



# LEPC Policy for Hazardous Waste Generator Arrangements with Local Authorities

## Background

On October 17, 1986, Congress passed the Emergency Planning and Community Right-to-Know Act (EPCRA) of 1986 as part of the Superfund Amendments and Reauthorization Act (SARA). EPCRA is an amendment to the provisions of the Federal Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and is often referred to as either "SARA Title III" or the "Right-to-Know Act." EPCRA (or SARA Title III) has two primary purposes. First, it establishes a process whereby state and local planning entities can determine the hazardous substances existing within their designated areas and establish emergency procedures and guidelines to be followed in responding to the release of a hazardous substance to the environment. Second, it defines the public's right to obtain information about hazardous chemicals and substances utilized and stored in the community.

Established by the EPCRA legislation, the duties and responsibilities of the Guilford County Local Emergency Planning Committee (LEPC) are to implement the EPCRA legislation and all other related laws and regulations. This includes the responsibility to receive reports and other information from facilities subjects to the requirements of the EPCRA legislation.

## What?

Pursuant to the Code of Federal Regulation Title 40, Chapter I, Subsection I, Subpart M, Section §262.256 (Arrangements with Local Authorities), Subsection A, Large Quantity Hazardous Waste Generators "must attempt to make arrangements with the local police department, fire department, other emergency response teams, emergency response contractors, equipment suppliers, and local hospitals, taking into account the types and quantities of hazardous wastes handled at the facility. Arrangements may be made with the Local Emergency Planning Committee, if it is determined to be the appropriate organization with which to make arrangements." Given the makeup of the membership of the Guilford County LEPC, as well as the legal responsibility to receive reports and other information from EPCRA regulated facilities, it has been determined that the LEPC is the appropriate organization to handle arrangements for local public safety organizations. Those organizations that are participating members of the LEPC including the following:

- Cone Health
- Greensboro Fire and Emergency Management
- Greensboro Police
- Guilford County Emergency Services (Emergency Management, EMS, and Fire)
- Guilford County Environmental Health
- Guilford County Fire Chiefs' Association (proxy for all county fire departments)
- Guilford County Sheriff's Office



- High Point Fire and Emergency Management
- High Point Police

## Exceptions

Required arrangements outside of the above listed organizations must be made directly with the organization. The LEPC is not the appropriate body for these arrangements. Additionally, any organization seeking a waiver under Subsection C of this regulation must coordinate with the authority having jurisdiction (AHJ) over fire code within the locality for the granting of that waiver. The LEPC is not the appropriate body and will not issue any waivers.

## How?

The Guilford County LEPC will utilize the EPlan reporting system, as administered by Guilford County Emergency Management, for the filing of hazardous waste related response plans, procedures and information, and required facility contacts. The organizations listed above confirm that they have either direct access to this information through EPlan or have indirect access to this information through other means, including Guilford County Emergency Management's On-Call Coordinator, who is available 24/7. Additionally, information submitted through the EPlan system will be downloaded and filed in the Guilford County WebEOC system, a secure online program that public safety and other partners can access 24/7.

While documents may be submitted via the EPlan reporting system, a letter stating such shall be submitted to the Guilford County Emergency Management office. This letter can be submitted to the following address:

Guilford County Emergency Management  
Attn: Chemical Planner  
1002 Meadowood St.  
Greensboro, NC 27409

## Sources

- Arrangements with Local Authorities, 40 C.F.R §262.256 (2016)
- Establishment of State Commissions, Planning Districts, and Local Committees, 42 C.F.R. § 11001
- Guilford County Local Emergency Planning Committee. (2014). *By-Laws*.