

**WASHINGTON COUNTY,  
OHIO**

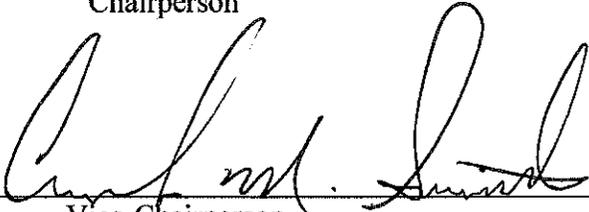
**LOCAL EMERGENCY  
PLANNING  
COMMITTEE**

**BY-LAWS**

July 10, 2013

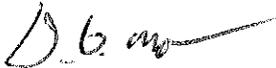
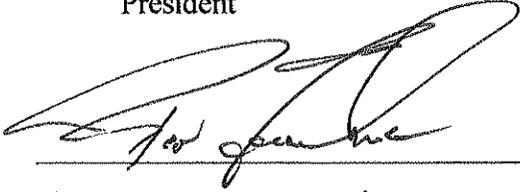
**Washington County LEPC By-Laws: Approval Sheet**

The Washington County Local Emergency Planning Committee adopts the attached by-laws by a two-thirds majority vote of the agencies during the 10<sup>th</sup> day of July, Two Thousand and Thirteen.

 _____ Chairperson	<u>10.21.13</u> Date
 _____ Vice-Chairperson	<u>10.15.13</u> Date

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**Approved By: Washington County Commissioners**

 _____ President	<u>10/31/13</u> Date
 _____ Commissioner	<u>10/31/13</u> Date
 _____ Commissioner	<u>10-31-2013</u> Date

# **Washington County Local Emergency Planning Committee**

## **BY-LAWS**

### **PREAMBLE**

To provide an efficient means of operation, the Washington County Local Emergency Planning Committee (LEPC) has established the following set of By-laws and Procedures by which to operate. These By-laws and Procedures address a variety of issues and requirements including meeting formats, membership, agendas, public notification activities, receiving and responding to public comment, distribution of emergency plans, and requests for information under the Emergency Planning and Community Right-to-Know Act of 1986.

### **CHANGES TO THE BY-LAWS AND PROCEDURES**

The By-laws may only be changed by a two-thirds majority vote of the LEPC membership following a review of the proposed change(s) by all members of the LEPC. The procedures may be changed by a majority vote of the LEPC members present at a regularly scheduled meeting. The review period for proposed changes to the by-laws and procedures shall be decided by a simple majority vote of the members present.

## **NAME, PURPOSE AND OBJECTIVE**

### **NAME:**

The name of this Committee is known as the Washington County Local Emergency Planning Committee, and hereinafter shall be referred to as the Committee.

### **HISTORY:**

As specified by Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA Title III), Congress enacted the Emergency Planning & Community Right-to-Know Act (EPCRA) to help local communities protect public health, safety and, the environment from chemical hazards. In 1988, the Ohio General Assembly passed Substitute Senate Bill 367 to provide for the implementation of EPCRA in Ohio law. EPCRA in Ohio is administered by the State Emergency Response Commission (SERC) and is governed by Ohio Revised Code (ORC) Chapter 3750 Emergency Planning. The Washington County LEPC operates under the jurisdiction of SERC and follows the regulations of ORC Section 3750.

### **PURPOSE:**

The purpose of the Committee is to serve as the official Local Emergency Planning Committee for Washington County, Ohio, as specified by the Superfund Amendments and Reauthorization Act (SARA) (United States Public Law 99-499), Title III (Emergency Planning and Community Right-To-Know Act), Section 301 (c), and the Ohio Emergency Planning Law (Ohio Revised Code, Section 3750.03).

As stated in the SARA, the Committee will develop a comprehensive emergency response plans for the County (Section 303 and ORC 3750.04); establish procedures for conducting public information responsibilities; receive and process requests for information from the public; notify the public of committee activities and public meetings to discuss the emergency plan; handle and respond to public comments on the emergency plan; distribute the emergency plan and make it publicly available (Section 301); and receive reports and information as specified throughout SARA Title III and ORC Section 3750. With the information and reports received the Committee will perform a hazardous analysis, build and maintain a data base of hazardous chemical locations and quantities in the County, and establish and maintain a computer system for emergency responders to use when responding to incidents that may involve hazardous chemicals in the County.

**The Objectives of the Committee are:**

- a) To prepare a comprehensive and coordinated chemical emergency response plan for Washington County.
- b) To receive and process requests from the public for information under the laws listed above.
- c) To implement the Local Emergency Planning Committee rules and requirements of the laws listed above.
- d) To carry out the powers and duties set forth in rules and resolutions of the SERC.
- e) To appoint appropriate sub-committees or other ad hoc committees to assist the LEPC on the duties and responsibilities as listed in ORC Section 3750.03 and ORC 3750.04; for example, preparation and maintenance of the County's Chemical Emergency Response and Preparedness Plan, annual review and testing of the Plan, training and education, compliance and, enforcement.

**COMPOSITION OF THE COMMITTEE**

**The committee shall be composed of the following representatives:**

- 1. Elected Officials
- 2. Law Enforcement
- 3. Emergency Management
- 4. Fire Fighters
- 5. First Aid/Red Cross
- 6. Health
- 7. Local Environmental
- 8. Hospital
- 9. Transportation
- 10. Broadcast or Print Media
- 11. Community Group
- 12. Facility Owner/Operator

All members shall be appointed by the Washington County Commission for terms not to exceed two years. Potential members may be recommended to the County Commission by members of the LEPC.

## COMMITTEE REPRESENTATION

**Section 1.** The Committee shall consist of at least one person from each of the following groups: Elected State/Local Officials, Law Enforcement Representatives, Emergency Management, Fire Department Representatives, First Aid/Red Cross, Health Department Representatives, Local Environmental Group Representatives, Hospital Representatives, Transportation Representatives, Broadcast/Print media Representatives, Community Group representative, Facility Owners/Operators Representatives.

**Section 2.** The above representatives will occupy the mandated State Emergency Response Commission (SERC) positions for the Local Emergency Planning Committee.

**Section 3.** Recommendations for the Committee appointments shall be referred to the Washington County Commissioners for review and approval.

**Section 4.** The LEPC Secretary shall then submit to the State Emergency Response Commission a list of nominees for their official approval and appointment, as required by law.

**Section 5.** If a member cannot attend the meeting, his or her proxy may be given to someone they chose to attend in their place for that meeting. Member not attending ***MUST*** email, US mail, or fax the LEPC office to inform them who they will be sending in their place as their proxy. *(There will be no exceptions to this)* Individuals holding a proxy should be aware of the voting rules and the issues that he or she will be intended to vote on.

## **GOVERNING BODY**

**Section 1.** The Governing Body of the L.E.P.C. membership shall be of the Chairperson, Vice-Chairperson, Information/Emergency Coordinator and all officially appointed members of the Committee.

**Section 2.** The Committee shall have full authority and power to manage the affairs of the Committee. It shall enter into contractual agreements on behalf of the Committee. It shall formulate policy and general rules to govern itself. It shall have the power to create and dissolve ad hoc committees. It shall have power to amend these By-Laws. All matters pertaining to the welfare of the Committee shall be referred to the Committee.

**Section 3.** The Committee shall meet a minimum of three (3) times a year and at other, as the chairperson deems necessary. The annual meeting shall be in the month of January.

**Section 4.** A majority\* of the Committee Agencies present shall constitute a quorum for the transaction of business. \*(Majority is defined as 2/3 of the agencies listed under the section "Composition of the Committee" - page 5)

## **OFFICERS, TERMS OF ELIGIBILITY, VACANCIES**

### **Section 1. Officers**

The officers of the Committee shall be the Chairperson, Vice-Chairperson, and the Secretary.

### **Section 2. Term**

The Chairperson and Vice-Chairperson shall serve for a term of two years. These officer terms shall commence October 1 of odd numbered years. The officers shall be elected by majority vote of the Committee.

### **Section 3. Eligibility**

- a) No member shall be eligible to hold an officer's position without being a member of the Committee.
- b) No member shall be eligible to hold an office that has missed four (4) or more meetings within two (2) years of an election.

**Section 4. Vacancy**

The officers of the Committee shall recommend a committee representative in good standing to fill a vacancy in any official position of the Committee for the unexpired term subject to Committee approval.

**Section 5. Responsibilities**

**Chairperson:**

The role of the Chairperson is to be the leader of the committee and ensure that all LEPC projects, tasks and associated paperwork requirements for the functioning of this committee are carried out. These duties include, setting meeting times, preparation of agendas, appointing standing or ad hoc committees, chairing meetings, reporting to the County Commission concerning committee project status, and other duties associated with being a chairperson for any type of committee.

**Vice-Chairperson:**

The role of the co-chairperson is to assist the chairperson and assume the responsibilities of the chairperson during their absence. In the event the chairperson is unable to fulfill their term, the co-chairperson will assume full responsibility of the chairperson until such time a new Chairperson is elected.

**Secretary:**

The responsibilities shall include recording of the minutes of LEPC meetings, sending out meeting notifications or making personal telephone reminder calls, preparing meeting agendas and public notification of meetings, and any other duties assigned by the Chairperson.

<p><b>ELECTION OF OFFICERS</b></p>
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A quorum of the LEPC shall annually elect a Chairperson and vice-chairperson at a publicly announced meeting from a list of nominees from the nominating committee for a term not to exceed two years. Nothing in these by-laws shall preclude one person from holding more than one office except the Chairperson and vice-Chairperson position, who by the nature of the positions must be two separate individuals. There are no limits imposed on the number of terms for each office; however, the committee shall encourage participation of as many members as possible to fulfill the functions of the officers.

**Chairperson:**

The Chairperson shall be elected by a majority vote of the LEPC at a monthly meeting or thirty days prior to the expiration of a 2 year term of office. The role of the Chairperson is to be the leader of the committee and ensure that all LEPC projects, tasks and associated

paperwork requirements for the functioning of this committee are carried out. These duties include, setting meeting times, preparation of agendas, appointing standing or ad hoc committees, chairing meetings, reporting to the County Commission concerning committee project status, and other duties associated with being a chairperson for any type of committee.

**Vice-Chairperson:**

The Vice-Chairperson shall be elected by a majority vote of the LEPC at a monthly meeting or thirty days prior to the expiration of a 2 year term of office. The role of the co-chairperson is to assist the chairperson and assume the responsibilities of the chairperson during their absence. In the event the chairperson is unable to fulfill their term, the co-chairperson will assume full responsibility of the chairperson until such time a new Chairperson is elected.

**Information/Emergency Coordinator**

The Information Coordinator shall be responsible for processing requests from the public for information under SARA Title III; receiving and keeping filed all annual chemical inventory files; acting as the general information coordination center. The Emergency Coordinator shall be the notification contact for compliance with Section 304 reporting and assist with development of the emergency planning process.

**EXECUTIVE BOARD**

**Section 1.** There shall be an Executive Board composed of the Chairperson, Vice-Chairperson, Secretary and the Information/Emergency Coordinator. This board shall be responsible for administrative matters and shall have authority to approve expenditure of funds, not to exceed \$2,000.00 (two thousand dollars) per expenditure. It shall adopt interim policies, which shall be in effect until the next meeting of the Committee. It shall carry out the policies of the Committee between meetings.

# COMMITTEES

## **Nominating Committee:**

During July of each odd calendar year, the Chairperson and Co-Chairperson shall form a Nominating Committee consisting of (3) LEPC members in good standing. The Nominating Committee shall be responsible for submitting at least two (2) names of qualified applicants for each elected office and at least three (3) names of qualified applicants for each committee to be filled according to the By-Laws.

## **By-Laws Committee:**

The By-Law Committee shall consist of three (3) members. The By-Law Committee shall be responsible for reviewing the By-Laws for updates on an annual basis. The Committee shall also be responsible to review proposed amendments to the By-Laws and properly word the proposed amendment for a vote.

## **Sub-Committees:**

The purpose of sub-committees is to provide oversight and assist with carrying out the duties of the Washington County LEPC. Sub-Committee members are voluntary positions that may be appointed by the Chairperson.

## **Budget:**

The Budget Committee shall consist of a minimum of three (3) members. The Budget Committee shall be responsible for preparation and oversight of the annual LEPC budget.

## **Training Committee:**

The Training Committee shall consist of a minimum of three (3) members. The Training Committee shall be responsible for the determining and scheduling annual training needs in order to fulfill the LEPC requirement of providing resources that protect our citizens and environment from chemical hazards.

## **Exercise Committee:**

The Exercise shall consist of a minimum of five (5) members. The Exercise Committee shall be responsible for planning the annual exercise so each of the 13 exercise objectives have been met during each four (4) year cycle. The types of annual exercises are; tabletop, functional, full-scale or, actual exercise. The objectives to be evaluate are; Notification of Response/Support Agencies, Incident Assessment, Incident Command, Emergency Operation Centers, Resource Management, Communication, Response Personnel Safety, Population Protective Actions, Emergency Public Information, Traffic and Access Control, Shelter management, Emergency Medical Services and, Hospital Services.

In Addition to the committees listed, the Chairperson shall authorize ad hoc and/or special committees as needed to fulfill the purpose of Washington County LEPC.

## MEETINGS

### **Meetings:**

Regular meetings shall be held at a minimum of three per calendar year. The Secretary shall issue a news release at least five business days preceding each meeting to the local media and to anyone who requests notification on the meetings as required by the Ohio Open Meetings Act.

### **Public Hearings:**

In the event of a Public Hearing, notification shall be the same as for meeting notification, but also shall include a legal advertisement placed in the local newspapers at least five business days before the Public Hearing.

### **Major Reports and Plans:**

Public notification concerning the issuing of major reports and plans shall be the same as for Public Hearings.

### **Minutes of Meetings and Hearings:**

Official minutes of all LEPC meetings and hearings shall be documented and made available to the public upon request. Requests for minutes shall be made using the request for information procedures in Attachment A.

## PUBLIC COMMENT AND RESPONSE

Occasionally the LEPC will be confronted with both positive and negative public comment. The LEPC shall respond to such comments timely and responsibly with the public interest in mind. They may receive comments through letters, news editorials, telephone calls, and formal oral comments at LEPC meetings.

It is important that the LEPC respond officially and timely. The LEPC shall request that all comments be submitted in writing. This will provide for adequate documentation and will allow the LEPC to respond accordingly.

Oral comments at public meetings shall be recorded. It should be noted that instantaneous responses to sensitive questions or comments are not mandatory. A well prepared response to sensitive issues, delivered in a reasonable time, is acceptable.

## **IDENTIFICATION OF COVERED FACILITIES**

The identification of covered facilities that must meet (1) Emergency Release Notification and Emergency Planning, (2) Hazardous Chemical Reporting, and (3) Toxic Chemical Release Inventory requirements of Title III is a monumental task.

Many facilities, especially small, independent facilities, may not know that they are required to report to the LEPC. The LEPC can help in the identification of covered facilities through:

1. Chamber of Commerce
2. Planning Commissions
3. Phone Book Yellow Pages
4. State Tax Records, through the County Assessor's Office
5. Standard Industrial Code (SIC) Book.

Once the LEPC identifies a potentially covered facility, the LEPC shall formally contact the facility to request information regarding their status as a covered facility. Attachment C contains a sample letter that may be used when contacting these facilities. The LEPC shall attempt to communicate the requirements of Title III to facilities within their district. Methods of communicating this information are advertisement, news articles, trade journals, seminars, and other such means.

The LEPC can expect to encounter many questions from facility owners and operators. The reporting requirements are complex and the facility owner/operator may not know if Title III applies to their facility. A covered facility also may need to be provided information about the substances covered under Title III. The Federal Register contains lists of these substances including: "List of Hazardous Chemicals", "Extremely Hazardous Substances", and "Toxic Chemicals". The facility will be provided with a copy of those lists on request.

Title III legislation has mandated many new changes and requirements on both government and private industry. Only through cooperation, good communication, and much hard work, can the requirements of this vital piece of legislation be met.

## **FINANCES**

The Treasurer (Washington County Auditor, presented through the Washington County LEPC Secretary) shall be the recipient and custodian of the funds of the Committee and shall disburse funds under the direction of the Committee or Executive Board.

The Executive Board has authority to purchase general materials and supplies, not to exceed \$2,000.00 (two thousand dollars), per expenditure, that are necessary for the day-to-day functions of this Committee or its official business.

## **RULES AND BYLAWS**

### **Procedural Rules:**

The rules contained in Merriam-Webster's RULES OF ORDER shall govern the Committee, including the running of meetings as well as standing and ad hoc committees, in all cases to which they are applicable and in which they are not inconsistent with the By-Laws of this Committee.

### **Amendments:**

These By-Laws may be amended by a two-thirds (2/3) vote of the Committee at any regular meeting. Any proposed amendment shall be sent to the Chairperson who will refer the proposed amendment to the Committee for appropriate wording. Their Chairperson shall submit the proposed amendment for placement on the agenda for the regular meeting of the Committee.

## **DISSOLUTION**

Upon the dissolution of the Committee, the Committee shall, after paying or making provisions for the payment of all of the liabilities of the Committee, dispose of all of the assets of the Committee in such a manner or to such organization(s), organized and operated exclusively for charitable, education, religious or scientific purposes as shall at the time qualify as an exempt organization under Section 501 (C) (3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law), as the Board of Directors shall determine. Any such assets not so disposed of shall be disposed of by the Court of Common Pleas of the County in which the principal office of the Committee is then located, exclusively for such purposes or to such organization(s), as said court shall determine, which are organized and operated exclusively for such purposes.

ATTACHMENT A

# **PROCEDURES**

For

Receiving and Processing Information Requests

Under SARA Title III

**WASHINGTON COUNTY**

**LOCAL EMERGENCY  
PLANNING COMMITTEE**

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# **Guidelines on Receiving and Processing Requests for Information under Title III**

## **Introduction**

On October 17, 1986, "The Emergency Planning and Community Right-to-Know Act of 1986" was enacted into law. This Act is part of the "Superfund Amendments and Reauthorization Act of 1986 (SARA) but is a separate, freestanding statute, sometimes known as Title III. Title III establishes requirements for Federal, State and local governments and industry regarding emergency planning and "community right-to-know" reporting on hazardous and toxic chemicals. This legislation builds upon the EPA's Chemical Emergency Preparedness Program (CEPP), the Community Awareness and Emergency Response (CAER) program of the Chemical Manufacturers Association and many State and local programs aimed at helping communities to meet their responsibilities regarding potential chemical emergencies.

The community right-to-know provisions of Title III will help to increase the public's knowledge and access to information on the presence of hazardous chemicals in their communities and release of these chemicals into the environment. These procedures describe the basic types of information available and outline the process for public distribution of this information.

### **Information That Is Available**

Under Title III, certain covered facilities are required to file information with the State Emergency Response Commission (SERC), the Local Emergency Planning Committee (LEPC) and the local fire department of jurisdiction. The information that must be filed includes:

1. Material Safety Data Sheet (MSDS) or List of MSDA chemicals (Section 311).
2. Emergency and Hazardous Chemical Inventory Form (Section 312).
3. Follow-up Emergency Notices (Section 304).

Title III allows members of the public to have access to information filed with the SERC and the LEPC by making an appropriate request.

### **MSDS or List of MSDS chemicals**

Section 311 of Title III requires an owner or operator of a covered facility to submit specific information for each hazardous chemical that is stored at the facility. The information needed is in the Material Safety Data Sheet (MSDS) which contains information regarding the hazards associated with the use of or exposure to hazardous chemicals. Section 311 also gives the owner or operator the option of filing a list of the chemicals for which he must have an MSDS, instead of filing the MSDS itself. Where an owner or operator files the "list" and a member of the public requests from the LEPC a copy of the MSDS for any chemical on the list, the LEPC shall request

the sheet from the facility owner or operator and then make the sheet available to the requester according to Title III requirements.

## Emergency and Hazardous Chemicals Inventory Form

Section 312 of Title III requires an owner or operator of a covered facility to prepared and submit and Emergency and Hazardous Chemical Inventory Form. The inventory form is to be submitted to the LEPC, SERC and local Fire Department by March 1 of each year. Section 312 specifically delineates the kinds of information required on the inventory form and sets out those special circumstances under which highly specific information is to be submitted.

The inventory form must provide specific information regarding the amounts and locations within the facility of categories of hazardous materials. Such general information, known as "Tier II Information" must be provided for each chemical, in aggregate terms for those categories of hazardous chemicals set forth under the Occupational Safety and Health Act and the regulations issued under the Act.

Specific Tier II information required in the inventory form includes:

1. The chemical name of the common name of the chemical is provided on the material safety data sheet.
2. An estimate (in ranges) of the maximum amount of the hazardous chemical present at the facility at any time during the previous calendar year.
3. An estimate (in ranges) of the average daily amount of hazardous chemical present at the facility during the previous year.
4. A brief description of the manner of storage of the hazardous chemical.
5. An indication of whether the owner elects to withhold location information of a specific hazardous chemical from the disclosure to the public under section 324.

Any person may request the LEPC for Tier II information relating to the previous calendar year with respect to a facility. Any such request shall be in writing and shall be with the owner or operator of the specific facility of the request.

Any Tier II information that the LEPC has in its possession shall be made available to a person making a request under SERC procedures. If the LEPC does not have the Tier II information in its possession and receives a request for that information, the LEPC shall request the facility owner or operator for the Tier II information with respect to a hazardous

chemical that a facility has stored in an amount over 10,000 pounds present at the facility any time during the previous calendar year. Such information shall then be made available to the person making the request.

When Tier II information that is not with the LEPC and which relates to a hazardous chemical that a facility has stored in an amount less than 10,000 pounds present at the facility any time during the previous calendar year, a request from a person *must include the general need for the information*. The LEPC then has the discretion to grant or deny such request.

## Follow-up Emergency Notice of Release

Section 304 of Title III requires covered facilities to submit emergency notification of releases of specific extremely hazardous substances. Such notifications are to be made to the County Emergency Coordinator of the LEPC and to the SERC of any State likely to be affected by the release. Additionally Section 304 requires that an owner or operator of a covered facility provide written follow-up notices when practical after the release. Such follow-up notices are to include:

1. An update of the information included in the initial release notification;
2. Information on actions taken to respond to and contain the release;
3. Any known or expected acute or chronic health risks associated with the release;
4. Where appropriate, advice regarding medical attention necessary for exposed individuals.

## General Policy

The LEPC will make the fullest possible disclosure of records to the public consistent with the provisions of Title III. All LEPC records shall be available to the public unless they are exempt from disclosure requirements.

## Filing a Request for Information

A request for records may be filed with the LEPC if the request related to a facility found in the LEPC's Emergency Planning District. The addresses of the LEPC is:

Washington Co. LEPC  
Court House Annex  
205 Putnam Street  
Marietta, Ohio 45750  
Phone: 740.373.6623 ext. 336

Records which may be requested from the LEPC are the local emergency response plans, MSDS or lists of hazardous chemicals, the hazardous chemicals inventory forms, and follow-up notices of releases.

With the exception of meeting minutes, a request must be made in writing, must describe the records sought in a way that will allow their identification and location, but otherwise need not be in any particular form. If the description of the records sought in a request is not sufficient to allow the LEPC to identify and find the requested records, the LEPC will notify the requester (by telephone when practical) that the request cannot be processed until more information is given in writing.

Every reasonable effort will be made to help in the identification of records sought and to help the requester in formulating his or her request. If a request is described in general terms (e.g., all records concerning a certain facility), then the LEPC may take with the requester (by telephone when practical) a view toward reducing the administrative burden of processing a broad request and minimizing the fees payable by the operator. Such attempts will not be used as a means to discourage, but as a means to help identify the specific records sought.

Requests received at offices other than those described above may not be answered timely. Oral or phone requests for records may be honored at the discretion of the LEPC if followed by a written request. The written request may be hand delivered; if previous arrangements for an appointment, to receive copied material was made by phone.

## Responding to a Request for Information

The LEPC, upon receipt of a written request, will mark the request with the date of receipt, and begin to identify and find the requested information or ask for more information concerning the request. Such responses must do either:

1. Furnish Copies of the requested information; or,
2. Advise the requester of the time and place at which he/she may inspect and copy the information; or,
3. Deny the request stating in writing the reason for such denial.

Denials of requests may be made only in the following circumstances:

1. The request record is not known to exist; or
2. The record is not in the LEPC's possession and the LEPC is not required under Title III to obtain this record from the owner or operator of a covered facility; or,
3. The record is exempt from disclosure under Title III.

A letter informing the requester of the denial of regular public information including, but not limited to LEPC meeting minutes must be sent within 10 days of the day it is received. Denials for

Tier III information requests must be sent within 45 days. The letter shall clearly state the basis for the denial.

### Information That May Be Withheld

The following information may be withheld from the public under Title III:

1. **Trade Secrets:** The specific chemical identity, (including the chemical name and other specific identification) may be withheld by the owner or operator of a covered facility from information submitted to the LEPC if such information is determined by the US Environmental Protection Agency to be a trade secret as defined in Title III.
2. **Location of the Specific Chemical:** Upon request an owner or operator of a facility subject to Title III, the LEPC must withhold from disclosure the location of any specific chemical required by Title III to be contained in an inventory form as Tier II information.

### Costs Involved With a Request for Information

The following are the costs that will be involved with a request for information:

1. Copying cost shall be .10 cents for each page.
2. The charge for copying materials that must be reproduced by outside facilities shall be the actual cost of copying.
3. Payment shall be made upon requester picking up the requested materials. US currency may be used up to \$5.00; otherwise payment must be made by check or money order.
4. Advance payment may be required if the LEPC finds that the unpaid fees attributable to one or more requests by the same requester.
5. Any requester, who cannot afford to pay the fees established by the LEPC under this section, may file an affidavit with the committee stating why the requester is unable to pay such fees. Upon the filing of such affidavit the LEPC may process the request by following these guidelines as if the fees were paid.

## ATTACHMENT B

### SAMPLE NEWS RELEASE

For Immediate Release: Date \_\_\_\_\_

Contact: Washington County LEPC Office

Telephone: 1.740.373.6623 ext. 336

The Washington County Local Emergency Planning Committee will meet quarterly.

The meeting is open to the public. For further details contact the Washington County LEPC office.

Washington County LEPC

205 Putnam Street

Marietta, Ohio 45750

Telephone: 1.740.373.6623 ext. 336

Fax: 1.740.373.2200

### SAMPLE LEGAL ADVERTISEMENT

#### NOTICE

The Washington County Local Emergency Planning Committee will hold an open public hearing to solicit public comment on its draft of the Emergency Response Plan.

**The Hearing will be held at the (Your County, date, time and location)**

**For information on meeting format and content contact .....**

Washington County LEPC

205 Putnam Street

Marietta, Ohio 45750

Telephone: 1.740.373.6623 ext. 336

Fax: 1.740.373.2200

ATTACHMENT C

SAMPLE LETTER TO POTENTIAL COVERED FACILITY

Date

Dear \_\_\_\_\_:

Under the Federal Superfund and Reauthorization Act of 1986 – (SARA Title III) owners of facilities, by law, must take certain actions regarding hazardous substances on their property.

If you use, store, manufacture, process or import any chemical or chemical substance that is hazardous, you are subject to the requirements of this law. You should check to see if you have any such substances, and if so in what amount. To learn if a substance is hazardous you can:

1. Check information on labels, or literature accompanying the material.
2. Question the provider or the material.
3. Contact your local health office at 1.740.374.2782
4. Contact your Local Emergency Planning Committee at 1.740.373.6623 ext. 336

If you have such substances, contact the LEPC Information Coordinator for advice on further requirements.

Sincerely,

XXXXXXX  
Local Emergency Planning Committee  
205 Putnam Street  
Marietta, Ohio 45750

## Glossary of Terms

**Chemical Releases** – releases of toxic chemicals that must be reported annually in the “Toxic Chemical Release Reporting Form” to the US Environmental Protection Agency and a State official to be designated by the Governor according to Section 313 of Title III. The report is due July 1 of each year.

**Emergency Notification or Emergency Release Notification** - the notification required by Section 304 of Title III that must be given immediately upon a release of a listed hazardous substance that exceeds the reportable quantity for that substance. This notification must be given to the SERC and Local Emergency Planning Committee.

**Emergency Annex-0 Plan** - the plan to be developed by each Local Emergency Planning Committee. These plans are to be updated by October 17 of each year.

**Inventory Form** – The Emergency and Hazardous Chemical Inventory form that must be submitted by covered facilities to the Local Emergency Planning Committee, the SERC and the local fire department. The Inventory Form is sometimes referred to as the Tier II.

**List of MSDS Chemicals** – a list of chemicals submitted to the Local Emergency Planning Committee, the SERC and the local fire department instead of the requirement to submit copies of the Material Safety Data Sheet (MSDS).

**MSDS or Material Safety Data Sheet** – a form used by chemical manufacturers and required by the Federal Occupational Safety and Health Administration’s Hazard Communication Standard (29 CFR 1910.1200) for reporting health and safety information on hazardous chemicals.

**SERC or State Emergency Response Commission** – the State agency responsible for implementation of Title III within the State. The SERC oversees operation of the Local Emergency Planning Committees as well as coordinates emergency response activities.

**Tier II Information** – information that must be provided on the inventory form only upon request of the SERC or Local Emergency Planning Committee. This information is due March 1 of each year.