

**LEPC**  
**STARTER KIT**

## Checklist for Teams

- Complete Questionnaire
- Provide a copy of the LEPC Handbook and a few LEPC Brochures for them to hand out
- Discuss the Benefits of a LEPC
- Review the “Setting up a LEPC” PPT
- Review the Annual Compliance Form
- Provide copy of Membership Form
- Review LEPC Responsibilities
- Discuss the “Establishing your LEPC: Sample Implementation Schedule”
- Mention the LEPC Conference and provide a copy of LEPC Conference Save the Date card

# **LEPC QUESTIONNAIRE**

## **for Counties with NO LEPC**

The purpose of this questionnaire is to help the statewide LEPC Subcommittee understand the obstacles that counties face when trying to establish a LEPC. The Subcommittee's purpose is to help you establish a LEPC in your county. The information collected will help identify areas of focus and the types of outreach the Subcommittee can do to help other counties overcome similar issues. The details of this conversation will not be shared with anyone outside the Subcommittee.

1. County: \_\_\_\_\_

2. Have you ever thought about establishing a LEPC?

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3. What barriers or obstacles do you face in your county that has prevented you from establishing a LEPC? \_\_\_\_\_

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4. What do you feel is the most challenging part about forming a LEPC? \_\_\_\_\_

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5. What can we as the statewide LEPC Subcommittee do to assist you?

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# LEPC QUESTIONNAIRE

## For NON-ACTIVE LEPCs

The purpose of this questionnaire is to help the statewide LEPC Subcommittee understand the obstacles that counties face when trying to establish a LEPC. The Subcommittee's purpose is to help you establish a LEPC in your county. The information collected will help identify areas of focus and the types of outreach the Subcommittee can do to help other counties overcome similar issues. The details of this conversation will not be shared with anyone outside the Subcommittee.

1. County:\_\_\_\_\_

2. How often does your LEPC meet?\_\_\_\_\_

3. Do you have all of your required positions filled? And, do they attend regularly?\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

4. What barriers or obstacles has your LEPC faced that has prevented it from being more active?\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

5. What do you feel is the most challenging part about maintaining a LEPC?\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

6. What can the statewide LEPC Subcommittee do to assist you?\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## LEPC MEMBERSHIP

Section 301(c) of the federal law stipulates membership of each LEPC shall include, at a minimum, a representative from each of the following groups or organizations:

1. Elected officials: state or local
2. Law Enforcement
3. Firefighting
4. Emergency Management
5. Health
6. Hospital
7. Broadcast/Print Media
8. Transportation
9. Emergency Medical Service
10. Local Environmental Group
11. Community/Service/Civic Group
12. Facility Owners/Operators regulated by SARA Title III
13. Information Coordinator (can be filled by any position)

Members of the LEPC represent a large number of government and private organizations, industries, and occupations in order to provide the expertise to advise on plan development and to offer a “total package” of planning and outreach capability. By law, the LEPC membership must represent a cross section of the jurisdiction in which it resides. The LEPC members shall be nominated by County Commissioners and will be approved by the CEPR.

## Additional SARA TITLE III

### Brochures Available:

An Overview of SARA Title III	KDEM-S1
The SERC	KDEM-S2
Emergency Response Plan	KDEM-S4
Notification of Substance Release	KDEM-S5
Information Dissemination	KDEM-S6
Enforcement	KDEM-S7



## KANSAS EMERGENCY MANAGEMENT

**2800 SW Topeka Blvd  
Topeka , Kansas 66611**

**Phone: 785-274-1408**

**Fax: 785-274-1426**

**E-mail: [harry.p.heintzelman@us.army.mil](mailto:harry.p.heintzelman@us.army.mil)**

# Local Emergency Planning Committee

## SARA TITLE III



**STATE OF KANSAS  
DIVISION OF EMERGENCY  
MANAGEMENT**

KDEM-S3

# THE LOCAL EMERGENCY PLANNING COMMITTEE

Local Emergency Planning Committees (LEPCs) work to understand the hazards in the community, develop emergency plans in case of an accidental release or natural disaster, and look for ways to prevent accidents. The role of LEPCs is to form a partnership between local governments and industries to enhance all-hazards preparedness. The local government is responsible for hazmat planning and response within their jurisdiction. This includes:

- ensuring the local hazard analysis adequately addresses hazmat incidents;
- incorporating planning for hazmat incidents into the local emergency management plan and annexes;
- assessing capabilities and developing hazmat response capability using local resources, mutual aid and contractors;
- training responders; and
- exercising the plan.

Industry must be a part of this planning process to ensure facility plans are compatible with local emergency plans

LEPCs are crucial to local hazardous materials planning and community right-to-know programs. Members of the LEPC represent the various organizations, agencies, departments, facilities, and/or other groups within the district. The membership comes from the local area and should be familiar with factors that affect public safety, the environment, and the economy of the community. In addition to its formal duties, the LEPC serves as a focal point in the community for information and discussions about hazardous substance emergency planning, and health and environmental risks.

## LEPC Responsibilities

The major legal responsibilities of LEPCs in Kansas are listed below. The citations are from the EPCRA, Public Law 99-499. Each LEPC:

- Shall review local emergency management plans once a year, or more frequently as circumstances change in the community or as any facility may require.
- Shall make available each MSDS, or TIER II Report, inventory form, and follow-up emergency notice to the general public, during normal working hours at a location designated by the LEPC.



- Shall establish procedures for receiving and processing requests from the public for information including Tier II information.
- Shall receive from each subject facility the name of a facility representative who will participate in the emergency planning process as a facility emergency coordinator.
- Shall be informed by the community emergency coordinator of hazardous chemical releases reported by owners or operators of covered facilities.
- Shall be given follow-up emergency information as soon as practical after a release, which requires the owner/operator to submit a notice.
- Shall receive from the owner or operator of any facility a MSDS for each such chemical

(upon request of the LEPC or fire department), or a list of such chemicals as described.

- Shall, upon request by any person, make available an MSDS to that person.
- Shall receive from the owner or operator of each facility an emergency and hazardous chemical inventory form.
- Shall respond to a request for Tier II information no later than 45 days after the date of receipt of the request.
- May commence a civil action against an owner or operator of a facility for failure to provide information, or for failure to submit Tier II information.

## Additional LEPC Responsibilities

- The LEPC shall appoint a Chairperson, an Information Coordinator, and establish bylaws under which the committee shall function (EPCRA, Section 301(c)).
- The LEPC shall notify the CEPR of nominations for changes in the makeup of the committee. **The LEPC members shall be nominated by County Commissioners and will be approved by the CEPR. A current membership list should be sent to the CEPR on an annual basis to be considered "active".**
- The LEPC shall evaluate the need for resources necessary to develop, implement, and exercise the jurisdiction's emergency management plan.
- The LEPC shall annually publish a notice in local newspapers that the emergency management operations plan, MSDS, and inventory forms have been submitted under this section (Section 324(b)).
- The LEPC shall submit the *LEPC Compliance Certification Form* annually by December 31<sup>st</sup>.

## BENEFITS OF A LEPC

- The focus of LEPCs is all-hazards. Your community needs to be ready for anything: tornadoes, tank truck rollovers, equipment failure at a refinery, floods, etc. Can it survive a major tornado? A toxic gas release from industry?
- Your citizens have a right to know what chemicals are present in the community so they can take care of themselves if something were to happen.
- Local population knows their county better than anyone else. Which roads are best suited for evacuation? How do you get messages to Aunt Melba who doesn't have a Smartphone or computer and has satellite television? How many patients can your hospital or clinic handle at a time?
- This is your chance to make a difference in your community. A chance to build networks. Serves as a link between citizens, industry, and government in emergency planning and preparedness for the community.
- One person can't do it all. You need a panel of experienced people with appropriate backgrounds. They can assist local governments in preparing emergency response plans and evaluating the need for response resources.
- LEPC may have started with HAZMAT, but their focus has shifted to all hazards and has broadened the role the LEPC serves.
- A functioning LEPC is required by several grant programs. If you have an active LEPC, you may be able to get funds for training, planning, exercises and equipment.
- The LEPC serves as a forum to help involve citizens in the discussion on emergency planning and response.
- Participate in exercises and drills to improve community's preparedness.
- Develop public information programs.

- The LEPC work with industry toward the prevention of hazardous chemical accidents.
- Provides ongoing educational and training opportunities for each of the members.
- On the legal side it is required. If there is no LEPC receiving Tier II reports, tracking training, or making and practicing emergency plans and something happens there could be legal issues.

<b>Top Reasons for LEPC Effectiveness</b>	<b>Top Reasons for LEPC Ineffectiveness</b>
<ul style="list-style-type: none"> <li>• Participation and Dedication of Members</li> <li>• Communication and Collaboration</li> <li>• Leadership and Management</li> <li>• Practice Exercises and Training</li> <li>• Meeting Frequency</li> </ul>	<ul style="list-style-type: none"> <li>• Unclear purpose</li> <li>• Lack of participation or dedication</li> <li>• Meeting infrequency</li> <li>• Lack of funding</li> <li>• Poor communication</li> </ul>

# Setting up a Local Emergency Planning Committee



# Getting Started



- **Membership**

- The process of forming a LEPC begins with membership.
- Membership categories include:
  - ✦ Elected State/Local Official(s)
  - ✦ Law Enforcement
  - ✦ Emergency Medical Services
  - ✦ Emergency Management
  - ✦ Firefighting
  - ✦ Health
  - ✦ Hospital
  - ✦ Broadcast Media
  - ✦ Transportation
  - ✦ Local Environmental Group
  - ✦ Community Group
  - ✦ Facility Owners/Operators

# Membership Representation



- An individual can represent more than one category in membership
- For example, the Fire Department may also operate the community ambulance service
  - One individual could represent both Firefighting and Emergency Medical Services categories
- Send an invite letter to potential members informing them of the importance of the committee

# Membership Approval



- LEPC members shall be nominated by the County Commissioners and will be approved by the CEPR
- KDEM maintains the official LEPC membership database on behalf of the CEPR
- LEPC membership rosters should be current and sent to KDEM on an annual basis using:
  - Membership Form on KDEM website or
  - Formal letter that must include, at a minimum:
    - ✦ County name
    - ✦ Address for LEPC correspondence
    - ✦ Name of Chairperson, email address, membership category
    - ✦ LEPC members names and their membership category

# Meetings



- Once potential members have been identified, a meeting should be convened based upon the availability of the membership.
- Some LEPCs find meeting during the workday is best for them, while others find meeting in the evenings more accommodating for their members.
- While all schedules can't always be accommodated, it is best to find a timeframe that works for the majority of the membership, as quorum may often be required.
- Bylaws shall be developed to assist in the administration of the LEPC.

# LEPC Subcommittees



- Establishing subcommittees who focus on specific topics can reduce the number of full committee meetings.
- The subcommittee structure allows members to focus their energies on topics in which they have an interest.
- Subcommittees generally meet separately from the full committee meetings, and report back the work accomplished to the full committee.

# Frequency of Meetings



- Start up requires at least one meeting
- Schedule at least two—four meetings a year
- There is no limit to how often meetings are held
- The need to meet is generally predicated on the amount of work that the committee has to accomplish, as well as the amount of time the committee members are willing to give.
- The decision on when to meet is best decided by the membership.
- However, the most successful LEPCs find that meeting regularly helps maintain interest in the committee.

# Agenda



- Meeting agendas should reflect the name of the committee, the time, date, and location of the meeting, as well as topics that must be discussed and perhaps voted on during the meeting.
- Meetings should be a useful time for the membership.
- The agenda should be carefully crafted as a crowded agenda with limited time could result in topics not receiving enough attention, or a meeting that runs long—both of which could be a source of frustration to members.

# First LEPC Meeting Agenda



- **An agenda for the first LEPC meeting could include:**
  - A discussion of the reason for the meeting
  - How to organize the committee
  - Selection of a Chairperson
  - Possible formation of subcommittees
  - How often to meet
  - Time and day of week for meeting times
  - A review of the training status of members
  - Review of the local emergency operations plan
  - Many LEPCs have invited guest speakers from functioning/successful LEPCs to learn how they managed to overcome growing pains while going through the process

# Full Committee Agenda Topics



- Focus on the review and update of the Local Emergency Operations Plan (LEOP)
- Plan an exercise (usually a tabletop) to test the elements of the plan
- Identifying how to maintain the LEOP
- Establish training and exercise goals
- Increase community awareness

# Conducting the Meeting



- All attendees should be asked to sign an attendance roster to determine and document that attendance requirements are met for the meeting
- Keep on record the attendance roster, agenda, and meeting minutes as part of your documentation.

# Length of Meeting



- **There is no steadfast rule about length of meetings**
- **Most meetings tend to last between one and two hours**
- **In the development stages of the committee, meetings may be longer in duration as are a number of tasks that may need to be accomplished.**

# Meeting Minutes



- It is recommended that meeting minutes be taken
- The person taking the minutes may use whatever format with which he or she is comfortable
- The minutes should be kept as part of your documentation of the meeting—along with the agenda, the meeting announcement, and attendance roster
  - Minutes should be sent to the CEPR on an annual basis or they can be posted on a county website as long as the CEPR has been notified of their location

# LEPC Records



- LEPCs are responsible for a variety of records, such as meeting minutes, agendas, attendance rosters, and public notices.
- Responsible for maintaining annual Tier II report submissions from facilities located within the LEPCs jurisdiction
- For information on the maintenance of records, see the LEPC Handbook, page 19.

# Tier II Reports



- **Tier II Reports are:**
  - The foundation to the EPCRA philosophy of the EPCRA legislation
  - Quantify the hazardous materials that facilities within the community may store on site, utilize and/or transport.
  - Typically stored either by facility name or by address
  - Useful source of information for community emergency management planners
  - Useful source of information for investigators both in epidemiological and environmental studies.
- **Most LEPCs typically keep a file for each facility or address**
- **Must be retained for two years**

# LEPC Bylaws



- **LEPCs must develop bylaws to help them operate under the legal authority of the provision of EPCRA**
- **The primary mission of the LEPC is to be an effective community network for planning for emergency management of all-hazards**
- **Any modification and/or deletions of the bylaws should be voted on by the LEPC for approval**
- **Copies of the bylaws should be made available on request**
- **A copy of the bylaws should be sent to the CEPR whenever they are updated**
- **Bylaws should be revisited by members at least every 5 years**

# LEPC Compliance Certification Form



- The Compliance Certification Form details what must be met by LEPCs as requirements for compliance with federal and State laws and regulations and CEPR policies and procedures.
- This Compliance Certification Form must be completed, signed, and returned annually by **December 31**, even if the LEPC is not a recipient of grant funds.
- Form can be found in LEPC Handbook or on the KDEM website at:  
<http://www.kansastag.gov/KDEM.asp?PageID=177>

# LEPC Roles and Responsibilities



- Visit the LEPC page on the KDEM website at <http://www.kansastag.gov/KDEM.asp?PageID=177> for resources and guidance.

# LEPC COMPLIANCE CERTIFICATION

The following must be met by the Local Emergency Planning Committees (LEPCs) as requirements for compliance with federal and State laws and regulations and Commission on Emergency Planning and Response policies and procedures. This checklist must be completed, signed, and returned annually by **December 31**, even if the LEPC is not a recipient of grant funds.

**Return to:** CEPR Local Emergency Planning Committee  
c/o Kansas Division of Emergency Management  
ATTN: Technological Hazards Section  
2800 SW Topeka Blvd.  
Topeka, KS 66611-1220

**A check mark in the squares on the left will indicate a YES response.**

Have changes in the LEPC Bylaws and Membership list been submitted to the CEPR? Membership lists must be submitted annually.

Bylaws reviewed/updated - Date: \_\_\_\_\_ Submitted: \_\_\_\_\_  
(only if updated)

Membership list reviewed/updated - Date: \_\_\_\_\_ Submitted: \_\_\_\_\_

Have LEPC meetings been held and have agendas and minutes of all meetings (or their location, e.g. LEPC website) been forwarded to the CEPR?

Has the LEPC reviewed and/or updated their Local Emergency Operations Plan within the last year? Has KDEM Planning Section been notified and/or provided the Plan review results and updates?

Review/update - Date: \_\_\_\_\_ Submitted: \_\_\_\_\_

Has the LEPC conducted and reported on an exercise, tabletop, functional, or full scale, of its Local Emergency Operations Plan within the last year?

Indicate the date of the most recent exercise: \_\_\_\_\_

Has the LEPC met the **annual** requirement of publishing the Emergency Planning and Community Right-to-Know Act "information availability" through print or electronic media?

Date of publication: \_\_\_\_\_ Or website link: \_\_\_\_\_

As chairman of the \_\_\_\_\_ Local Emergency Planning  
County Name

Committee, I attest all information provided on this compliance certification is accurate.

\_\_\_\_\_  
LEPC Chair Signature Date: \_\_\_\_\_

# LEPC Membership Form

**INSTRUCTIONS:** When submitting this form to the Commission on Emergency Planning and Response (CEPR), *always* complete Box A. Complete Box 1 if you are submitting a change for the LEPC Chairperson or Box 2 if you are submitting a change for the Vice Chairperson, if you have one. Complete Box A and the next page(s) to add a new member or members or to update information for an existing member or members of your LEPC. Completed forms should be returned annually to:

CEPR Local Emergency Planning Committee  
 c/o Kansas Division of Emergency Management  
 ATTN: Technological Hazards Section  
 2800 SW Topeka Blvd.  
 Topeka, KS 66611-1220

**BOX A** (Mailing address to submit Tier II forms)

County:	Date:
LEPC Mailing Address:	City: <span style="float: right;">Zip:</span>
LEPC Chairperson (print name):	
LEPC Approval (signature of Chairperson):	

## LEPC Membership Categories

(In accordance with Public Law 99-499, Section 301(c))

**Note:** A single person may represent more than one category and more than one member may represent a category.

State/Local Official	Health	Local Environmental Group	Information Coordinator
Law Enforcement	Hospital	Community Group	
Firefighting	Broadcast Media	Facility Owners/Operators	
Emergency Management	Transportation	Emergency Medical Service	

**\*\*ADVISORY NOTICE:** This information may be made available to the public under the Kansas Open Records Act. **DO NOT** include home addresses or telephone number(s).

**BOX 1: CHAIRPERSON UPDATE**

Name:	Title:
Employer:	Address:
City, State, Zip:	Telephone Number:
Membership Category:	Fax Number
Email:	

**BOX 2: VICE-CHAIRPERSON UPDATE (if applicable)**

Name:	Title:
Employer:	Address:
City, State, Zip:	Telephone Number:
Membership Category:	Fax Number
Email:	

## MEMBER UPDATES

Name:	Title:
Employer:	Telephone Number:
Email:	
Is this person a NEW MEMBER on your LEPC? <input type="checkbox"/> YES <input type="checkbox"/> NO	Did this person replace a previous member? If so, WHO? <input type="checkbox"/> YES, _____ <input type="checkbox"/> NO
<b>Membership Category</b> (see above):	

Name:	Title:
Employer:	Telephone Number:
Email:	
Is this person a NEW MEMBER on your LEPC? <input type="checkbox"/> YES <input type="checkbox"/> NO	Did this person replace a previous member? If so, WHO? <input type="checkbox"/> YES, _____ <input type="checkbox"/> NO
<b>Membership Category</b> (see above):	

Name:	Title:
Employer:	Telephone Number:
Email:	
Is this person a NEW MEMBER on your LEPC? <input type="checkbox"/> YES <input type="checkbox"/> NO	Did this person replace a previous member? If so, WHO? <input type="checkbox"/> YES, _____ <input type="checkbox"/> NO
<b>Membership Category</b> (see above):	

Name:	Title:
Employer:	Telephone Number:
Email:	
Is this person a NEW MEMBER on your LEPC? <input type="checkbox"/> YES <input type="checkbox"/> NO	Did this person replace a previous member? If so, WHO? <input type="checkbox"/> YES, _____ <input type="checkbox"/> NO
<b>Membership Category</b> (see above):	

Name:	Title:
Employer:	Telephone Number:
Email:	
Is this person a NEW MEMBER on your LEPC? <input type="checkbox"/> YES <input type="checkbox"/> NO	Did this person replace a previous member? If so, WHO? <input type="checkbox"/> YES, _____ <input type="checkbox"/> NO
<b>Membership Category</b> (see above):	

Name:	Title:
Employer:	Telephone Number:
Email:	
Is this person a NEW MEMBER on your LEPC? <input type="checkbox"/> YES <input type="checkbox"/> NO	Did this person replace a previous member? If so, WHO? <input type="checkbox"/> YES, _____ <input type="checkbox"/> NO
<b>Membership Category</b> (see above):	

## MEMBER UPDATES

*Reproduce this page if there are more than six memberships to be updated.*

Name:	Title:
Employer:	Telephone Number:
Email:	
Is this person a NEW MEMBER on your LEPC? <input type="checkbox"/> YES <input type="checkbox"/> NO	Did this person replace a previous member? If so, WHO? <input type="checkbox"/> YES, _____ <input type="checkbox"/> NO
<b>Membership Category</b> (see above):	

Name:	Title:
Employer:	Telephone Number:
Email:	
Is this person a NEW MEMBER on your LEPC? <input type="checkbox"/> YES <input type="checkbox"/> NO	Did this person replace a previous member? If so, WHO? <input type="checkbox"/> YES, _____ <input type="checkbox"/> NO
<b>Membership Category</b> (see above):	

Name:	Title:
Employer:	Telephone Number:
Email:	
Is this person a NEW MEMBER on your LEPC? <input type="checkbox"/> YES <input type="checkbox"/> NO	Did this person replace a previous member? If so, WHO? <input type="checkbox"/> YES, _____ <input type="checkbox"/> NO
<b>Membership Category</b> (see above):	

Name:	Title:
Employer:	Telephone Number:
Email:	
Is this person a NEW MEMBER on your LEPC? <input type="checkbox"/> YES <input type="checkbox"/> NO	Did this person replace a previous member? If so, WHO? <input type="checkbox"/> YES, _____ <input type="checkbox"/> NO
<b>Membership Category</b> (see above):	

Name:	Title:
Employer:	Telephone Number:
Email:	
Is this person a NEW MEMBER on your LEPC? <input type="checkbox"/> YES <input type="checkbox"/> NO	Did this person replace a previous member? If so, WHO? <input type="checkbox"/> YES, _____ <input type="checkbox"/> NO
<b>Membership Category</b> (see above):	

Name:	Title:
Employer:	Telephone Number:
Email:	
Is this person a NEW MEMBER on your LEPC? <input type="checkbox"/> YES <input type="checkbox"/> NO	Did this person replace a previous member? If so, WHO? <input type="checkbox"/> YES, _____ <input type="checkbox"/> NO
<b>Membership Category</b> (see above):	

# LEPC DUTIES AND RESPONSIBILITIES

The Emergency Planning and Community Right-To-Know Act (EPCRA) establishes the LEPC as a forum at the local level for discussions and a focus for action in matters pertaining to all-hazards planning. LEPCs also help to provide local governments and the public with information about all-hazards in their communities.

## **Primary LEPC Responsibilities**

The major legal responsibilities of LEPCs in Kansas are listed below. The citations are from the EPCRA, Public Law 99-499. Each LEPC:

1. Shall review local emergency operations plans once a year, or more frequently as circumstances change in the community or as any facility may require (Section 303(a)). Plan review results and updates should be submitted to KDEM in writing along with a copy of the LEPC meeting minutes documenting review of the Plan. (Detailed LEPC meeting minutes may be submitted in lieu of written review results.)
2. Shall make available each Material Safety Data Sheet (MSDS), chemical list described in Section 311(a)(2) or Kansas Tier II report, inventory form, toxic chemical release form, and follow-up emergency notice to the general public, consistent with Section 322, during normal working hours at a location designated by the LEPC (Section 324(a)).
3. Shall establish procedures for receiving and processing requests from the public for information under Section 324, including Tier II information under Section 312. Such procedures shall include the designation of an official to serve as coordinator for information (Section 301(c)).
4. Shall receive from each subject facility the name of a facility representative who will participate in the emergency planning process as a facility emergency coordinator (Section 303(c)).
5. Shall be informed by the community emergency coordinator of hazardous chemical releases reported by owners or operators of covered facilities (Section 304(b)(1)(a)).
6. Shall be given follow-up emergency notice information as soon as practical after a release, which requires the owner/operator to submit a notice (Section 304(c)).
7. Shall receive from the owner or operator of any facility a MSDS for each such chemical (upon request of the LEPC or fire department), or a list of such chemicals as described in paragraph (2) (Section 311(a)).
8. Shall, upon request by any person, make available an MSDS to the person in accordance with Section 324 (Section 311(a)).

9. Shall receive from the owner or operator of each facility an emergency and hazardous chemical inventory form (Section 312(a)).
10. Shall respond to a request for Tier II information under this paragraph no later than 45 days after the date of receipt of the request (Section 312(e)).
11. May commence a civil action against an owner or operator of a facility for failure to provide information under section 303(d) or for failure to submit Tier II information under section 312(e)(1) (Section 326(a)(2)(B)).

## **Additional LEPC Responsibilities**

1. The LEPC shall appoint a Chairperson, an Information Coordinator, and establish bylaws under which the committee shall function (EPCRA, Section 301(c)). The bylaws shall include provisions for public notification of committee activities, public meetings to discuss the emergency operations plan, public comments, and response to such comments by the committee (See Appendix A for sample bylaws). Other considerations that the LEPC should make in rulemaking are:
  - a. Term of office
  - b. Removal from the LEPC
  - c. Authority of the LEPC
  - d. Immunity for LEPC members
2. The LEPC shall notify the CEPR of nominations for changes in the makeup of the committee. **The LEPC members shall be nominated by County Commissioners and will be approved by the CEPR.** Nominations must be submitted in written form. A current membership list should be sent to the CEPR on an annual basis to be considered "active". Provide the CEPR an address for LEPC correspondence to include where facilities should submit their Tier II forms. Provide the CEPR an email address for the LEPC Chairperson.
3. The LEPC shall evaluate the need for resources necessary to develop, implement, and exercise the jurisdiction's local emergency operations plan. Recommendations shall be made with respect to additional resources that may be required and the means for providing such additional resources (Section 303 (a)).
4. The LEPC shall annually publish a notice through print or electronic means that the local emergency operations plan, MSDS, and Tier II inventory forms have been submitted under this section (Section 324(b)).
5. The LEPC shall submit the *LEPC Compliance Certification Form* annually by December 31<sup>st</sup> (see page v).

# Establishing your LEPC

## Sample Implementation Schedule

<b>TIMELINE</b>	<b>TASK</b>	<b>COMPLETED</b>
Day 0	Meet with the Statewide LEPC Subcommittee	<input type="checkbox"/>
Within 30 Days	Recruit Potential LEPC Members—Send a invite letter/brochures to potential members informing them of the importance of their role on the committee	<input type="checkbox"/>
Day 45	Set your LEPC agenda for 1 <sup>st</sup> meeting—contact speakers, identify topics, etc	<input type="checkbox"/>
Day 75	Send LEPC meeting agenda and notice to LEPC Members	<input type="checkbox"/>
Day 90 (3 MONTHS)	Host First LEPC Meeting—Discuss LEPC Membership, Role and Responsibility, and a meeting schedule; Select a Chairperson and Information Coordinator	<input type="checkbox"/>
Day 120	Receive nomination from County Commissioners on LEPC Membership	<input type="checkbox"/>
Day 125	Submit Final Membership nominations to CEPR for approval	<input type="checkbox"/>
Day 135	Set your LEPC agenda for 2 <sup>nd</sup> meeting—contact speakers, identify topics, etc	<input type="checkbox"/>
Day 165	Send LEPC 2 <sup>ND</sup> meeting agenda and notice to LEPC Members	<input type="checkbox"/>
Day 180 (6 MONTHS)	Host Second LEPC Meeting—Discuss Bylaws	<input type="checkbox"/>
Day 220	Finalize bylaws and submit a copy to the CEPR	<input type="checkbox"/>
Day 225	Set your LEPC agenda for 3 <sup>rd</sup> meeting—contact speakers, identify topics, etc	<input type="checkbox"/>
Day 255	Send LEPC 3 <sup>RD</sup> meeting agenda and notice to LEPC Members	<input type="checkbox"/>
Day 270 (9 MONTHS)	Host Third LEPC Meeting—Review Emergency Response Plan	<input type="checkbox"/>
Day 300	Publish, through print or electronic media, the availability of EPCRA information to the public	<input type="checkbox"/>
Day 320	Set your LEPC agenda for 4 <sup>th</sup> meeting—contact speakers, identify topics, etc	<input type="checkbox"/>
Day 350	Send LEPC 4 <sup>TH</sup> meeting agenda and notice to LEPC Members	<input type="checkbox"/>
Day 365 (1 YEAR)	Host Fourth LEPC Meeting—Conduct T&EPW and Complete LEPC Compliance Certification and submit to CEPR	<input type="checkbox"/>
Day 380	Forward meeting agendas and minutes to CEPR	<input type="checkbox"/>

## Sample First LEPC Meeting Agenda

1. Welcome to LEPC Members
2. Overview of the LEPC
  - a. Roles and Responsibilities
  - b. Importance and Community Benefit
3. LEPC Membership Nominations
  - a. Identification of Potential Members for Any Vacancies
  - b. Completion of LEPC Membership Form
4. Selection of LEPC Positions:
  - a. Chairperson
  - b. Vice-Chairperson (not required)
  - c. Information Coordinator
5. Schedule of LEPC Meetings
  - a. Date
  - b. Time
  - c. Location
6. Date, Time, and Place of Next Meeting
7. Adjournment

## Sample Second LEPC Meeting Agenda

1. Roll Call
2. Approval of Minutes
3. LEPC Bylaws
  - a. Update Sample Bylaws Template to Reflect Needs of County
  - b. Membership Guidelines
  - c. Officer Elections
  - d. Establishing LEPC Subcommittees
  - e. Public Access to Information
4. Date, Time, and Place of Next Meeting
5. Adjournment

## Sample Third LEPC Meeting Agenda

1. Roll Call
2. Approval of Minutes
3. Review Local Emergency Operations Plan
  - a. Update Contact/Agency Information
  - b. Review each Emergency Support Function to ensure it meets Kansas Planning Standards
  - c. Discuss gaps or areas for improvement in the plan
  - d. Discuss other emergency plans to be incorporated or referenced into LEOP
4. Draft Public Notice on the Accessibility of EPCRA Information
5. Date, Time, and Place of Next Meeting
6. Adjournment

## Sample Fourth LEPC Meeting Agenda

1. Roll Call
2. Approval of Minutes
3. Conduct a Training and Exercise Planning Workshop
  - a. Identify Potential Training
  - b. Discuss Upcoming Exercises
  - c. Coordinate Activities
4. Complete the LEPC Compliance Certification
5. Date, Time, and Place of Next Meeting
6. Adjournment

## Suggestions for Additional Meeting Agenda Topics

- Guest speakers from local organizations, industries, agencies; state agencies; or other successful LEPCs.
- Table-Top Exercise
- Conduct AAR of recent event
- Identifying how LEPC can increase community awareness
- Tier II Reports
- Severe weather awareness, seasonal emergency plan
- Site tour of regulated facility or critical infrastructure
- Subcommittee Reports
- School Safety

# SAVE THE DATE

FOR THE  
**2012 KANSAS LOCAL  
EMERGENCY PLANNING  
COMMITTEE (LEPC)  
CONFERENCE**

**APRIL 3-5, 2012**

**RAMADA  
1616 W CRAWFORD STREET  
SALINA, KS 67401  
(785)823-1739**



SPONSORED BY THE  
KANSAS DIVISION OF EMERGENCY  
MANAGEMENT, TECHNOLOGICAL  
HAZARDS SECTION

**Questions?:** Phone: 785 274-1394

The goal of this conference is to assist LEPCs in understanding their roles and responsibilities, identifying best practices, overcoming obstacles, and ways to get your community involved in the LEPC. We encourage LEPC members, first responders, emergency managers and community leaders to come together and share their experiences. You will also receive valuable training and planning ideas that you can bring back to your LEPC.

Conference information will be posted on the KDEM LEPC website at: [www.kansastag.gov](http://www.kansastag.gov)

### ***Tentative Tracks***

- *Energizing the LEPC*
- *Tier II Reporting*
- *Spill Reporting*
- *LEPC Best Practices*
- *LEPC 101*
- *Exercising the LEPC*

KDEM has reserved a limited number of hotel rooms.

### **Reserve your room now!**

*KDEM will reimburse lodging on April 2,3, and 4 for the first 50 Kansas attendees that are travelling over 60 miles.*

**Reservation Name: KDEM**

Email: [jennifer.marie.clark@us.army.mil](mailto:jennifer.marie.clark@us.army.mil)