The background of the slide features several overlapping, wavy lines in various shades of green, ranging from light lime to a darker forest green. These lines flow from the left side towards the right, creating a sense of movement and depth. The lines are composed of many thin, parallel strokes, giving them a textured, almost ethereal appearance.

# LEPCs - Why You Need One For Community Hazardous Materials Response Preparedness

**Timothy R Gablehouse**

Member, Colorado Emergency  
Planning Committee (SERC);  
President, Colorado Emergency  
Preparedness Partnership, Inc.;  
NASTTPO Board Member

# **EPCRA - THREE DISTINCT STATUTES**

- **CREATED IN 1986, LEPCS HAVE THE POWER TO OBTAIN INFORMATION**
  - **CONSISTENT WITH DERA AUTHORITY**
- **EMERGENCY PLANNING & REPORTING §303-304**
  - **PARTICIPATE AND INFORM ALL-HAZARDS PLANNING**
- **COMMUNITY RIGHT-TO-KNOW §311-312**
  - **TIER II FORMS**
- **TOXIC RELEASE INVENTORY §313**

# **FORWARD TO 2020**

- **HAS MUCH CHANGED SINCE 1986?**
- **ARE COMMUNITIES AWARE AND PREPARED?**
- **HOW DO WE KNOW IF WE ARE DOING A GOOD JOB?**
- **ARE WE SERVING THE WHOLE COMMUNITY?**
- **STILL EVALUATED IN 20/20 HINDSIGHT**



# LET'S GET SOME PERSPECTIVE

- **IN MOST PLACES A “ROUTINE” ACCIDENT IS THE GREATEST RISK**
  - **RESPONDERS, PUBLIC & WORKERS STILL ROUTINELY HURT**
  - **TOO MUCH RELIANCE ON STANDARDS, LISTS & THRESHOLDS TO DEFINE RISK**
  - **PUBLIC DOES NOT HAVE A SENSE OF RESPONSIBILITY - MISINFORMATION**
  - **PLANNING GAPS - FUNCTIONAL NEEDS, DISABILITIES & NON-ENGLISH SPEAKERS**
  - **TOO RELIANT ON OUR SOPS**

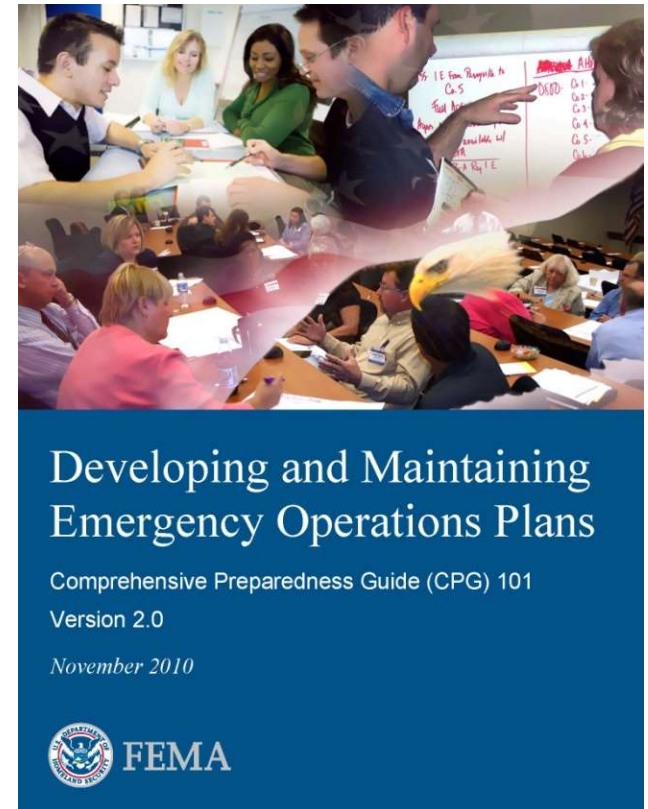


# FEMA GUIDANCE – CPG 101

**“When threatened by ... emergencies or disasters, people expect elected or appointed leaders to take immediate action...**

**They expect the government to marshal its resources... and solicit assistance from outside the jurisdiction if necessary.**

**The elected leaders in each jurisdiction are legally responsible for ensuring that ... actions are taken to protect people and property...”**



# CONTINUITY GUIDANCE CIRCULAR

**“Planning across the full range of continuity operations is an inherent responsibility of every level of government.”**

**“[E]nsure that essential functions continue to be performed...”**

**“Essential functions ... cannot be deferred during an emergency; ... legally mandated functions will be essential ...”**



Continuity Guidance Circular

February 2018

FEMA National Continuity Programs



# **THE PLANNING PROCESS**

- **THE MOST RISKY PART OF EOPs**
  - **THE PLANNING PROCESS IS WHERE CIVIL RIGHTS LAWSUITS COME FROM**
    - **KATRINA CASES**
  - **AMERICAN'S WITH DISABILITIES ACT**
- **CAN'T BE DONE IN A VACUUM**
  - **MUST EVALUATE RISKS, HAZARDS AND CAPABILITIES IN THE COMMUNITY**
  - **MUST PLAN FOR VULNERABLE POPULATIONS**
  - **THE PLANNING PROCESS NEEDS TO INCLUDE THOSE IMPACTED BY THE PLAN**
    - **INVITATION FOR LAWSUIT IF NOT**



# **WHAT ARE THE STANDARDS FOR THE PLANNING PROCESS?**

- **NRF & NIMS (AND YOUR OWN PLANS)**
- **CPG 101**
- **FEMA CONTINUITY GUIDANCE CIRCULAR**
- **HHS Toolkit**
- **STATE PLANS & AGREEMENTS**
- **NFPA 1600**
  - **APPLIES TO GOVERNMENT SERVICES**
  - **EMERGENCY MANAGEMENT AND “BUSINESS” CONTINUITY**
  - **NEW DRAFT INCORPORATES APELL APPROACH**
- **APELL**







UNITED NATIONS ENVIRONMENT PROGRAMME

# AWARENESS AND PREPAREDNESS FOR EMERGENCIES AT LOCAL LEVEL

*A process for improving  
community awareness and  
preparedness for technological  
hazards and environmental  
emergencies*



2<sup>ND</sup> EDITION - 2015

# HOW TO GET SUED & LOSE

- ▶ **FAIL TO BE CERTAIN EVACUATION, SHELTERING, COMMUNICATION AND TRANSPORTATION PLANS WORK**
- ▶ **FAIL TO BE SURE THAT PROTECTED PERSONS HAVE “ACCESS” TO SERVICES**
  - ▶ **AVAILABILITY ISN'T ENOUGH**
- ▶ **FAIL TO INVOLVE NON-ENGLISH SPEAKING COMMUNITIES**
- ▶ **FAIL TO INCORPORATE SERVICE ANIMALS IN PLANNING**
  - ▶ **CO-MINGLED VS CO-LOCATED**

# **WHAT IS THE LEPC ROLE?**

- **WHAT IS UNIQUE ABOUT LEPCS?**
- **WHAT ARE THE LEGAL AUTHORITIES?**
- **COMMUNITY-BASED ASSESSMENT OF RISKS AND CAPABILITIES**
- **FORUM FOR DISCUSSION AND COMMUNICATION**
- **DO NOT HAVE TO LEAD BUT MUST PARTICIPATE**
- **OPPORTUNITY TO LIMIT LIABILITY IN COLORADO**

# **GOLDEN RULES FOR LEPCS**

- **Know the hazards in your community.**
  - **Where there are hazardous substances?**
  - **What are the natural hazards?**
  - **What are the response capabilities?**
  - **What are the public capabilities?**
- **Educate public and business**
  - **What can happen to you?**
  - **What are their obligations?**
- **Create participation and cooperation**
  - **Public, authorities & industry**
  - **Have high expectations**





# QUESTIONS

- **TIM GABLEHOUSE**
- **tgablehouse@att.net**
- **(303) 572-0050 or (800) 818-0050**