LEPC V ROLE AND FUNCTION

In 1986 Congress passed the Emergency Planning and Community Right-to-Know Act as Title III of the Superfund Amendments and Reauthorization Act (SARA). This law was enacted to help communities protect public health, safety, and the environment from chemical hazards.

To implement Title III, Congress required each state to appoint a State Emergency Response Commission. The Commissions, in turn, were required to divide their states into emergency planning districts and name a Local Emergency Planning Committee (LEPC) for each district. In California, Executive Order D-63-87 originally created the Chemical Emergency Planning and Response Commission (CEPRC). Executive Order W-40-93 reaffirmed the original action. The Commission has further established six LEPCs (corresponding to the six California Emergency Management Agency mutual aid regions). Region V comprises the county areas of Fresno, Kern, Kings, Madera, Mariposa, Merced, and Tulare. The LEPC members' fields of expertise (e.g., fire, health, agriculture, industry, medical, environmental, public, media, law, and emergency management) provide the assurance that all the necessary elements of the planning process are represented.

The LEPC is the focal point for Title III activities in the region and is intended to be consistent with planning efforts of local government. The performance of the LEPC is important in ensuring that the public benefits from the opportunities and the information provided for under the law.

The LEPC is appointed by the CEPRC, which has the responsibility for supervising and coordinating the activities of the LEPCs. The responsibilities of the LEPC are stated in law. Other activities may include providing a forum to discuss related hazardous materials issues.
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REGION V LEPC BYLAWS

ARTICLE I (NAME)

The Local Emergency Planning Committee (LEPC) for Mutual Aid Region V was designated by the State Chemical Emergency Planning and Response Commission (CEPRC) pursuant to the Superfund Amendments and Reauthorization Act of 1986 (SARA), Title III, coded in Title 42 of the U.S. Government Code, Section 1101 et. seq. Title III is also known as the Emergency Planning and Community Right-to-Know Act of 1986. Region V consists of seven counties:

- Fresno County
- Kern County
- Kings County
- Madera County
- Mariposa County
- Merced County
- Tulare County

ARTICLE II (OBJECT)

The LEPC provides, at a regional level, planning and preparedness for hazardous materials emergencies.

ARTICLE III (MEMBERSHIP)

Membership of the LEPC is comprised of categories designated and appointed by the Governor. These categories (and their expiration schedules) are as follows:

Expiring June 30 of every even numbered year –

- Administering Agency
- Agriculture
- Community Group
- Environmental
- Fire
- First Aid
- Hospital
- Industry

Expiring June 30 of every odd numbered year –

- Civil Defense
- Elected Official
- Emergency Management
- Health
- Law Enforcement
- Media
- Transportation
No member will serve more than two consecutive terms unless that member receives a 2/3 majority endorsement from voting members of the LEPC. An alternate may be designated for any voting member. Any designated alternate's term of office will coincide with that of the primary member position for that category, even if a full two year term will not be served. If both primary and alternate members are present at a meeting, only one vote may be cast.

Four ad hoc member positions may be created at the discretion of the LEPC. The interest that may represent these positions is left to the discretion of the LEPC, pending approval of the CEPRC.

A list of current membership shall be maintained. Absence from two consecutive regularly scheduled meetings by a member and his alternate will be subject to an attendance review by the LEPC. A member with a third consecutive absence (with no coverage by an alternate) will be recommended for removal from the LEPC. An alternate, also missing three meetings where their representation as a voting member is necessary, will also be recommended for removal from the LEPC.

**ARTICLE IV (OFFICES)**

The following are offices of the Region V LEPC:

Chairperson – This elective office will chair all LEPC meetings, represent the Region V LEPC at all CEPRC meetings, and be an ad hoc member of all official subcommittees.

Vice Chairperson – This elective office will stand in for the chairperson on all occasions where the chairperson cannot attend.

Recorder – This appointee is responsible for acquiring, transcribing, and distributing the minutes of all LEPC meetings.

**ARTICLE V (MEETINGS)**

The regular meetings of this LEPC will be held on the third Thursday of the last month of the quarter, i.e. March, June, September, December, or as determined to be necessary by the Chairperson. Five voting members (or their alternates) shall constitute a quorum. Any issue requiring a vote shall have the approval of a majority of the voting members present to pass.
ARTICLE VI (RULES)

The LEPC will be governed by the current edition of Robert’s Rules of Order, and the Bagley-Keen Act.

ARTICLE VII (SUBCOMMITTEES AND ADVISORY MEMBERS)

Named standing subcommittees are established by the LEPC as working groups for the accomplishment of specific tasks as deemed necessary by the LEPC. The committees are:

- Administrative Agency
- Hazardous Materials Team
- Community Right-To-Know
- Medical
- Data Management
- Planning
- Training
- Risk Analysis

The Chairperson shall have the power to establish standing or ad hoc committees as required. Advisory members who have technical expertise will be encouraged to apply for members in appropriate subcommittees, and when approved by the LEPC, will become voting members of that subcommittee. A current list of subcommittee members will be maintained.

ARTICLE VIII (AMENDMENTS OF BY-LAWS)

These by-laws may be amended at any regular meeting of the LEPC by a 2/3 vote, provide that the amendment has been submitted in writing and mailed 15 days prior, to all regular members and alternates.
LEPC AUTHORITY AND MISSION STATEMENT

Authority: The establishment of a LEPC is mandated by the SARA Title III. This authority is vested in the six California LEPCs by the CEPRC, which finds additional authority in the Governor’s Executive Order W-40-93 and Section 25503.1 of Chapter 6.95 of the California Health and Safety Code. Categories of membership on each LEPC are established by the CEPRC; however, each LEPC has discretion to add up to four ad hoc categories.

Mission: As coordinated and supervised by the CEPRC, the mission of the Region V LEPC is to coordinate implementation of California’s hazardous materials emergency planning and Community Right-to-Know program within this Region. This includes coordination of Federal, State, and Local programs to prevent, mitigate, and provide the best possible response to hazardous materials emergencies. This mission also entails ensuring public availability to appropriate chemical information, as prescribed by law. LEPCs have several objectives, including, but not limited to:

1. Development and implementation of the regions hazardous materials emergency plan (consistent with State and Federal law), which focuses on:
   a. Identification of chemical risk, especially those that cross jurisdictional boundaries (primary road, rail, and pipeline), fixed facilities using extremely hazardous substances, or situations requiring multi-jurisdictional assistance;
   b. Classification of regional public and private emergency response capabilities; and
   c. Promoting the establishment of agreements to enhance emergency response capabilities.

2. Providing a forum for consideration of ideas and concerns in the implementation of hazardous material emergency programs within the region.

3. Enhancing public safety and environmental protection by advancing implementation of hazardous material emergency planning and Community Right-to-Know laws.

4. Promoting education and awareness programs, and sponsoring such programs as necessary, to educate the community in this field.

5. Facilitating local government emergency preparedness activities, such as drills, exercise, education, and formal training.

6. Working with local Administering Agencies (AA) to further a system for obtaining emergency planning data from local facilities using hazardous
materials, and then processing requests for that information from the general public (as legal and appropriate).

7. Developing a coordinated region-wide hazardous material team response capability.

LEPC CATEGORY DESCRIPTIONS

The CEPRC’s policies will be used as a guide by LEPCs when recruiting new members. Overall, these members should have a substantial interest in reducing the risks posed to both the public and emergency responders created by hazardous materials. Local experience and a regional perspective are highly desirable attributes. Each member is expected to enhance regional preparedness through outreach activities and by networking with other organizations within their area of representation. Those categories considered standard include:

ADMINISTERING AGENCY - This position represents local administering agencies (AA) outlined in Chapter 6.95 of the Health and Safety Code. The individual selected for this position must be employed by an AA. He/she should be knowledgeable of the activities of other AAs in the region, be willing to work with those AAs to coordinate their views, and structure those opinions into suitable LEPC agendas.

AGRICULTURE – The position should be represented by an agricultural commissioner or an individual familiar with the regional agriculture situation. The individual appointed to this position would be expected to network and interact with members of the agriculture community and regulatory agencies regarding the management and control of hazardous chemicals. The incumbent should be an information resource knowledgeable in agribusiness and the impact of hazardous materials use within the region.

CIVIL DEFENSE – This assignment is made to a city or county emergency services official. It provides expertise on emergency response planning, training, and mitigation. The intent is to insure regional integration of hazardous material response mutual aid systems.

COMMUNITY GROUP – This designation represents community interest organizations. The responsible person should be proactive in formulating Right-to-Know outreach programs. Background and interest in community hazard mitigation and prior work with civic groups/ community associations is important.

ELECTED OFFICIAL – The designee for this position must be an elected representative of local or state government. In some cases, a designated representative of the official may be appropriate. The selectee should be able to provide political visibility and public leadership to the committee, as well as coordinate political support activities for hazardous material issues through regional boards, councils, and associations.
EMERGENCY MANAGEMENT – This position will usually be filled by the state Emergency Management Agency Regional Manager, who is responsible for emergency planning and preparedness, and mutual aid coordination at the regional level.

FIRE – The fire designee represents first responders, and community/ district fire service agencies. This person should be a department or battalion officer, knowledgeable in hazardous material response, and able to represent the fire service community throughout the mutual aid region. This may include the development of affiliations with community groups and professional associations.

FIRST AID – The assignment represents emergency medical response providers, public and private, include ambulance companies, paramedical groups/ units, and volunteer organizations with disaster first aid responsibilities. He/she should be a member of one of the organizations outlined above.

HEALTH – This position represents the local public health agencies in the region. The designee provides expertise on hazardous material safety, education, program management, and planning. Selections are usually made from county or community health departments.

HOSPITAL – Representation here is related to both private and public hospital, and emergency medical treatment facilities. The appointee should be able to facilitate the development of emergency medical response preparedness for hazardous material involved operations at local community and regional levels. Membership is usually recruited from regional hospital or medical center emergency medical coordinators.

INDUSTRY – The industry designation represents businesses and industrial firms that are regulated by current hazardous material legislation. The individual serving in this role should have experience in the use of hazardous materials, and the impact and planning required in major facilities and small businesses using hazardous products. Selectees should be active participants in regional associations and networks.

LAW ENFORCEMENT – A local environmental representative deals with regional concerns for protecting the environment, and mitigating the effects of hazardous materials incidents. The individual serving in this assignment is usually drawn from organizations or institutions with these primary interests.

MEDIA – This position represents local and regional broadcast and print media, and is related to both emergency response aspects and Community Right-to-Know issues. The assignment involves assisting in the organization and development of public information procedures to support regional hazardous materials incident emergency preparedness. It will also consist of assisting the LEPC itself in the effective use of the media to improve public awareness and the general concepts of safety when hazardous material incidents occur locally.
TRANSPORTATION – The transportation designee represents all modes of hazardous materials movement within the region. This person should be knowledgeable in operations, regulations, and policies involved with the transportation of hazardous materials. The member selected for this assignment is usually a regional/district CalTrans supervisor, a Public Utilities Commission of CHP representative, or a manager in the transportation (support) industry.

AD HOC CATEGORIES – Each LEPC has the authority (but is not required) to establish four additional categories of membership. These are used to broaden the perspectives, viewpoints, and skills of this committee. The ad hoc positions cannot duplicate those interests already represented on the LEPC. Examples include representation for the state agencies, legal profession, and federal bases/facilities.
SUBCOMMITTEES – MISSION STATEMENT

PLANNING SUBCOMMITTEE – This subcommittee directly supports the LEPC Chairperson in coordinating overall operations. It functions as a liaison group with other subcommittees, to insure cooperative work efforts and that duplication of efforts does not occur. Specific duties include establishing work plans, keeping track of membership and new subcommittee requirements, reviewing and updating the regional plan, and maintaining an information link with the CEPRC.

ADMINISTERING AGENCY (AA) SUBCOMMITTEE – The AA Subcommittee is made up of a representative from each of the eight administering agencies in Region V. It will act as a forum to insure AA interface, information sharing, and that issue discussion and debate occurs. This group will act as a conduit for information exchange between the AA, the LEPC, and the CEPRC.

RISK ANALYSIS SUBCOMMITTEE – The Risk Analysis Subcommittee is tasked with the development of a comprehensive analysis which describes the various modes of transportation of hazardous materials through Region V. This analysis will become an attachment to the Region V LEPC Plan, and will be used by AAs and local emergency coordinators to augment their jurisdictional contingency plans.

MEDICAL SUBCOMMITTEE – The Medical Subcommittee is tasked with reviewing current recognized procedures for dealing medically with the specialized medical care/emergency medical procedures involving hazardous materials situations. This group is further responsible for insuring the information gathered is available for regional medical/health service providers. An equally important goal will be to coordinate regional efforts to increase the effectiveness of hazardous material incident medical mutual aid.

COMMUNITY RIGHT TO KNOW SUBCOMMITTEE – The Community Right to Know Subcommittee is responsible for publicizing the Regional LEPC Plan, raising the public awareness to the hazardous material incident risk, and developing and providing the means for distribution of public right-to-know information. A citizen’s request for site specific information will be directed to the local AA for action. The subcommittee should provide a public information media packet that describes the function of the LEPC, and reviews the regional plan.

TRAINING SUBCOMMITTEE – The Training Subcommittee is tasked with reviewing and updating the regional plan. This assignment includes identifying currently available mutual aid resources (those types not already responsibility of other subcommittees), and developing periodic exercise to evaluate the effectiveness of the regional plan. Also, responsibility for administering all planning, training, and equipment acquisition grant funds is a major activity.
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DATA MANAGEMENT SUBCOMMITTEE – The mission of this group is to facilitate the effective use of information management in the handling of hazardous materials data to help protect health, the environment, and property. This mission will be achieved through the effective use of information management technologies, guidelines, and procedures by the Region V LEPC, Administering Agencies, Hazardous Material Response Teams, and other.

HAZARDOUS MATERIAL TEAM SUBCOMMITTEE – To assist in developing regional response capabilities by identifying Haz-Mat resources, providing recommendations for minimum level of stand equipment throughout the region and assist with the coordination of training between Haz-Mat responders.
REGION V TRAINING GRANT SELECTION CRITERIA

1. A person who is currently assigned as an active Hazmat team member within the LEPC Region that is recognized by the Agency having jurisdiction.

2. A person designated to be qualified as an active Hazmat team member with the LEPC Region that is recognized by the Agency having jurisdiction.

3. A person representing an agency within the LEPC Region that normally participates as a member of the Incident Command System and responds to a hazardous material emergency response scene.

4. A person who acts as technical specialist or has oversight for directing, training, deploying personnel and other resources in support of hazardous material emergencies.

5. A person who by nature of their assignment may be included on a case-by-case basis when approved by the LEPC Training Committee.

6. A person who's applicant Agency is a LEPC Region V member or has attended a minimum of 2 LEPC meetings in the current year.

7. Applicants grants will also be prioritized by:
   a. Active
   b. Full Time
   c. Volunteer
   d. Seasonal