

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 (LEPC).

103.1(1) Purpose. The Iowa emergency response commission (IERC) is required to appoint members to local emergency planning committees. An LEPC is appointed for each of the emergency planning districts established in 607—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. Civil defense 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.

605—103.2(30) Committee members.

103.2(1) Appointment of local emergency planning committees. Nominations to the LEPC shall be made by the county emergency management commission, established under Iowa Code section 29C.9, and shall be subject to review and appointment by the IERC. To the extent possible, membership of the LEPC shall be composed of members of the county emergency management commission. Vacancies on the LEPC shall be filled in accordance with this subrule.

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

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

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 Two 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 material 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 IERC in accordance with subrule 103.4(2). (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, material 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))

605—103.4(30) Emergency response plan development. The IERC 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 county emergency management commission as required by Iowa Code chapter 29C and planning standards of the Iowa division of emergency management.

605—103.5(30) Local emergency planning committee 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 material 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.

605—103.6(30) Local emergency response committee meetings. The LEPC shall meet as frequently as deemed necessary by the chair until the local emergency operations plan is developed and concurred by the joint administration and reviewed by the IERC. 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.

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 IERC. The IERC 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 607—Chapter 6 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 October 17.

These rules are intended to implement Iowa Code chapter 30 and 1992 Iowa Acts, chapter 1139.

[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]