	United States Coast Guard
USEPA:	-----	United States Environmental Protection Agency
UST	-----	Underground Storage Tanks
VZ:	-----	Vulnerable Zone

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