

Title III of the Superfund Amendments and
 Reauthorization — EMERGENCY PLANNING AND
 COMMUNITY RIGHT-TO-KNOW
 Emergency Planning and Notification

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TITLE III—EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW
 Emergency Planning and Notification

- SEC. 301. ESTABLISHMENT OF STATE COMMISSIONS, PLANNING DISTRICTS, AND LOCAL COMMITTEES
- SEC. 302. SUBSTANCES AND FACILITIES COVERED AND NOTIFICATION.
- SEC. 303. COMPREHENSIVE EMERGENCY RESPONSE PLANS.
- SEC. 304. EMERGENCY NOTIFICATION
- SEC. 305. EMERGENCY TRAINING AND REVIEW OF EMERGENCY SYSTEMS.
- SEC. 311. MATERIAL SAFETY DATA SHEETS.
- SEC. 312. EMERGENCY AND HAZARDOUS CHEMICAL INVENTORY FORMS.
- SEC. 313. TOXIC CHEMICAL RELEASE FORMS.
- SEC. 324. PUBLIC AVAILABILITY OF PLANS, DATA SHEETS, FORMS, AND FOLLOWUP NOTICES.
- SEC. 325. ENFORCEMENT
- SEC. 326. CIVIL ACTIONS.

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The Emergency Planning and Community Right-to-Know Act of 1986 was authorized by Title III of the Superfund Amendments and Reauthorization Act to help communities plan for chemical emergencies. It requires industry to report on the storage, use, and releases of certain chemicals to federal, state, tribal, territorial, and/or local governments. It also requires these reports to be used to prepare for and protect their communities from potential risks. (updated Dec 2019)

- It mandated that each state have an Emergency Response Commission
- And each state develop Local Emergency Planning Districts/Committees
- And develop a mechanism to collect Hazardous Material information

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MISSION OF THE LEPC

- The mission of the LEPC is to protect and serve all citizens by promoting hazardous materials safety in all segments of the community. This includes providing an advisory, educational and technical resource for the development and implementation of hazardous safety programs, both locally and countywide.
- Appointed by the SERC, the LEPC includes representatives from state and local government, law enforcement, civil defense, firefighting, first aid, health, environmental and transportation agencies, hospitals, broadcast and print media, community groups, and businesses that are subject to EPCRA requirements.
- The LEPC develops an emergency plan, which is reviewed annually, to prepare for and respond to chemical emergencies.
- The LEPC also receives emergency release and chemical inventory information from local facilities and make this information available to the public on request. They also have the authority to request information from facilities for their own planning purposes.
- Every LEPC serves as a focal point for each community for information and discussions about hazardous substances, emergency planning, and health and environmental risks. LEPCs can be effective in taking steps to educate the public about chemical risks and working with businesses to minimize those risks.

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Community Right to Know 302

- EPCRA is given to the State Emergency Response Commission (SERC) for any state likely to be affected by the release and to the community emergency coordinator for the Local Emergency Planning Committee (LEPC) for any area likely to be affected by the release so that state and local authorities have information to help protect the community.

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Emergency Plans

SEC. 303. COMPREHENSIVE EMERGENCY RESPONSE PLANS.

(a) PLAN REQUIRED.—Each local emergency planning committee shall complete preparation of an emergency plan in accordance with this section not later than two years after the date of the enactment of this title.

The committee shall review such plan once a year, or more frequently as changed circumstances in the community or at any facility may require

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Emergency Plans

(b) RESOURCES.

Each local emergency planning committee shall evaluate the need for resources necessary to develop, implement, and exercise the emergency plan, and shall make recommendations with respect to additional resources that may be required and the means for providing such additional resources.

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EXERCISE

- Exercise
- PAM Exercise

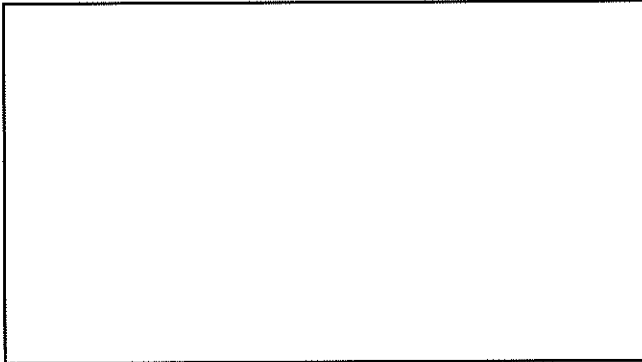
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SEC. 304. EMERGENCY NOTIFICATION

• CERCLA serves to inform the Federal government of a release so that Federal personnel can evaluate the need for a response in accordance with the National Oil and Hazardous Substances Contingency Plan (NCP),1 the Federal government's framework for responding to both oil discharges and hazardous substance releases.

- (1) 302(a) SUBSTANCE WHICH REQUIRES CERCLA NOTICE

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TITLE III—EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW
Emergency Planning and Notification

- SEC. 305. EMERGENCY TRAINING AND REVIEW OF EMERGENCY SYSTEMS
- SEC. 311. MATERIAL SAFETY DATA SHEETS
- SEC. 312. EMERGENCY AND HAZARDOUS CHEMICAL INVENTORY FORMS
- SEC. 313. TOXIC CHEMICAL RELEASE FORMS
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- SEC. 326. CIVIL ACTIONS

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ANNUAL COMPLIANCE/CEPF

- Application
- Checklist

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QUESTIONS?

ACTIVITY: LEPC EMERGENCY PLAN

REGULATORY CITATION	AUDITORS' CHECKLIST	COMMENTS	FINDING NUMBER
42 U.S.C. 11003 (c) (1)	Identification of facilities subject to the requirements of this sub-chapter that are within the emergency planning district, identification of routes likely to be used for the transportation of substances on the list of extremely hazardous substances referred to in section 11002(a) of this title, and identification of additional facilities contributing or subjected to additional risk due to their proximity to facilities subject to the requirements of this sub-chapter, such as hospitals or natural gas facilities.		
42 U.S.C. 11003 (c) (2)	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.		
42 U.S.C. 11003 (c) (3)	Designation of a community emergency coordinator and facility emergency coordinators, who shall make determinations necessary to implement the plan.		

ACTIVITY: LEPC EMERGENCY PLAN

REGULATORY CITATION	AUDITORS' CHECKLIST	COMMENTS	FINDING NUMBER
42 U.S.C. 11003 (c) (4)	Procedures providing reliable, effective, and timely notification by the facility emergency coordinators and the community emergency coordinator to persons designated in the emergency plan, and to the public, that a release has occurred (consistent with the emergency notification requirements of section 11004 of this title).		
42 U.S.C. 11003 (c) (5)	Methods for determining the occurrence of a release, and the area or population likely to be affected by such release.		
42 U.S.C. 11003 (c) (6)	A description of emergency equipment and facilities in the community and at each facility in the community subject to the requirements of this subchapter, and an identification of the persons responsible for such equipment and facilities.		

EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT OF 1986 [EPCRTKA § 11003
 § 11003. COMPREHENSIVE EMERGENCY RESPONSE PLANS [EPCRTKA § 303]
 40 CFR PART 300.215 TITLE III LOCAL EMERGENCY RESPONSE PLANS

ACTIVITY: LEPC EMERGENCY PLAN

REGULATORY CITATION	AUDITORS' CHECKLIST	COMMENTS	FINDING NUMBER
42 U.S.C. 11003 (c) (7)	Evacuation plans, including provisions for a precautionary evacuation and alternative traffic routes.		
42 U.S.C. 11003 (c) (8)	Training programs, including schedules for training of local emergency response and medical personnel.		
42 U.S.C. 11003 (c) (9)	Methods and schedules for exercising the emergency plan.		
42 U.S.C. 11003 (a) Plan Required	Each local emergency planning committee shall complete preparation of an emergency plan in accordance with this section not later than two years after October 17, 1986. The committee shall review such plan once a year, or more frequently as changed circumstances in the community or at any facility may occur.		

