



# General Information for LEPCs



# Overview of EPCRA and the SERC



# EPCRA Background

- ❖ Emergency Planning and Community Right to Know Act (EPCRA) was passed by Congress in 1986
- ❖ Triggered by 1984 chemical disaster in Bhopal, India
- ❖ Addressed hazmat planning and reporting for all levels of government, as well as private sector industry
- ❖ New Jersey addressed EPCRA compliance in 1987 when Gov. Kean issued Executive Order #161 establishing NJ's State Emergency Response Commission (SERC)
- ❖ In January 2022, Governor Murphy issued Executive Order #284, clarifying the role and responsibilities of the SERC and providing flexibility to redistrict, together increasing effectiveness of the SERC's supervision



# Scope of EPCRA Planning

- ❖ Each year, the U.S. Environmental Protection Agency publishes a Consolidated List of Lists, which contains Extremely Hazardous Substances (EHS). Facilities that contain EHS over a certain Threshold Planning Quantity (TPQ) are subject to EPCRA planning.
- ❖ [Consolidated List of Lists | US EPA](#)
- ❖ [What are extremely hazardous substances \(EHSs\)? | US EPA](#)



# Composition of the SERC



**Co-Chairs**



**Members**





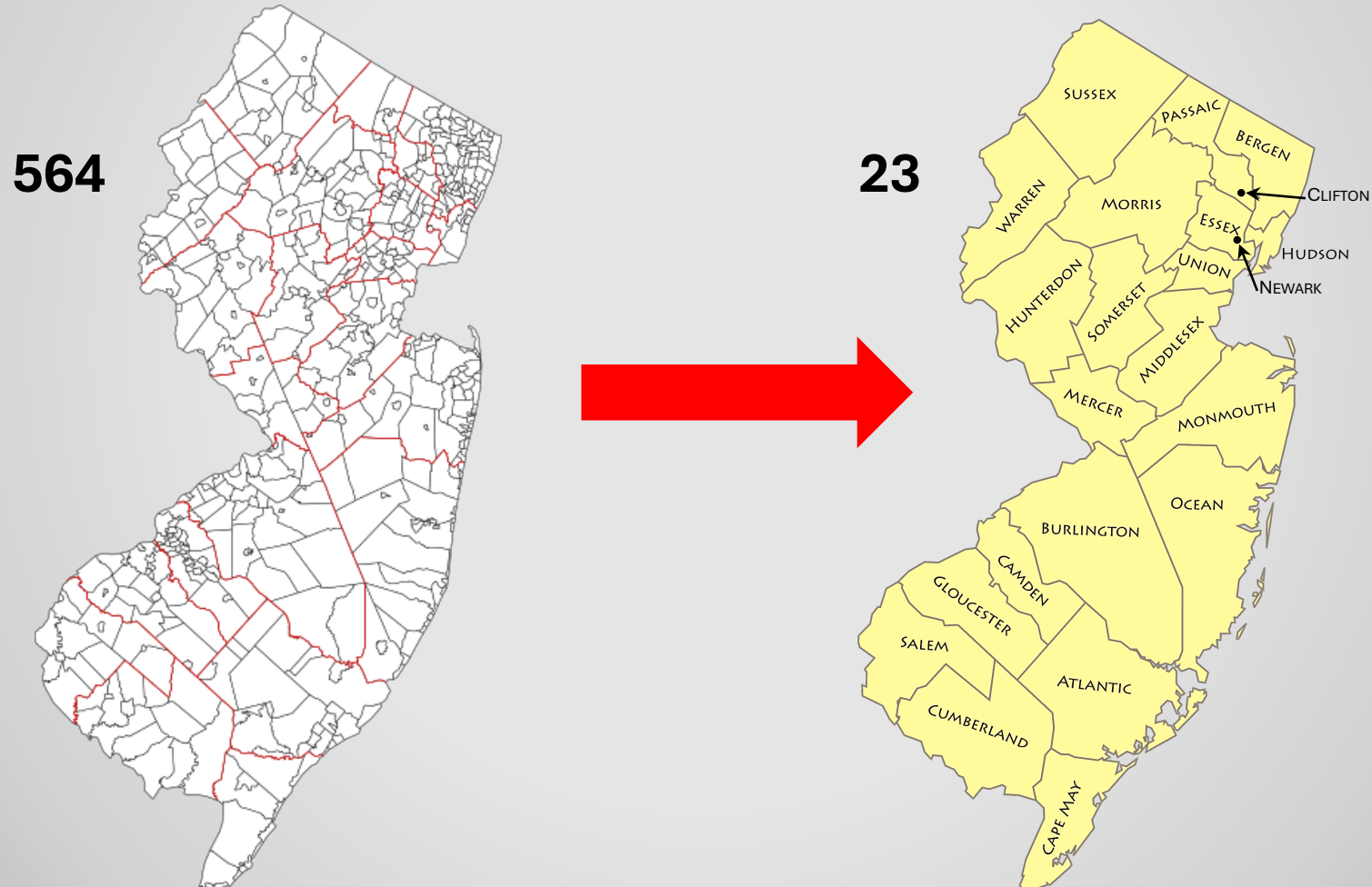


# Responsibilities of the SERC

- ❖ Designate Emergency Planning Districts
- ❖ Delegate appointment of Local Emergency Planning Committee (LEPC) members to local elected officials and emergency management coordinators
- ❖ Provide leadership, resources, and expertise to support LEPCs



# Emergency Planning District Designations





# SERC Updates

- ❖ Executive Order #284 critical to address needed updates
  - ❖ Emergency Planning Districts
  - ❖ Homeland Security
- ❖ SERC Resolutions and LEPC support
  - ❖ DEP and DOH Right-to-Know Portals
  - ❖ Off-site ERP development
  - ❖ EPCRA LEPC exercises and workshops
  - ❖ SERC website - link to resources, templates, tools
- ❖ Stakeholder outreach and engagement





# LEPC Purpose and Responsibilities

Perform duties under Emergency Planning and Community Right to Know Act (EPCRA), Executive Order 161, and Executive Order 284 for the designated “Emergency Planning District.”

- ✓ Enhance hazmat awareness, preparedness, and response
- ✓ Optimize safety of first responders, workers and the public
- ✓ Make information available to the public

# LEPC Purpose

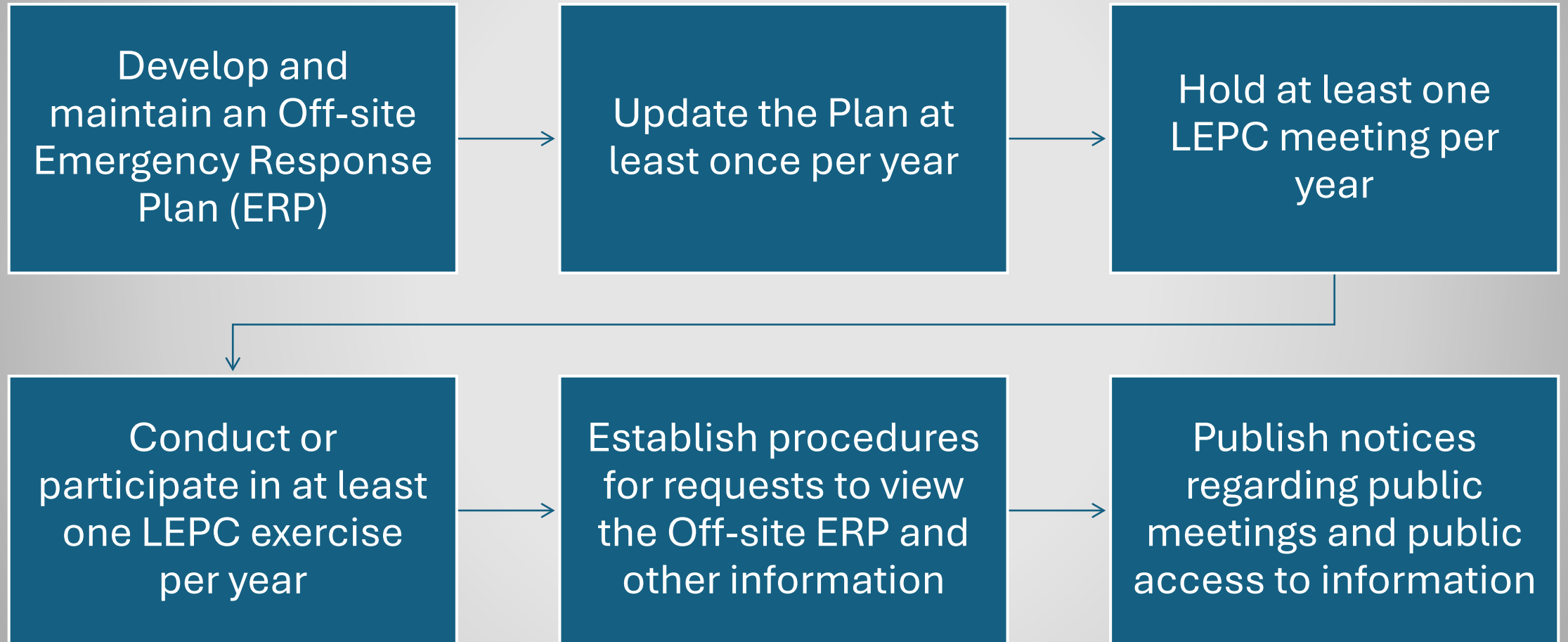


# LEPC ≠ LEMC/CEMC

## Distinction between the LEPC and the LEMC/CEMC

Local Emergency Planning Committee	Local/County Emergency Management Council
Authority: Federal EPCRA Statutes Lead federal agency: US EPA	Authority: NJ Disaster Control Act Lead federal agency: FEMA
Executive Order 161 (1987) Executive Order 284 (2022)	Directive NJOEM-5 (2022) Directive NJOEM-9 (2022)
Jurisdiction is the Emergency Planning District designated by the SERC	Jurisdiction is the political boundary, per the provisions of the Disaster Control Act
Deals with EPCRA and the Off-site Emergency Response Plan (ERP) - MUST be made available to the public	Deals with the all-hazards Emergency Operations Plan (EOP) - Treated as a protected document

# LEPC Primary Responsibilities



# Publicly Available Documents

EPCRA mandates public access to the following, pursuant to 42 USC § 11044:

- ✓ Off-site ERP
- ✓ Safety Data Sheet (SDS) or list of hazardous chemicals submitted by facilities
- ✓ Right-to-Know (RTK) surveys if requested for a specific facility (LEPC has 45 days to provide)
- ✓ Toxic chemical release forms and follow-up reports



# Access to Documents

Restricted to a “reading room” during normal business hours

- ✓ By appointment or through set hours (must be reasonable access)
- ✓ No photocopying or taking pictures
- ✓ Requests to view the Off-site ERP and related documents should be processed **through the LEPC Information Coordinator, not as a regular OPRA request**

DO NOT PROVIDE PHOTOCOPIES IN LIEU OF MAKING THE DOCUMENTS AVAILABLE IN A READING ROOM.

# Public Notice

LEPCs must publish an annual notice in local newspapers to inform the public about:

- ✓ Information available through the LEPC pursuant to Executive Order 284
- ✓ How the public can access the information
- ✓ Date, time and location of the annual LEPC meeting

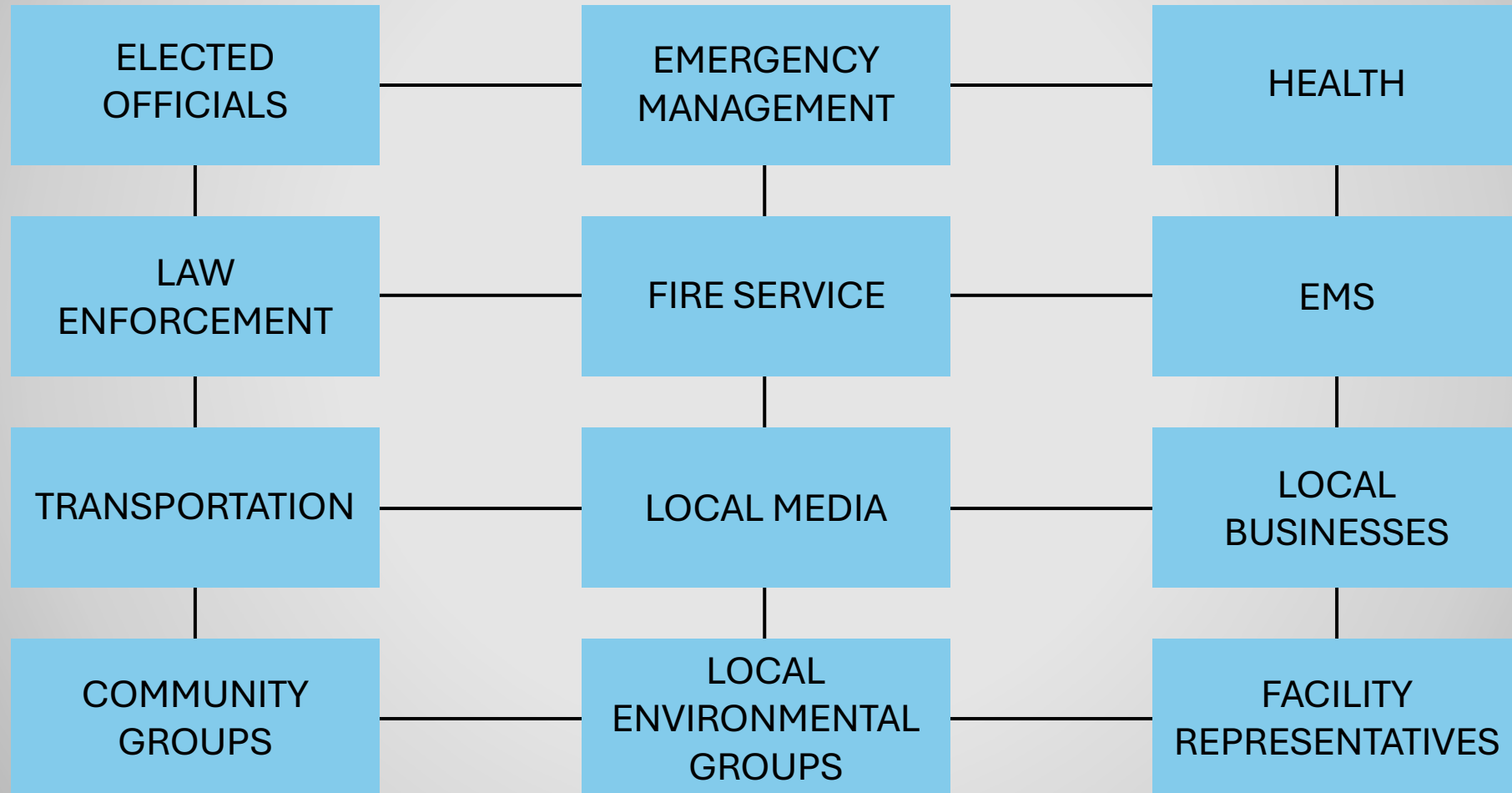
Also use your website to amplify the message



# LEPC Stakeholder Engagement



# LEPC Required Representatives





# The Basics of Updating the Off-Site Emergency Response Plan





# Updating the Offsite ERP

## When should you update the Off-site Emergency Response Plan?

- The best data is available in August of any given year
  - Facilities that report to DEP should annually report their current surveys by March 1<sup>st</sup>
  - Facilities that report to DOH should annually report their current surveys by July 15<sup>th</sup>
- We ask that LEPCs submit the updated Off-site ERPs by December 1<sup>st</sup>
- The SERC will then review all ERPs by the end of the year



# Sections to Update

## What sections do you need to update?

- Focus on any changed procedures within sections (e.g.):
  - V. Concept of Operations
    - Overview, Direction and Control, Notification Procedures, etc.
  - XV. Appendices

### Table A.1 – EPCRA Facilities

The table below lists the facilities in the **district** Emergency Planning District that are regulated under EPCRA. **[Import this information from the NJDEP/NJDOH Right-to-Know Portal]**

Facility Name	Street Address	City	Zip	Facility Emergency Coordinator, Title	24 Hour Contact number

### Table A.2 – Proximate Infrastructure

The table below lists facilities contributing or subjected to additional risk and facilities that could be negatively impacted by a chemical release due to their proximity according to the current ERG guidebook.

Name	Street Address	City	Zip	Proximate EPCRA Facility



# Survey



- LEPCs will utilize a survey to notify the SERC of completed responsibilities (i.e.):
  - Updated LEPC contact information
  - LEPC meeting completion
  - LEPC exercise completion
  - ERP update
- To access the survey, LEPCs should email the SERC at [NJSERC@njsp.gov](mailto:NJSERC@njsp.gov)



# Annual LEPC Exercise



# SERC Policy

## SERC Policy on Exercising the Off-site ERP

The NJ SERC requires LEPCs to **conduct or participate in an annual exercise** to test various elements of the Off-site Emergency Response Plan (ERP). These exercises can either be standalone LEPC exercises, or as part of emergency management exercises required to satisfy other statutory guidance or NJOEM directives, **provided that elements of the ERP are incorporated.**

- See Directive NJOEM-14 (2024) for county and municipal OEM exercise requirements





# Exercising the Off-site ERP

- Possible elements of the plan to exercise:
  - **Response procedures** for facility workers and first responders to chemical releases
  - **Chemical release notification procedures:**
    - for facilities to notify persons designated in the Off-site ERP
    - for emergency coordinators to notify the public
  - **Methods for determining the occurrence of a release**, and the area or population likely to be affected by such release
  - **Evacuation plans**, including provisions for a precautionary evacuation and alternative traffic routes



# Examples of Qualifying Exercises

- Call down notification drill (test communications/current contacts)
- Public notification systems drill for shelter-in-place or evacuation
- **US EPA funded and sponsored TTX Template**
  - Six counties completed/in process
  - US EPA committed to funding contracted support for three additional exercises
  - Exercise materials are available from the SERC via the website [nj.gov/njoem/serc](https://nj.gov/njoem/serc) which can be used by any county or municipality
    - PowerPoint, Situation Manual, Exercise Evaluation Guide, After Action Report



# US EPA Exercise Objectives

- Test the Off-site ERP provisions for:
  - **Internal notification** of a chemical release incident from an EPCRA-regulated facility
  - **Assessment, internal communication, coordination, and decision-making** regarding protective actions for the public
  - **Notifying the public** in response to a chemical release
  - **Documenting** chemical release incidents and **evaluating** the effectiveness of agencies' ability to share results and evaluate the incident response and share the results with stakeholders and the public



# US EPA Exercise Modules

Time	Activity
8:00 a.m. – 8:45 a.m.	Registration
8:45 a.m. – 9:00 a.m.	Welcome and Introductions
9:00 a.m. – 9:15 a.m.	Module 1: Facility Notifications
9:15 a.m. – 9:45 a.m.	Module 2: Local Agency Notifications
9:45 a.m. – 10:00 a.m.	Break
10:00 a.m. – 10:30 a.m.	Module 3: Risk Assessment
10:30 a.m. – 11:00 a.m.	Module 4: Public Notification
11:00 a.m. – 11:15 a.m.	Module 5: Documentation and Investigation
11:15 a.m. – 11:30 a.m.	Hotwash and Closing Comments

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# Youngstown, Ohio Chlorine Leak (2015)

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- “Training came in handy when more than **500 gallons of chlorine leaked** from a holding tank in the plant.”
- “Mahoning County Deputy HazMat Chief Silverio Caggiano said his team has **trained for a state required scenario** nearly identical to this three years ago.”







# Questions?

Please email [NJSERC@njsp.gov](mailto:NJSERC@njsp.gov)