

Local Emergency Planning Committee Guide



Prepared by:

Nebraska Emergency Management Agency
Nebraska State Emergency Response Commission
University of Nebraska Public Policy Center



October 2018

State Emergency Response Commission
Nebraska Emergency Management Agency
James Rashilla
State Emergency Response Commission (SERC) Coordinator
2433 N.W. 24th Street
Lincoln, NE, 68524-1801
(402) 471-7176
james.rashilla@nebraska.gov
<https://nema.nebraska.gov>

University of Nebraska Public Policy Center
215 Centennial Mall South, Ste. 401
Lincoln, NE 68508
(402) 472-5678
ppc@nebraska.edu
<http://ppc.nebraska.edu>

Local Emergency Planning Committee (LEPC)



What is an LEPC?

A Local Emergency Planning Committee (LEPC) is a gathering of representatives in your community who have an interest in hazardous materials safety and emergency preparedness. As a group you will be tasked with identifying potential risks from chemicals stored in or transported throughout your community. The LEPC seeks ways to help minimize the risk, prevent accidents, and assist in the development of plans to deal with chemical emergencies and other hazards. Through the LEPC, the public will be able to seek out information about chemicals in their communities and learn how to safely shelter in place.

What is the SERC?

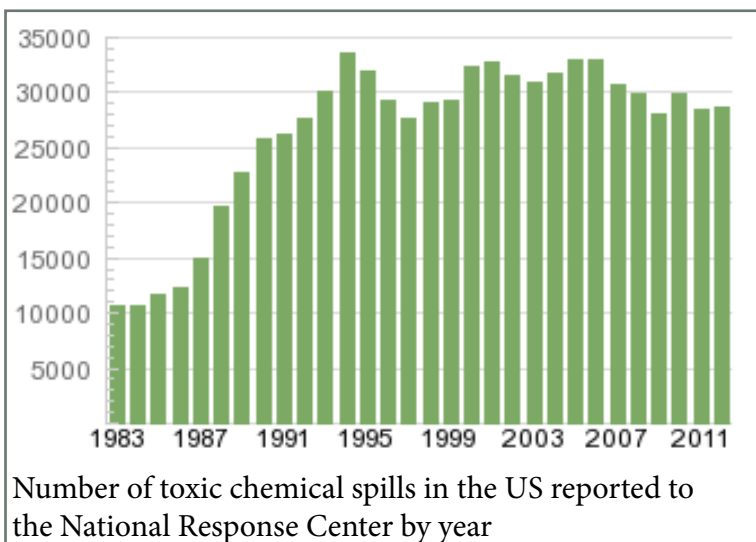
One of the key resources for LEPCs is the State Emergency Response Commission (SERC). The purpose of the State Emergency Response Commission is to coordinate hazardous chemical planning and carry out the mandate of The Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA). The State Emergency Response Commission is responsible for establishing state hazardous chemical emergency preparedness, response, and community right-to-know program as required by EPCRA. Specific responsibilities of the commission include:

- Designate and oversee emergency planning districts known as LEPCs.
- Receive and record initial appointment of and revisions of LEPC membership.
- Receive and approve LEPC reports and plans.
- Implement the EPCRA program in the State of Nebraska.
- Establish procedures for the receipt of, management, and access to all notifications, reports, plans, and all other information required by EPCRA.
- Coordinate with the State and Federal Environmental Protection Agency on [EPCRA](#) implementation.

Why do we need an LEPC?

Citizens of your community need to know they are safe and there are plans in place to assist with a chemical release or other emergency. Tragic incidents show the need for LEPCs:

- In 1984, approximately 40 tons of methyl isocyanate gas was released from a Union Carbide manufacturing plant in Bhopal, India exposing 500,000 persons to a toxic cloud, resulting in 3,000 immediate deaths, as many as 22,000 deaths over time, and 50,000 persons partially or totally disabled.
- In 1989, a chemical complex in Pasadena, Texas experienced a massive vapor cloud release resulting in an explosion with the force of 2.4 tons of TNT, followed by an explosion of a 20,000 gallon isobutene tank. Twenty-three people were killed and 314 were injured.
- In 2002, a Canadian Pacific train derailed near Minot North Dakota, releasing a cloud of anhydrous ammonia gas. This accident killed one person and injured about 100 others
- In 2013 an ammonium nitrate explosion occurred at a fertilizer plant in West, Texas. Fifteen people were killed, more than 160 were injured, and more than 150 buildings were damaged or destroyed.



LEPC Checklist



This checklist can be used to start a new Local Emergency Planning Committee (LEPC) or to improve an existing one. The sections that follow provide some guidance for accomplishing these items.

Starting an LEPC

- Recruit required and other members
- Submit membership forms to SERC
- Develop your bylaws
- Appoint chair and information coordinator
- Hold meeting per requirements of Nebraska open meeting law
- Designate a public library as depository for information

Conduct Basic LEPC Functions

- Review & submit your plan
- Collect Tier II reports from businesses
- Submit annual report

Improve your LEPC

- Develop and implement a financing plan
- Develop and implement a training plan for LEPC members
- Connect with SERC
- Connect with Emergency Managers and your PET Region

- Participate in exercises
- Connect with Emergency Response Teams and Nebraska Hazardous Incident Team
- Connect with industrial and transportation partners
- Connect with relevant state agencies
- Connect with relevant federal agencies

Advance your LEPC to Excellence

- Develop effective leadership skills
- Develop an effective team
- Make sure your meetings are organized and efficient
- Celebrate successes
- Create a positive culture
- Maximize involvement through necessary subcommittees
- Involve organizations such as Citizen Corps, Community Emergency Response Teams, Medical Reserve Corps, and Voluntary Organizations Active in Disasters
- Connect with other community and neighborhood groups
- Connect with citizens
- Develop a meaningful outcome evaluation system
- Establish SMART goals
- Communicate your results
- Regularly evaluate your LEPC

How Do We Organize Our LEPC?



Who can form an LEPC?

Any person with interest in community right to know and public safety can start an LEPC. LEPCs may cover a single county or multiple counties. One of the great things about an LEPC is it is virtually free. An LEPC is a meeting of the minds, a communication tool, and a format to bring interested parties and the public together to make their communities safer. LEPCs and their members must be approved by the State Emergency Response Commission.

What will our LEPC be expected to do?

You will need to recruit community members to form your LEPC. There needs to be an elected chairperson and a designated information coordinator. Your LEPC will be expected to meet at least once a year to review and make changes to applicable sections of the Local Emergency Operations Plan. An annual report will need to be completed.

How do we get started?

This guide is a great place to start to build your LEPC or improve an existing LEPC. You can also contact James Rashilla, the State Emergency Response Commission Coordinator at (402) 471-7176 (james.rashilla@nebraska.gov) or visit the Nebraska Emergency Management Agency [website](#).

What are the LEPC requirements?

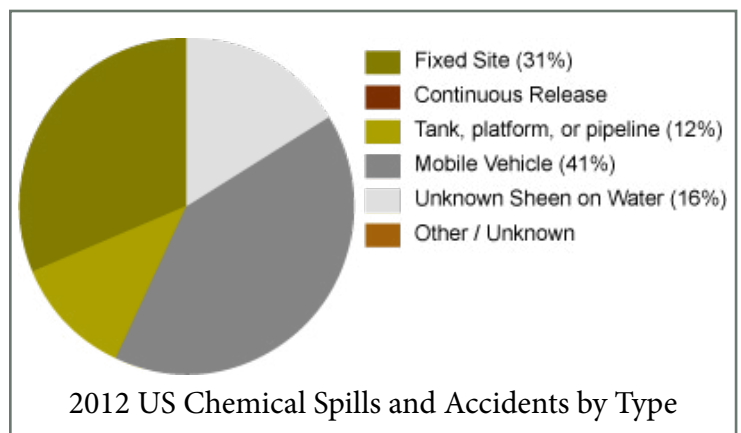
Nebraska law ([Sections 81-15,215-81-15,221](#)) provides [requirements](#) for LEPCs:

- Recruit members to the LEPC
- Elect a chairperson
- Establish rules and procedures
- Meet at least once per year
- Review and update emergency plan
- Provide information to citizens
- Review the need for resources
- Prepare an annual report

Who should be on the LEPC?

LEPC members should be recruited from the community and must be appointed for two years with staggered terms by the State Emergency Response Commission. Click on the following for a [LEPC Membership Form](#) and a [sample completed form](#). Required members include representatives from:

- State and local elected officials
- Public health
- Local emergency management
- Hospitals
- Firefighters
- Local environmental protection
- Law enforcement
- Transportation
- Broadcast and print media
- Neighborhood/community organizations
- Owners/operators of facilities housing extremely hazardous substances



How Do We Organize Our LEPC?



What should rules and procedures include?

LEPC procedures can be included in bylaws. Your bylaws should include:

- A process for electing a chair annually
- Provisions for meeting at least annually and evaluating/updating the Hazardous Material Emergency Response Plan as part of the Local Emergency Operations Plan (LEOP)
- Ensuring meetings comply with Nebraska's [Open Meetings Act](#) and [other requirements](#), including public notice of activities, meetings, and documents
- Procedures for governing bodies to review the emergency plan prior to submission
- Procedures for providing information under the Nebraska Emergency Planning and Community Right to Know Act (EPCRA), to increase public knowledge about the presence of hazardous and toxic chemicals in communities
- Procedures for receiving and processing information requests and designation of an information coordinator
- Designation of a public library as a depository for the emergency plan and providing public notice where information can be obtained for review
- Procedures for evaluating the need for resources to develop, implement, and exercise the emergency plan
- Procedures for receiving and administering funds and developing an annual report

Bylaws may also include election of other officers (e.g., vice-chair, secretary), procedures for making decisions (such as [Robert's Rules of Order](#)), and provisions for forming subcommittees. A template for LEPC bylaws can be found [here](#), and sample bylaws can be found [here](#).

“Our LEPC provides ... relevant information and education. We have had presentations from the pipeline operators and railroads on what they have in place to respond to hazardous material incidents. We have also toured some facilities. Having the right folks on the committee and keeping them engaged has been very beneficial.”

**John Hauser, Chair
Douglas County Local Emergency
Planning Committee**

What should our plan include?

Information and assistance in plan development is available through the Nebraska Emergency Management Agency, Planning Section. For a complete list of the Nebraska Planners check the NEMA [website](#). Each Local Emergency Planning Committee shall complete a hazardous materials emergency response plan as required by EPCRA. The preferred format is to include the Hazardous Material Emergency Response Plan as part of the Local Emergency Operations Plan ([LEOP](#)). The section will be titled Annex F, Appendix 1 Hazardous Materials. A sample format is provided [in LEOP Annex F](#). Plans should conform to the Local Emergency Operations Plan:

- Identify and describe the facilities in the district that possess extremely hazardous substances and the transportation routes along which such substances may move within the district.
- Identify and describe additional facilities that pose risks due to their proximity to facilities with extremely hazardous substances.

How Do We Organize Our LEPC?



- Designate a community emergency coordinator and facility emergency coordinator, who shall make determinations necessary to implement the plan.
- Include methods and procedures to be followed by facility owners and operators and local emergency and medical personnel to respond to a release of extremely hazardous substances.
- Include a description of emergency equipment and facilities in the community and at each facility and identification of the persons responsible for the equipment and facilities.
- Include methods and schedules for exercising the emergency plan.
- Include the programs and schedules for training of local emergency response and medical personnel.

The State of Virginia has provided a useful [checklist](#) for Hazardous Materials Emergency Response Plans. Other resources include the [Hazardous Materials Planning Guide](#) and the [Criteria for plan review](#).

What should our annual report include?

Each LEPC must submit an annual report to the State Emergency Response Commission on or before April 30th. The report should include a list of the LEPC membership and the organization each member represents, current Tier II information (see below), an accounting of all funds received by the LEPC, and any special projects and accomplishments. For a sample report, click [here](#).

What are Tier II Reports?

Federal legislation requires the owners and operators of regulated facilities to provide information about the nature, quantity, and location of reportable chemicals manufactured, processed, stored, or used at their facility sites. The purpose of the legislation is to increase public knowledge of the presence of hazardous chemicals in communities and to better prepare for potential emergencies. Emergency and Hazardous Chemical Inventory Forms (known as [Tier II Forms](#)) must be submitted by businesses to the State Emergency Response Commission and to the LEPC and fire departments(s) with jurisdiction over the facility. Completed Tier II Forms for the previous year are due by March 1. LEPCs may find it useful to use Computer-Aided Management of emergency Operations (CAMEO) software to maintain their Tier II data base. This software is available through the [EPA](#).

Acronyms

EPCRA - Emergency Planning and Community Right to Know Act

LEPC - Local Emergency Planning Committee

NEMA - Nebraska Emergency Management Agency

PET - Planning Exercise and Training

SERC - State Emergency Response Commission

How Do We Improve Our LEPC?



The last section discussed basic requirements for forming and operating your LEPC. This section includes ideas to expand and improve your LEPC. Topics included in this section are funding, training, and key partnerships.

How can we fund our LEPC?

The State of Nebraska is the recipient of a hazardous materials grant provided through the USDOT/PHMSA (US Department of Transportation – Pipeline Hazardous Materials Safety Administration) the grant is administrated by NEMA and the SERC Coordinator. LEPC's can use the grant to train, plan and conduct exercises related to the transportation of hazardous materials. Applications for grant projects can be found [here](#) or by calling the SERC Coordinator at (402) 471-7176. Guidelines for the grant can be found [here](#). Best practices for grants can be found [here](#).

The purpose of the funding assistance is to support local government's programs that are designed to improve capabilities associated with hazardous materials emergency mitigation, preparedness (training, education, planning, and exercising), response, and recovery. LEPCs often raise funds locally. A resource for financial sustainability can be found [here](#).

What training will help our LEPC members?

In Nebraska, hazardous materials training and education is designed to improve the skills and understanding of the roles and responsibilities of elected officials, emergency management personnel, incident command teams, first responders, and hazardous materials technicians.

The Nebraska Emergency Management Agency and the Nebraska State Fire Marshal, Training Division instructs a wide range of courses relating to hazardous materials. Training information can be accessed [here](#).

Hazmat departments that have been identified as a state resource; the 10 State Emergency Response Teams (SERTs) and Nebraska Hazardous Incident Team (NHIT) shall maintain a level of proficiency and meet the standards of a team under [OSHA 1910.120](#), [NFPA 471](#) and [EPCRA 311](#). All team members must be trained to a minimum level of proficiency equal to or greater than the federal standards; however, members may be trained in specialty levels for the use of certain equipment, as needed. Specialty training may be offered within each city/county discipline or through outside training. Training must be [NIMS](#) (National Incident Management System) compliant and include [ICS](#) (Incident Command System) training.

What partnerships are important to the success of our LEPC?

LEPCs are strengthened by forming mutual partnerships with other organizations that have interests, expertise, and resources related to hazardous materials and emergency response. It is critical to engage the private sector for LEPCs to be successful. Companies that are required to submit Tier II reports and transportation companies are two important sectors to involve. A strategy to help engage these sectors is to include representatives on the LEPC committee.

"I believe a healthy LEPC is one where membership participation by citizens and industrial stakeholders is greater than and outnumbers that of local government."

**Paul Johnson,
Douglas County Emergency
Manager**

How Do We Improve Our LEPC?



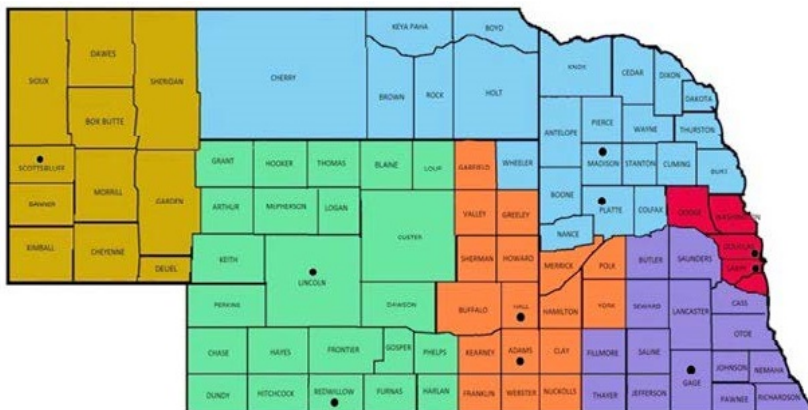
It is important to establish relationships with your local **Emergency Manager(s)** and your **Planning, Exercise and Training (PET) Region**. The Nebraska Emergency Management Agency maintains a list of **Emergency Managers** for each county. There are eight **PET Regions** in Nebraska, each with its own governing board. The PET Regions receive Homeland Security and other grant funding, conduct threat and hazard planning, and coordinate training and exercises.

LEPCs should develop relationships with and understand the capabilities of the 10 State Emergency Response Teams (SERTs). SERTs are located throughout the State and include hazardous material experts and safety officer personnel. LEPCs should also connect with the Nebraska Hazardous Incident Team (NHIT), which includes members from State Patrol, State Fire Marshal, and Department of Environmental Quality. Four NHIT Trailers are strategically located throughout the State with team members to ensure a quick response to an incident. The 72nd Civil Support Team (CST) though the Nebraska National Guard is also a resources for addressing nuclear, biological, chemical,

or radiological events (see NEMA). Additional information on Hazmat Resources can be found [here](#).

LEPCs will benefit from connections with a number of state and federal agencies including the Nebraska Emergency Management Agency (**NEMA**), which provides support for SERC and LEPCs, the Nebraska State Patrol (**NSP**) which can mobilize NHIT, the Nebraska State Fire Marshal (**NSFM**) which has an important role in education, inspections, training, and response related to hazardous materials, the **Nebraska Department of Environmental Quality**, which has responsibility for protecting Nebraska's air, land and water resources, the **Nebraska Hazardous Materials Association**, an organization formed to provide knowledge, skills and resources for all emergency responders, the **US Environmental Protection Agency**, which is responsible for protecting human health and the environment, the **US Department of Transportation**, which has a role in ensuring safe transportation of hazardous materials, and the **Federal Emergency Management Agency**, which is responsible for coordinating the country's preparation and response to disaster.

Ten SERTs and State Patrol Troop Areas



Hazmat Cities:

- Beatrice – Gage County
- Bellevue – Sarpy County
- Columbus – Platte County
- Grand Island – Hall County
- Hastings – Adams County
- Norfolk – Madison County
- North Platte – Lincoln County
- Omaha - Douglas County
- Red Willow Rural – Red Willow County
- Scottsbluff – Scotts Bluff County

How Do We Achieve Excellence For Our LEPC?



Once you have mastered the basics of LEPCs and have a well-functioning team, it is time to take your LEPC to the next level. This section focuses on energizing your LEPC, involving the community in your activities, and evaluating your results. Following are key resources to help you move your LEPC toward excellence.

How do we energize our LEPC?

A good resource to help you achieve excellence is a document by EPA Region 7 called "[Energize Your Local Emergency Planning Committee](#)." Some of the topics covered include the following:

- **Developing Effective Leadership Skills:** Leadership does not mean just the chair of the LEPC. For an LEPC to function exceptionally well, leadership must be provided by all members. Good leaders keep the focus of the LEPC on the broader objectives of community safety, continuously evaluate the activities of the LEPC in relation to its goals and objectives, be inclusive in sharing decision making, establish good relationships with community members and stakeholders, devote sufficient time to the committee, and focus on solving problems. Good leaders energize others and help build a culture of achievement. A useful leadership development tool can be found [here](#).
- **Establish an Effective Team:** It is helpful for all members of the LEPC to understand their roles on the team and to productively work with other team members. Membership on LEPCs is often based on technical knowledge or the interests a member represents. Equally important in selecting LEPC members is a commitment to the goals of the LEPC and the ability to function as part of a collective team. Effective teams follow well-planned meeting [agendas](#), sent out to members in advance. All team members are responsible for ensuring meetings are efficient and effective.
- **Make sure new members understand the role of the LEPC, their role as part of the committee, and all information to function as an effective team member.** LEPC members are ambassadors to the broader community. There are a number of web [resources](#) for team building that may be helpful.
- **Celebrate Successes:** Recognizing contributions of individuals and organizations is a great way to make people feel valued and to communicate with the broader community. Too often, dedicated people work tirelessly to plan for emergencies and keep our communities safe; seldom do they receive the recognition they deserve. Celebrating these achievements motivates people to excel and informs others about the good work being performed. Recognition can be given to LEPC members, stakeholders such as businesses or first responders, or community groups and volunteers.
- **Stay Positive:** Over the long haul, staying positive can be a challenge. However, energy begets energy. Part of good leadership is maintaining one's own positive attitude and reinforcing the positive attitudes of others. Energized people result in energized organizations, and energized LEPCs lead to safer communities. Look for indicators of negativity such as poor attitudes in committee members, difficulty in recruiting new members, and current members not following through on commitments. Address these issues immediately such as holding training of interest to the community, engaging in team building activities, participating in community events, or inviting motivational speakers to present at your meetings.
- **Delegate the Work:** Effective LEPCs involve others in their efforts, tapping into the expertise of stakeholders and the community. A great way to involve others is to form subcommittees tasked with achieving specific objectives. Examples

How Do We Achieve Excellence For Our LEPC?



of areas for subcommittees include planning, exercise and training, resource development, strategic communications, or business/industry outreach.

How do we involve our community?

It is important to get involvement of the community in the work of the LEPC. Planning for chemical spills and other hazards is of vital interest to the community; yet, often community members are not aware of the critical work of LEPCs. There are some groups in your community that may be a natural fit because they have an interest in emergency preparedness; these include organizations such as:

- **Citizen Corps** Councils, which work to ensure the security and safety of citizens,
- **Community Emergency Response Teams (CERTs)**, which educate people about disaster preparedness and trains them in basic disaster response skills,
- **Medical Reserve Corps** which include medical professionals,
- Neighborhood associations and neighborhood watch programs which are interested in improving communities and keeping them safe,
- Voluntary Organizations Active in Disaster (**VOAD**) which coordinate volunteers, and
- Schools, which are interested in the safety of students.

Civic organizations may also be interested in the work of LEPCs; often groups such as Veterans of Foreign Wars, Elks Clubs, Rotary, Masons, Knights of Columbus, youth organizations and other groups are looking for informational speakers and are interested in participating in projects that improve their community. LEPC connections with these groups will make communities safer and further the interests of these organizations.

Everyday citizens in your community are also important stakeholders. Your LEPC should think

about what they want citizens to know about chemical releases and other disasters, what they want them to do in these incidences, and craft strategies to get them involved. The **Community Tool Box** is an excellent resource for mobilizing your community. A community asset mapping **tool** by the Southern Rural Development Center and a Local Mitigation Planning guide (**Beyond the Basics**) may also be helpful tools for engaging the public.

How can we evaluate our outcomes?

In an environment of increasing public accountability, government at all levels and community organizations, such as LEPCs, are being asked to demonstrate their effectiveness. LEPCs conduct important activities such as collecting data from industry, developing plans for response to chemical releases, and communicating critical information to citizens and organizations. However, many LEPCs may not be collecting and communicating information about the results they have achieved and how they have made communities safer. In this section, we provide resources to help you evaluate your outcomes.

An excellent starting point is a publication by the US Environmental Protection Agency – **“Measuring Progress in Chemical Safety: A Guide for Local Emergency Planning Committees and Similar Groups.”** The framework they provide for identifying and collecting outcomes is called the **Safety Performance Indicators (SPI)** program using the seven step process in the diagram that follows. It is important for the LEPC to establish goals it wants to achieve and then use the Safety Performance Indicators framework to measure progress toward those goals. Examples of goals include:

- Reduce the number of chemical accidents and injuries/deaths resulting from those incidents

How Do We Achieve Excellence For Our LEPC?



- All citizens in the community are aware of chemical hazards and know what to do should an incident occur
- All relevant facilities within the community will be in compliance with the Emergency Planning and Community Right to Know Act

The goals you establish for your LEPC should be SMART goals. That is, your goals should be Specific, Measurable, Achievable, Relevant, and Time-bound. A resource to help you write SMART goals can be found [here](#). Once you have goals established, you can identify the indicators you will use to measure progress toward your goals. It is important to select indicators that are meaningful and will accurately assess your progress rather than selecting data just because it is easy to get. You may decide to capture data that is already available, or you may need to develop methods such as surveys, focus groups or reporting processes to get new data. As you decide on your data collection procedures, make sure your LEPC is clear about how you will use the information. It can be frustrating for everyone if time and resources are expended to collect information that is not being

used. If you find the data your LEPC is collecting is not useful, then stop collecting it or change what you collect. It is a good idea for LEPCs to document how they use evaluation information, whether to inform decisions made by your committee or to communicate successes to the community.

If you decide to communicate the results of your evaluation, it may be useful to think strategically about what you want to achieve by communicating results, to whom you want to communicate, what information is relevant to this communication, how you can package the information, and what methods will be most effective in reaching your target audience. Assistance is available from the [National Prevention Information Network](#), the [National Cancer Institute](#), and the [Centers for Disease Control and Prevention](#), among others.

It is also useful to regularly assess your LEPC. Kansas has an excellent LEPC [assessment tool](#) that can be used for this purpose.

