

CHAPTER 103  
LOCAL EMERGENCY PLANNING COMMITTEES

[Prior to 2/7/90, Public Defense Department(650) Ch 103]

[Prior to 12/23/92, Disaster Services Division(607) Ch 103]

**605—103.1(30) Requirement to appoint local emergency planning committees (LEPCs).**

**103.1(1) Purpose.** The department is required to appoint members to local emergency planning committees. An LEPC is appointed for each of the emergency planning districts established in 605—Chapter 102.

**103.1(2) Representation.** As a minimum, each LEPC should be comprised of a representative from each of the following groups or organizations:

- a. Elected state and local officials,
- b. Law enforcement personnel,
- c. Emergency management personnel,
- d. Firefighting personnel,
- e. First-aid personnel,
- f. Health personnel,
- g. Local environmental personnel,
- h. Hospital personnel,
- i. Transportation personnel,
- j. Broadcast and print media,
- k. Community groups, and
- l. Owners and operators of facilities subject to the requirements of EPCRA.

A person may represent one or more of the disciplines listed, provided they are duly appointed by each group or organization to be represented.

[ARC 2385C, IAB 2/3/16, effective 3/9/16; ARC 3663C, IAB 2/28/18, effective 4/4/18]

**605—103.2(30) Local emergency planning committee (LEPC) members.**

**103.2(1) Appointment of local emergency planning committees.** Nominations to an existing LEPC shall be made by the LEPC and shall be subject to review and appointment by the department. Vacancies on the LEPC shall be filled in accordance with this subrule.

**103.2(2) Meeting participation.** Any member of the local emergency management commission may participate in any meeting of the LEPC. If the local emergency management commission member is not the appointed representative of one of the groups or organizations specified in subrule 103.1(2), the local emergency management commission member shall not be eligible to vote on any issue before the LEPC.

**103.2(3) Member changes.** The department may revise the appointments made as it deems appropriate. Interested persons may petition the department to modify the membership of an LEPC.

[ARC 2385C, IAB 2/3/16, effective 3/9/16; ARC 3663C, IAB 2/28/18, effective 4/4/18]

**605—103.3(30) Local emergency planning committee (LEPC) duties.**

**103.3(1)** The LEPC shall establish procedures for the functioning of the committee to include:

- a. The length of terms of the LEPC members and the selection of a chair and vice-chair;
- b. The public notification of committee activity (42 U.S.C. 11001(c));
- c. The conduct of public meetings to discuss the emergency plan (Iowa Code chapter 21, 42 U.S.C. 11001(c)); and
- d. The procedures for receiving and responding to public comments; and the distribution of emergency plans. (42 U.S.C. 11001(c))

**103.3(2)** The LEPC shall establish procedures for receiving and processing requests from the public for information under EPCRA Section 324, including Form Tier II information under EPCRA Section 312. (42 U.S.C. 11001(c))

**103.3(3)** The LEPC shall designate a 24-hour emergency contact point(s) for the immediate receipt of chemical release notifications. (42 U.S.C. 11003(c)(3))

**103.3(4)** The LEPC shall designate an official to respond to requests for information from the public for safety data sheets, chemical lists, chemical inventory forms, emergency response plans, and toxic chemical releases forms. The information, including minutes of the LEPC and related committee actions, shall be available to the public during normal working hours at a location designated by the LEPC. (42 U.S.C. 11044(a))

**103.3(5)** The LEPC shall prepare an emergency plan for the district and shall review and revise as necessary the emergency plan at least annually. Both the initial emergency plan and any updates or revisions shall be submitted by the LEPC to the department in accordance with rule 605—103.4(30). (42 U.S.C. 11003(a), 42 U.S.C. 11003(e))

**103.3(6)** The LEPC shall evaluate the need for resources in the district necessary to develop, implement, and exercise the emergency plan(s) and make recommendations. (42 U.S.C. 11003(b))

**103.3(7)** The LEPC shall maintain a current listing of the emergency coordinators designated by each covered facility. (42 U.S.C. 11003(d)(1))

**103.3(8)** The LEPC shall receive, review and act upon information updates from covered facilities regarding emergency planning.

**103.3(9)** The LEPC shall annually publish notice that emergency response plan, safety data sheets, and inventory forms have been submitted and how the public can obtain access to the material for review. (42 U.S.C. 11044(b))

[ARC 2385C, IAB 2/3/16, effective 3/9/16; ARC 3663C, IAB 2/28/18, effective 4/4/18]

**605—103.4(30) Emergency response plan development.** The department recognizes that emergency planning includes more than chemical release planning. The chemical release planning required by this chapter and EPCRA shall be included in the comprehensive emergency planning conducted by the local emergency management commission as required by Iowa Code chapter 29C and planning standards of the Iowa homeland security and emergency management department.

[ARC 2385C, IAB 2/3/16, effective 3/9/16; ARC 3663C, IAB 2/28/18, effective 4/4/18]

**605—103.5(30) Local emergency planning committee (LEPC) office.** The LEPC shall designate a local government office that will serve as the focal point for receiving nonemergency notifications from facilities that are subject to the law. This office shall also be the depository for safety data sheets, chemical lists, chemical inventory forms, emergency response plans, and toxic chemical releases forms and a point of contact for the public regarding community right-to-know inquiries, and the office of record for minutes of the LEPC meetings and related committee actions.

[ARC 3663C, IAB 2/28/18, effective 4/4/18]

**605—103.6(30) Local emergency response committee (LEPC) meetings.** The LEPC shall meet as frequently as deemed necessary by the chair until the local emergency operations plan is developed and concurred with by the joint administration and reviewed by the department. Subsequent to plan approval, the LEPC is required to meet at least annually to review emergency response procedures, emergency plans and ensure the actions required are properly administered within the local emergency planning district.

[ARC 3663C, IAB 2/28/18, effective 4/4/18]

**605—103.7(30) Local emergency response plan submission.** After completion of the initial emergency response plan and any subsequent revisions thereto, the LEPC shall submit a copy to the department. The department shall review the submission and make recommendations to the LEPC on appropriate revisions that may be necessary to comply with provisions in 42 U.S.C. 11003(c) and state planning standards in 605—Chapter 7 to ensure coordination with emergency response plans of other emergency planning districts, the state of Iowa, and adjacent states. To the maximum extent practicable, the review shall not delay implementation of the plan or revisions thereto. All plans shall be submitted annually by August 1.

[ARC 2385C, IAB 2/3/16, effective 3/9/16; ARC 3663C, IAB 2/28/18, effective 4/4/18]

These rules are intended to implement Iowa Code chapter 30.

[Filed emergency 8/17/87—published 9/9/87, effective 8/17/87]

[Filed 1/19/90, Notice 11/15/89—published 2/7/90, effective 3/14/90]

[Filed 10/25/91, Notice 8/7/91—published 11/13/91, effective 1/1/92]

[Filed emergency 12/4/92 after Notice 9/30/92—published 12/23/92, effective 12/23/92]

[Filed ARC 2385C (Notice ARC 2282C, IAB 12/9/15), IAB 2/3/16, effective 3/9/16]

[Filed ARC 3663C (Notice ARC 3531C, IAB 1/3/18), IAB 2/28/18, effective 4/4/18]