

2016 Michigan Environmental Compliance Conference

Emergency planning for Michigan communities,
LEPCs, and fire departments



Emergency Planning and Community Right-to-Know Act (EPCRA)

Legislative and Regulatory



History of EPCRA

Federal Government

Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA).

- Brought about by the events in Love Canal, NY.
- Designed to fund and provide clean up of hazardous waste sites (Superfund Sites).
- 1986 Superfund Amendments and Reauthorization Act (SARA).
 - Congress passed EPCRA in response to the 1984 Bhopal, India incident at a Union Carbide chemical plant. EPCRA and SARA are synonymous.



History of EPCRA

State Government

Michigan passage and implementation of EPCRA and SARA.

- Enacted under Executive Order 1987-5 establishing the Michigan Emergency Planning and Community Right-to-Know Commission.
- Combined with two other Governor appointed state commissions in 2007 under Executive Order 2007-18 to form the Michigan Citizen Community Emergency Response Coordinating Council (MCCERCC).



MCCERCC

State and Local Government

The MCCERCC is comprised of 19 members from state agency representatives, local government and first responders, and concerned citizens.

Representatives from:

- Michigan Department of Agriculture and Rural Development (MDARD)
- Michigan Department of Health and Human Services (MDHHS)
- Michigan Department of Environmental Quality (MDEQ)
- Michigan Department of Military and Veterans Affairs (MDMVA)
- Michigan Department of State Police (MSP)
- Michigan Department of Transportation (MDOT)
- Michigan State Fire Marshal
- Michigan Community Service Commission
- Eleven Governor appointed members



MCCERCC

State and Local Government

The MCCERCC was delegated the authority in 1987 to establish Local Emergency Planning Committees (LEPCs) within emergency planning districts.

The MCCERCC appointed members from the local community to serve on the initial committee's. Today, LEPCs self-nominate members.

The MCCERCC continues to oversee LEPCs around the State through the LEPC Coordinator assigned to the Michigan State Police, Emergency Management and Homeland Security Division (MSP/EMHSD).

MCCERCC designated MDEQ and MSP/EMHSD as agencies responsible for day-to-day operations.



LEPC

Local Government

All 87 Michigan LEPCs are to represent their community make-up to the best of their ability. This includes their committee composition. LEPCs should include but not limited to members from:

- Elected Officials
- Law Enforcement
- Emergency Management
- Fire Departments
- Local Environmental
- Health Care
- Local Industry
- Community Groups



LEPC

Local Government

Each LEPC has an elected or appointed chairperson, an information coordinator, and an emergency management representative.

LEPCs are responsible for receiving Tier II reports from all active SARA Title III, Section 302 facilities in their jurisdiction.

LEPCs create community based emergency response plans for facilities that house Extremely Hazardous Substances (EHS).

Can be integrated as part of larger all hazards planning and community safety groups.



State Agency Roles



MI DEQ

Michigan Department of Environmental Quality

Michigan Department of Environmental Quality (DEQ) is responsible for tracking and enforcing reporting requirements from facilities around the state.

- Reporting of chemicals comes from Section 302. Facilities submit Emergency Planning Notification if they have a EHS on site.
- DEQ houses Tier II Manager and associated information databases related to reporting of chemicals.
- DEQ officials are the lead agency for all requests related to facilities in Michigan.
- All Tier II Reports are evaluated by DEQ annually.



MSP/EMHSD

Michigan State Police, Emergency Management and Homeland Security Division

MSP/EMHSD is responsible for evaluating and tracking planning for facilities around the state. As well as assisting LEPCs, staffing the MCCERCC, and administering the Hazardous Material Emergency Preparedness (HMEP) Grant.

- LEPCs should contact MSP/EMHSD for any and all needs they have.
- All plans are received and reviewed by MSP/EMHSD on behalf of the MCCERCC.
- HMEP grant is a pass through grant from the Federal Department of Transportation.



SARA Planning Process



SARA Title III

Goals and Vision

- **Improve community preparedness**

Through planning and outreach

- **Promote cooperation**

Between government and industry

- **Increase public awareness**

Provide information to communities

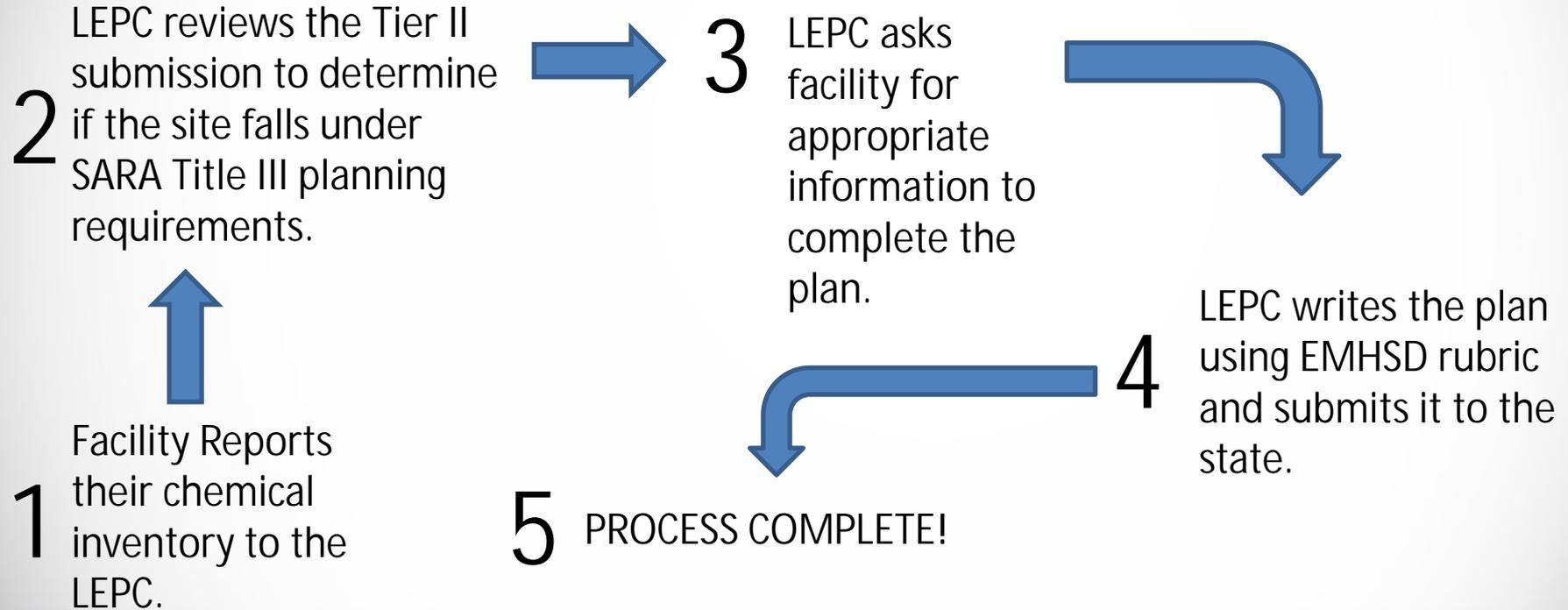
- **Build information database**

Information sharing



SARA Title III Planning

Order of Operations



SARA Title III Planning

Tier II Report

Tier II Emergency and Hazardous Chemical Inventory

Reporting Period From January 1, 2016 to December 30, 2016

Annual Update Revised Facility Information has changed from the last submission

| Facility Identification MI SARA ID: 0000 Facility Name: Susan's Farm Company Name: DEQ Physical Location: 525 W Allegan St, Lansing, MI 48909 County: KEWEENAW Fire Department: Copper Harbor FD Phone: 555-555-5555 <input checked="" type="checkbox"/> Manned <input type="checkbox"/> Unmanned Email: parkers5@michigan.gov | | LEPC: KEWEENAW COUNTY Lat/Long: 42.7319/-84.5592 Maximum Occupants: 30 Nature of Business: Farming NAICS Code: 111111 SIC Code: 0191 Dun and Brad No: 3 EIN ID(Tax Number): FTE: Facility ID: 20209 | | Owner/Operator Details Name: c Address: 525 W Allegan St, Lansing, MI 48909, United States Phone: 333-333-3333 Email: Parker5@michigan.gov | | | | | | | | | | | | | | | | |
|---|-------|--|--------------|---|--|------|-------|-------|-------------|-------|--------|------|--------------|--------------|----------------------|---|---|--------------|--------------|----------------------|
| Subject to EPCRA Section 312 (Annual Inventory)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Subject to Emergency Planning under Section 302 of EPCRA (40 CFR part 355)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Subject to Section 112r of Clean Air Act (CAA)? <input type="checkbox"/> Yes <input type="checkbox"/> No RMP Facility ID: Subject to EPCRA Section 313 (Toxic Release Inventory - TRI)? <input type="checkbox"/> Yes <input type="checkbox"/> No TRI Facility ID: | | Parent Company Details Name: Dun and Brad No: Address: MI, United States Phone: Email: | | | | | | | | | | | | | | | | | | |
| Mailing Address Company Name: Susans Farms Attention: Street Address 1: 525 W Allegan St Street Address 2: City: Lansing Zip: 48909 Country: United States | | State: MI Phone: | | Tier II Information Contact Name: Susan Title: Owner Phone: 999-999-9999 24 Hr Phone: Email: Parker5@michigan.gov | | | | | | | | | | | | | | | | |
| Facility Emergency Planning Coordinator Name: Susan Title: Ower Phone: 999-999-9999 24 Hr Phone: 999-999-9999 Email: Parker5@michigan.gov | | Emergency Contacts <table border="1"> <thead> <tr> <th>Name</th> <th>Title</th> <th>Phone</th> <th>24 Hr Phone</th> <th>Email</th> </tr> </thead> <tbody> <tr> <td>Parker</td> <td>Ower</td> <td>333-333-3333</td> <td>333-333-3333</td> <td>Parker5@Michigan.gov</td> </tr> <tr> <td>e</td> <td>e</td> <td>444-444-4444</td> <td>444-444-4444</td> <td>Parker5@michigan.gov</td> </tr> </tbody> </table> | | | | Name | Title | Phone | 24 Hr Phone | Email | Parker | Ower | 333-333-3333 | 333-333-3333 | Parker5@Michigan.gov | e | e | 444-444-4444 | 444-444-4444 | Parker5@michigan.gov |
| Name | Title | Phone | 24 Hr Phone | Email | | | | | | | | | | | | | | | | |
| Parker | Ower | 333-333-3333 | 333-333-3333 | Parker5@Michigan.gov | | | | | | | | | | | | | | | | |
| e | e | 444-444-4444 | 444-444-4444 | Parker5@michigan.gov | | | | | | | | | | | | | | | | |
| Certification: I certify under penalty of law that I have personally examined and am familiar with the information submitted in pages one through 3, and that based on my inquiry of those individuals responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. Michael Young, Owner Date Signed: 5/11/2016 9:30:17 AM Telephone Number: 999-999-9999 Signature: Michael Young | | | | Optional Attachments <input type="checkbox"/> Site Plan <input type="checkbox"/> Site Coordinate Abbreviations <input type="checkbox"/> Other Safeguard measures <input type="checkbox"/> Facility Emergency Response Plan | | | | | | | | | | | | | | | | |



SARA Title III Planning

Community Response Planning

- SARA Title III, Section 303. LEPC writes off-site Community Emergency Plans for facilities subject to Section 302.
- Approximately 2,900 facilities in Michigan are subject to Section 302.
- County Emergency Operations Plan must include information about 302 sites.



SARA Title III Planning

Community Response Planning

- Facility contact
- Hazardous chemical inventory
- Inventory of all other chemicals on site
- Transportation routes of chemicals
- Facility procedures to follow after an incident
- Notification to first responders procedures
- How population protection orders are established
- Special populations
- Evacuation routes
- HAZMAT training of employees and supplies onsite
- Communities HAZMAT response capabilities
- Facility floor plan and map



SARA Title III Planning

Community Response Planning

MSP/EMHSD template for LEPC use in creating emergency response plans.

- Voluntary to follow this format.
- Format includes all items required under Fire Fighter Right-to-Know and Bulletin 9 emergency planning.

www.Michigan.gov/EMHSD

Click on Hazardous Materials

EMERGENCY
MANAGEMENT &
HOMELAND
SECURITY

CONTACT US

DISASTERS

GRANTS PROGRAMS &
PUBLICATIONS

HAZARDOUS
MATERIALS



SARA Title III Planning

LEPC Authority

- All real enforcement power for EPCRA and SARA Title III is at the local level.
- An LEPC or fire department may ask any facility to report their chemical inventory regardless of the amount.
 - Threshold for reporting is zero pounds at the request of fire and LEPC members.
- If the facility refuses, legal action may be taken against the company using EPCRA as the legal basis.
 - Federal Court Rulings in favor of LEPCs.
- All plans for SARA Title III sites and a jurisdictions EOP/EAG shall be available for the public to view.
 - Requests must be specific and LEPC may deny to send them electronically.



Closing Comments

Questions, Concerns, Feed Back



Contact Information

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