

## Chapter 13. Duties of LEPCs and TEPCs

In addition to fulfilling responsibilities mandated by EPCRA for protecting the community from chemical emergencies discussed in Part I of this document, LEPCs and TEPCs have other duties to ensure proper functioning and maintain a healthy organization.

### 13.1 Adopt Rules of Operation (By-Laws)

Each LEPC and TEPC is required by law (see Chapter 1 of this document) to appoint a chair and establish rules by which the committee shall function, including provisions for public notification of committee activities, holding public meetings to discuss the emergency plan, addressing responses to public comments, distributing the emergency plan and designating an official to serve as coordinator for information.

In establishing rules of operation, each LEPC and TEPC should consider how it will perform its required duties. LEPCs and TEPCs may reach out to their SERC or TERC to assist them in developing rules of operation (by-laws). *See Appendix E for sample LEPC by-laws.*

The by-laws should include the following minimum provisions:

- Public notification of committee activities.
- Public meetings to discuss the emergency plan.
- Distribution of the emergency plan.
- Election of officers for the LEPC or TEPC organization.

Additional information that may be contained in the LEPC or TEPC by-laws includes:

- Changes to procedures for emergency response plan.
- Identification of covered facilities.
- Letter to covered facilities.

### 13.2 All-Hazards Emergency Planning

Your state, tribal or local agencies or other federal agencies may require you to develop an all-hazards plan. If so, LEPCs and TEPCs may fold emergency response plans for chemical emergencies required under EPCRA Section 303 into the county/local planning district's all-hazard plan. To accomplish this task, the LEPC and TEPC should work cooperatively with the political subdivisions in the planning district. The decision for an LEPC and TEPC to plan for all hazards must be made with cooperation and support of the local political subdivisions.

Many procedures for warning, evacuation, communications, etc., may be similar to procedures used for the EPCRA Section 303 plan. Though states, tribal or local agencies may require LEPCs or TEPCs to develop an all-hazards plan, at a minimum, that plan should include all nine elements required under EPCRA Section 303 (*See Chapter 3*).

Chapter 24 discusses compliance requirements for all-hazard planning under FEMA’s National Incident Management System (NIMS). Local governments are eligible for FEMA grants if certain criteria are met. Discussions on NIMS training and grants are provided in Chapter 22.

### 13.3 Make Recommendations to Municipal and State Agencies

LEPCs and TEPCs should—to the extent considered advisable by the committee—make recommendations to political subdivisions, representatives of inter-jurisdictional disaster planning and service areas, and state agencies about the preparation of local, state and inter-jurisdictional plans.

### 13.4 Serve as Advisory Committee to Political Subdivisions

Each LEPC and TEPC should serve as an advisory committee to the political subdivisions within the emergency planning district or the inter-jurisdictional planning and service area with respect to emergency planning, training and response.

### 13.5 Meetings

While LEPCs and TEPCs are required to review the emergency response plan at least annually, the frequency of LEPC or TEPC meetings is not mandated. Regularly scheduled meetings that address diverse issues and work toward progress on key concerns are essential to maintaining a strong LEPC or TEPC.

LEPCs and TEPCs may consider determining their meeting schedule based on the population in their local planning district. *See suggestions in Figure 334 for scheduling meetings based on population size in your community.*

Frequency of LEPC/TEPC Meetings per Year	Population Size
1 meeting	<1,000 or less
2 meetings	1,000–10,000
4 quarterly meetings	10,000–100,000
Monthly/bimonthly	>100,000

**Figure 33. Suggested frequency of LEPC and TEPC meetings.**

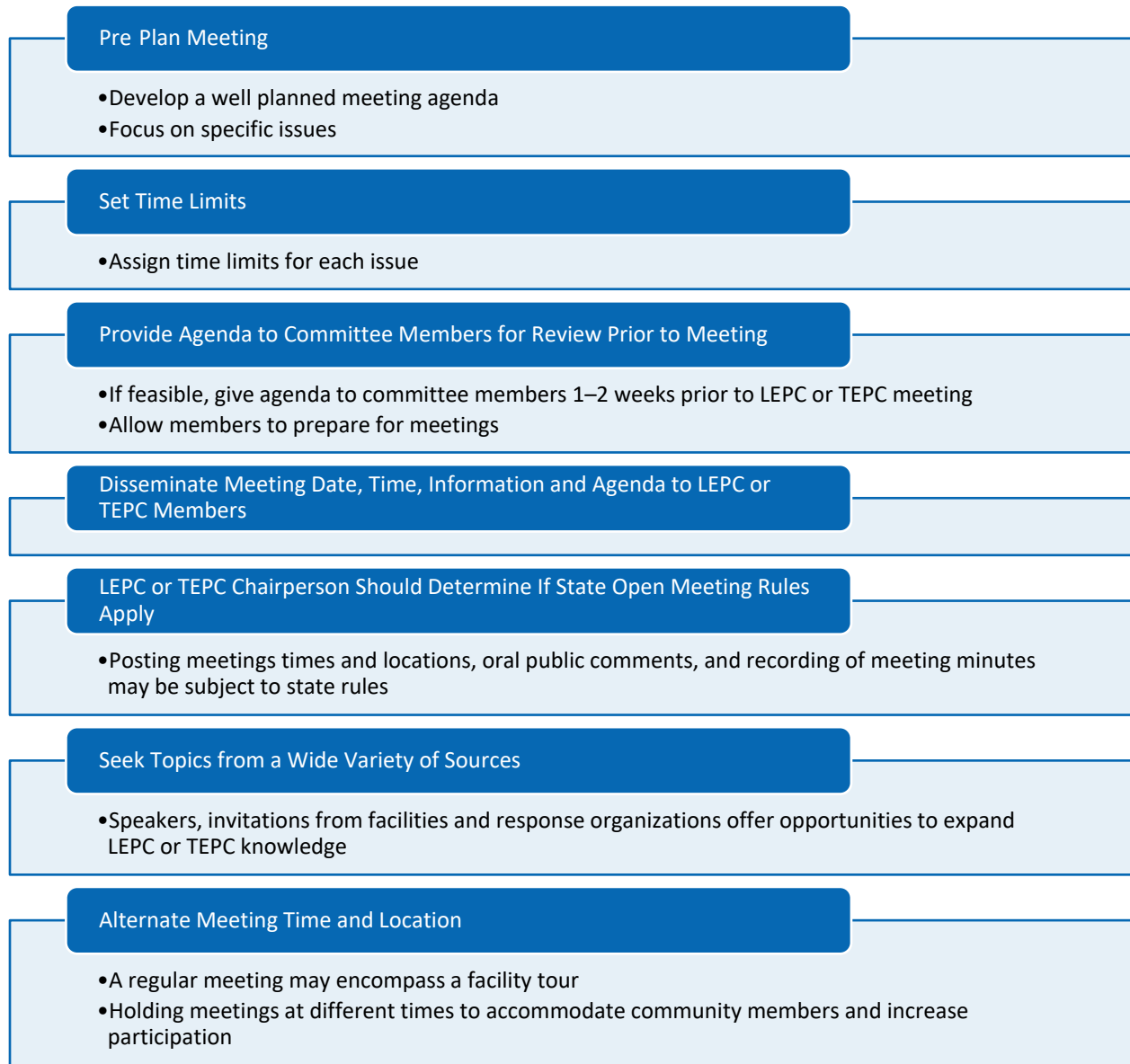
You may also meet more frequently than monthly or quarterly, based on the needs of your community or changes that occur in your community (e.g., new facilities come into existence in your planning district, new EHSs or other hazardous chemicals are present at a facility, etc.).

Regular meetings are essential to:

- Address changes in the community (e.g., a new facility that handles hazardous chemicals began operation).
- Update key phone numbers and contact information of LEPC or TEPC members.

- Ensure that LEPCs or TEPCs are active in their community to review emergency response plans; review hazardous chemical information reported by facilities in the planning district; review and/or update emergency response plans as necessary; etc.

Below, Figure 345 provides some suggestions for pre-planning and conducting an effective and efficient LEPC or TEPC meeting.



**Figure 34. Effective LEPC (or TEPC) meeting strategies.**

### **13.6 Maintenance of Records**

At a minimum, LEPCs and TEPCs should maintain the following:

- Copy of local emergency response plan (all-hazard or hazard-specific).

- MSDSs or SDSs.
- Follow-up chemical spill release reports.
- Records of committee meetings.
- Membership list.
- Tier II reports for covered facilities.

Though not mandated by federal EPCRA law, retention of records by the LEPC and TEPC may be subject to state or tribal record retention rules. The local city or county attorney may advise LEPCs or TEPCs on record retention requirements. States or tribes may have recordkeeping requirements under the state or tribal EPCRA program.

LEPCs and TEPCs should also accomplish the following administrative activities, annually or more frequently, as necessary:

- Review and update local emergency response plan and conduct emergency response plan exercises (e.g., table-top, simulation, etc.). This may also include reviewing Tier II forms submitted by facilities annually, including extremely hazardous substances (EHSs), for which an emergency response plan is required.
- Publish location and hours of operation where information may be reviewed by the public in accordance with EPCRA Sections 301 and 324 (*see Chapter 1&8*). LEPCs and TEPCs may use both broadcast and print media for this or post notices in local libraries or other public gathering places.

Other activities that are not required, but are recommended to be done annually, include:

- Training review: What training was accomplished during the year? What needs to be done next year?
- Outreach review: Were the LEPC or TEPC activities advertised to the community through events and other avenues?
- Financial review: Have all funds that the LEPC or TEPC received through grants, fees, donations, etc., been expended? If not, how can leftover funds be used? What is needed for next year or future years?
- Membership review: Are there changes needed in the membership, such as fewer or more members? Does anyone have a conflict that will prevent them from fulfilling their responsibilities for the coming year? Should new members be nominated?