State of Vermont

Local Emergency Planning Committee (LEPC)/Emergency Planning and Community Right-to-Know Act (EPCRA)

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What is an LEPC, and why were they established?

History

December 2-3, 1984

- Bhopal Gas Disaster, India
  - Over 500K people exposed to methyl isocyanate (MIC) gas and other chemicals
  - Immediate death toll was 2,259
  - An estimated 8,000 died within 2 weeks

November 1986

- Congress passes EPCRA*
  - As known as Title III of the Superfund Amendments and Reauthorization Act (SARA)
  - Establishes requirements for businesses and for federal, state, and local governments regarding emergency planning and community right-to-know reporting for hazardous chemicals
  - Establishes SERCs and LEPCs

* Emergency Planning and the Community Right to Know Act

By Definition: SERC

- Key resource for LEPC
- Coordinates hazardous chemical planning and carries out the mandate of EPCRA
- Responsible for establishing state hazardous chemical emergency preparedness, response, and community right-to-know program as required by EPCRA
- TERCs have a similar relationship with their LEPCs
- Territorial areas, such as Guam, may have one entity that serves the purpose of both an LEPC and SERC

SERC Specific Responsibilities

- Coordinate establishment of LEPCs and oversee their activities
- Receive and record initial appointment of and revisions of LEPC membership
- Receive and approve LEPC reports and plans
- Implement the EPCRA program of the state
- Establish procedures for the receipt of, management of, and access to all notifications, reports, plans, and all other information required by EPCRA
- Coordinate with the state and Federal EPA on EPCRA implementation

By Definition: LEPC

- Representatives in your community who have an interest in hazardous chemical safety and emergency preparedness
- Identifies potential risks from hazardous chemicals stored in or transported throughout your community
- Seeks ways to help minimize the risk, prevent accidents, and assist in the development of plans to deal with chemical emergencies and other hazards
- Through the LEPC, the public is able to seek out information about chemicals in their communities and learn how to safely shelter in place
- ***Not a response agency*.**

LEPCs Responsibilities

- Develop an emergency response plan and review the plan annually (Planning Subcommittee)
- Plans are developed by LEPCs with stakeholder participation
- Provide information about hazardous chemicals in the community to citizens
- Maintain a list of reportable hazardous chemicals and facilities (along with fire departments and state [SERC])

Full-time position – Hazardous Materials Compliance Officer – Samantha Slayton

LEPC Role

- Form a partnership with local governments and industries as a resource for enhancing hazardous chemical preparedness

Local Governments

Integrate hazardous materials (HAZMAT) planning and response within jurisdiction

Industry

Ensure facility plans are compatible with local emergency plans

What is the relationship between the LEPC and the SERC ?

SERC and LEPC

Essentially, the SERC sets the structure, standards, and oversight for emergency planning, while the LEPCs execute and manage those plans locally. The SERC supervises and guides the LEPCs to ensure consistent and effective emergency preparedness throughout the state.

History of LEPC in Vermont

- Initially, there were 13 separate LEPCs across the state, each responsible for emergency planning and response coordination in their respective regions.
- On July 1, 2021, Vermont consolidated its 13 LEPCs into a single statewide LEPC. This move aimed to streamline operations and improve resource allocation for identifying risks and preparing for natural or manmade disasters involving hazardous chemicals.
- Vermont is the only state with a single LEPC. Florida and Oregon tried it and reverted back to multiple LEPC's.
- The statewide LEPC continues to fulfill EPCRA mandates by focusing on emergency preparedness and community safety.

LEPC Membership

- The LEPC membership must include (at a minimum):
  - Elected state and local officials (including Regional Planning Commissions)
  - Police, fire, emergency management, and public health professionals
  - Environment, transportation, and hospital officials
  - Representatives of EHS facilities (emergency contact)
  - Representatives from community groups and the media

Seat - Name
Rutland Regional Planning Commission REMC / LEPC Chair - Robert Morlino
Fire Service Coalition / LEPC Vice Chair – Kevin McAllister
Addison County REMC – Dan Kuzio
Bennington County REMC – Dara Zink
Caledonia-Essex REMC – Bruce Melendy
Central Vermont REMC – Jeff Campbell
Chittenden County REMC – Christine Forde
Franklin Country REMC – Shaun Coleman
Grand Isle County REMC – Shaun Coleman
Lamoille REMC – Melissa Manka
Mount Ascutney Regional Commission REMC – Kevin McAllister
Orleans-Essex REMC – Bruce Melendy
Two Rivers-Ottauquechee Regional Commission REMC – Alex Northern
Windham Regional Commission REMC – Alyssa Sabetto
VT Association of Planning & Development Agencies (VAPDA) – Andrew L'Roe (Alec Jones)
Unfilled Organization / Field Seats – do not count towards quorum: *Vermont Ambulance Association* *Vermont Sheriffs' Association* *Vermont Association of Broadcasters* *Vermont Agency of Transportation (AOT)* *Vermont Healthcare Emergency Preparedness Coalition (VHEPC)* *Extremely Hazardous Substances (EHS) Industry (1)* *Extremely Hazardous Substances (EHS) Industry (2)* *Vermont National Guard (VTNG)* MSgt Jim Fitzgerald *Vermont Department of Health (VDH)* *Vermont Agency of Agriculture, Farms, and Markets (VAAFM)*

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Regulated Facilities

- Every regulated facility is responsible for:
  - Identifying a facility emergency contact.
  - Reporting hazardous chemical inventories annually to the LEPC, State Emergency Response Commission (SERC), and local fire department
  - **Reporting releases of hazardous and extremely hazardous substances (EHS) immediately to federal, state, and local officials**
  - Providing safety data sheets (SDS) or a list of hazardous chemicals; allowing local fire departments to conduct on-site inspection of HAZMAT facilities
  - Providing annual report of toxic chemicals released to Environmental Protection Agency (EPA) and the state

Tier I and II Reports

Section 312 defines Tier I and Tier II facilities:

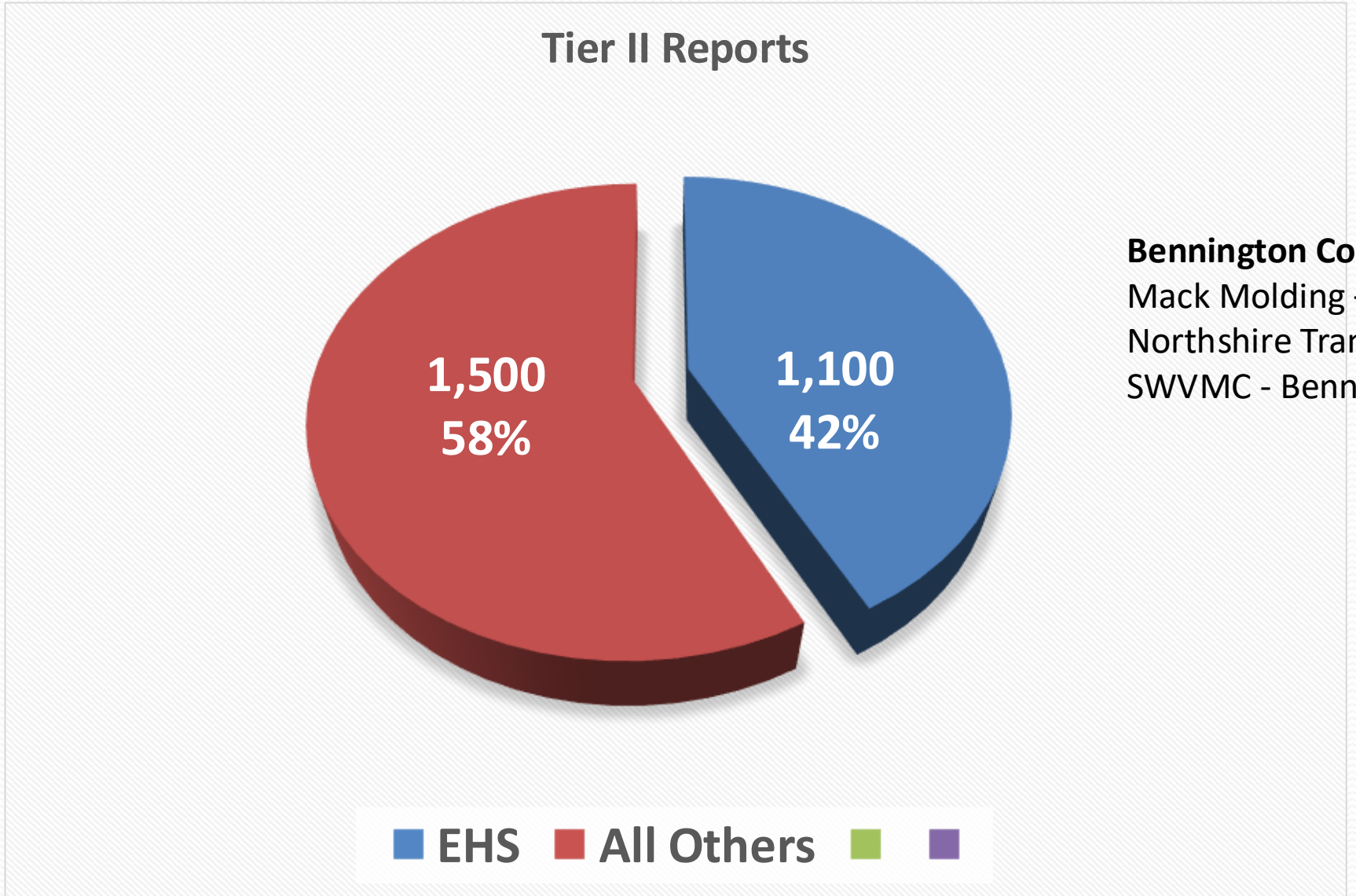
- Tier I Reports contain the maximum amount of hazardous chemicals at the facility during the preceding year, an estimate of the average daily amount of hazardous chemicals at the facility, and the general location
- Tier II Reports contain all of the above information plus information on specific location and storage

EPCRA only requires submission of Tier I information and leaves it to the SERCs or LEPCs to request a Tier II Report. As a practical matter, Tier II Reports are almost always the form submitted as SERCs and LEPCs have almost universally requested the Tier II Reports instead of Tier I information

Vermont Minimum Tier II Reporting Thresholds

- 10,000 lbs (approx. 1500 gallons) for petroleum products (gasoline, diesel fuel, kerosene, propane, fuel oil, aviation fuel).
- 100 lbs for **all other chemicals**
- Explosives –
  - any amount of Class A or B requiring a license by VT Dept. of Public Safety
  - 100 lbs – initiating explosives, blasting caps, fuses, squibs, ignitors, igniter cord, etc.
- Any amount of a carcinogenic chemical exceeding the minimum threshold VOSHA established.

Vermont Tier II Submissions -2,600



Bennington County Examples
Mack Molding – Arlington
Northshire Transfer Station – East Dorset
SWVMC - Bennington

LEPC Quarterly Meetings - 2025

January 14 – 21 attendees

Invitation for next meeting to 1,100 EHS contacts

April 8 – 106 attendees

July 15 – 85 attendees

October 14 - ??

Sections 301 to 303

- Emergency Planning
  - Local governments are required to prepare chemical emergency response plans, and to review plans at least annually
  - State governments are required to oversee and coordinate local planning efforts
  - Facilities that maintain Extremely Hazardous Substances (EHS) on-site in quantities greater than corresponding Threshold Planning Quantities (TPQ) must cooperate in emergency plan preparation

Emergency Response Plan

Hazardous Materials Emergency Response Plan

Vermont LEPC Planning Subcommittee

JULY 15, 2025

Required Elements For Plan

- Identification of facilities and transportation routes of EHS
- Description of emergency response procedures
- Designation of a community coordinator and facility emergency contact(s) to implement the plan
- Outline of emergency notification procedures
- Description of how to determine the probable area and population affected by releases
- Description of local emergency equipment and facilities and the persons responsible for them
- Outline of evacuation plans
- A training program for emergency responders (including schedules)
- Methods and schedules for exercising emergency response plans (Training and Exercise Subcommittee – VHMRT)

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THANK YOU