



**Emergency Planning and Community Right-to-Know  
 Local Emergency Planning Committee  
 Roles and Responsibilities Guidance Check list**  
 January 12, 2006 Adopted by State Emergency Response Commission

The Connecticut State Emergency Response Commission recognizes that many Local Emergency Planning Committees (LEPCs) elected to join Regional Emergency Planning Committees and to utilize the regional committee as their LEPC. The federal Emergency Planning and Community Right-to-Know (EPCRA) authorized the creation of the LEPCs as a means for local government, law enforcement, health officials, and emergency responders to work with chemical facilities, the media and community groups to develop formal plans for responding to chemical emergencies. The State Emergency Response Commission has designed this document to assist LEPCs in defining and/or clarifying specific EPCRA responsibilities. Federal and state mandates must be carried out either at the local level or at the regional level. The table below contains a comprehensive listing of provisions and/or statutes from the EPCRA, Connecticut General Statutes (CGS) and U.S. Code Title 42, Chapter 116 citations and the 40 Federal Code of Regulations (40 CFR).

**Local Emergency Planning Committee Mandatory Responsibilities Checklist**

<b>Mandatory Responsibilities</b>	<b>Performed at Local Level Date Achieved</b>	<b>Performed at Regional Level Date Achieved</b>	<b>Comments</b>
<b>Establishment of State Commissions, Planning Districts and Local Committees Establishment of Local Emergency Planning Committee</b> CGS, Section 22a-601(b) and Title 42, §11001(c) -appoint members -appoint chairperson -establish committee rules -public notification of committee activities -schedule public meetings to discuss the emergency plan -accept public comments -response to comments by committee -distribution of emergency plan -establish procedures for receiving and processing public requests and designate an informational coordinator			

<b>Mandatory Responsibilities</b>	<b>Performed at Local Level Date Achieved</b>	<b>Performed at Regional Level Date Achieved</b>	<b>Comments</b>
<ul style="list-style-type: none"> <li>•Facility owners and operators shall follow methods and procedures for local emergency and medical personnel respond protocols.</li> <li>•Designate community emergency coordinator.</li> <li>•Develop and implement emergency notification procedures</li> <li>•Develop methodology to determine the occurrence of a release, and the area or population likely affected by such release.</li> <li>•Provide description of emergency equipment and facilities, and persons responsible for equipment and facilities.</li> <li>•Develop and implement evacuation plans, including provisions for a precautionary evacuation and alternative traffic routes.</li> <li>•Schedule training programs, including schedules for training of local emergency response and medical personnel.</li> <li>•Develop methods and schedules for exercising the emergency plan.</li> </ul> <p><b>Facility Subject to Providing of Information</b> Title 42§11003(d)(3)</p> <ul style="list-style-type: none"> <li>•Request facility owner or operators to provide information necessary to develop and implement the emergency plan.</li> </ul> <p><b>Review by State Emergency Response Commission</b> Title 42, §11003(e) and CGS, Section 22a-603 mandates the Department of Emergency Services and Public Protection, Emergency Management and Homeland Security state emergency planning activities includes receipt of emergency plans for review.</p> <p><b>Review of Plans by Regional Response Teams</b> Title 42, Title 42, §11003(g). Provides authorization to the LEPC to request regional response team review and comment of emergency plan or other issues related to operation, implementation or exercise of an emergency plan.</p>			

<p><b>Public Availability of Plans, Data Sheets, Forms, and Follow-up Notices</b>  Title 42, §11004(a) <b>Availability to Public</b> • Establish procedures for receiving and processing requests for information pertaining to notification of accidental releases, emergency and hazardous chemical inventory forms. Make records available to the general public during normal working hours.  •Recipients of CERCLA Notice and 11002(a) substance and non-11002(a) substance Title 42 §11004, and CGS, Section 22a-607  •Follow-up Emergency Notice Title 42, §11004(c) and CGS, Section 22a-608(c)  •Material Safety Data Sheets Title 42, §11041 and §11021 and CGS, Section 22a-609  •Emergency and Hazardous Chemical Inventory Form (Tier 2) §11022, §11044, §11042 and CGS, Section 22a-610  •Toxic chemical release forms §11023, §11042 and CGS, Section 22a-611.</p>			
<b>Mandatory Responsibilities</b>	<b>Performed at Local Level</b> Date Achieved	<b>Performed at Regional Level</b> Date Achieved	<b>Comments</b>
<p><b>Notice of Public Availability</b> Title 42, §11044(b) •Publish a notice in local newspapers announcing:  - the submission of the emergency response plan, and  - the receipts of material safety data sheets, notification and inventory forms -inform public members who wish to review materials may do so at a specific location.</p>			
<p><b>Integrate LEPC emergency plan with facilities, state, or federal emergency plans.</b> 29 CFR 1910.120(1)(2) (ii)-(2)(C); (p)(8)(ii)(A&amp;B); (q)(2)(i) and (ii).</p>			
<p><b>Civil Actions (2) State or Local Suits,</b> Title 42, §11046(2)  • Provides authority to LEPC to commence a civil action against an owner or operator of a facility for failure to provide information under Title 42, section 11003(d) or failure to submit Tier 2 information under section 11022(e)(1).</p>			

Updated December 28, 2011. The purpose of this document is to provide guidance on the Emergency Planning and Community Right-to-Know provisions. This document is not to be considered as an authoritative legal guidance, for that, you will need to consult with a private attorney. It is not intended to be a binding statement as to the legal position of the state on any legal issues that may arise from any incident.