

## POLICY REQUIREMENTS FOR LEPC COMPLIANCE

### LEPC ISSUES

- A. Frequency of Meetings: Each Committee must meet at least two (2) times, on separate days, every six (6) months.
- B. Roster Submissions: Each Committee must submit a roster to the IERC at least annually by March 1 and enter into the online system at [www.in.gov/dhs/3793.htm](http://www.in.gov/dhs/3793.htm); the roster format provided by the IERC must reflect the categories of membership required by SARA Title III, Section 301(c).
- C. Submission of Annual Financial Report: Each Committee must submit to the IERC a report of prior year expenditures and official county auditor's report annually by March 1; the information must be submitted to the IERC through the online reporting system at [www.in.gov/dhs/3793.htm](http://www.in.gov/dhs/3793.htm) to satisfy the requirements of IC 13-25-2-10.6.
- D. Annual Publication of Legal Notice: Each Committee must publish at least annually a legal notice, in its emergency planning district, setting out Committee meeting times and places, and the location of the Committee's emergency plan, Tier II reports, SDS reports, and written follow-up notices by facilities experiencing accidental SARA Title III chemical releases. A copy of such notice is to be furnished to the IERC by January 31 annually through the online reporting system at [www.in.gov/dhs/3793.htm](http://www.in.gov/dhs/3793.htm). [42 U.S.C 11044(b)].
- E. Plans Submission: Each Committee must submit annually to the IERC, by October 17, its emergency plan update for accidental Title III chemical releases through the online reporting system; such plan should be an annex to the county emergency operations plan.
- F. Plans Exercising: Each Committee must exercise its Title III emergency plan at least once annually. Such exercise may be a table-top, functional, or full-scale field exercise, but

must satisfy the requirements listed in the Exercise Report instructions approved by the Training Committee. (See Section 1.13 herein.) The exercise proposal must be submitted to the IERC by March 1 annually through the online reporting system.

- G. Compliance/Outreach: Each Committee should institute a compliance/outreach effort to identify and bring into compliance facilities which are subject to, but not reporting under, SARA Title III.
- H. Risk Communication: Each Committee should institute a risk communication program to inform the public of the health, safety, and environmental risks posed both by chemicals transported and at fixed facilities in the community.
- I. Record Retention: Each Committee is subject to County Board document retention schedule.
- J. Public Official Education: Committees should inform local officials of the Committee's responsibilities under Title III and solicit the participation of local officials in the execution of the Committee's duties.
- K. Inter-County Planning: Committees should work with the Committees in surrounding counties to coordinate emergency planning and response. Additionally, emergency planning districts shall be combined in accordance with the following guidelines:
1. The IERC must first approach the Chair of the inactive LEPC and ask if the LEPC would object to being combined with another LEPC. If no definitive answer results from contacting the LEPC Chair further contact must be made with the County Emergency Management Director and the Chair of the County Commission.
  2. Prior to combining counties, the IERC must identify one or more viable LEPCs contiguous with the inactive LEPC and approach a viable LEPC about assimilating the county of the inactive LEPC.
  3. In no event shall counties be combined if the viable LEPC objects to taking over the responsibilities of the inactive LEPC.

4. A viable LEPC may assimilate more than one inactive contiguous LEPC so long as the viable LEPC can fulfill the requirements for the newly created planning district.
5. Funds, including withheld funds from inactive LEPC's, must be transferred to the viable LEPC in annual payments to be approved on a case by case basis by the IERC.
6. If representatives of an inactive LEPC object to assimilation, the IERC must give the inactive LEPC 90 days within which to achieve compliance with at least 6 at the requirements of IC 13-25-2-10.6 for the current calendar year. Inactive LEPCs may seek reconsideration of the IERC's proposed combination of planning districts after submitting a plan containing a compliance schedule within 90 days of the IERC's notice of intent to combine the district.
7. The IERC remains free to dissolve combined emergency planning districts upon a showing that the former inactive LEPC has been replaced by a newly organized viable LEPC for the district which was assimilated.
8. The IERC must consider, among other things, the following issues prior to combination of planning districts:
  - a) the number of EHS facilities in all the districts involved;
  - b) the demonstrated abilities of the viable LEPC;
  - c) the recommendations of IERC staff, including field support personnel; and
  - d) unique circumstances of the inactive LEPC.
9. Notwithstanding all of the above guidelines, the IERC reserves the power as granted by IC 13-25-1-6(a) (3), to design and supervise emergency planning districts.

L. Donations to LEPCs:

Committees should keep donations from any source other than the IERC in a separate account from that with state-provided funds; any funds combined with state funds become subject to state spending guidelines as provided by law.

M. LEPC Telephone Numbers:

Each Committee must provide to the IERC and to Title III facilities in its emergency planning district a 24-hour

emergency number for reporting Title III releases and an administrative telephone number for routine calls.

N. Bylaws:

Committees must adopt bylaws and update the document annually. A copy of the adopted and signed bylaws must be submitted by March 1 to the IERC through the online reporting system.

O. Online Reporting System

Each Committee must submit all funding documents to the IERC annually through the LEPC online reporting system at [www.in.gov/dhs/3793.htm](http://www.in.gov/dhs/3793.htm)

