

Chapter 12. Organizational Structure of LEPCs and TEPCs

EPCRA was created to ensure that people have access to information about hazardous chemicals that are present in their communities. Understanding the potential risks from these chemicals can help communities prepare for accidental releases. LEPCs and TEPCs play a crucial role in protecting their community. Therefore, the law places major responsibilities on these entities. The LEPC and TEPC are also the designated entities the public turns to in the case of a significant chemical accident to answer any questions concerning a response and to address any issues associated with the response. This chapter outlines the organizational structure necessary to ensure LEPCs and TEPCs are set up to meet their responsibilities.



Figure 30. Underlying philosophy of LEPCs and TEPCs.

As stated in Part I of this document, EPCRA created LEPCs and TEPCs to be the repository of chemical hazard information in communities. In creating LEPCs and TEPCs, the statute effectively creates a space for pre-planning—taking into consideration these concepts that require coordination with local expertise, collaboration among LEPC or TEPC members and community stakeholders, continuous assessment, and cohesion to allocate and mobilize resources during an emergency. The more LEPC and TEPC members understand the roles and responsibilities ascribed under EPCRA, the better for the community it serves to protect from potential chemical hazards.

EPCRA only addresses chemical hazards. LEPCs and TEPCs should consult their state or tribal leaders on specific requirements to prepare for all hazards, including chemical hazards and others.

As discussed in Chapter 3 of this document, EPCRA Section 303 requires that LEPCs and TEPCs prepare and protect the community by developing an emergency response plan. LEPCs and TEPCs deal with topics such as identifying in advance the roles of the different response entities during a response; assisting with arranging the appropriate training, equipment, and drills; educating the public; and many other pieces of the emergency planning puzzle.

What does it mean to be an LEPC or TEPC Member?
As an LEPC or TEPC member, you are part of a broad-based collaborative effort to prepare the planning district to respond to emergencies and incidents involving hazardous chemicals as well as any other hazard or emergency in the local area.

12.1 LEPC and TEPC Organization

As stated under Section 301 of EPCRA, at a minimum, the LEPC and TEPC shall include representatives from the following groups or organizations shown in Figure 31. A single member may represent more than one of the listed groups or organizations. Similarly, a group may be represented by more than one member. Ideally, members should be interested in emergency planning and preparedness programs and community right-to-know activities. EPA is aware that in small planning districts, LEPC or TEPC organizations may not be able to have a representative from every organization listed below.

Elected State or Local Officials	Local Emergency and Health Personnel	Broadcast and/or Print and Internet Media	Community and Citizen Groups	Owners and Operators of Covered Facilities
<ul style="list-style-type: none"> • Provide personnel and resources to respond to a chemical release or incident. • May include municipality representatives or county judges. 	<ul style="list-style-type: none"> • Law enforcement, emergency management personnel, firefighters, emergency medical personnel, health officials, local environmental groups, hospital personnel, transportation personnel. 	<ul style="list-style-type: none"> • Responsible for notifying the public of a release. 	<ul style="list-style-type: none"> • Community groups, including but not limited to environmental groups and advocates who can raise issues and effectively represent public concerns about chemical risks and hazards. 	<ul style="list-style-type: none"> • Are necessary to ensure effective response to a chemical release or incident. • Provide expertise on chemical processes and emergency plans on site at the facility.

Figure 31. LEPC and TEPC membership.

Remember, every facility that has an EHS at or above its TPQ has to designate a facility emergency coordinator who will participate in the emergency planning process. Be sure to reach out to facilities in your district to request them to join your organization. They have the technical expertise on the chemicals they handle and how to respond to any incidents.

12.2 Diversity in Membership Is Essential to Successful Pre-Planning

The diversity of stakeholders provides a comprehensive understanding of the chemical hazards in a community and enables response planning to include all relevant local expertise. The diversity in LEPC or TEPC membership also enhances the planning effort by adding to the depth of the LEPC or TEPC effort and increasing the ability to adequately plan for a variety of different types of chemical releases and catastrophic incidents. Members who do not have a background in hazardous chemicals are encouraged to attend an emergency response or hazard awareness course.

To prepare communities for existing and new hazards, LEPC and TEPC members should answer the following questions:

- What are the goals of the LEPC or TEPC this year?
- Do certain topics require much discussion/research?
- Is it necessary to establish subcommittees?
 - If so, are there enough people, expertise and leadership among LEPC or TEPC members to maintain subcommittees?

12.2.1 Maintain Committee Representation

LEPCs and TEPCs should work with each political subdivision in the local emergency planning district to maintain committee representation and membership that satisfies statutory requirements (see EPCRA Section 301(c), discussed in Chapter 1) and maximizes the expertise on the LEPC and TEPC organization. Membership vacancies may be advertised in public gathering places (e.g., municipal buildings, library, church, etc.).

12.3 Role as an LEPC or TEPC Member

The level of engagement of LEPC or TEPC members determines the success of an LEPC or TEPC. EPCRA Section 301 provides that LEPC and TEPC organizations should appoint a chairperson, as well as establishing rules for how the organization should function and a process for providing information to the public, etc.

In addition, LEPCs and TEPCs should organize subcommittees and assign members to manage various functions. Members may serve on a subcommittee to help coordinate emergency planning activities that are consistent with their expertise. For example, a hospital official may serve on a subcommittee with fire department and county officials who review notification procedures for emergency rooms for chemical accidents.

The effectiveness of an LEPC or TEPC is dependent on its members and the commitment they bring to providing the comprehensive planning and response.

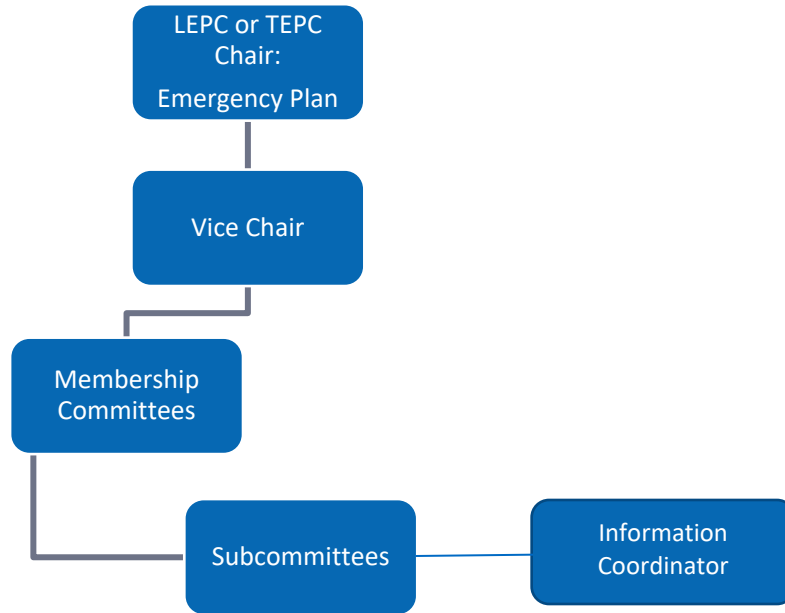


Figure 32. LEPC or TEPC organization structure.

12.4 Appointments

12.4.1 Chair and Vice-Chair of LEPC and TEPC

As stated in EPCRA Section 301, the LEPC and TEPC organizations shall appoint a chairperson. In addition, they may also appoint a vice chairperson and other officers. A term of office should be set but may vary in length according to the needs of each LEPC or TEPC. The chairperson can be any LEPC or TEPC member.

Some LEPCs have chosen political leaders, while others have selected chairs from emergency management, environmental groups, industry or civic organizations.

- Important factors to consider are the leader’s availability, credibility, management skills, commitment to the program, and respect from other LEPC or TEPC members and the community.

The LEPC or TEPC chairperson should ensure that an emergency response plan is developed for the planning district. The chairperson may request vice-chair to be responsible for the subcommittees and ensure these committees meet their responsibilities.

The LEPC or TEPC chairperson and vice chairperson should be well informed of the federal EPCRA statute and regulations, as well as the state EPCRA program. EPA encourages these officials to be also aware of any revisions to the statute and regulations that may occur periodically. One important function of these officials would be to inform other LEPC or TEPC members of any new statutory and regulatory requirements to ensure compliance.

12.4.2 Information Coordinator

EPCRA Section 301(c) requires the LEPC or TEPC to appoint an information coordinator.

The information coordinator's job is to process requests from the public for certain information, including, but not limited to, hazardous chemical inventory information submitted by facilities, the community emergency response plan and the follow-up written report filed for chemical emergency releases.

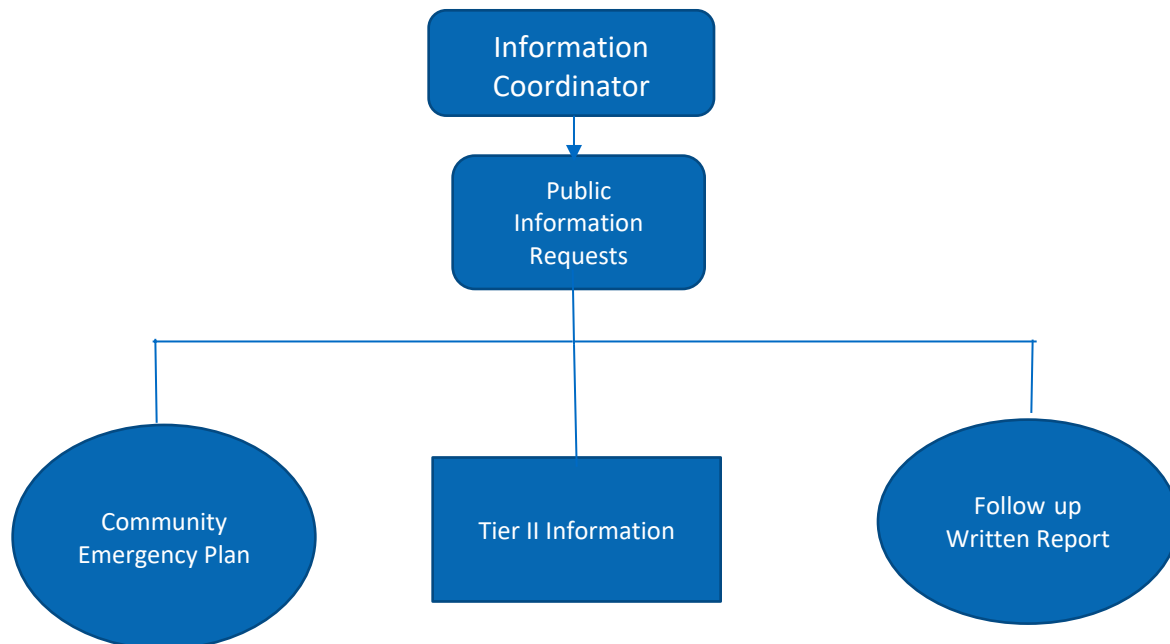


Figure 33. Information Coordinator's Responsibilities

12.4.3 Individuals with Expertise in Chemical Emergency Preparedness

Facility representatives have the technical expertise on the chemicals they handle. Industry trade associations may assist you in bringing technical experts to join the LEPC or TEPC organization.

12.4.4 Other Positions

Positions not required by law, but which have proven useful are:

- Vice chairperson, to assist the chairperson in managing the LEPC or TEPC organization, such as planning meetings; seeking resources to run the organization; and implementing the statutory requirements, etc.
- Secretary or treasurer, to manage funding or other resources.
- Chairpersons of subcommittees, to oversee if subcommittee members are fulfilling their responsibilities.

12.5 Term Limits

LEPC or TEPC membership term limits are not specified in EPCRA. A term of three to five years might be a good starting point. Terms of three to five years give new members time to become accustomed to their roles before the term expires.

The SERC or TERC should maintain a listing of LEPC or TEPC members and the subcommittees to which they belong. The LEPC and TEPC should keep their membership lists current, and SERCs or TERCs should be made aware of all membership changes.

12.6 Subcommittees

Establishing subcommittees allows for dividing the duties of LEPCs and TEPCs to facilitate planning and data management. Subcommittees create groups for members to specialize and enhance the effectiveness of the emergency planning and response process and allow LEPCs and TEPCs to advance several projects at once. Subcommittees may be formed and disbanded as occasions arise to accomplish initial and ongoing tasks. The number and type of subcommittees depends on the needs of the LEPC or TEPC and its members.

Chairpersons and vice chairpersons may serve as the head of the subcommittees. Each subcommittee may also elect one person to lead the group, or subcommittee chairpersons. These subcommittee chairpersons may sit on an executive committee with the LEPC or TEPC chairperson and vice chairperson.

In determining the type and number of subcommittees to establish, the LEPC or TEPC should examine current LEPC or TEPC status, future expectations and annual goals. Subcommittee membership is not limited to LEPC or TEPC members. The LEPC or TEPC is encouraged to invite persons from various sectors of the jurisdiction for input and expertise.

The LEPC and TEPC may appoint subcommittees for the following:

- Gathering and reviewing existing community and facility emergency plans annually.
- Coordinating emergency response capabilities of LEPC member organizations.
- Checking existing response equipment in the community.
- Identifying financial resources.
- Coordinating with other LEPCs and the SERC.
- Conducting hazards analysis.
- Managing and providing information for citizens.
- Managing information provided by facilities.
- Promoting public awareness of EPCRA and community chemical hazards.
- Coordinating with media to inform the public of any emergencies.

12.6.1 Subcommittee Structure

To ensure that work progresses effectively, subcommittees should also establish a micro-governance structure where each subcommittee member is assigned a role. Subcommittees should:

- Appoint a chairperson.
- Assign roles to subcommittee members. Roles include:
 - Note taker.
 - Presenter.
 - Discussion facilitator.
 - Manager of committee tasks and action status.

12.6.2 Standard Topics Addressed by Subcommittees

1. Conducting annual review of existing community plans.
2. Coordinating emergency response capabilities of LEPC or TEPC member organizations.
 - Checking existing response equipment in the community.
 - Coordinating with other LEPCs/TEPCs and the SERC/TERC.
 - Requesting local facilities to donate emergency response equipment or assist in response.
3. Public information.
 - Managing and providing information to community members.
 - Promoting public awareness of potential chemical hazards in the community.
 - Educating the community on the emergency response plan (e.g., radio/tv notification for shelter-in-place, evacuation, etc.).
4. Identifying financial resources (e.g., state and federal grants).
5. Emergency planning.
 - Conducting hazard analysis:
 - Developing and assisting in the revision of the emergency response plan for chemical accidents required under EPCRA Section 303. (*Note: Some states may have an all-hazards plan, and an EPCRA 303 plan may be a part of it.*)
 - Establishing a vulnerability zone determination methodology.
6. Training and exercises.
 - Conducting training needs assessments.
 - Requesting training grants to provide necessary training for first responders.
 - Coordinating training programs.
 - Establishing an exercise schedule.

- Requesting training assistance from facilities in the community.
7. Public information management.
- Writing and publishing public notices.
 - Establishing an information retrieval system.
 - Performing community outreach to inform the public of emergency plans.

12.6.3 Additional Subcommittees

An LEPC or TEPC may create additional subcommittees to respond to and expand the needs/ideas generated from the current LEPC or TEPC membership. Some examples include:

An executive subcommittee, whose responsibilities may include:

- Appointing chairpersons for each subcommittee.
- Developing LEPC or TEPC long-term goals.
- Tending to LEPC or TEPC member needs.
- Reviewing LEPC or TEPC membership terms and soliciting volunteers to fill vacancies.
- Being familiar with state, local, and federal laws that impact the hazardous chemical planning process.
- Developing a work plan with timetables for the other subcommittees.

The executive subcommittee should also work with other subcommittees to develop by-laws on how the LEPC or TEPC should function; determine term limits for each of the LEPC or TEPC members; determine how often the organization should meet; etc.

A resource development subcommittee, whose responsibilities may include:

- Researching the community's resources for emergency response (e.g., various types of equipment, facilities, and expertise available).
- Identifying alternative resources upon which the community may draw in time of emergency or disaster.
- Updating the local resource inventory.
- Identifying other volunteer or in-kind assistance contributions (e.g., private sources such as local business/industry, non-profit agencies, etc.), which may be used for various types of responses.

An emergency response subcommittee, whose responsibilities may include:

- Developing emergency response procedures for local government personnel that may be utilized in hazardous chemical responses.
- Establishing local incident command system (ICS) procedures to strengthen and coordinate local government emergency response.

A finance subcommittee, whose responsibilities may include:

- Managing the LEPC or TEPC budget.
- Examining and recommending the use of funds.

A business/industry outreach subcommittee, whose responsibilities may include:

- Developing initiatives that will encourage active participation by all facilities that handle hazardous chemicals in each community.
- Updating reports on subcommittee meetings that can be made at the regularly scheduled LEPC or TEPC meetings.