

SHELBY COUNTY, ALABAMA, LEPC (Local Emergency Planning Committee)

Exists to form a partnership with local governments and industries to enhance hazardous materials preparedness and be the coordinating point for both planning and training activities at the local level.

Primary responsibilities:

- Develop, regularly test and exercise the Hazmat Annex of the Shelby County Emergency Operations Plan (EOP):
 - ESF #10: Oil and Hazardous Materials Response/Hazard Annex – Hazardous Materials
- Conduct a hazards analysis for:
 - Hazmat facilities: local fire department, pre-fire plan and RMP
 - Transportation corridors (Commodity Flow Study):
 - Highways: local Fire Departments
 - Rail: Shelby EMA
- Receive and manage hazmat facility reporting information (ADEM, LEPC, Fire Departments):
 - Chemical inventories
 - Tier II Reporting forms required under SARA, Title III (Shelby EMA)
 - Safety Data Sheets or chemical lists
 - Points of contact
- Coordinate Community Right-to-Know requests (Shelby EMA):
 - Fire Departments & Communities: ensure all hazmat incidents are reported timely to Shelby EMA on behalf of the Shelby LEPC

Membership & Meetings:

- Fire departments, Law Enforcement, Emergency Management, Public Health officials, Hospital/Northeast Alabama Health Care Coalition (HCC), Industry to include facilities and carriers, Media, Community organizations and Elected Officials
- Meets at 11:30am the 2nd Tuesday of February, May, August and November

IMMEDIATELY REPORT THE FOLLOWING BY CONTACTING SHELBY COUNTY EMA:

- Office – EOC: 504 HWY 70, Columbiana, 35051, 205-669-3999
 - EMA Main (700mhz radio TalkGroup)

PETROLEUM/OIL:

- **Any product in flowing water**, i.e., storm water systems, blue water stream, lake, river, etc.
- **Any spill creating a SHEEN or immanently threatening to impact waters is REPORTABLE!**
- **Any release of 25 gallons or more to land.**
 - Land includes: soil, asphalt, concrete or any uncovered/outside substrate.

HAZARDOUS MATERIALS:

- First Responders:
 - **Any product in flowing water**, i.e., storm water systems, blue water stream, lake, river, etc.
- Regulated Facilities (RF):
 - Must immediately notify SERC and LEPC of ANY releases of Extremely Hazardous Substances under EPCRA § 302 and hazardous substances listed under CERCLA in quantities greater than their corresponding Reportable Quantities. (See next page)

REGULATED FACILITIES INITIAL EMERGENCY RELEASE NOTIFICATION: must include the following (EPCRA § 304(b)(2)):

- Chemical name or identity of any substance involved in release
- Indication of whether the substance is a listed Extremely Hazardous Substance (EHS)
- Estimate of the quantity of any such substance that was released into the environment
- The time and duration of the release
- The medium or media into which the release occurred
- Any known or anticipated acute or chronic health risks associated with the emergency and, where appropriate, advice regarding medical attention necessary for exposed individuals
- Proper precautions to take, including evacuation (unless such information is readily available to the community)
- The name(s) and telephone number(s) of the person or persons to be contacted for further information

REGULATED FACILITIES MUST ALSO PROVIDE WRITTEN FOLLOW-UP: as soon as practicable after the release to include (EPCRA § 304(c)):

- Actions taken to respond to and contain the release
- Any known or anticipated acute or chronic health risks associated with the release; and
- Where appropriate, advice regarding medical attention necessary for exposed individuals

REGULATED FACILITIES INFORMATION:

- Any facility required to maintain SDSs under OSHA for hazardous chemicals stored or used in the work place.
- Tier II reporting requirements:
 - EHS: 500 pounds or Threshold Planning Quantities (TPQ), whichever is lower
 - EHS: Extremely Hazardous Substances are chemicals determined by EPA to be extremely hazardous during a release due to their toxicities and physical/chemical properties
 - All other hazardous chemicals: minimum reporting threshold (MRP) is 10,000 pounds
 - Gasoline (all grades combined): retail gas station MRP is 75,000 gallons
 - Diesel (all grades combined): retail gas station MRP is 100,000 gallons
- Regulated Facilities in Shelby County:
 - Tier II: 112 in 2021
 - RMP (Risk Management Plan) required: 4 within last 5 years
 - EHS: 30 in 2021

TERMS:

- Hazardous Substances and Reportable Quantities: see 40 CFR § 302.4: Designation of Hazardous Substances (with Reportable Quantities (RQ)): <https://www.law.cornell.edu/cfr/text/40/302.4>
- SERC: State Emergency Response Commission consisting of Alabama Department of Environmental Management (ADEM) and Alabama Emergency Management Agency (AEMA)
- TERC: Tribal Emergency Response Commission

COMMUNITY WATER SYSTEMS (CWS):

Information regarding releases affecting your source water:

- State Emergency Response Commission (SERC) (ADEM & AEMA) is required to:
 - Promptly notify drinking water primacy agency (ADEM) of any reportable release and provide ADEM with:
 - The information collected under EPCRA § 304(b)(2) from the initial release notification; and
 - The follow-up written report received under EPCRA § 304(c)
- Drinking water primacy agency (ADEM) is then required to promptly forward all information regarding release to any community water systems whose source water is affected by the release.
 - The source water for a community water system is potentially affected if release occurs in system's source water area or source water protection area.
 - Drinking water primacy agencies (ADEM) and community water systems can provide boundaries for source water protection areas

Chemical Inventory Data for facilities (i.e. Tier II Information):

- Upon request, SERCs and LEPCs are required to provide affected community water systems with chemical inventory data (i.e. Tier II information) for facilities within their source water protection area.
- Community water systems (CWS) should be involved in larger planning efforts of the LEPC.
- America's Water Infrastructure Act (AWIA) requires CWS to coordinate with LEPCs

Source: *Amendments to the Emergency Planning and Community Right-to-Know Act (EPCRA) – America's Water Infrastructure Act: A Guide for SERCs, TERCs and LEPCs*, March 2019

<https://www.epa.gov/epcra/amendments-epcra-americas-water-infrastructure-act-guide-sercs-tercs-and-lepcs>

AWIA amendments/New Requirements under Safe Drinking Water Act (42 U.S.C. 300i-2) section 1433:

- Community water systems serving more than 3,300 person must develop or update risk and resilience assessments and emergency response plans
 - Risk and Resilience Assessments Certification to EPA Administrator deadlines: population of 100,000+: March 31, 2020, 50,000-99,999: December 31, 2020, 3,300-49,999: June 30, 2021 (EPA, p. 3)
 - Complete Emergency Response Plan as soon as reasonably possible, but no later than six months after certifying complete of risk assessment (EPA, p. 4)
 - "Community water systems must, to the extent possible, coordinate with LEPC . . . when preparing or revising risk and resilience assessment or emergency response plans under the AWIA" (EPA, p. 6).

Source: *New Risk Assessment and Emergency Response Plan Requirements for Community Water Systems*, prepublication version, March 19, 2019

<https://www.epa.gov/waterresilience/new-risk-assessment-and-emergency-response-plan-requirements-community-water-systems>

LAWS: What created and regulates an LEPC:

CERCLA: Comprehensive Environmental Response, Compensation and Liability Act (1980)

- Created a Federal “Superfund” to clean up uncontrolled or abandoned hazardous-waste sites as well as accidents, spills and other emergency releases into the environment. CERCLA gives EPA power to seek out responsible parties for any release and assure their cooperation in the cleanup.

SARA: Superfund Amendments and Reauthorization Act (1986)

- Reauthorized CERCLA to continue cleanup activities around the country

EPCRA (SARA Title III): Emergency Planning and Community Right-to-Know Act

- Established requirements for businesses and federal, state and local governments regarding emergency planning and community right-to-know reporting for hazardous chemicals
- Mandates establishment of both state and local planning groups to review and develop hazardous materials response plans
- Alabama Emergency Response Commission (AERC) meets twice a year and serves as our State Emergency Response Commission (SERC)

FURTHER INFORMATION:

- <http://ema.shelbyal.com>
 - Click Local Emergency Planning Committee link on left side of page
- <http://www.adem.alabama.gov/MoreInfo/saraIII.cnt>
- <https://www.epa.gov/epcra/local-emergency-planning-committees>
- <https://www.epa.gov/rmp> (Additional information on Risk Management Plans)
- <https://www.epa.gov/epcra/what-epcra> (contains EPCRA video)