

**OAK RIDGE  
NATIONAL  
LABORATORY**

**MARTIN MARIETTA**

**Intergovernmental Consultation and  
Coordination and Emergency Response:  
The Relationship Between ICCB and  
SARA Title III in the U.S. Army's  
Chemical Stockpile Disposal Program**

David L. Feldman

OAK RIDGE NATIONAL LABORATORY  
CENTRAL RESEARCH LIBRARY  
CIRCULATION SECTION  
420N ROOM 111  
**LIBRARY LOAN COPY**  
DO NOT TRANSFER TO ANOTHER PERSON  
If you wish someone else to see this  
report, send in name with report and  
the library will arrange a loan.

Printed in the United States of America. Available from  
National Technical Information Service  
U.S. Department of Commerce  
5285 Port Royal Road, Springfield, Virginia 22161  
NTIS price codes—Printed Copy: A06; Microfiche A01

This report was prepared as an account of work sponsored by an agency of the United States Government. Neither the United States Government nor any agency thereof, nor any of their employees, makes any warranty, express or implied, or assumes any legal liability or responsibility for the accuracy, completeness, or usefulness of any information, apparatus, product, or process disclosed, or represents that its use would not infringe privately owned rights. Reference herein to any specific commercial product, process, or service by trade name, trademark, manufacturer, or otherwise, does not necessarily constitute or imply its endorsement, recommendation, or favoring by the United States Government or any agency thereof. The views and opinions of authors expressed herein do not necessarily state or reflect those of the United States Government or any agency thereof.

Energy Division

INTERGOVERNMENTAL CONSULTATION AND COORDINATION AND EMERGENCY  
RESPONSE: THE RELATIONSHIP BETWEEN ICCB AND  
SARA TITLE III IN THE U.S. ARMY'S CHEMICAL  
STOCKPILE DISPOSAL PROGRAM

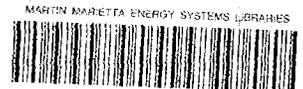
David L. Feldman

Date Published: February 1989

**NOTICE** This document contains information of a preliminary nature.  
It is subject to revision or correction and therefore does not represent a  
final report.

Prepared for the  
Office of Program Executive Officer  
Program Manager for Chemical Munitions  
Aberdeen Proving Ground, Maryland

Prepared by the  
OAK RIDGE NATIONAL LABORATORY  
Oak Ridge, Tennessee 37831  
Operated by  
Martin Marietta Energy Systems, Inc.  
for the  
U.S. Department of Energy  
under Contract No. DE-AC05-84OR21400



3 4456 0284640 0



CONTENTS

	<u>Page</u>
ABSTRACT . . . . .	v
1. INTRODUCTION . . . . .	1
2. SUMMARY AND MAJOR RECOMMENDATIONS. . . . .	1
3. THE IMPLEMENTATION OF SARA TITLE III IN CSDP STATES AND COMMUNITIES . . . . .	4
3.1 AN OVERVIEW OF THE EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT OF 1986 (EPCRA): BASIC PARALLELS WITH THE ICCB . . . . .	4
3.2 STATE EMERGENCY RESPONSE COMMISSIONS (SERCs) IN CSDP STATES: STRUCTURES, FUNCTIONS, AND PROBLEMS RELEVANT TO THE ICCB. . . . .	6
3.2.1 Alabama. . . . .	9
3.2.2 Arkansas . . . . .	9
3.2.3 Colorado . . . . .	10
3.2.4 Indiana. . . . .	11
3.2.5 Kentucky . . . . .	12
3.2.6 Maryland . . . . .	12
3.2.7 Oregon . . . . .	13
3.2.8 Utah . . . . .	14
3.2.9 Summary Observations . . . . .	15
3.3 LOCAL EMERGENCY PLANNING COMMITTEES (LEPCs) IN CSDP STATES: STRUCTURES, FUNCTIONS, RESPONSIBILITIES AND PROBLEMS RELEVANT TO THE ICCB . . . . .	15
3.3.1 Calhoun County, Alabama (ANAD) . . . . .	17
3.3.2 Jefferson County, Arkansas (PBA) . . . . .	19
3.3.3 Pueblo County, Colorado (PUDA) . . . . .	20
3.3.4 Vermillion County, Indiana (NAAP). . . . .	21
3.3.5 Fayette/Madison Counties, Kentucky (LBAD). . . . .	23
3.3.6 Harford County, Maryland (APG) . . . . .	26
3.3.7 Umatilla County, Oregon (UMDA) . . . . .	27
3.3.8 Tooele County, Utah (TEAD) . . . . .	29
3.3.9 Summary Observations . . . . .	30
4. SARA AND CSDP OBLIGATIONS: AMBIVALENT STATUS. . . . .	32
5. PUBLIC INFORMATION AND RIGHT-TO-KNOW . . . . .	34
5.1 MATERIAL SAFETY DATA SHEETS (MSDS). . . . .	34
5.2 CHEMICAL INVENTORY FORMS (TIER I AND II). . . . .	35
5.3 OTHER RIGHT-TO-KNOW REQUIREMENTS OF SARA: RELEVANCE FOR THE ICCB. . . . .	36



CONTENTS (Continued)

6.	SPECIAL SARA TITLE III CHARACTERISTICS RELEVANT FOR ICCB: COMPLEXITY AND UNCERTAINTY . . . . .	37
6.1	UNCONVENTIONAL PUBLIC PARTICIPATION . . . . .	37
6.2	INTERGOVERNMENTAL RELATIONS: THE "CUTTING EDGE" OF SARA TITLE III . . . . .	38
7.	THE ICCB AND EMERGENCY PLANNING: FORMAL AND INFORMAL PARALLELS WITH TITLE III . . . . .	39
7.1	PROGRAMMATIC ICCB AND THE NATIONAL RESPONSE TEAM (NRT) FOR CHEMICAL EMERGENCIES. . . . .	39
7.2	LOCAL ICCBS AND LOCAL EMERGENCY PLANNING COMMITTEES (LEPCS) UNDER SARA . . . . .	40
7.3	ADDITIONAL SARA/ICCB LINKAGES . . . . .	41
8.	CONCLUSIONS: SPECIFIC RECOMMENDATIONS FOR MAKING ICCB WORK. .	42
8.1	ALABAMA . . . . .	42
8.2	ARKANSAS. . . . .	42
8.3	COLORADO. . . . .	43
8.4	INDIANA . . . . .	43
8.5	KENTUCKY. . . . .	43
8.6	MARYLAND. . . . .	44
8.7	OREGON. . . . .	44
8.8	UTAH. . . . .	45
8.9	SUMMARY OBSERVATIONS FOR THE ICCB . . . . .	45
	REFERENCES . . . . .	47
	APPENDIX A. INFORMATION ON LOCAL EMERGENCY PLANNING COMMITTEES. .	51
	APPENDIX B. THE ARMY CSDP AND SARA TITLE III. . . . .	79



INTERGOVERNMENTAL CONSULTATION AND COORDINATION AND EMERGENCY  
RESPONSE: THE RELATIONSHIP BETWEEN ICCB AND  
SARA TITLE III IN THE U.S. ARMY'S CHEMICAL  
STOCKPILE DISPOSAL PROGRAM

David L. Feldman

ABSTRACT

The relationship between Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA) and the Intergovernmental Consultation and Coordination Board (ICCB) in the U.S. Army's Chemical Stockpile Disposal Program (CSDP) is examined from four perspectives: (1) the current status and likely future direction of SARA implementation in the eight CSDP continental United States sites; (2) the applicability of SARA to the CSDP; (3) the effect of SARA information management upon the ICCB; and (4) challenges posed by SARA in the areas of public participation and intergovernmental relations which make the interface between emergency planning and intergovernmental relations in the CSDP more complex than originally envisioned in the program's Final Programmatic Environmental Impact Statement. The emergency planning structures developed by SARA have important parallels with the CSDP's ICCB. It is important to maintain a separation between these emergency planning structures and ICCBs, which will handle additional concerns other than emergency planning.

While considerable variation exists in patterns of SARA Title III implementation in CSDP states, shared characteristics include: (1) Local Emergency Planning Committees (LEPCs) faced with problems of staffing, resources, and membership attrition; (2) unclear lines of planning authority in some LEPCs; and (3) the legitimization of unconventional participation in emergency planning. The latter poses special challenges to the ICCB. It is concluded that considerable work remains to be done in coordinating emergency planning in the CSDP with the letter and spirit of SARA, that SARA's goal of alleviating public distrust in hazards management is similar to that intended for ICCB, and that specific local and state variations in the structure of public representation, information management, and resources for emergency planning through the SARA Title III framework need to be addressed.



## 1. INTRODUCTION

This report addresses integration of the Intergovernmental Consultation and Coordination Board (ICCB) for the Chemical Stockpile Disposal Program (CSDP) with the public participation and emergency planning requirements of P.L. 99-499, the Superfund Amendments and Reauthorization Act of 1986 (SARA). After examining parallels between CSDP mitigation (i.e.--the role of the ICCB in enhanced emergency planning) and SARA Title III, the relationship between ICCB and Title III of SARA are examined from four perspectives: (1) the current status and likely future direction of SARA implementation in the eight CSDP continental United States sites; (2) the applicability of SARA to the CSDP; (i.e.--whether and how the Army is obliged to incorporate SARA in its decision making); (3) the effect of SARA information management and public right-to-know considerations upon public participation in the CSDP; and, (4) challenges posed by SARA, especially in the areas of public participation and intergovernmental relations, which may make the interface between local emergency planning and ICCB more complex than originally foreseen under the program's Final Environmental Impact Statement and Record of Decision.

The purposes of Title III of SARA, also known as the Emergency Planning and Community Right-to-Know Act of 1986 are to: (1) significantly decentralize the dissemination of emergency planning information, including the development of chemical emergency warning systems (U.S. EPA, Review of Emergency Systems, 1988); (2) obtain proactive state and local participation in the development of emergency response plans for toxic and chemical hazards; and (3) encourage federal, state and local cooperation in the design, development, and implementation of data bases for monitoring and oversight of these potential hazards.

## 2. SUMMARY AND MAJOR RECOMMENDATIONS

Title III of SARA, which establishes requirements for federal agencies for emergency planning and community right-to-know reporting of toxic and hazardous chemicals, has a direct bearing upon the U.S. Army's CSDP. The major conclusion of this report is that Local Emergency Planning Committees (LEPCs), created by SARA for the purpose of formulating chemical emergency plans (usually on a county-wide basis) are beginning to perform some of the functions intended for local Intergovernmental Consultation and Coordination Boards (ICCBs) in the CSDP. While effectively facilitating installation-local community contact and liaison for CSDP emergency planning, however, LEPCs cannot perform all intended aspects of ICCBs. Non-emergency planning activities, such as public information and education, and channeling public concerns to the Army, should be provided by ICCBs.

In addition to this major finding, this report also concludes that local ICCBs, designed to incorporate the concerns of state and local governments, tribal nations, and the general public in the review and assessment of this program, share three characteristics with SARA Title III relevant for long-term CSDP planning and operation. These characteristics are: (1) the incorporation of public participation in emergency planning, (2) the provision of information on the nature, amount, and dispersion of hazardous substances resulting from the CSDP-- through normal operations or accidents, and (3) representation of Indian tribes in the review and assessment of the CSDP.

These additional findings are expanded to include discussions of four specific issues in this report. First, Title III of SARA does not legally oblige the Army in the same manner it would affect private enterprises involved in similar activities. Nevertheless, DOD agreement to comply with those sections of SARA designed to protect the public from off-site releases, coupled with expansive administrative interpretation of SARA, suggests that proactive state and local participation in emergency planning through the ICCB will best be served by following certain reporting and public information procedures prescribed by SARA. These procedures include: (1) Army participation in the activities of local emergency planning committees, (2) Army selection of personnel to serve on ICCBs at a sufficient level of responsibility to effectively participate in decision-making, and (3) development of emergency notification and warning systems in cooperation with local communities. An additional conclusion of this report is that while LEPCs can effectively review some issues of public participation in emergency planning, they cannot substitute for the input provided through public participation on ICCBs for other concerns. These concerns include review, assessment, and policy guidance in the CSDP.

Secondly, while each CSDP state has a gubernatorially-appointed State Emergency Response Commission (SERC) empowered to approve local emergency response plans, establish information procedures for handling right-to-know requests by the general public, and prescribe appropriate formats for chemical facility inventory reporting, state-level resources available to support these functions vary considerably. State agencies engaging in emergency planning are short-handed. This places considerable strain upon the amount of time available for service on ICCBs and suggests the need for sensitivity to diverse state and local conditions.

Third, the structure and function of LEPCs presents unique difficulties as well as opportunities for the effective functioning of ICCBs. The Army needs to be sensitive to ways LEPC membership may be enlarged and broadened to more effectively represent the range of public concerns at a given CSDP site. Moreover, matters of protocol in communication and consultation with chairs of LEPCs need to be followed. Formal lines of authority designated in LEPC charters should dictate

direction in this area and deference to state and local expectations concerning open meetings and public recordkeeping should prevail, whenever possible.

Finally, because SARA Title III encourages the participation of diverse interests in emergency planning--such as the mass media and community groups--these organizations may gain valuable decision-making experience which will not only make them adept at interpreting emergency planning issues germane to the CSDP, and, consistent with one of the intended results of the ICCB, may also produce a climate more conciliatory than that which prevailed during the public hearings/scoping meetings phase of the CSDP. This should facilitate opportunities for effective intergovernmental consultation and coordination.

In summary, it is recommended that in order to implement the DOD directive regarding Title III of SARA discussed in Section 4 and Appendix B, and the record of decision regarding ICCB, the Army should:

- Be sensitive to both the limitations and opportunities afforded by LEPCs for public participation in the area of emergency planning, discussed in Sections 3.3 and 7,
- Take into account the limited time and resources and other obligations imposed on local and state officials who will participate in the ICCB noted throughout this report,
- Follow all matters of protocol in communication of concerns, consultation with local and state officials, and expectations of meeting format, openness, and public accessibility, as noted in Section 5,
- Recognize the opportunities for cooperation afforded for effective consultation and coordination by the decision-making experience of the mass media and community groups in the overall local emergency planning process discussed in Section 6.

### 3. THE IMPLEMENTATION OF SARA TITLE III IN CSDP STATES AND COMMUNITIES

#### 3.1 AN OVERVIEW OF THE EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT OF 1986 (EPCRA): BASIC PARALLELS WITH THE ICCB

Title III of SARA, also known as the Emergency Planning and Community Right-to-Know Act of 1986, establishes requirements for federal, state and local governments, and industries regarding emergency planning and community right-to-know reporting of toxic and hazardous chemicals. It is designed to develop state and local governments' emergency response and preparedness capabilities through better coordination and planning, especially within the local community.

This legislation builds upon EPA's Chemical Emergency Preparedness Program (CEPP), as well as numerous state and local programs aimed at helping communities to better meet their responsibilities in the event of chemical emergencies (U.S. EPA, Fact Sheet, 1988).

Many of the requirements of SARA Title III have a direct impact upon the U.S. Army's Chemical Stockpile Disposal Program. While this relationship is complex, as will be seen, a federal facilities task force has determined that there is a compelling public interest served by federal facility (e.g.--Army CSDP) compliance with SARA (Communication from Kathleen Bishop, Preparedness Staff, U.S. EPA, June 30, 1988). Moreover, the Intergovernmental Consultation and Coordination Board, designed to incorporate the concerns of state and local governments, tribal nations, and the general public in the review and assessment of this program, shares important characteristics in common with SARA Title III. The purpose of this report is to illustrate the manner in which SARA structures can articulate some emergency planning issues while at the same time optimize the functions of the local and programmatic ICCBs in mitigating public concerns in the CSDP. In so doing, it will resolve the complex relationship between Title III and the CSDP and provide guidance to the Army in coordinating implementation of the program with the emergency planning process prescribed by SARA. This will hasten the success of intergovernmental consultation and coordination.

The relationship between SARA and the ICCB may be briefly summarized as follows:

(1) Under Title III, States were required to establish State Emergency Response Commissions (SERCs) by April 17, 1987 and Local Emergency Planning Committees (LEPCs) by August 17, 1987. The purposes of both are to oversee development of emergency plans, handle information requests from the public, and evaluate available resources for responding to potential chemical emergencies (P.L. 99-499, SARA Title III, Sections 301-303).

The emergency planning structures encompassed by both bodies, but especially by LEPCs, is comparable, in part, to that provided by the proposed local ICCBs depicted in the Chemical Stockpile Disposal Program - Final Programmatic Environmental Impact Statement, which are intended to provide review and assessment in the operation of the CSDP (U.S. Army, 1988, Vol. I: 4-168; Ambrose, Record of Decision, CSDP, February 23, 1988: 7). In particular, those purposes of ICCB which include: (1) recommendation of technical assistance for emergency planning to states, localities, and Indian tribes, and (2) coordination of disposal activities with these same bodies, are generally performed by LEPCs in working with privately-owned and operated chemical facilities within emergency planning districts. Thus, this LEPC structure could possibly serve as an effective surrogate for managing these tasks in the CSDP. Alternatively, it could serve as an auxiliary structure for public participation in emergency planning in conjunction with a separate ICCB which would handle non-emergency planning concerns such as public information, review and assessment of the program, and policy coordination with states and communities.

(2) A principal purpose of the community right-to-know provisions of SARA Title III is to increase the public's knowledge and access to information on the presence of hazardous chemicals in their communities, as well as releases of these chemicals into the environment (U.S. EPA, Title III Fact Sheet, 1988).

Local ICCBs have as one of their principal purposes the provision of accurate and timely information concerning the nature, amount, and dispersion of hazardous substances resulting from the chemical stockpile disposal process whether through normal operation or accidental release (U.S. Army, 1988, Vol. I: 4-168). Partly because LEPCs function as information dissemination instruments for chemical hazards, it has been decided that an LEPC representative will serve on each local ICCB for the CSDP.

Moreover, it is plausible that the reporting and notification structures established for other chemical facility hazards could at least be partly utilized for dissemination of information concerning the CSDP--provided that such reporting does not compromise the classified character of the unitary chemical stockpile. As shall be seen, reporting requirements for SARA are flexible enough to provide useful information for local emergency planning without compromising the CSDP's exemption from the full reporting requirements of SARA that apply to privately owned and operated chemical facilities.

(3) An element of particular complexity for at least one of the CSDP sites (Umatilla Depot Activity, or UMDA) is the manner in which tribal nations should be represented in the process of review and assessment, policy guidance, and provision of relevant information regarding the CSDP. The ICCB is explicitly charged with coordinating disposal activities with Indian tribes responsible for enforcing environmental laws on tribal lands (U.S. Army, 1988, Vol. I: 4-168).

Under Title III, the role of Indian tribes in emergency planning for chemical hazards is clarified in ways germane to the CSDP. Under this act, "state" includes "Indian tribe," and "governor" (the person charged with appointing members to SERCs and LEPCs) includes "tribal chairman" (U.S. EPA, Draft Title III Indian Policy, 1988). Thus, Indian tribes are required to have emergency planning committees for monitoring chemical hazards or to contract with states and communities toward this end. Tribes can be formally incorporated into the ICCB system through this emergency planning committee structure.

Moreover, all rights given to states and communities as regards consultation about chemical hazards, provision of information, and most importantly, federal technical and training assistance for hazards mitigation, apply with equal vigor to Indian tribes. In the absence of a formal agreement between a state and a tribe, a state may have no jurisdiction to enforce provisions of Title III on Indian lands (U.S. EPA, Draft Title III Indian Policy, 1988). Thus, close consultation and coordination with tribes is essential for the CSDP.

In short, Title III of SARA encourages the same type of proactive state and local participation in emergency response planning for toxic and chemical hazards which is encompassed by the ICCB established for the CSDP for other concerns. Moreover, while SARA does not legally oblige the Army in the same manner it would affect a privately-owned and operated chemical facility--a subject discussed in Section 4 of this report and in Appendix B--the Department of Defense has agreed to comply with those sections of SARA which are designed to protect the public in the event of a release of toxic materials from a defense installation (Schafer, 1987). These sections of SARA include Title III, 301 (c), 303 (d) and 304, and encompass the following activities: (1) notification of chemical incidents; (2) participation in local emergency planning; and, (3) facility participation in the activities of Local Emergency Planning Committees.

### 3.2 STATE EMERGENCY RESPONSE COMMISSIONS (SERCs) IN CSDP STATES: STRUCTURES, FUNCTIONS, AND PROBLEMS RELEVANT TO THE ICCB

Under Title III of SARA, the governor of each state must appoint a State Emergency Response Commission (SERC) or designate an existing agency, set of agencies, or panel to serve as this commission (P.L. 99-499, SARA Title III, Section 301). The deadline for this task was April 17, 1987. While each SERC must have a designated chair, details for selection are left up to individual states. Alabama, Colorado, and Maryland have chosen to have "co-chairs" preside over SERCs while the remaining CSDP states have single chairs appointed by the governor. These individuals also serve on state emergency planning-related agencies.

All eight CSDP states have in place SERCs that have been entrusted with the oversight of Local Emergency Planning Committees (LEPCs), also

required by SARA (discussed in Sect. 3.3). In Maryland and Oregon, SERCs are derivative from pre-SARA emergency planning councils. In the remaining CSDP states, SERCs were created after passage of SARA. As shall be seen, the structure, membership, and array of concerns displayed by these SERCs and LEPCs varies considerably from state-to-state.

This is important for the process of intergovernmental consultation and coordination because it means that no single pattern of consultation and coordination may fit equally well in all CSDP states. It also suggests that the level of proactive public participation in emergency planning in each state may not be evenly developed nor present identical problems. Some states have made more progress in fostering proactive local and state involvement in chemical emergency planning than have others. The Army will need to be sensitive to these differences in order to establish an effective site-specific ICCB system.

What follows is a discussion of State Emergency Response Commission (SERC) structures and functions for the eight CSDP states. The status of state "right-to-know" laws predating SARA is also discussed, and financial and public participation concerns related to emergency planning and intergovernmental consultation and coordination for each state is also provided. Additional information pertaining to SERCs is found in Table 1 of this report. Specific information on Local Emergency Planning Committees (LEPCs) is provided in Sect. 3.3 of this report, in Appendix A, and in Table 1.

State-level information is provided first because, while not site-specific, it is important to recall that in order to optimize the process of intergovernmental consultation and coordination in the CSDP, the Army should initiate most of the details of this process with states before consulting with counties or municipalities (Feldman, 1988). Meetings have been initiated between CSDP personnel from each of the eight sites and relevant state officials in order to launch details of the ICCB process with localities for all local ICCBs. These meetings initiated the program ICCB and hastened the formation of local ICCBs. In all CSDP states, moreover, counties are the basic local emergency planning districts. Members of LEPCs are appointed by state governors upon recommendation of SERCs, and SERCs establish the parameters for emergency planning. By recognizing: (1) the range of actors involved in the statewide process of emergency planning, (2) the complexity of fiscal and public participation concerns impacting upon emergency planning, and (3) the uniqueness of right-to-know expectations for other chemical hazards in CSDP states, a better understanding of potential obstacles to intergovernmental consultation and coordination can be assured.

Table 1. Overview of SARA Title III programs in CSDP CONUS site states

State	SERC (1)	LEPCs (2)	MSDS (3)	TIER I/II (4)	RTK (5)
Alabama	2 agencies+ advisory council	County-based (67)	List pref.	Tier II pref.	Yes
Arkansas	6 agencies/no advisory group	County+ metro-based (75+2)	List pref.	Tier II pref.	No
Colorado	5 agencies+ advisory	County+ metro-based (56+2)	List pref.	Tier I required; LEPCs may req. II	No (b)
Indiana	12 members; 3 state, 3 local, 3 industry, 3 citizens	County-based (92)	Facility option	Facility option	No
Kentucky	25 members; non-government groups integral part	County-based (120)	Facility option	Facility option	No
Maryland	Utilizes existing hazardous materials commission+ non-government groups	County+ metro-based (23+2)	Facility option	Tier II pref.	Yes (c)
Oregon	Utilizes existing emergency planning commission + non-government group	Single state-wide LEPC + county structures (see Appendix A)	Facility option	State has own form	Yes (c)
Utah	2 state agencies/no advisory commission	County+ metro+ multi-county (4+2+7)	Facility option	Facility option	No

- Key:
- (1) State Emergency Response Commission
  - (2) Local Emergency Planning Committee
  - (3) Material Safety Data Sheets (see Sect. 5.1). List pref.= detailed list prescribed by state. Facility option=information format at discretion of chemical facility.
  - (4) Tier I and II are chemical inventory reporting forms (see Sect. 5.2).
  - (5) RTK is state right-to-know laws (see Sect. 5.3): (a) Alabama's RTK is not being enforced; (b) Colorado has two open records acts which function as RTKs; (c) Maryland and Oregon have RTK provisions which predate SARA.

### 3.2.1 Alabama

SERC: Was established by governor's executive order #4 of 1987. It is comprised of two agencies: the Department of Environmental Management (reporting, recordkeeping, data management) and the Emergency Management Agency (planning, training programs, emergency response). These agencies also provide staff support while their directors serve as co-chairs of the SERC. The SERC is assisted by a special "ad hoc" advisory council consisting of state agencies involved in other emergency planning activities and some non-governmental representatives. The former include: state fire marshal, health department, highways and transportation, and public safety (state troopers). The latter include: state business council, petroleum council, and citizens groups. As of July, 1988, a representative of the Emergency Management Agency had been designated a state contact for the ICCB in the CSDP (Communication with Sam Slone, Calhoun County Civil Defense, July 29, 1988).

Right-to Know/Public Information Concerns: While the Emergency Management Agency was charged with implementing a worker right-to-know law which pre-dates SARA, the law is not being enforced due to lack of state funding. Public information management, in general, is not up to expectation (Communication from L. G. Linn, Alabama Department of Environmental Management, June 27, 1988).

Fiscal Concerns: The state lacks adequate resources for information management, data processing, and clerical support. The Title III program borrows from other state programs. However, these fiscal constraints vary considerably from county-to-county. In Calhoun County, for example, broad representation on the LEPC has partially alleviated concerns generated by lack of money.

Public Participation Parameters: On the state level, it is anticipated that the publication of SARA Title III, Section 313 "chemical hazard reports" (which the state has decided to give to newspapers) will arouse public interest in chemical hazards. This may lead to "grassroots" demands for more resources in support of Title III (Communication from Bill Klein, Alabama Emergency Management Agency, June 29, 1988). While Section 313 would not pertain directly to the CSDP, to the extent that local demands for support for Title III programs increase, public expectations about proactive state and local involvement in the CSDP may be affected.

### 3.2.2 Arkansas

SERC: Is comprised of six agencies. The principal ones are the Hazardous Materials Response Commission and the Department of Pollution Control and Ecology.

Right-to-Know/Public Information Concerns: There is no state RTK law. The state follows what is termed the federal OSHA-HC standard (see Sect. 5.1)

Fiscal Concerns: No money has been appropriated for Title III implementation. Most counties have no funds set aside for emergency planning either. There is practically no staff support for planning. The state Title III coordinator works virtually alone, with little staff support, and depends upon close cooperation and voluntary compliance from LEPCs for drawing up emergency plans according to state guidelines (Communication from Jim Ward, Arkansas Department of Pollution Control, June 27, 1988). Jefferson county (PBA) has been particularly successful in emergency planning despite this potential obstacle, as shall be seen, because emergency planning specialists were "sought out" for membership on the LEPC when the SARA framework was developed.

Public Participation Parameters: There has been little public interest, statewide, in SARA activities. Jefferson county has been fairly typical in this regard as evidenced by the difficulty in obtaining interest from non-emergency planning specialists to serve on the LEPC.

### 3.2.3 Colorado

SERC: Called the "Colorado Emergency Planning Commission," it is so named to emphasize its character as a planning agency rather than an emergency response organization (Communication from Richard Bardsley, Colorado Division of Disaster Emergency Services, June 27, 1988). It emphasizes the coordination of planning rather than the response to chemical incidents. It consists of an eleven-member council with staff support from the Department of Health. The Departments of Health and Disaster Services serve as co-chairs. There are three additional agencies represented on the SERC: Fire Safety, Health Protection, and Department of Local Government. Six "at-large" non-governmental organizations also serve. The latter include two environmental groups--one of which is called "Citizens Against Rocky Flats Contamination."

This is significant because it underscores the incorporation of unconventional participation in state emergency planning in Colorado and, more importantly, the way in which that participation may include activities outside the realm of strictly defined "chemical hazards," such as possible radiation hazards from Rocky Flats, for example. There are also representatives from the Denver metropolitan area, and two industry representatives.

Right-to-Know/Public Information Concerns: There is no state RTK law in Colorado. However, two state laws (discussed in Sect. 5.3) constitute a fairly extensive information management and collection system which has generated high expectations about proactive state

involvement in regulating chemical hazards. These expectations may translate into high demands for proactive involvement in CSDP review and assessment.

Fiscal Concerns: Title III has been funded by established emergency planning budgets of other agencies. Some thought has been given to levying a fee on chemical industries to fund these activities but there is also considerable reluctance to do so for fear of discouraging new industry from moving into the state. However, Pueblo County does levy a small fee on chemical facility operators.

Public Participation Parameters: Colorado has tried to explicitly define the concepts "community group" and "mass media." The incorporation of both is required by Title III on Local Emergency Planning Committees (LEPCs) (P.L. 99-499, SARA, Title III, Section 303). The former is defined as "a public policy group ranging from the Sierra Club to the League of Women Voters" while the latter explicitly means private sector broadcast or print media, not government public relations agencies. The state believes that the intent of Title III was to provide the public with a means of monitoring potential chemical hazards through respected public organizations. Thus, it is contended, the Title III process should actively encourage this activity.

### 3.2.4 Indiana

SERC: Consists of 12 members: three from state agencies, three from local government, three from industry, and three from citizens groups (e.g.--the Sierra Club). The SERC is assisted by a 25-member "advisory committee" broadly representative of professional organizations such as county government associations, chambers of commerce, mass media organizations, and law enforcement and firefighter associations. These organizations nominate members to serve on the advisory group while the governor appoints them.

Right-to-Know/Public Information Concerns: There is no state RTK law. Indiana follows the federal OSHA-HC standard (see Sect. 5.1) There have been few requests for information under Title III.

Fiscal Concerns: For 1987-88, Indiana has appropriated 65K for Title III implementation. This translates into one full- and two part-time staff and a small office for handling requests and amassing data on chemical facilities. While a fee-levying system on industry exists, "not much money has come in yet." Thus, there is no adequate base for loaning money to LEPCs for the development of chemical hazard inventories, which was the purpose of this fund (Communication from Philip Powers, Indiana Emergency Response Commission, June 30, 1988). Lack of resources for emergency planning is particularly acute in Vermillion County, as shall be seen.

Public Participation Parameters: Generally, interest in chemical hazards tends to vary in accordance with public perceptions of the presence of serious chemical hazards in the community. This perception, in turn, roughly correlates with the level of urbanization of a county emergency planning district (Communication from Philip Powers, Indiana Emergency Response Commission, June 30, 1988). Some of this is reflected in the case of Vermillion county (NAAP), as will be seen.

### 3.2.5 Kentucky

SERC: Consists of a 25-member commission chaired by the Division of Disaster Emergency Services. Includes several state agencies, some industry representatives, news media personnel, and three environmental organization representatives appointed by the governor.

Right-to-Know/Public Information Concerns: Kentucky has "little money, staff or time" to coordinate with LEPCs on the establishment of a comprehensive chemical hazards information data-base (Communication from Craig Martin, Kentucky Emergency Response Commission, June 30, 1988). For the CSDP, this is reflected by the attempts of Fayette and Madison Counties to divide their time and effort in the management of different aspects of chemical hazards.

Fiscal Concerns: Because of financial constraints, a "less than perfect effort" of Title III implementation on the part of LEPCs is expected by the SARA-imposed deadline for emergency plan formulation of October 17, 1988 [Title III, Section 301 (c)].

Public Participation Parameters: Kentucky has had some difficulty recruiting and retaining SARA-mandated representatives from diverse constituencies on some LEPCs. This has not been as much of a problem in Fayette and Madison counties, however, because of a strong commitment to the emergency planning process by LEPC members.

### 3.2.6 Maryland

SERC: An "executive committee" of a pre-SARA Hazardous Materials Advisory Council (HMAC) serves as the SERC for Maryland. This committee is comprised of representatives from: emergency services, fire marshal's office, the chemical industry, chamber of commerce, community and environmental groups, the news media, and the Chesapeake and Potomac telephone company. The co-chairs of the SERC represent the Public Service and Public Safety Departments, respectively.

Right-to-Know/Public Information Concerns: A state RTK law requires that requests for information on chemical hazards be officially received by the Department of the Environment or through LEPCs. Chemical facility information (discussed in more detail in Section 5) is copied and circulated through the Department of the Environment.

Fiscal Concerns: While unable to devote much money to local emergency planning, Maryland had a head start on SARA implementation because its own hazardous materials plan had been in operation since 1987. However, there is little staff support for assisting LEPCs. For example, there has been some talk of trying to upgrade chemical facility reporting lists to conform to current SARA reporting requirements. It is believed that "this may require the addition of summer interns" (Communication from Pam Phillips, Administrator, Toxics, Environmental Science, and Health, Maryland Department of the Environment, June 27, 1988). The Harford County LEPC has expressed a number of concerns over the lack of state resources for HAZMAT planning and emergency response personnel training.

Public Participation Parameters: There is generally a high degree of awareness and interest in chemical hazards statewide. Farmers, for example, believe that SARA is good because it addresses concerns over storage of anhydrous ammonia. Past accidents have contributed to a "cooperative environment" between the chemical industry and the state--this has generated heightened expectations about proactive state involvement in toxic and hazardous chemical management. Finally, there appears to be widespread support for the decentralized character of emergency planning entertained by SARA because of established relationships between the state and industry. However, as shall be seen, there is considerable contention between the state and Harford County over local readiness for emergencies as well as capabilities for proactive public involvement in oversight of chemical hazards.

### 3.2.7 Oregon

SERC: Oregon had a pre-SARA Emergency Planning Commission comprised of 16 representatives. This body, chaired by the governor's "Special Assistant for Natural Resources" in order to provide it with high political visibility, serves as Oregon's SERC. Eleven of the 16 members come from state agencies or organizations (e.g.--Health Department, Oregon State University, fire marshal's office, Environmental Quality Department), while the remainder come from local government, the chemical industry, and a "public interest research group." Staff support is provided by the state fire marshal. The Umatilla County Sheriff also serves on the SERC (Communication from Dennis Walthall, Program Coordinator for Right-to-Know, Oregon Hazardous Materials Division, June 28, 1988).

Right-to-Know/Public Information Concerns: Since 1984, a state RTK law, managed by the state fire marshal, and funded through the state fire insurance premium fund, has made it possible to develop an extensive data-based chemical hazards inventory system. Oregon has pioneered its own chemical facility reporting forms. A "dial-a-facility" system is coming into operation which will make it possible for county emergency management personnel to obtain information on chemical hazards. There has been contact between the Oregon

Emergency Management Division and the Army on the CSDP. The state presumes that important contacts will be made directly with Umatilla County (Communication from Bruce Sutherland, Oregon Title III Coordinator, July 6, 1988).

Fiscal Concerns: Although no SARA Title III funding has been made available by Oregon, as noted above, the state's RTK law has been funded separately for some time. These funds have been utilized for hiring emergency response trainers and for developing a chemical hazards data base. Some counties are severely constrained in resources while others lack emergency coordinators. This is significant for the CSDP, as shall be seen, because Oregon has a single statewide "local emergency planning committee" to partially compensate for the lack of available emergency planning resources in counties in the eastern half of the state, including Umatilla.

Public Participation Parameters: Industry, Red Cross, mass media, and tribal nation groups participate on the SERC and on a statewide LEPC. Associations nominate representatives to serve on the LEPC while the governor ratifies their appointment.

### 3.2.8 Utah

SERC: Consists of two agencies: the Departments of Health (recordkeeping, reporting, data-management) and Public Safety (training programs-including distribution of SARA Title III, Section 305 training funds, and emergency planning).

Right-to-Know/Public Information Concerns: Utah is committed to doing exactly what federal law requires, but no more at this time. The state RTK law essentially states: "do what SARA mandates" (Communication from Neil Taylor, Utah Hazardous Chemical Emergency Response Commission, June 29, 1988).

Fiscal Concerns: Title III implementation funds have been made available by the legislature but have not found their way to counties. This is where the real need for funding is found.

Public Participation Parameters: Community group and mass media representation are not as well-developed as in some other states. Public awareness and concern is not as well-developed or acute as in other states, possibly because certain military-related chemical hazards are virtually taken for granted in parts of Utah. As a Tooele County emergency planner suggested, numerous large-scale waste sites are located in the area (Communication from Howard Kooper, Tooele County Civil Defense, August 1, 1988). This pragmatic view is reflected, as will be seen, by the activities of the Tooele County LEPC.

### 3.2.9 Summary Observations

In each of the CSDP installation states, SERCs are entrusted with responsibility for: (1) approval of emergency response plans developed by LEPCs; (2) establishment of procedures for handling information requests from the public and the chemical industry about hazards and measures to avert them; and (3) prescribing formats for chemical facility inventory information.

While these responsibilities are the same in all states, state-level resources provided for these functions vary considerably. Generally, representatives from state agencies who serve as either chairs or co-chairs of SERCs double as staff support for them. There may be no more than 2-3 assistants who work with chairs on Title III planning. This places considerable strain upon the time that might be available for serving on ICCBs, as shall be seen in Section 3.3

SERCs are entrusted with principal authority for statewide planning, however, LEPCs are given primary responsibility for the development of emergency response plans. These plans are due to be submitted by October 17, 1988 (U.S. EPA, Title III Fact Sheet, 1988). SARA grants considerable discretion to state and local governments in developing these plans. As shall be seen, one implication for local ICCBs is that CSDP emergency plans could be annexed onto general county chemical facility emergency plans--making review and assessment of the CSDP by LEPCs manageable while serving to coordinate disposal activities with state and local governments--a goal consistent with that articulated by the Chemical Stockpile Disposal Program - Final Programmatic Environmental Impact Statement (U.S. Army, 1988, Vol. I: 4-165).

### 3.3 LOCAL EMERGENCY PLANNING COMMITTEES (LEPCs) IN CSDP INSTALLATION SITES: STRUCTURES, FUNCTIONS, RESPONSIBILITIES AND PROBLEMS RELEVANT TO THE ICCB

LEPCs are invested with emergency planning responsibilities over jurisdictions termed "emergency planning districts" (EPDs). While the types of personnel mandated to serve on LEPCs are prescribed by law, the boundaries of EPDs are determined by states [Title III, Section 301 (b)]. The SARA-mandated deadline for establishment of EPDs was July 17, 1987.

In seven of the eight CSDP states, counties have been designated emergency planning districts with one LEPC, appointed by the governor, supervising the initiation and formulation of emergency plans for each one. However, in the case of Oregon, the entire state has been designated as the local emergency planning district with a single LEPC assisting the separately-appointed SERC in the formulation of emergency plans. County planning structures are utilized for the implementation of a single, integrated emergency response plan (Communication from

Dennis Walthall, Program Coordinator for Right-to-Know, Hazardous Materials Division, State of Oregon, June 28, 1988). Implications of this innovative arrangement for ICCB are discussed in Sect. 3.3.7.

In those states where county-based LEPCs predominate, notable exceptions are found. Arkansas has two metropolitan LEPCs (Little Rock and North Little Rock) chaired by mayors. Likewise, Baltimore and Ocean City, Maryland have their own LEPCs. Utah and Colorado have a few multi-county LEPCs chaired, in the former, by fire chiefs, and in the latter, by emergency response coordinators. Only Alabama, Indiana, and Kentucky rely exclusively upon single-county emergency planning districts. Moreover, in Colorado, any county or metropolitan area over 25,000 persons may petition to become a separate LEPC (Communication from Richard Bardsley, Division of Disaster Emergency Services, State of Colorado, June 27, 1988). One implication for ICCB is that an existing LEPC may be divided into two or more LEPCs in the future. Thus, Pueblo County (the location of PUDA) could be subdivided into a special emergency planning district for purposes of more effective oversight of the CSDP, if residents petitioned the state.

Title III explicitly charges LEPCs with the tasks of formulating procedures for receiving and processing requests for information from the public, providing public notification of meetings, and incorporating public concerns and comments in the development, distribution, and implementation of emergency plans [Title III, Section 301 (c); Bureau of National Affairs SARA Guide, 1988: 521: 951]. Emergency plans are supposed to be prepared by October 17, 1988 [Section 303 (a)].

LEPC size is determined by states. In the eight CSDP states, LEPCs vary from as small as five members to over 100. What is more problematic than size, however, is representation; a factor explicitly prescribed by law. In some CSDP emergency planning districts, it has been difficult to recruit LEPC members who represent all of the functions required by Title III of SARA.

Title III requires that LEPCs be comprised of relevant state and local officials, police, fire, civil defense, public health, environmental affairs, transportation personnel, and members of the mass media and designated "community groups." A common refrain among officials interviewed is that interest in serving on LEPCs varies by public awareness of hazardous materials issues. It is widely stated that interest, in turn, is affected by the level of industry in a particular county as well as population density and prior chemical incidents. These three factors: size, representation, and public awareness all have a bearing upon proactive participation for emergency planning. The following is a state-by-state description of LEPC activity at the eight CONUS sites. Particular attention is paid to the relationship between LEPCs and intergovernmental consultation and coordination in the CSDP.

### 3.3.1 Calhoun County, Alabama (ANAD)

Calhoun county has a large and diverse LEPC comprised of about 100 members with representatives from six municipalities and one county government. It is chaired by the Calhoun County commissioner while the vice chair, who also serves as director of county civil defense, manages its day-to-day operations. Its first meeting was held in December, 1987.

It was the intention of Calhoun County to go well beyond the minimum requirements of Title III in developing an LEPC configuration. This is exemplified not only by the LEPC's size but by its efforts to represent virtually every law enforcement agency, fire department and emergency medical response constituent in the county (Communication from Sam Slone, Calhoun County Civil Defense, July 29, 1988). It should be noted that community group representation, as is typical of the state generally, has been more difficult to achieve. For the most part, "there simply aren't any environmental groups in some rural Alabama counties" (Communication from Bill Klein, Alabama Emergency Management Agency, June 29, 1988). Furthermore, the media tend to be poorly represented on most LEPCs in Alabama, while industry groups, well-represented on the LEPC, have proven to be "very helpful and well-represented throughout the state" (Communication from L.G. Linn, Alabama Department of Environmental Management, June 27, 1988). An executive committee, comprised of elected county officials, exercises overall supervision of the LEPC.

Numerous subcommittees for emergency planning have been established on the Calhoun County LEPC (see Appendix A) and a direct communication link has been set up between ANAD and the LEPC through the vice-chair. The vice-chair has been designated an ICCB member in the CSDP for Calhoun County. Three ANAD officers (public affairs, environmental control, and chemical surety) serve on the LEPC and constitute liaison between the committee and the installation. Preliminary plans to utilize the county Title III emergency planning structure for intergovernmental consultation and coordination have begun in earnest.

Alabama feels that the LEPC should be the primary framework for emergency planning coordination for the CSDP's site-specific intergovernmental consultation and coordination board. The Army has consented to this arrangement (Communication from Sam Slone, Calhoun County Civil Defense, July 29, 1988).

Once-a-week or more frequent contacts between the LEPC and ANAD are common. Plans are being made for incorporation of a separate appendix to the county emergency plan for the chemical stockpile at ANAD. A considerable amount of LEPC planning--much of which is based on pre-SARA county Civil Defense activity--is devoted to assumptions of continued storage of the stockpile. Regardless of the ultimate disposition of the CSDP, the LEPC contends that "the nerve gas stockpile poses an ongoing potential hazard appropriate to emergency planning"

(Communication from Sam Slone, Calhoun County Civil Defense, July 29, 1988).

A number of positive initiatives have taken place for the ICCB through the Calhoun County LEPC and ANAD. First, it is believed that ANAD has established ongoing communication with the LEPC--which has been noted as a vital concern for developing public trust in intergovernmental consultation and coordination in other contexts (Feldman, 1988). Secondly, because of this communication, it is believed that a certain degree of rapport has been established between the LEPC and ANAD which is facilitating emergency planning. For example, ANAD has responded positively to LEPC concerns that considerations of time-of-incident be more fully encompassed in emergency preparedness. According to a local civil defense official, the LEPC is much more concerned with other chemical hazards in Calhoun County that pose a higher risk such as transportation accidents.

There are, however, several obstacles facing optimum intergovernmental consultation and coordination in Calhoun County. First, while there are no "interface" problems between ANAD and the LEPC, elected officials are not very active in emergency planning and do not attend meetings regularly. Given their numerous responsibilities, this is not surprising. However, this has meant that civil defense staff have been charged with almost all planning responsibilities for chemical emergencies generally, and for the CSDP in particular. Over time, this may impose considerable constraints on the attention that can be devoted to the ICCB by LEPC members.

Second, community groups and the mass media--while they "receive every piece of information" generated by the LEPC--rarely participate in emergency planning discussions on the LEPC. This may be a function of low public awareness or disinterest. Conversely, it may be the result of high public trust in the process of local emergency planning. This lack of interest may not remain low, however, once the CSDP commences. This could impose a number of "overload" problems for the ICCB.

For example, the civil defense director contends that lack of interest is generally good because the present LEPC is able to handle ICCB through current informal lines of communication. He also contends that direct communication between himself and the Army may be more effective than diffused communication through a large committee. In essence, it is the position of county civil defense that the LEPC remain ". . . a sounding board or planning group to assist civil defense, not a management body" (Communication from Sam Slone, Calhoun County Civil Defense, July 29, 1988). While this is precisely what LEPCs are supposed to be under SARA (P.L. 99-499, SARA, Title III, Section 303), nevertheless, it is conceded that the county cannot currently handle "a major situation" alone and will need lots of material support from the Army once the CSDP commences. In particular, there is concern among elected officials that an ineffective emergency plan would subject LEPC members to liability in an off-site incident at ANAD as well as at other

chemical facilities. This issue of liability alone could arouse public concern.

A final problem for the ICCB, related to the above, concerns resources for emergency planning in the CSDP. The Calhoun County civil defense director believes that contiguous counties should be involved in emergency planning, especially for development of evacuation and relocation plans. However, emergency planning districts in Alabama are limited to single counties. Moreover, the LEPC for Calhoun County is understaffed and will need assistance from the Army in collecting data on evacuation zones, emergency sheltering, and "plume plotting."

As a consequence, while the CSDP should by all means be encouraged to continue utilizing SARA Title III instruments such as LEPCs for consultation and coordination, the use of these instruments must be tempered by flexibility. Neither a single county LEPC, nor members of all LEPCs throughout the region working as a single ICCB can provide effective guidance in intergovernmental consultation and coordination. At one and the same time, the ICCB should be small in order to be manageable but diverse enough to represent the entire affected site-specific area encompassed by the CSDP.

### 3.3.2 Jefferson County, Arkansas (PBA)

The Jefferson County LEPC is smaller than that for Calhoun County (64 members). Fourteen chemical facility representatives serve on the LEPC including two representatives from PBA, as well as several professional planners, cartographers, architects, and volunteer fire department personnel (Communication from Jack Palamater, Jefferson County Title III Coordinator, August 1, 1988). A series of 16 subcommittees are in the process of addressing a number of emergency planning components for the county and are developing a prototype emergency plan (see Appendix A).

Representation on the Jefferson County LEPC is generally broader than that prevailing throughout much of the state. It has been difficult to find industry and transportation representatives for all LEPCs in Arkansas. The state maintains that, where industry exists, their representation is required, but in their absence, the problem of representation is less pressing (Communication from Jim Ward, Arkansas Department of Pollution Control, June 27, 1988).

A number of positive initiatives useful for intergovernmental consultation and coordination have taken place. Once members for the LEPC were selected, they were asked to rate their preferences for service on subcommittees they wished to work on. This helped to insure good fit between member interest and role. In addition, because of a decision made by the state Office of Emergency Services, each county had an "all hazards" response plan in place prior to SARA. New chemical emergency response plans will be appended to these. The state also

contends that "all industries of any size had contingency plans in place" prior to SARA (Communication from Jim Ward, Arkansas Department of Pollution Control, June 27, 1988).

Although not as formally established as in Calhoun County, it has already been decided by mutual consent of Arkansas, Jefferson County, and the Army that the Jefferson County LEPC should play an important role in the ICCB. Currently, the vice chair of the LEPC, who is also the Title III coordinator for Jefferson County, is in daily contact with PBA, is working with the installation to incorporate the CSDP into the LEPC's emergency plan, and is satisfied that "no serious problems have surfaced" and PBA is a respected institution in the community (Communication from Jack Palmateer, Jefferson County Title III Coordinator, August 1, 1988).

It was noted in Sect. 3.2.2 that public interest in Arkansas in Title III activities has been generally low. This is particularly true in Jefferson County. While there is one media person on the LEPC (a newspaper editor), community group representation has been a problem because there has not been adequate guidance as to how to define it (Communication from Jack Palamateer, Jefferson County Title III Coordinator, August 1, 1988).

The result is that the LEPC has chosen to seek out persons likely to be interested and competent to engage in emergency planning. This includes volunteer fire department personnel and elected municipal officials. As is the case for Calhoun County, Alabama, however, one may legitimately pose the question as to whether this constitutes a sufficient cross-section of community representation to encompass potential public concerns once the CSDP commences. For Jefferson County and PBA, an effective ICCB will need to assure that all potentially-impacted constituents who want to be involved in planning for chemical facility emergency planning are so involved. This includes environmental and public interest groups.

### 3.3.3 Pueblo County, Colorado (PUDA)

Under Colorado law, as noted in Sect. 3.2.3, communities over 25,000 may form separate emergency planning districts or otherwise elect to combine their efforts with other governmental units in the formation of LEPCs. Pueblo County and the city of Pueblo have formed a single city/county LEPC with 24 members chaired by the county director of civil defense. Four subcommittees deal with planning, training, community right-to-know, and hazard analysis. There are also seven designated alternates who participate in meetings when regular members need to be absent.

The LEPC is composed of personnel from the county sheriff department, city police, county commissioners, hospitals, separate city/county health departments, and other government agencies. There is

a representative from the local newspaper on the LEPC and one from PUDA. While Colorado is very specific in defining what constitutes the "media" and a "community group," as noted in Sect. 3.2.3., the number of such representatives serving on LEPCs is still a function of the political and social character of the county. The only community group represented on the Pueblo County LEPC is the local Red Cross. There is also one private citizen serving on the LEPC.

The LEPC is involved in numerous aspects of emergency planning beyond the articulation of a prototype plan for chemical accidents. Because the state of Colorado had "a good hazardous materials plan in place" prior to SARA, all the components of the LEPC work together well (Communication from Betty Jo Hopper, Director of Pueblo County Civil Defense, August 2, 1988). This assessment is consistent with the contention of the state that SARA simply took what Colorado was in the process of developing and made it mandatory for all counties more quickly than otherwise would have been the case.

For the ICCB, a number of current activities of the Pueblo County LEPC are relevant. The city fire department has taken the lead role in amassing chemical facility data which must be made available under Title III in a variety of formats (see Section 5). The LEPC also supervises a combined unincorporated community-city-county HAZMAT team which has received training assistance with Title III (Section 305) funds. Meetings of the LEPC are held once a month and, under Colorado law, are announced and open to the public.

The Title III process in Pueblo County is said to be "ahead of the game" as a result of fairly adequate funding and early state delineation of counties as emergency planning districts. Civil defense funds from the state and county support Pueblo LEPC's activities and the county levies a fee upon chemical industries (even though the state is so far reluctant to do this). The LEPC is in the very earliest stages of an ICCB-type arrangement with PUDA, however. Thus, it is difficult to say for certain exactly how the process will evolve. Over time, the parameters for ICCB will need to be worked out in greater detail than has thus far occurred. A number of issues for optimum intergovernmental consultation and coordination have surfaced including: evacuation route designations, future LEPC funding, and time constraints. The LEPC spends a lot of time responding to RTK inquiries.

#### 3.3.4 Vermillion County, Indiana (NAAP)

While the LEPC for Vermillion County, Indiana is considerably smaller than those in the first three sites discussed, it is becoming closely integrated into the emergency planning and intergovernmental consultation and coordination process for the CSDP. The LEPC has eight members representing the Clinton fire department and hospital, county sheriff, a publisher of the local newspaper, the Eli Lilly Company, and county civil defense.

The chair is the president of the board of commissioners while the vice chair and coordinator of the LEPC is the head of county civil defense. This structure is fairly typical of Indiana LEPCs in general. About half of the state's 92 LEPCs are chaired by emergency management people while the remainder come from industry or local government. In larger, urbanized counties, co-chairs are often elected and share decision making responsibilities with the chair.

In most Title III related activities, the Vermillion County LEPC has made slow, halting progress. There is a perceived need for more disaster service and emergency medical response representation on the LEPC but it has been difficult to generate interest. In Indiana, larger, more diverse LEPCs tend to be found in larger and more urbanized counties such as Lake (Gary-Hammond) and Marion (Indianapolis) (Communication from Philip Powers, Indiana Emergency Response Commission, June 27, 1988). In addition, progress in developing an emergency plan is proceeding at a slow pace, and there have been no formal meetings of the LEPC as a group (Communication from Jack Silotto, Vermillion County Civil Defense, August 1, 1988).

While there is no representative from NAAP currently serving on the LEPC, the LEPC and the installation have been in close contact and are working toward development of a consultation and coordination agreement similar to those being developed at other sites. Emergency planning for NAAP will comprise an annex to the general county emergency plan now under development. The LEPC has been promised: (1) that a NAAP representative will work with them to assess their emergency response needs, and (2) that the Army will pay to upgrade training and equipment deficiencies.

The Vermillion County LEPC is faced with a number of institutional problems which constitute a challenge for the establishment of effective intergovernmental consultation and coordination with the CSDP. First, the LEPC vice chair contends that the LEPC is in a difficult position relative to both the public and the installation. Before Title III, there was little concern with emergency planning in Vermillion County because "we could not afford it, and there is no educational background (among our political leaders) sufficient to establish adequate emergency response" (Communication from Jack Silotto, Vermillion County Civil Defense, August 1, 1988). Now that there is a perceived need for emergency planning--not just for the CSDP but "for other activities posing greater risk, such as a major chemical plant in the county"--there is reluctance to involve the lay public.

It is believed that public participation at CSDP hearings "stirred controversy" and did not lead to discussions on "how to mitigate the nerve gas problem." On the other hand, however, it is contended that LEPC--NAAP relations need to be improved: "we have poor communication down here with NAAP." In July, 1988, several emergency planning officials were invited to the installation for a discussion of emergency response problems related to the CSDP. However, only one LEPC

representative (the chair) was invited. It is believed that this may have been an oversight on the part of the governor's office which coordinated the event, and not attributable to NAAP. Nevertheless, "front line" people need to be consulted for these events (Communication from Jack Silotto, Vermillion County Civil Defense, August 1, 1988).

A second problem relates to county resources and the logic behind Title III planning. It is assumed that LEPCs have the ability to identify needs for emergency planning because their members are better aware of the specific deficiencies in warning, emergency notification, and other preparedness problems of their respective communities. However, the Vermillion County LEPC contends that the CSDP presents a particularly complex problem because the county's resources are sparse. While it is believed that the Army has been more than fair in releasing information, it is contended that NAAP needs to take the lead role in defining emergency planning needs, not the county (Communication from Jack Silotto, Vermillion County Civil Defense, August 1, 1988). Moreover, it is believed, these discussions would be most fruitful if they were conducted informally, through small-group interaction. Thus, while proactive local involvement is both desirable and necessary, it will be more complex in Vermillion County than might have been anticipated.

A final problem relates to LEPC attrition. As was noted previously, identifying and keeping interested, qualified, and knowledgeable people on LEPCs is difficult. Ironically, the vice chair of Vermillion County LEPC, who is also head of county civil defense, is leaving to assume an elective office. It is anticipated that such personnel changes, both in Vermillion County and at other CSDP CONUS sites, could be fairly common.

### 3.3.5 Fayette/Madison Counties, Kentucky (LBAD)

The Fayette County LEPC is distinguished in three respects: it is well-organized, anxious for good relations with LBAD, and mission-oriented.

The Kentucky SERC mandates that every chemical facility in Fayette County be represented on the Fayette County LEPC. The committee has about 50 members, broadly representative of city (Lexington) and county emergency response constituents, and is divided into a number of planning subcommittees. A representative from LBAD serves on the LEPC, although he is from a part of the base "not involved in nerve gas." The media are well represented through newspaper, radio, and television personnel. However, while the Sierra Club has been invited to send a representative to the LEPC, they have never done so (Communication from Ken Johnson, Fayette County LEPC, August 5, 1988).

In Kentucky, "it has generally been difficult to get and keep good people involved (on LEPCs) because there's so much to read and digest."

Moreover, for local officials, involvement in emergency planning has constituted a time-consuming "education process" (i.e.--characterized by the need to learn about a new law) resisted by some (Communication from Craig Martin, Kentucky Emergency Response Commission, June 30, 1988). While it is only an implicit concern so far, there is also some reluctance to serve on LEPCs due to the possibility of liability for failures in emergency planning efforts resulting from an accident (Right-to-Know Planning Guide, June 23, 1988).

In Fayette County, these problems appear to be diminished. This is probably due to two factors: (1) the committee's explicit charge, and (2) the enthusiasm of its members, including the chair. The LEPC's efforts are focused exclusively on Title III planning and emergency response, while a separate Hazardous Materials Advisory Committee (HMAC), comprised of city and county officials, writes rules for handling, storage, and safe disposal for the chemical industry in Fayette County. The collection and dissemination of right-to-know information and chemical facility data is also performed by the latter, while the former concentrates on advising the Emergency Management Agency on needs for equipment, training, and preparedness improvements (Communication from Ken Johnson, Fayette County LEPC, August 5, 1988).

Moreover, this relatively clear-cut mission has been augmented by the efforts of the chair at articulating a strategy for its achievement. The chair views the improvement of emergency preparedness as an issue separate and distinct from technical proficiency. He encouraged the representation of LBAD on the committee before the Army suggested it because "we thought we needed to establish better relations with the installation" to prepare for the CSDP. In addition, the LEPC has been encouraged to look at the nerve gas problem pragmatically; i.e.--regardless of what's done with it, how does its presence affect the deployment of resources for emergency planning? (Communication with Ken Johnson, Fayette County LEPC, August 5, 1988). This is a particularly important consideration for the LEPC because it aspires to become involved in overall emergency planning for floods, tornadoes, and natural calamities as well as chemical emergencies.

For intergovernmental consultation and coordination, these efforts are especially significant. It is the LEPC's contention that once the CSDP commences, the Hazardous Materials Advisory Committee should be in charge of any off-site monitoring of airborne emissions from the incineration of chemical agents, while the LEPC will devote itself to accident preparedness and prevention.

Finally, while the LEPCs members have "been very active and enthusiastic," problems pertinent to intergovernmental consultation and coordination in the CSDP remain to be addressed. The division of responsibility between the LEPC and the HMAC, while felt to be analytically sound, is difficult to achieve in practice. For example, in order to effectively plan for chemical emergencies, various chemical inventory information held by the HMAC will have to be shared with the

LEPC. This may require unification of efforts. Moreover, as in Vermillion County, Indiana, there is some feeling that the needs for emergency planning in Fayette County related to the CSDP require both proactive local involvement and continued Army willingness to be forthcoming with information. The efforts expended by the LEPC thus far, however, reveal the important role of trust and personal rapport in optimizing the process of public involvement in intergovernmental consultation and coordination. It would appear that the LEPC is ready to be involved in review and assessment of the CSDP.

LBAD comprises parts of two counties. The Madison County LEPC, contiguous to most of LBAD, is the most relevant one for emergency planning. As is the case with Fayette County, the effectiveness of intergovernmental consultation and coordination partially hinges upon personal rapport.

The Madison County LEPC has 31 members representing chemical facilities, educational institutions, emergency response constituents, local officials, and a chemical surety officer from LBAD. Unlike Fayette County, however, lack of money and time has prevented significant steps toward development of as formal an organization. There are no planning subcommittees, although they may become established when the final phase of emergency planning is undertaken. Also, fiscal resources "are very tight" (Communication from Howard Colyer, Madison County Director of Civil Defense, August 11, 1988). The LEPC has barely been able to afford postage for mailing compliance information and reporting forms to chemical facilities.

As a result, on one level, Madison County has only been able to do what SARA minimally requires--i.e., representing each of the components on the LEPC as prescribed by law and holding meetings aimed at development of an emergency plan. On another level, however, the LEPC has made extraordinary strides toward effective intergovernmental consultation and coordination with the CSDP. There is good attendance and a high level of participation on the LEPC and, perhaps most important, the chair has developed good rapport with those constituents whose assistance is vital for effective emergency planning.

An annex to the county chemical emergency response plan is being developed specifically for LBAD. The planning parameters extend beyond the CSDP to the more general issues of how various options related to nerve gas deployment (e.g.--continued storage) affect planning for chemical emergencies in Madison County. The LEPC developed this annex through allowing the chair to arrange small group meetings for a period of 3-4 hours at a time with individual emergency response constituents with an interest in the installation. Emergency response people met with the LEPC one-at-a-time. These constituents included: the Kentucky State Police detachment representative for that area, the county sheriff and a few of his deputies, the county transportation director, and others. Over a period of about eight months, input was solicited from many organizations informally--through "one-on-one meetings which were

very constructive" (Communication from Howard Colyer, Madison County Director of Civil Defense, August 11, 1988). Moreover, because these meetings were attended by only a few representatives of specific functions sequentially, "they ended up encompassing the feelings of heads of agencies well, without a room full of confusion."

As a consequence, the LEPC contends that good relations between itself and LBAD have been established and a promising framework for implementing intergovernmental consultation and coordination is in place. The most striking characteristic of this process is its successful utilization of small group interaction through mutual accommodation.

### 3.3.6 Harford County, Maryland (APG)

The Harford County LEPC exemplifies much of the complexity and uncertainty surrounding SARA Title III in general and the process of intergovernmental consultation and coordination for the CSDP in particular. While state officials contend that Maryland was adequately prepared for proactive state and local emergency planning due to the state's own efforts in hazardous materials regulation, the Harford County director of civil defense, who assists the chair of the LEPC, feels that "SARA came out of the woodwork and slammed into everyone" (Communication from Charles Browne, Harford County Civil Defense, August 1, 1988). It is contended that Harford County is inadequately prepared for Title III in the area of emergency medical response.

There is considerable confusion over LEPC responsibilities, frustration with the lack of explicit state guidance (and resources) for planning, and uncertainty over the LEPC's interface with the CSDP. To some extent, it would appear that these concerns reflect LEPC aspirations exceeding achievements. However, they also represent discernible gaps in implementation.

The LEPC has a core of 12 people who have engaged in most of the Title III work thus far. This includes the chair, who is also a county commissioner, the director of civil defense, the county sheriff, chief of the county central alarm system, a county health officer, industry representatives, and a pharmacist (who serves as the citizen representative for the emergency planning district). In addition, a representative from APG (Chief, Plans and Operation branch) serves on the LEPC, as well as a Chemical Research Surety Officer from Edgewood Arsenal. There are about a dozen additional "invitees" who attend some of the meetings, including police chiefs from three municipalities and volunteer fire department representatives.

Relations among LEPC members are described as very good and achievements, including publication of a HAZMAT plan and incident checklist for the county, have been notable thus far. However, several specific concerns articulated by the LEPC, revolving around state

guidance and financial resources, may have a significant impact upon optimum intergovernmental consultation and coordination for the CSDP.

First, there is little money for training of volunteer fire department officials. This is felt to be a particularly serious problem because volunteer fire departments are not thought to be "mentally prepared for emergency response." Secondly, there is considerable concern over how generic the process of emergency planning should be--especially as regards transportation-related accidents which are felt to be the most probable chemical emergency scenarios for the county. The problem here is that the more specific planning becomes, the greater the need to "pre-empt" local authority (county and municipal governments) in enforcing compliance with various improvements suggested by the LEPC. The LEPC is uncomfortable about doing this. Third, while there has been no vigorous interest thus far in right-to-know (only 2-3 requests for information have been received from the public), concern has been expressed over how far right-to-know should go. In particular, it is uncertain how much information about chemical facilities should be provided to the public and what form the information should take.

Unlike other CSDP CONUS site LEPCs, however, the Harford County LEPC appears to have begun the process of identifying emergency preparedness needs related to the CSDP in earnest. Specific suggestions have already been made to APG for: (1) improvements to communication, (2) redundancy and backup for emergency notification systems, especially sirens, (3) coordinated exercises, and (4) better information for persons in off-site emergency response zones.

The one issue related to intergovernmental consultation and coordination that may prove to be the most troublesome, however, is whether or not the LEPC can serve to channel public concerns over the CSDP. Aside from the fact that committee members are overworked and understaffed (Communication from Charles Browne, Harford County Civil Defense, August 1, 1988), the LEPC believes that it will require between \$3-4 million to upgrade emergency response for the CSDP. On the positive side, however, not only has the LEPC worked hard at developing its own county HAZMAT plan and chemical incident checklist, which reveals a sophisticated level of planning, but concern for liability appears to be almost negligible in Harford County. The state attorney has determined that the LEPC would only be liable for gross negligence in emergency planning, and the attitude of the civil defense coordinator is that "we need to do whatever's necessary to save lives, not to avert liability." Thus, it is clear that the LEPC has the temperament as well as capability to work with the Army on intergovernmental consultation and coordination.

### 3.3.7 Umatilla County, Oregon (UMDA)

Oregon is the only state to have established a single Local Emergency Planning Committee for the entire state. It is an advisory

council comprised of 28 local government officials, tribal representatives, industry personnel, and state officials. There are two reasons given for this novel strategy of meeting Title III requirements. First, because the state has a chemical hazards information system coordinated by the state fire marshal, the need for local chemical hazards information collection and dissemination "was not immediately apparent." Secondly, because eastern Oregon counties lack funds for emergency planning, a single LEPC appeared to be a sensible interim strategy in order to meet SARA planning deadlines--especially since most chemical hazards are in and around Portland (one-third of the LEPC's membership comes from the Portland metropolitan area.)

Eventually, it is intended that each of the state's 36 counties will develop chemical hazard emergency plans of their own and establish some type of emergency planning committees. For now, most planning is done by the SERC, while the statewide LEPC "provides advice on how to incorporate local government concerns." The LEPC also acts as a forum to assess SERC progress, and as liaison for the development of training programs. Staff support for the LEPC is provided by the Department of Environmental Quality (Communication from Bruce Sutherland, Oregon Title III Coordinator, July 6, 1988).

It is against this framework that intergovernmental consultation and coordination in Umatilla County must be understood. Currently, the county Emergency Management coordinator is preparing a "task force" for chemical emergencies which will also serve as a sort of CSDP liaison body. A list of names of officials from incorporated and unincorporated communities has been collected, UMDA has worked closely with the county emergency management coordinator on its updated Chemical Accident/ Incident Response Plan, and it is believed that most major needs for local emergency planning have already been identified. Those needs felt to be unmet include improvements to warning and notification systems, training and equipment, and exercises (Communication from Dennis Olson, Umatilla County Emergency Management Agency, August 5, 1988).

Generally, there is little interest in using county emergency planning structures for funneling public concerns over the CSDP. There is a much higher degree of public concern in Umatilla County and vicinity toward the Hanford Reservation's potential emergency planning problems than toward UMDA. This public concern is especially acute concerning nuclear waste storage and transportation.

A more complex problem for public participation and intergovernmental consultation is presented by Umatilla Indian Reservation. As noted in Sect. 3.1, EPA defines tribal nations as "states" and tribal chiefs as "governors" for purposes of Title III planning. Umatilla reservation has become actively incorporated into the LEPC structure of Oregon. A representative from the Indian Health Service at Umatilla serves on the state LEPC, an emergency plan is in operation and is in the process of being reworked, and the capacity to assist the Pendleton community with emergency medical response exists

(Communication from David Kirchner, Umatilla Indian Reservation, August 10, 1988). In terms of intergovernmental consultation and coordination with the CSDP, several general discussions have transpired. Cooperation between the installation, county and reservation is described as being "very good" (Communication from David Kirchner, Umatilla Indian Reservation, August 10, 1988).

The somewhat ambivalent status of the reservation affects planning for the CSDP. There is some feeling that consideration of evacuation and sheltering plans justifies closer coordination between the army, reservation, and county for emergency planning than has so far occurred (Communication from David Kirchner, Umatilla Reservation, August 10, 1988). Moreover, while local communities acknowledge that the reservation is a separate entity, the state of Oregon does not always acknowledge this fact. It is imperative that the legal status of the reservation under Title III be fully acknowledged in order to incorporate its participation in the CSDP.

The most important consideration is that, because Indian tribes are states, they may enter into cooperative agreements to carry out site clean-ups. Moreover, they have a legal right to be fully consulted on remedial actions necessary to assure public safety from chemical hazards, and they are entitled to access to information for chemical emergency planning (U.S. EPA, Draft Title III Indian Policy, 1988: 8). Thus, to the extent that the Army has agreed to comply with Title III as regards to consultation with states and communities, all similar rights and obligations in this regard apply with equal vigor to Indian tribes, including full provision of technical and financial assistance found to be appropriate for other governmental entities (U.S. EPA, Draft Title III Indian Policy, February, 1988: 16). The confederated tribes of Umatilla Reservation have attended nearly all CSDP emergency planning meetings.

### 3.3.8 Tooele County, Utah (TEAD)

The Tooele County LEPC considers itself to be at an early stage of Title III planning. The chair is a civil defense official who has been working on a volunteer basis for about a year. It has been agreed that, while the Title III LEPC will have about 25 members broadly representative of SARA-prescribed functions, a smaller "executive committee," about one-fourth the size of the LEPC, should coordinate formulation of the county emergency plan. Various components of this plan are being developed conjointly by subcommittees and certain institutions with special expertise. For example, the county school district is participating in the preparation of the evacuation transportation and sheltering component of the plan (Communication from Howard Kooper, Tooele County Director of Emergency Planning and Acting Title III Coordinator, August 1, 1988).

On intergovernmental consultation and coordination for the CSDP, the director of county emergency planning feels that the most significant emergency preparedness problems are being addressed by the Army but that basic logistical matters transcend the LEPC's abilities. For example, the LEPC has worked closely with Schneider Engineering and TEAD on emergency planning for the CSDP. The LEPC has identified needs for improved local HAZMAT training and believes that the Army will do its best to provide it. "If we can get our people trained and qualified, we can be alright; especially since, in the event of an accident, first responders are critical" (Communication from Howard Kooper, Tooele County Director of Emergency Planning, August 1, 1988).

However, most of the problems relating to the CSDP are felt to be overwhelming and best handled without proactive intervention by the LEPC. It is contended, for example, that "SARA has lots of red tape" which a local, rural planning committee simply cannot manage. This is a refrain neither unique to Tooele County nor to the CSDP. It is one of the reasons that Utah has decided that a single individual may represent more than one SARA-prescribed function on an LEPC in sparsely populated counties--such as public safety and local government (Communication from Neil Taylor, Utah Hazardous Chemical Emergency Response Commission, June 29, 1988).

This lack of resources and expertise may prove critical to developing an effective intergovernmental consultation and coordination system between TEAD and Tooele County. At a minimum, there is a clearly discernible need for a permanent Title III coordinator to head up the LEPC effort (Communication from Howard Kooper, Acting Title III Coordinator, August 1, 1988). While state-local relations have markedly improved as a result of Title III, because all emergency response constituents are talking about what needs to be done to facilitate better planning, lack of available planning resources still constrains Tooele County's ability to meet SARA deadlines.

### 3.3.9 Summary Observations

The Army is not required to follow Title III requirements pertaining to chemical facility coordination, reporting, and emergency response with Local Emergency Planning Committees. Nevertheless, as shall be discussed momentarily, the Department of Defense commitment to "comply with the conceptual objectives of this act" (Schafer, 1987), especially those contained in Section 303 (d) (1) which prescribes the appointment of a representative from a facility to participate in the local planning process, suggests that there is high-level support for using Title III to address public concerns for proactive participation in programs like the CSDP.

Three other concerns applicable to all LEPCs, including additional ones that may be incorporated in various aspects of the CSDP's intergovernmental consultation and coordination system, need to be

assessed. These concerns are: unconventional public participation on LEPCs and SERCs, the role of the LEPC chair, and the regulatory authority of LEPCs.

Under Title III, Section 301 (c), interested persons may petition SERCs to modify LEPC membership in ways germane to the needs of particular emergency planning districts. Thus, different types of community groups may be added to LEPC, and the size of an LEPC may be increased. This may be advantageous for public participation in emergency planning insofar as specially-impacted groups may be represented on an LEPC. In any event, the Army needs to be sensitive to the fact that if Title III structures are utilized for public participation in emergency planning, then it is difficult to turn around and dictate to states how the latter should structure them.

Second, while Title III prescribes that each LEPC have an elected chair (Section 303), in practice chairs are approved by governors and may or may not be dedicated emergency planners. In Alabama and Arkansas, LEPC chairs are county judges. Formal coordination between SERCs and LEPCs is conducted through these elected county officials who may be politically close to state governors. In most cases, these officials defer to local emergency management personnel (who are often LEPC vice chairs) for policy recommendations, LEPC staff coordination, and emergency plan formulation. However, as a matter of protocol, elected chairs--and not dedicated emergency planners--constitute the appropriate channels for initiating intergovernmental consultation and coordination. This is a guideline appropriate to follow in other states as well.

Finally, LEPCs are given considerable authority to compel chemical installations having potential hazards to provide information necessary for emergency planning. Moreover, SERCs and LEPCs alike may issue more detailed requirements outlining the level of desired cooperation of chemical facilities. In short, reasonable state regulations imposing more rigorous requirements with respect to the release of hazardous substances are permitted under SARA (R. M. Hall et al., 1987: 1-14). What is problematic for the CSDP, however, is the degree to which federal, as well as additional state and local regulations in this area, are binding upon the CSDP. While we have briefly discussed DOD commitment to comply with the 'spirit' of SARA in this regard, it is necessary to turn, in more detail, to the architecture of this compliance agreement.

#### 4. SARA AND CSDP OBLIGATIONS: AMBIVALENT STATUS

It was the intent of Congress that SARA apply, in general, to federal facilities as it does to privately owned and operated ones. Under Title I of SARA, which pertains to issues of liability, all federal agencies are subject to compliance with the procedural and substantive provisions of P.L. 99-499 [Title I, Section 120 (a)]. However, there are two elements of Title III (EPCRA) which prompt ambivalent interpretations. First, under Title III, releases which do not exceed "threshold planning quantities" of toxic substances as defined by the act, and which expose persons solely within the installation site, do not require notification to LEPCs (Title III, Sections 304, 311; 40 C.F.R., Chap. I, Sections 355.30--355.40).

A strict interpretation of these regulations might suggest that the Army need not closely cooperate with LEPCs in emergency planning in cooperation with LEPCs. On the other hand, reasonable state regulations affording greater protection to the public were intended by Congress. For example, state standards are to be considered in determining an appropriate degree of cleanup after a chemical incident (Title III, Section 121 a). Thus, a proper interpretation of federal obligations for cleanup would be that federal facilities are subject to state laws regarding management and removal of hazardous wastes but need not obtain state or local permits for Superfund response actions (R. M. Hall et al., 1988). This interpretation is also consistent with EPA opinion that national security considerations exempt DOD from additional paperwork which might be encumbered if state permitting processes were closely adhered to (Communication from Kathleen Bishop, Preparedness Staff, Office of Solid Waste and Emergency Response, U.S. EPA, June 30, 1988).

More serious ambivalence is prompted by the broader meaning of federal facility compliance. In the normal course of their work, federal agencies are subject to limited immunity from civil suits by citizens and/or criminal prosecution. Statutorily recognized, this practice is designed to protect agencies from frivolous attempts to force cessation of operations that may cause unanticipated injuries during performance of assigned duties. In short, the state cannot be sued without its consent. While such suits would not necessarily affect the obligation of facilities to comply with explicit regulations, suits against individuals working at the facilities could delay program implementation. Even though Congress intended federal agency compliance with SARA, the act's language, coupled with the practice of limited immunity, complicates facility compliance.

SARA Title III obliges legally-constituted "persons:" corporations, individuals, and the like. The General Counsel of EPA contends that federal agencies "are not persons" and, thus, may not be held to strict rules of SARA compliance. A working group comprised of

EPA, DOD, DOE, and other agencies involved with Superfund-related activities has attempted to resolve this problem through development of a voluntary compliance procedure over and above what is usually permitted in the realm of civil suits by citizens.

In 1987, a Federal Facilities Task Force, coordinated by the National Response Team (NRT) for chemical emergencies discussed in Section 7 of this report, ruled that federal agencies should: (1) be urged to comply with Title III's purposes by identifying hazardous facilities to LEPCs and participating in local emergency planning; (2) provide EPA with "as complete a picture of their activities, and the measures taken to mitigate their harm, as possible" through written memoranda explaining how they intend to comply with SARA; and (3) recognize that GOCO facilities (government owned-contractor operated installations) are "legal persons" fully bound by SARA. It was determined that there is a "compelling public interest" served by federal agency compliance with SARA (Communication from Kathleen Bishop, Preparedness Staff, Office of Hazardous Waste and Emergency Response, U.S. EPA, June 30, 1988).

While some states and environmental organizations have urged legislative action to resolve remaining ambiguities, EPA is currently satisfied with voluntary compliance. Moreover, Congress has shown no inclination to modify SARA's language (Community and Worker Right-to-Know News, May 8, 1988: 5) and instead has relied on administrative clarification.

Subsequently, the Assistant Secretary of Defense (Environment) prepared a memorandum for DOD clarifying the manner in which all DOD components would comply with this decision. In particular, it was decided that, while "neither the substantive nor procedural aspects of Title III apply to DOD, all DOD components should comply with the conceptual objectives of the act to the extent practicable" (Schafer, 1987).

The procedural aspects specifically referred to were contained in Sections 301 (c), 303 (d), and 304 of Title III and encompass, respectively, emergency planning, facility participation in LEPCs, and emergency notification.

It is DOD's further contention that the overall objectives of SARA, ". . . to protect the public in the event of a release of toxic materials . . . should be endorsed." Further, ". . . all DOD components should comply with the act to the extent practicable (including notification of LEPCs in the result of an accident." Finally, of particular relevance to ICCB, ". . . each installation should identify one official to act as the point of contact for . . . LEPCs" (Schafer, 1987). In the opinion of EPA, this memorandum constitutes DOD's official intent to comply with SARA. This memorandum is provided in Appendix B of this report. In addition, a suggested format for relations between SARA reporting requirements agreed to by the DOD, and

local and programmatic ICCBs is depicted in Figure B-1 of Appendix B. It suggests that commitments for compliance with Title III may in some cases, be fulfilled by following SARA reporting requirements. Figure B-1 also depicts the potential overlap in membership between certain SARA instruments and those involved in the ICCB structure described in the CSDP-FPEIS (U.S. Army, 1988, Vol. 1: 4-168). Some of the overlap is discussed in Section 7 of this report.

Finally, two attachments to this appendix, a memorandum from the Assistant Secretary of Energy for Environment, Safety, and Health, and a memorandum from Major General Charles Skipton, USAF, further clarify ways in which other federal actions similar to those encompassed by the CSDP, may be made consistent with the intent of SARA Title III. In particular, the memorandum from the Assistant Secretary of Energy suggests some possible points of departure for contractor compliance with Title III relevant to CSDP facility contractors.

It should be noted that, in no instance does EPA expect, nor is a government facility obligated to provide, classified information pertaining to potential chemical hazards. It is for this reason that Figure B-1 does not include those facility reporting requirements encompassed by tier I and II and MSDS reporting sections of SARA Title III (Sections 312-313). Only those sections of Title III agreed to by DOD are included in this suggested reporting configuration.

Finally, it should be noted that emergency planning information for the CSDP, provided by installations, could be utilized as annexes to the general emergency response plan for CSDP facilities which are being established by SERCs and LEPCs under SARA Title III.

## 5. PUBLIC INFORMATION AND RIGHT-TO-KNOW

SARA Title III requires chemical facilities to provide SERCs and LEPCs with a variety of hazards information to be utilized for emergency planning. These reporting inventories constitute important vehicles for state and local oversight of potential chemical hazards as well as instruments for encouraging public participation. However, they do not explicitly apply to the CSDP. The major reporting formats, presented for information purposes, are as follows.

### 5.1 MATERIAL SAFETY DATA SHEETS (MSDS)

Section 311 of Title III requires facilities to report the generic chemicals stored, handled, trans-shipped, or destroyed on site to SERCs, LEPCs, and local fire departments. This reporting provision was originally a requirement of the Occupational Safety and Health Act of 1970 (OSHA) incorporated into SARA to simplify the reporting of chemical

hazards. It is sometimes referred to as the OSHA-HC (for "hazard communication") standard.

The specific format for these reports is left to states. EPA prefers a detailed format. In the eight CSDP states, SERC officials report a uniform preference for formats simple enough to be easily computerized and able to be quickly referenced and shared among agencies when and if state resources make this option viable. Five states (Indiana, Kentucky, Maryland, Oregon, and Utah) allow facilities to provide their own format while the remaining three (Alabama, Arkansas, and Colorado) prefer detailed lists and prescribe a specific format (see Appendix A and Table 1). While MSDS reporting does not explicitly apply to the CSDP, as was noted above, implicitly, it may affect LEPC-- installation relations.

Federal policies in the area of chemical hazards has encouraged proactive state and local participation in their implementation. As a consequence, local communities vary in the time and effort devoted to chemical hazards reporting activity. In the case of Fayette County, Kentucky, for example, chemical facility reporting is left to a Hazardous Materials Advisory Committee, freeing up the LEPC to concentrate exclusively on emergency planning. On the other hand, Calhoun County, Alabama has had to spend a great deal of effort on "getting the word out" to facilities about the need to report chemical hazards according to a state-specified format. A special LEPC subcommittee has been devoted to this function (Communication from Sam Slone, Calhoun County LEPC, July 29, 1988).

## 5.2 CHEMICAL INVENTORY FORMS (TIER I AND II).

Section 312 of Title III requires facilities to provide an additional set of reports to SERCs, LEPCs, and local fire departments termed, respectively, "Tier I" and "Tier II" forms. These forms are supposed to include information on the quantities of chemicals deployed at chemical facilities. Once again, this is a component of Title III from which the CSDP would be exempt. Quantities of agent deployed at installations are classified. Nevertheless, some information pertaining to Section 312 of Title III, not classified, may be appropriately shared with LEPCs in order to facilitate intergovernmental consultation if the Army so chooses.

- o Tier I provides aggregate descriptions and quantities of chemicals which in the normal course of operation could be, or have been present, at a facility over a 12-month period.
- o Tier II data need only be provided by private facilities on request from a SERC, LEPC, or fire department. It lists chemicals by common name actually present at a facility at the time of a request, and their gross amounts.

For ICCB, the significance of tier reporting is as follows. Since quantities of chemical agent deployed at CONUS sites is classified and need not be shared with state or local governments, any information about the character of the chemical stockpile--for emergency planning purposes and/or public information--will be at the Army's discretion. It is suggested that some information may need to be provided consistent with DOD's commitment to work within the local emergency planning framework. This information need only be at a level of sophistication sufficient to meet emergency planning needs.

An unresolved issue pertaining to ICCB is the extent to which local boards may institute their own reporting requirements separate from those of LEPCs since some LEPC personnel will be serving on ICCBs. This could be a matter for negotiation for those types of chemical information that the Army believes it can provide for purposes of emergency planning without compromising national security.

### 5.3 OTHER RIGHT-TO-KNOW REQUIREMENTS OF SARA: RELEVANCE FOR THE ICCB

Prior to SARA, Alabama, Maryland, and Oregon had various forms of "right-to-know" (RTK) laws in operation which allowed workers, communities, and/or the statewide public to obtain information about chemical hazards. Under SARA, all states are now compelled to provide this information. However, the format for its provision still permits considerable state-to-state variation. This has numerous implications for ICCB.

In Alabama, Arkansas, Indiana, and Maryland, it is preferred that citizens request information from LEPCs first, then contact SERCs if dissatisfied. In some instances, elaborate information processing and dissemination instruments have been put into place. In Alabama, for example, the Emergency Management Agency will reimburse copying costs to LEPCs for RTK information. However, information management is characterized as "generally poor" due to lack of adequate funding. The state's RTK is not even being enforced. This may constitute an example of a need for financial and technical assistance identified as one purpose of the ICCB in the CSDP-FPEIS.

Another problem concerns the applicability of "right-to-know" laws to the CSDP. In Colorado, two separate laws constitute an information management system later adapted to fit SARA. An "Open Records Act" encourages public bodies to deposit written records of meetings and formal decisions in county and other public libraries. Many LEPCs have made available chemical hazards and emergency planning information in this manner. In addition, government agencies are able to obtain relevant information from any facility on an "as needed basis" as a result of this law. A "Disaster Act," meanwhile, allows state emergency response personnel to enter any hazardous facility "with probable cause"--that is, with reasonable suspicion that a chemical hazard posing imminent danger to the health and well-being of citizens is not being

adequately safeguarded (Communication from Richard Bardsley, Colorado Division of Disaster Emergency Services, June 27, 1988).

While no one would claim that the state can inspect a CSDP facility without Army consent, there is one implication of Colorado's right-to-know procedure which could be problematic. The state's open records and disaster planning acts permit advance notification of meeting times and locations, and require that meetings be open to the public. Since ICCB's will engage in a range of public concerns, including emergency planning, and have state and local government personnel as members, this may mean that, under Colorado statute, it is expected that their meetings be open to the public and that detailed minutes of proceedings be deposited in libraries. This is considerably more formal than the ICCB was expected to be and could affect the ability of members to establish a climate favorable to a constructive exchange of views (Carnes, 1988). It is the Army's preference that only later phases of ICCB meetings be open for press and public. It is believed that more could be accomplished through closed meetings, especially in those communities where adversarial relations have prevailed in the past. Once the CSDP commences, discussion between states and the Army should attempt to resolve this issue as soon as possible.

#### 6. SPECIAL SARA TITLE III CHARACTERISTICS RELEVANT FOR ICCB: COMPLEXITY AND UNCERTAINTY

There are two major characteristics of SARA with particular relevance for ICCB: (1) the belief that unconventional public participation in the monitoring of chemical hazards is legitimate as well as inevitable; and (2) the expectation that SARA may radically alter intergovernmental relations within and between states.

##### 6.1 UNCONVENTIONAL PUBLIC PARTICIPATION

A variety of print and broadcast media representatives, environmental organizations, public interest research groups, chemical industry associations, professional associations of police, firefighting personnel, and public administrators, and other organizations are represented on both SERCs and LEPCs in all eight CSDP states. In Alabama and Colorado, representation of these organizations on the SERC is indirect. Both have special "advisory boards" comprised of non-governmental citizen and industry groups. In the other six CSDP states, interest group and media representatives hold direct policymaking roles.

For ICCB, the significance in this fact is that unconventional participation in the review and assessment of chemical hazards may come to be viewed as neither disconcerting nor odd. Indirectly, the

implementation of SARA for other chemical hazards, and the incorporation of these groups in SARA, may serve to grant the latter valuable experience in small group decision making. These groups may establish networks of high level contacts with state and local officials and become knowledgeable and adept at interpreting emergency planning issues. This may raise expectations about what to expect from proactive participation in review and assessment of the CSDP. On the other hand, it may also make such groups more conciliatory than they might otherwise be, as well as more willing to see normal political processes of give-and-take and compromise predominate. This would be a refreshing departure from some of the exchanges between citizen groups and the Army which were observed in many of the early public hearings for the CSDP. If so, this would also be precisely one of the intended results of the ICCB. These groups would, in essence, become part of the "conventional" as opposed to "unconventional" process of decision making (Feldman, 1988).

## 6.2 INTERGOVERNMENTAL RELATIONS: THE "CUTTING EDGE" OF SARA TITLE III

Even at this relatively early stage of SARA implementation, it is clear that relations between states, communities, and the national government in emergency planning are undergoing significant changes that are relevant to the ICCB for the CSDP. First, many counties without adequate means of representing the public in emergency management issues, or which have failed to instigate much emergency planning for chemical hazards, now have impetus to do so. Second, novel means of incorporating institutions not usually represented in emergency planning for chemical hazards is taking place. County extension agents, the mass media, chemical industry officials, and environmental groups are becoming directly involved in planning in ways that will enhance their perceived legitimacy, knowledge, and political competence. This has many implications for ICCB, as has been seen.

Third, while the federal government can "require" states and localities to undertake numerous actions whose intent is to increase public information, representation of various groups in emergency planning, and reporting of chemical hazards, some areas of states are simply better able to accomplish emergency planning and thus, better prepared for ICCB. In some instances, SERCs and LEPCs may initiate more rigorous standards for facility compliance, information dissemination, and group representation. At other times, lack of resources for policy implementation may weaken opportunities for proactive state and local participation in SARA.

Finally, as shown by Appendix A, many CSDP installation states had already begun SARA-type activities useful for ICCB prior to SARA. These activities include: identifying needs for improved chemical emergency training, developing local emergency response centers, initiating discussions between chemical facility personnel, government agencies, and citizens to better understand each other's concerns, and providing

interest groups and the general public with means of obtaining accurate and timely information for assessing the potential for chemical emergencies and the means for averting them. This will serve to further ICCB efforts to address other issues aside from emergency planning.

## 7. THE ICCB AND EMERGENCY PLANNING: FORMAL AND INFORMAL PARALLELS WITH TITLE III

The Army fully supports the formation of a two-tiered (i.e.--programmatic and site-specific) Intergovernmental Consultation and Coordination Board (ICCB) to provide review, assessment, and guidance in the development, implementation, operation, and closure of the selected disposal alternative for the CSDP and to mitigate its adverse impacts. One principal focus of ICCB, among others, is emergency planning (Feldman, 1988; U.S. Army, 1988, Vol. I: 4-168; Carnes, 1988). Other functions of the ICCB include promotion of effective communication and facilitating public concerns.

Moreover, the original structure of the ICCB, as depicted in Sect. 4.5.2.4 of the FPEIS, and assented to by the ROD for the CSDP, is to facilitate this goal through the incorporation of two emergency planning concerns:

- Financial and technical assistance to states, communities, and native Americans for upgrading community health facilities, public safety and emergency response capabilities consistent with the Emergency Response Concept Plan (ERCP) (U.S. Army Engineer Division, 1987)
- Provision of accurate and timely information concerning the nature, amount, and dispersion of hazardous substances resulting from the disposal process, whether through accidental release or normal operations.

While ICCBs will possess neither management or directive responsibilities, their consultative features entail numerous parallels with SARA.

### 7.1 PROGRAMMATIC ICCB AND THE NATIONAL RESPONSE TEAM (NRT) FOR CHEMICAL EMERGENCIES

An important parallel between the programmatic ICCB and SARA is the establishment of a National Response Team (NRT) for chemical emergencies under the original "Superfund" act (P.L. 96-510, CERCLA, Section 105). The NRT constitutes a standing committee charged with developing and maintaining emergency preparedness under CERCLA and Title III of SARA

(Section 303). NRT provides guidance for the preparation of local and state emergency plans.

Like the programmatic ICCB depicted in the CSDP-FPEIS, the NRT is comprised of representatives from EPA, FEMA, HHS, and DOD. Additional representatives from agencies that could later become involved in CSDP also serve on the NRT. It is far too early to determine what, if any, effect this parallel representation will have upon the CSDP.

In any event, some kind of interface is likely since a principal reason for establishing a programmatic ICCB was to provide enhanced emergency response through coordinated planning among CSDP sites, ensuring that guidelines specified in the Emergency Response Concept Plan (ERCP) are being implemented in a timely manner, overseeing improvements to communication and decision making, and developing improved operating procedures, exercise design criteria, and protective action measures (U.S. Army, 1988, Vol. I: 4-164-165).

"Regional Response Teams" (RRTs), also established by CERCLA and incorporated into SARA, provide decentralized guidance and assistance in the formulation of emergency plans. They are comprised of one representative from each state within a federal region and representatives of federal agencies from those regions. As with NRT, while the direct relationship with ICCB is difficult to anticipate, because RRTs are empowered to "review and comment upon" the adequacy of emergency plans, they may prove to be important resources for both tiers of ICCB. The RRTs are expressly forbidden to delay implementation of emergency plans.

## 7.2 LOCAL ICCBs AND LOCAL EMERGENCY PLANNING COMMITTEES (LEPCs) UNDER SARA

The dedicated emergency planners who serve on ICCBs may also serve on--and, perhaps chair--the local LEPCs in the emergency planning districts within which CSDP facilities will be located. The same is true of local government officials who are appointed to the ICCB. The additional responsibilities entailed by ICCB prompt a number of questions concerning the roles and responsibilities of these personnel. For example: (1) can/should an emergency planner who chairs the LEPC also chair the ICCB? (2) Should the same local government representatives who serve on LEPC also serve on the ICCB to facilitate the consistent incorporation of CSDP emergency planning concerns on LEPCs? (3) If LEPC personnel change through election, gubernatorial appointment, or attrition, (as is already occurring in some instances-- Indiana, for example) how will this affect ICCB representation and continuity? And, (4) if the Army provides some generic information on chemical inventories in accordance with SARA guidelines (MSDS and Tier I information, discussed in Section 5), should it be given to LEPCs by way of the ICCB, or should ICCBs receive this information separately, through ICCB-determined formats?

Again, it must be borne in mind that the Army is not required to provide classified information on the character of the stockpile. However, since it has agreed to comply with those reporting requirements of SARA germane to protecting the public from off-site exposure (Schafer, 1987), it might consider ways of providing Tier I-type data with quantities of chemicals present deleted. Moreover, some MSDS information, while not exceptionally detailed, could provide an important basis for LEPC planning.

### 7.3 ADDITIONAL SARA/ICCB LINKAGES

Aside from these formal organizational connections, ICCB and SARA are closely linked in two additional ways. First, ICCB was created partly in response to public concerns regarding environmental impacts of the CSDP to public health, safety, welfare, and well-being.

Title III of SARA requires the incorporation of community groups and the mass media on LEPCs. Some states have even included such groups on SERCs. The purpose of this representation is to provide the public an opportunity to participate in emergency planning in a manner likely to allay fears and enhance confidence in chemical facility managers and political decision makers. EPA has found that, in regards to chemical facility risks, the public is generally distrustful of information from EPA, states, public health organizations, and the chemical industry (EPA Polls, 1988).

If nothing else, the implementation of SARA will trigger the release of an unprecedented amount of chemical information to communities. Publication of toxic chemical release forms under Title III (Section 313) will doubtless prompt considerable public interest and awareness in chemical hazards (Communication from Bill Klein, Alabama Emergency Management Agency, June 29, 1988; Bureau of National Affairs EPCRA Policy Guide, 1987, 581: 2001). Whether this information proves to be comprehensible, and whether it is effectively utilized for emergency planning remain empirical problems.

However, once the CSDP commences, general concern with chemical hazards adjacent to local communities might even have the effect of generating renewed interest in the CSDP--even at those sites where current interest is low or virtually non-existent. Again, this could be an indirect effect of SARA on the CSDP.

Finally, while the degree to which Title III is binding upon federal agencies--including the Army--is open to contention, as has been seen, the DOD has agreed to comply with certain aspects of SARA (see Appendix B). In particular, The SARA mechanisms DOD has voluntarily agreed to comply with include:

- (1) providing a facility emergency coordinator to participate in the emergency planning process.

- (2) providing information to LEPCs about changes in facility operation.
- (3) providing information required for preparing local emergency plans, and
- (4) providing, in the event of emergency, the chemical name of released substance, estimate of quantity released, the time and duration of the release, and known or anticipated health effects.

In short, Army establishment of local and programmatic ICCBs, as well as cooperation, where appropriate, with LEPCs and SERCs on emergency planning issues, would conform with both the ICCB concept presented in the FPEIS and the letter and spirit of SARA Title III.

## 8. CONCLUSIONS: SPECIFIC RECOMMENDATIONS FOR MAKING ICCB WORK

At all sites, more resources will have to be devoted to upgrading emergency planning, assuring that LEPCs do not have to rely extensively, or at least not exclusively, upon volunteers for CSDP-related staff support, and for improving communication between installations and the ongoing emergency planning activities of LEPCs. Specific recommendations for each site are depicted below.

### 8.1 ALABAMA

Alabama exemplifies a dilemma common to many sites. While LEPC members believe that they can work with the Army to develop coordinated emergency plans and review of CSDP activities impacting upon emergency response, they have less confidence in their ability to serve as a conduit for public input in this process. Moreover, there is some question whether or not such public participation in an emergency planning body is even appropriate.

Aside from providing additional staff support for data collection, sheltering, plume plotting, and other concerns, the Army might want to consider cooperation in developing Calhoun County's emergency planning process. The emergency response plan for ANAD--developed in conjunction with the LEPC--would constitute an appendix to the general county chemical emergency response plan in preparation.

### 8.2 ARKANSAS

Representation of public interest or environmental organizations in emergency planning interest in chemical hazards emergency response is low in Jefferson County. The Army can have no real effect upon this

problem. However, some thought needs to be given to closer integration of PBA and the Jefferson County LEPC. Both PBA and the Jefferson County LEPC may wish to give some thought to how the CSDP may be formally incorporated into the county emergency plan.

### 8.3 COLORADO

The Pueblo County LEPC has already identified a number of emergency planning related activities pertinent to CSDP. A starting point for constructive intergovernmental consultation and coordination would be addressing these concerns in a timely manner. As in Alabama, the PUDA emergency response plan to chemical incidents is envisioned to be an annex to the larger county chemical emergency plan. Since the LEPC and PUDA are still in the earliest stages of development arrangement, it may be appropriate to consider how LEPC emergency planning can be jointly undertaken with the CSDP emergency planning process.

### 8.4 INDIANA

It would be easy for the Army to view the absence of a strong desire for proactive participation in emergency planning related to the CSDP as an opportunity to expedite implementation of the program. This temptation should be avoided. What the Vermillion County LEPC needs is good, sound information from NAAP about emergency planning considerations. This means that intergovernmental consultation and coordination in Vermillion county may be especially dependent upon a good installation--LEPC communication framework. In this instance, while the LEPC freely acknowledges that the Army may understand the parameters of emergency planning for the CSDP far better than the county, this deference implies the need for better communication about how problems will be resolved. Certainly, this includes better incorporation of the LEPC in site operations demonstrations, for example. Because membership attrition on the LEPC has already emerged as a problem, special consideration will have to be given to how to accommodate this problem as regards effective public participation.

### 8.5 KENTUCKY

A good beginning has been made in LBAD--LEPC relations in Fayette and Madison Counties. In both cases, LEPC membership, chair authority, and overall enthusiasm appears to have given a boost to constructive intergovernmental consultation. Close cooperation in developing an interface between CSDP emergency planning at LBAD and general chemical emergency planning for both county LEPCs should continue. Given the considerable progress made by LEPCs in both counties in identifying pertinent actors who have identified emergency planning problems, it would also seem likely that integration of the relevant appendices to LEPC emergency plans across counties might be possible. Because Fayette

county LEPC has already begun thinking about the relationship between chemical emergency planning and natural disasters, and because Madison county LEPC has quietly incorporated a variety of groups in the planning process for the CSDP--dual county LEPC planning for the CSDP may be possible. It would be useful to encourage this in order to enhance emergency planning and mitigate one set of public concerns articulated at public hearings. However, it would have to be clear to Fayette County that they are not likely to be as significantly affected by CSDP accidental releases as would Madison County, and possibly even Estill County.

## 8.6 MARYLAND

The Harford County LEPC has made significant strides in developing a HAZMAT plan, identifying chemical emergency concerns related to the CSDP (communication improvements and warning systems), and incorporating APG in its proceedings. The most important need for intergovernmental consultation and coordination appears to be relating its activities to other ICCB purposes. While the LEPC has already shown that it can coordinate efforts with APG to identify emergency planning needs, it is difficult for this body to serve as a vehicle for expressing other public concerns related to the CSDP. It is difficult to expect the LEPC to coordinate the dissemination of information about the program or to funnel public questions to the Army when it is uncertain of its proper responsibilities for "right-to-know" information for other chemical hazards.

## 8.7 OREGON

The absence of a formal county-wide LEPC adjacent to UMDA poses a special challenge to intergovernmental consultation and coordination. On the one hand, Umatilla county has worked closely with UMDA in the development of the latter's Chemical Accident/Incident Response and Assistance (CAIRA) Plan and has identified additional needs for emergency planning including warning systems, training and equipment, and exercises. On the other hand, more work needs to be done to more closely coordinate Umatilla reservation into the intergovernmental consultation and coordination process with UMDA. Moreover, the lack of a strong county-wide LEPC framework partly explains the lack of enthusiasm for using county emergency planning structures as a means of funneling general public concerns with the CSDP to UMDA. An emerging problem for SARA Title III in Oregon, generally, is that because the state has taken over the main responsibility for chemical emergency planning itself, counties have a disincentive to pursue development of their own planning frameworks.

As for the Umatilla reservation, SARA recognizes tribal nations as independent political entities entitled to implement federal environmental laws within their boundaries, privy to right-to-know

information available to states and communities, and eligible for technical and financial assistance for environmental impact mitigation. Of greater significance is the fact that EPA bases its interpretation of SARA application to Indian tribes on established practice regarding other federal programs' impact on tribal nations. Thus, even in those instances where the Army need not follow SARA, it may need to acknowledge traditional tribal nation status in the implementation of CSDP programmatic actions. Because Umatilla reservation is a "state" it is technically entitled to all consultation and coordination rights granted to Oregon which pertain to remedial actions and access to unclassified CSDP information (U.S. EPA, Draft Title III Indian Policy, 1988: 8).

### 8.8 UTAH

Tooele County is at a very early stage of LEPC planning and of intergovernmental consultation and coordination. Emergency planning needs relative to the CSDP have been identified, good installation--LEPC relations have been established, and an atmosphere of trust and mutual regard prevails. While the lack of resources for emergency planning--especially for training, exercises, and data gathering is a problem, of perhaps greater concern is the level of professionalization of the LEPC itself. The Army will need to take into account the reliance of Tooele County on volunteers for emergency planning and the ways in which this will constrain proactive involvement in both emergency planning and other aspects of intergovernmental consultation and coordination.

### 8.9 SUMMARY OBSERVATIONS FOR THE ICCB

It has been widely recognized by participants in the development of the intergovernmental consultation and coordination concept for the CSDP that hard and fast goals pertaining to its operation are impossible to completely specify, "up front," prior to its actual existence. Its detailed structure, functions, and responsibilities--as well as its relationship with states, communities, and tribal nations--constitute "an evolving charter not yet firmly established" (Feldman, 1988). It is clear even at this early juncture, for example, that the operation of the ICCB will not be the same across sites but that enhanced capabilities for coordination at the programmatic level still assure that it conform to its basic mission--the upgrading of emergency response, notification of operations, coordination of disposal activities with states and communities, and provision of timely information.

A number of programmatic-level questions are prompted by early ICCB developments. They suggest the need to monitor the progress and evolution of ICCBs. First, who should be the installation representative on local ICCBs? In communicating with LEPCs, should a chemical surety officer be assigned as liaison, or should it be the post

commander or designated alternate? The issue here is not mere consistency across sites. The central concern is the ability to make binding, legitimate decisions concerning emergency planning as well as the ability to speak--with authority--on what is acceptable policy from the Army's point of view while at the same time, credibly responding to public concerns.

Second, some LEPCs have already established subcommittees for managing unique aspects of chemical emergency planning in their respective planning districts. In time, thought should be given to the viability of special LEPC subcommittees at the eight CONUS sites for addressing emergency planning concerns specific to the CSDP. Not only would this allow specialized focus between members of the community most knowledgeable and interested in CSDP emergency planning, but it might facilitate the freeing up of other LEPC resources to concentrate on the multitude of concerns they need to face in addition to the CSDP.

Finally, as has been implied at several junctures, LEPCs are not able to handle all aspects of intergovernmental consultation and coordination with equal vigor. Those non-emergency planning aspects of the ICCB need to be managed by separate, formally-established bodies. In other instances, it might turn out that public concerns over financial and technical assistance, notification of programmatic operations, coordination of disposal activities, and provision of accurate and timely information revolve largely around emergency planning concerns. If so, it is possible that LEPCs can manage virtually all issues originally intended to be relinquished to formal ICCBs.

## REFERENCES

- Bardsley, R. Colorado Division of Disaster Emergency Services. Personal communication to D. L. Feldman, Oak Ridge National Laboratory, Oak Ridge, Tennessee, June 27, 1988.
- Bishop, K. Preparedness Staff, Office of Solid Waste and Emergency Response, Environmental Protection Agency. Personal communication to D. L. Feldman, Oak Ridge National Laboratory, Oak Ridge, Tennessee, June 30, 1988.
- Browne, Dr. C., Harford County (Maryland), Director of Civil Defense. Personal communication to D. L. Feldman, Oak Ridge National Laboratory, Oak Ridge, Tennessee, August 1, 1988.
- Bureau of National Affairs. SARA Right-to-Know Planning Guide. Washington, D.C., 1988.
- Carnes, S. A. Draft Concept for the Intergovernmental Consultation and Coordination Board. Oak Ridge, Tennessee: Oak Ridge National Laboratory, 1988.
- Community and Worker Right-to-Know News. Washington, D.C.: Thompson Publishing Group, May 8, 1988.
- Colyer, H. L. Madison County (Kentucky), Civil Defense Director. Personal communication to D. L. Feldman, Oak Ridge National Laboratory, August 11, 1988.
- "EPA Polls Public Attitudes To Chemical Risks," Community and Worker Right-to-Know News. Washington, D.C.: Thompson Publishing Group, July 8, 1988.
- Feldman, D. L. Intergovernmental Consultation and Coordination: Mitigating Public Concerns Relating to Implementation of the U.S. Army's Chemical Stockpile Disposal Program, ORNL/TM-10730. Oak Ridge, Tennessee: ORNL, 1988.
- Hall, R. M., Jr. Superfund Manual: Legal and Management Issues. Washington, D.C.: Government Institutes, Inc., 1987.
- Hopper, B. J. Pueblo County (Colorado), Director of Civil Defense. Personal communication to D. L. Feldman, Oak Ridge National Laboratory, Oak Ridge, Tennessee, August 2, 1988.
- Johnson, K. Chair, Fayette County (Kentucky) LEPC. Personal communication to D. L. Feldman, Oak Ridge National Laboratory, Oak Ridge, Tennessee, August 5, 1988.

- Kirchner, D. Yellowhawk Clinic Manager, Umatilla (Oregon) Indiana Reservation. Personal communication to D. L. Feldman, Oak Ridge National Laboratory, Oak Ridge, Tennessee, August 10, 1988.
- Klein, B. Alabama Emergency Management Agency. Personal communication to D. L. Feldman, Oak Ridge National Laboratory, Oak Ridge, Tennessee, June 29, 1988.
- Kooper, H. Director of Emergency Planning, Tooele County (Utah) LEPC. Personal communication to D. L. Feldman, Oak Ridge National Laboratory, Oak Ridge, Tennessee, August 1, 1988.
- Linn, L. G. Alabama Department of Environmental Management. Personal communication to D. L. Feldman, Oak Ridge National Laboratory, Oak Ridge, Tennessee, June 27, 1988.
- Martin, C. Kentucky Emergency Response Commission. Personal communication to D. L. Feldman, Oak Ridge National Laboratory, Oak Ridge, Tennessee, June 30, 1988.
- Olson, D. Umatilla County (Oregon) Emergency Coordinator. Personal communication to D. L. Feldman, Oak Ridge National Laboratory, Oak Ridge, Tennessee, August 5, 1988.
- Palmateer, J. Director of Emergency Services and Jefferson County Title III Coordinator, Pine Bluff, Arkansas. Personal communication to D. L. Feldman, Oak Ridge National Laboratory, Oak Ridge, Tennessee, August 1, 1988.
- Phillips, P. Maryland Department of the Environment. Personal communication to D. L. Feldman, Oak Ridge National Laboratory, Oak Ridge, Tennessee, June 27, 1988.
- Powers, P. Indiana Emergency Response Commission. Personal communication to D. L. Feldman, Oak Ridge National Laboratory, Oak Ridge, Tennessee, June 30, 1988.
- Public Law 99-499. Superfund Amendments and Reauthorization Act of 1986.
- Public Law 96-510. Comprehensive Environmental Response, Compensation, and Liability Act of 1980.
- Schafer, C. J., Jr. Applicability of Title III of SARA to the Department of Defense, Memorandum for Deputy for Environment, Safety, and Occupational Health; Defense Logistics Agency, et al. Washington, D.C.: Office of the Assistant Secretary of Defense, June 3, 1987.

- Silotto, J. Director, Vermillion County (Indiana) Civil Defense. Personal communication to D. L. Feldman, Oak Ridge National Laboratory, Oak Ridge, Tennessee, August 1, 1988.
- Slone, S., Director, Calhoun County Emergency Planning Agency. Personal communication to D. L. Feldman, Oak Ridge National Laboratory, Oak Ridge, Tennessee, July 29, 1988.
- Sutherland, B. Oregon Title III Coordinator. Personal communication to D. L. Feldman, Oak Ridge National Laboratory, Oak Ridge, Tennessee, July 6, 1988.
- Taylor, N. Utah Hazardous Chemical Emergency Response Commission. Personal communication to D. L. Feldman, Oak Ridge National Laboratory, Oak Ridge, Tennessee, June 29, 1988.
- Walthall, D. Oregon Hazardous Materials Division. Personal communication to D. L. Feldman, Oak Ridge National Laboratory, Oak Ridge, Tennessee, June 28, 1988.
- Ward, J. Arkansas Department of Pollution Control. Personal communication to D. L. Feldman, Oak Ridge National Laboratory, Oak Ridge, Tennessee, June 27, 1988.
- U.S. Army Engineer Division, Emergency Response Concept Plan for the Chemical Stockpile Disposal Program. Huntsville, Alabama: Jacobs Engineering Group, Inc., May 15, 1987.
- U.S. Environmental Protection Agency, "Draft Title III Indian Policy," Washington, D.C., February 1, 1988.
- U.S. Environmental Protection Agency, Office of Solid Waste and Emergency Response, Review of Emergency Systems Report to Congress--Final Report, Washington, D.C., June, 1988.
- U.S. Environmental Protection Agency. Title III Fact Sheet: Emergency Planning and Community Right-to-Know, Washington, D.C.: April, 1988.



Appendix A

Information on Local Emergency Planning Committees



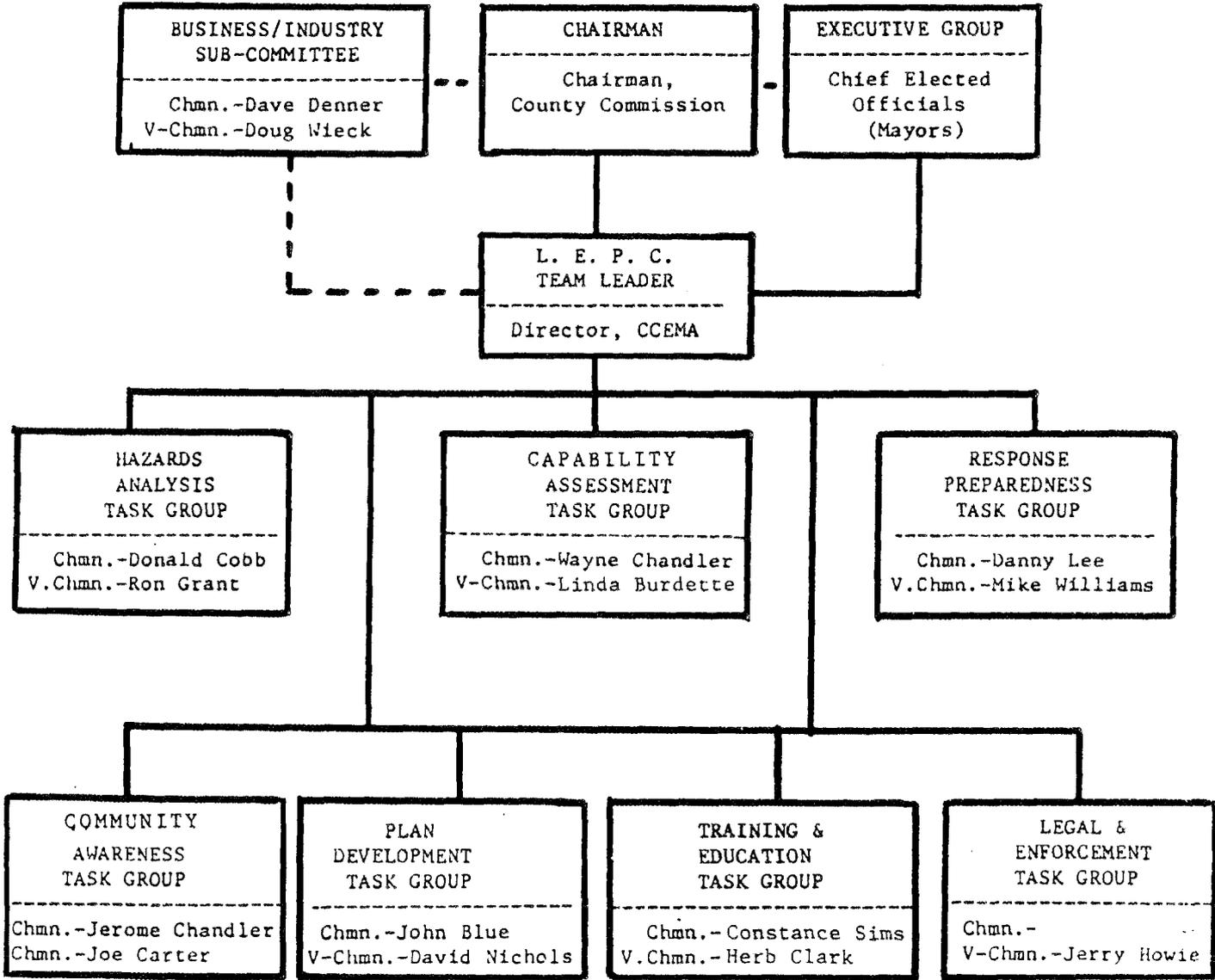
## Appendix A

Information on local emergency planning committees (LEPCs) in CSDP states

- Calhoun County (Alabama) LEPC
- Jefferson County (Arkansas) LEPC
- Pueblo County (Colorado) LEPC
- Madison County (Kentucky) LEPC
- Harford County (Maryland) LEPC
- Umatilla County (Oregon) Ad Hoc Hazardous Materials Plan Committee

CALHOUN COUNTY L. E. P. C.

Organization Chart



- - - - - Denotes Coordination

————— Denotes Supervision

MEMBERSHIP LIST  
CALHOUN COUNTY LEPC  
12-03-87

GOVERNMENT (8)

Hon. James A. Dunn, Chairman  
Calhoun County Commission  
1702 Noble Street  
Anniston, Alabama 36201

Alt: Hon. Don Curry, Commissioner  
Calhoun County Commission  
1702 Noble Street  
Anniston, Alabama 36201

Hon. William Robison, Mayor  
City of Anniston  
P.O. Box 670  
Anniston, Alabama 36202

Alt: Mr. Tom Wright, City Manager  
City of Anniston  
P.O. Box 670  
Anniston, Alabama 36202

Hon. Leon Smith, Mayor  
City of Oxford  
P.O. Box 3383  
Oxford, Alabama 36203

Hon. John B. Nisbet, Mayor  
City of Jacksonville  
300 Church Street  
Jacksonville, Alabama 36265

Hon. James Bennett, Mayor  
City of Piedmont  
P.O. Box 112  
Piedmont, Alabama 36272

Hon. A.W. Gibson, Mayor  
Town of Weaver  
406 Anniston Street  
Weaver, Alabama 36277

Hon. Joseph Roberson, Mayor  
Town of Ohatchee  
Ohatchee Town Hall  
Ohatchee, Alabama 36271

Hon. Maude Snow, Mayor  
Town of Hobson City  
600 Park Avenue  
Hobson City, Alabama 36205

12-30-87

FIRE (13)

Mr. Donald Cobb, Chief  
Anniston Fire Department  
P.O. Box 670  
Anniston, Alabama 36202

Alt: Mr. Harold Johnson, Captain  
Anniston Fire Department  
P.O. Box 670  
Anniston, Alabama 36202

Mr. Kenneth Henson, Chief  
Oxford Fire Department  
100 Choccolocco Street  
Oxford, Alabama 36203

Mr. M.W. Keammerer, Chief  
Weaver Fire Department  
P.O. Box 539  
Weaver, Alabama 36277

(Mr. Keammerer is also on LEPC for Weaver Police)

Mr. Fermond A. King, Chief  
Jacksonville Fire Department  
300 Chinabee Street  
Jacksonville, Alabama 36265

Alt: Mr. Robert Jordan  
Jacksonville Fire Department  
300 Chinabee Street  
Jacksonville, Alabama 36265

Mr. Jeff Hanvey, Chief  
Piedmont Fire Department  
P.O. Box 112  
Piedmont, Alabama 36272

Alt: Mr. Tommy Bishop, Lieutenant  
Piedmont Fire Department  
P.O. Box 112  
Piedmont, Alabama 36272

Mr. Bobby Benefield  
Knighten's Cross Roads VFD  
Rt. 4, Box 99  
Piedmont, Alabama 36272

Alt: Mr. Bruce Collier  
Knighten's Cross Roads VFD  
Rt. 4, Box 102  
Piedmont, Alabama 36272

Mr. Johnny Green, Chief  
Webster's Chapel Fire Department  
Rt. 1, Box 1642  
Wellington, Alabama 36279

Mr. Michael Prickett, Chief  
Alexandria Fire Department  
P.O. Box 174  
Alexandria, Alabama 36250

Mr. Curtis Christopher, Chief  
Ohatchee Fire Department  
P.O. Box 400  
Ohatchee, Alabama 36271

Mr. Sparks Harper, Chief  
White Plains Fire Department  
Rt. 6, Box 405  
Anniston, Alabama 36201

Mr. Fred Craft, Chief  
Coldwater Fire Department  
Rt. 10, Box 648-A  
Anniston, Alabama 36201

Mr. David Morris  
Alabama Forestry Commission  
116 East Ladiga Street  
Jacksonville, Alabama 36265

Alt: Mr. Stan Cook  
Alabama Forestry Commission  
116 East Ladiga Street  
Jacksonville, Alabama 36265

~~Mr. Doyle Thrash, Chief~~  
Anniston Army Depot Fire Department  
Anniston Army Depot  
Anniston, Alabama 36201

12-17-87

LAW ENFORCEMENT (11)

Mr. Jerry Howie, Investigator District Attorney's Office Seventh Judicial Circuit P.O. Box 2131 Anniston, Alabama 36202	Alt: Mr. Charles Winfrey, Investigator District Attorney's Office Seventh Judicial Circuit P.O. Box 2131 Anniston, Alabama 36202
Mr. Willie Willis, Corporal Jacksonville State Trooper Post 1703 South Pelham Road Jacksonville, Alabama 36265	
Mr. Don Glass, Chief Deputy Sheriff's Department Calhoun County 400 West 8th Street Anniston, Alabama 36201	Alt: Mr. Jimmy Ogburn, Deputy Sheriff's Department Calhoun County 400 West 8th Street Anniston, Alabama 36201
Mr. Wayne Chandler, Chief Anniston Police Department P.O. Box 670 Anniston, Alabama 36202	
Mr. Danny Lee, Lieutenant Oxford Police Department 2213 Deborah Lane Oxford, Alabama 36203	Alt: Mr. Brian Staude, Patrolman Oxford Police Department 906 Nimitz Avenue Talladega, Alabama 35160
Mr. Daniel L. Yarbrough, Patrolman Piedmont Police Department P.O. Box 112 Piedmont, Alabama 36272	Alt: Mr. Randy Dold, Sergeant Piedmont Police Department P.O. Box 112 Piedmont, Alabama 36272
Ms. Denise Rucker, Sergeant Jacksonville Police Department 116 East Ladiga Street Jacksonville, Alabama 36265	Alt: Mr. Donald VanHorne, Patrolman Jacksonville Police Department 116 East Ladiga Street Jacksonville, Alabama 36265
Dr. David Nichols Chief of University Police University Police Department Jacksonville State University Jacksonville, Alabama 36265	Alt: Mr. John Maurer, Sergeant University Police Department Jacksonville State University Jacksonville, Alabama 36265
Mr. M.W. Keammerer, Patrolman Weaver Police Department 500 Anniston Street Weaver, Alabama 36277	Alt: Mr. W.T. Maddox, Asst. Chief Weaver Police Department 500 Anniston Street Weaver, Alabama 36277
Mr. O'Mildred Ball, Acting Chief Hobson City Police Department 21 Park Avenue Hobson City, Alabama 36203	
Mr. Robert W. Garmon, Chief Ohatchee Police Department 101 Main Street Ohatchee, Alabama 36271	

12-21-87

RESCUE/MEDICAL (13)

Mrs. Linda Burdette  
Vice-President, Nursing  
NE Ala. Regional Medical Center  
400 East 10th Street  
Anniston, Alabama 36201

Alt: Mrs. Marian Lynch  
Director, Emergency Services  
NE Ala. Regional Medical Center  
400 East 10th Street  
Anniston, Alabama 36201

Mr. Ken Cook  
Stringfellow Memorial Hospital  
301 East 18th Street  
Anniston, Alabama 36201

Alt: Ms. Debra Mitchell  
Stringfellow Memorial Hospital  
301 East 18th Street  
Anniston, Alabama 36201

Mr. Len Ogle  
Jacksonville Hospital  
P.O. Box 999  
Jacksonville, Alabama 36265

Alt: Ms. Cherry Bass  
Jacksonville Hospital  
P.O. Box 999  
Jacksonville, Alabama 36265

Ms. Cleo M. Brooks  
Director of Nursing  
Piedmont Hospital & Nursing Home  
P.O. Box 330  
Piedmont, Alabama 36272

Alt: Mr. Wayne Jordan  
Piedmont Hospital & Nursing Home  
P.O. Box 330  
Piedmont, Alabama 36272

Mr. John E. Blue, II  
Calhoun County EMS Council  
P.O. Box 263  
Anniston, Alabama 36202

Alt: Dr. Howard McVeigh  
Calhoun County EMS Council  
P.O. Box 263  
Anniston, Alabama 36202

Mr. Eddie West  
East Alabama EMS, Inc.  
P.O. Box 2331  
Anniston, Alabama 36202

Captain Chester C. Stewart  
USA MEDDAC  
1605 Mountain Oak Drive  
Anniston, Alabama 36201

Alt: Mr. Larry Butler  
USA MEDDAC  
ATTN: EMS Ambulance  
Ft. McClellan, Al. 36205-5083

Mr. Benny Hulsey, Manager  
Anniston Emergency & Rescue  
Squad, Inc.  
210 West 14th Street  
Anniston, Alabama 36201

Mr. Sonny Smallwood, Captain  
Oxford Rescue Squad  
P.O. Box 5178  
Oxford, Alabama 36203

Mrs. Myra Kilgore, President  
Jacksonville Ambulance Service  
300 Chinabee Street  
Jacksonville, Alabama 36265

Mr. J.D. Jones  
Piedmont Rescue Squad  
Rt. 3, Box 79  
Piedmont, Alabama 36272

Alt: Mr. Pat McCurdy  
Piedmont Rescue Squad  
Rt. 2  
Piedmont, Alabama 36272

Mr. Lemuel Burrell  
Public Health Area IV  
P.O. Box 488  
Anniston, Alabama 36202

Alt: Mr. Bert Haskew  
Calhoun County Health Department  
P.O. Box 488  
Anniston, Alabama 36202

Mr. Jerry Price  
Ohatchee Rescue Squad (1st Responders)  
P.O. Box 444  
Ohatchee, Alabama 36271

12-03-87

NEWS MEDIA (11)

Mr. Paul Rilling  
Executive Editor  
The Anniston Star  
P.O. Box 189  
Anniston, Alabama 36202

Editor  
Jacksonville News  
203 North Pelham Road  
Jacksonville, Alabama 36265

Mr. Lane Weatherbee  
The Piedmont Journal Independent  
115 North Center Avenue  
Piedmont, Alabama 36272

Alt: Mr. Cecil Weatherbee  
The Piedmont Journal Independent  
115 North Center Avenue  
Piedmont, Alabama 36272

Editor  
The Oxford Sun Times  
112 Highway 78 West  
Oxford, Alabama 36203

Mr. Phil Cox  
WJSU TV-40  
P.O. Box 40  
Anniston, Alabama 36202

Alt: Ms. Teresa Tolson  
WJSU TV-40  
P.O. Box 40  
Anniston, Alabama 36202

Mr. Joe Burney  
WANA Radio  
P.O. Box 609  
Anniston, Alabama 36202

Mr. Chris Pope  
WDNG Radio  
P.O. Box 1450  
Anniston, Alabama 36202

Mr. Malcolm Street, Sr.  
WHMA Radio  
P.O. Box 278  
Anniston, Alabama 36202

Manager  
WLJS Radio  
P.O. Box 3009  
Jacksonville, Alabama 36265

Ms. Kathy Robertson  
WOXR Radio  
P.O. Box 3770  
Oxford, Alabama 36203

Alt: Mr. Joe Woodard  
WOXR Radio  
P.O. Box 3770  
Oxford, Alabama 36203

Manager  
WPID Radio  
P.O. Box 227  
Piedmont, Alabama 36272

OTHER (14)

Mr. Sam B. Slone, III  
 Director  
 Calhoun County EMA  
 25 West 11th Street  
 Anniston, Alabama 36201

Alt: Miss Constance Sims  
 Deputy Director  
 Calhoun County EMA  
 25 West 11th Street  
 Anniston, Alabama 36201

Mrs. Barbara C. Rush, Director  
 Calhoun County Department of  
 Human Resources  
 1200 Noble Street  
 Anniston, Alabama 36201

Alt: Mrs. Patricia C. Kettles  
 Calhoun County Department of  
 Human Resources  
 1200 Noble Street  
 Anniston, Alabama 36201

Mr. Robert Kitchen, Major  
 Commanding Officer  
 The Salvation Army  
 P.O. Box 218  
 Anniston, Alabama 36202

Mr. Bill Curtis  
 Executive Director  
 East Alabama Regional Planning and  
 Development Commission  
 P.O. Box 2186  
 Anniston, Alabama 36202

Hon. H.R. Burnham (COUNTY ATTORNEY)  
 Burnham, Klinefelter, Halsey  
 Jones, and Cater, PC  
 P.O. Box 1618  
 Anniston, Alabama 36202

Mr. Orice K. Gaither  
 Executive Director  
 Calhoun County Humane Society  
 1201 Parkwood Drive  
 Anniston, Alabama 36201

Mr. Pete Conroy  
 President, Anniston Chapter  
 The Alabama Conservancy  
 c/o Anniston Museum  
 P.O. Box 1587  
 Anniston, Alabama 36202

Mr. Michael Gaymon, President  
 Calhoun County Chamber of Commerce  
 P.O. Box 1087  
 Anniston, Alabama 36202

Mrs. Virginia Dingler, Director  
 Calhoun County American Red Cross  
 P.O. Box 1204  
 Anniston, Alabama 36202

Mr. Jesse R. Burdette, Jr., MSG  
 U.S. Army Reserve (IMA)  
 1408 East 11th Street  
 Anniston, Alabama 36201

Mr. Jerome G. Chandler  
 1405 McCall Drive  
 Anniston, Alabama 36201

Mrs. Joan Gustafson  
 539 East Glade Road  
 Anniston, Alabama 36206

Mr. Joe Carter  
 Public Affairs Officer  
 Fort McClellan, Alabama 36205

Mr. Ron Grant  
 ATTN: SDSAN-DEL-EN  
 Anniston Army Depot  
 Anniston, Alabama 36201

FACILITY (36)

(as of 02-23-88)

Mr. Wallace E. Hall  
 Safety Director  
 APAC-ALABAMA, INC.  
 HODGES DIVISION  
 P.O. Box 460  
 Anniston, Alabama 36202

Mr. Herb Clark  
~~Personnel Director~~  
~~ALABAMA COCA-COLA BOTTLING CO.~~  
~~P.O. Box 1060~~  
 Anniston, Alabama 36202

Mr. Joe Kirk  
 Security  
 ALABAMA POWER COMPANY  
 P.O. Box 129  
 Anniston, Alabama 36202

Mr. Ed Jones  
 Water Quality Supervisor  
 Water Works & Sewer Board  
 CITY OF ANNISTON  
 Rt. 1, Box 2088  
 Pell City, Alabama 35125

Alt: Mr. Steve Estes  
 Chief Plant Operator  
 Water Works & Sewer Board  
 CITY OF ANNISTON  
 1213 Meadowood Lane  
 Oxford, Alabama 36205

Mr. Mike Williams  
 Chemical Surety Officer  
 ANNISTON ARMY DEPOT  
 Anniston, Alabama 36201

Mrs. Marty Wade  
 Personnel Manager  
 ANNISTON SPORTSWEAR CORPORATION  
 P.O. Box 1349  
 Anniston, Alabama 36202

M? E. Shepherd Holladay  
 Manager, Environmental Management  
 BELLSOUTH SERVICES, INC.  
 P.O. Box 771  
 Birmingham, Alabama 35205

Mr. Tim Henderson  
 Manager  
 CALHOUN FARMERS COOPERATIVE  
 P.O. Box 880  
 Jacksonville, Alabama 36265

Mr. David Tierce  
 Manager  
 CALHOUN FARMERS COOPERATIVE  
 P.O. Box 567  
 Piedmont, Alabama 36272

Mr. P.W. Boggs  
 Facility Emergency Coordinator  
 CHEVRON U.S.A., INC.  
 Oxford Terminal  
 Rt. 13, Box 65  
 Anniston, Alabama 36201

Mr. Ken McIntosh  
 Human Resources Representative  
 FMC CORPORATION  
 Steel Products Division  
 P.O. Box 1030  
 Anniston, Alabama 36202

Alt: Mr. Doug Stewart  
 Plant Manager  
 FMC CORPORATION  
 Steel Products Division  
 P.O. Box 1030  
 Anniston, Alabama 36202

FACILITY (continued)

Mr. Ken Harness  
Human Resources Administrator  
GARRETT AIRLINE REPAIR COMPANY  
P.O. Box 1110  
Anniston, Alabama 36202

Mr. Alan Goodwin  
Personnel & Safety Supervisor  
GOLD BOND BUILDING PRODUCTS  
P.O. Box 1380  
Anniston, Alabama 36202

Mr. Ruail Dunn  
Plating Supervisor  
HAGER HINGE COMPANY  
818 Quail Drive  
Anniston, Alabama 36201

Alt: Mr. Frankie Stallings  
Wastewater Treatment Technician  
HAGER HINGE COMPANY  
P.O. Box 575  
Bynum, Alabama 36256

Mr. Pablo J. Vasquez  
Environmental Manager  
LEE BRASS COMPANY  
P.O. Box 1229  
Anniston, Alabama 36202

Mr. H.L. Hancock  
Environmental Engineer  
M & H VALVE COMPANY  
P.O. Box 2088  
Anniston, Alabama 36202

(Mr. Hancock is also on LEPC for Union Foundry)

Mr. Dave Denner  
Plant Manager  
MONSANTO CHEMICAL COMPANY  
300 Birmingham Highway  
Anniston, Alabama 36201

Alt: Mr. Lamar Freeman  
Safety Supervisor  
MONSANTO CHEMICAL COMPANY  
300 Birmingham Highway  
Anniston, Alabama 36201

Mr. John LaSerra  
Emergency Response Coordinator  
NATIONAL ALUMINUM CORPORATION  
100 National Drive  
Anniston, Alabama 36201

Mr. R.L. Mathis  
NORFOLK SOUTHERN CORPORATION  
SOUTHERN RAILWAY COMPANY  
126 West Fourth Street  
Anniston, Alabama 36201

Mr. Walter Hartsfield  
OXFORD WATER DEPARTMENT  
P.O. Box 3663  
Oxford, Alabama 36203

Mr. Craig Beckwith  
Process Engineer  
PARKER-HANNIFIN CORPORATION  
Instrumentation Valve Division  
P.O. Box 69  
Jacksonville, Alabama 36265-0069

Mr. Ronnie Z. Brooks  
Personnel Director  
SCT YARNS, INC.  
P.O. Box 312  
Piedmont, Alabama 36272

FACILITY (continued)

Mr. Doug Wieck  
 Plant Manager  
 SOUTHERN METAL PROCESSING COMPANY  
 P.O. Drawer 3327  
 Oxford, Alabama 36203

Mr. E.D. Houston  
 Emergency Response Coordinator  
 SOUTHERN TOOL, INC.  
 P.O. Box 2248  
 Anniston, Alabama 36202

Mr. T.G. Stack  
 Technical Director  
 SPRINGS INDUSTRIES, INC.  
 Performance Products Division  
 P.O. Box 1328  
 Dalton, Georgia 30722-1328

Mr. Billy Joe Bullock  
 District Manager  
 SUBURBAN PROPANE  
 P.O. Box 126  
 Eastaboga, Alabama 36260

Mr. Jerry Warren  
 TYSON FOODS, INC.  
 P.O. Box 3508  
 Oxford, Alabama 36203

Mr. Wayne Edwards  
 TYSON FOODS, INC.  
 Fair Knoll Hatchery  
 Rt. 5, Box 588-F-5  
 Anniston, Alabama 36201

Mr. D. Wayne LaFevor  
 Personnel and Safety Director  
 UNITED STATES CASTINGS CORPORATION  
 P.O. Box 788  
 Anniston, Alabama 36202

Mr. H.L. Hancock  
 Environmental Engineer  
 UNION FOUNDRY  
 P.O. Box 309  
 Anniston, Alabama 36202

(Mr. Hancock is also on LEPC for M & H Valve)

Mr. T.J. Horton  
 Superintendent  
 VULCAN MATERIALS COMPANY  
 Ohatchee Quarry  
 P.O. Box 486  
 Alexandria, Alabama 36250

Commander  
 USACML&MPCEN&FM  
 ATTN: ATZN-FEE (Miss Hayes)  
 FORT MCCLELLAN, ALABAMA 36205-5000

FACILITY (continued)

Mr. Terry Parris  
ANCHOR METALS, INC.  
P.O. Box 1786  
Anniston, Alabama 36201

Mr. Huey Parris  
Water Works, Gas & Sewer Board  
CITY OF JACKSONVILLE  
350 South Church Street  
Jacksonville, Alabama 36265

Mr. Buford Parker  
Plant Engineer  
MAGIC CHEF, INC.  
P.O. Box 2369  
Anniston, Alabama 36202

Mr. Ben Hines  
TEXASGULF MINERALS & METAL, INC.  
1600 Frank Akers Road  
Anniston, Alabama 36201

3 ALL PLANNING MEMBERS & FAC REPS  
 TITLE III JEFFERSON COUNTY EMERGENCY PLANNING COMMITTEE  
 JULY 28, 1988

1	JEFF CO JUDGES OFFICE JUDGE FLORENE CHADICK	541-5360	COMM
2	JEFF CO SHERIFF DEPT. SHERIFF W.C."DUB"BRASSELL	541-5351	COMM
3	JEFF CO OFF EMERERGENCY SERVICES MR. JACK PALMATEER	535-5649	COMM
4	CITY OF PINE BLUFF MAYOR CAROLYN ROBINSON	543-1855	COMM
5	PINE BLUFF POLICE DEPT. CHIEF JAMES VIRDON	534-5801	COMM
6	PINE BLUFF FIRE DEPT. CHIEF RAY JACKS	534-0011	COMM
7	EMERGENCY AMBULANCE SERVICE INC. MR. RON LUSBY	536-0734	COMM
8	AMBULANCE TRANSPORT SERVICE INC. MS. CONNIE HERRON	247-3508	COMM
9	JEFFERSON REGIONAL MEDICAL CENTER MS. SHELBA BRADFORD	541-7723	COMM
10	ST LOUIS SW RAILWAY MR. MIKE SEABAUGH	541-1784	COMM
11	PINE BLUFF NEWS MR. GEORGE ANDERSON	534-8803	COMM
12	ARKANSAS STATE POLICE CAPT. HUSTON TALLEY	247-1483	COMM
13	WHITE BLUFF STEAM ELECTRIC STATION MR. DALE SWINDLE	397-5286	COMM
14	PINE BLUFF ARSENAL MR. JIM BACON	543-3004	COMM
15	CITY OF WHITE HALL MAYOR THOMAS ASHCRAFT	247-2399	COMM
16	SHERRILL COMMUNITY MR. JEAN C. EDWARDS	766-8843	COMM
17	HARDIN COMMUNITY MR. JAMES BROWN	247-3073	COMM
18	ALTHEIMER COMMUNITY MR. TODD S. DAVIS	766-8228	COMM
19	TERRA INTERNATIONAL, INC. MR. HAROLD ROGERS	536-1688	COMM
20	GREATER PINE BLUFF CHAMBER OF COMMERCE MR. JACK SMITH	534-9010	COMM
21	INTERNATIONAL PAPER COMPANY MR. HANLON INGRAM	541-5716	COMM
22	REDFIELD COMMUNITY MR. FLOYD T. NUTTER	397-2296	COMM
23	MID-AMERICA PACKAGING INC MR. HERB TUCKER	541-5074	COMM

24	MID-AMERICA PACKAGING INC MR. GARLAND HURST	541-5028	COMM
25	FIRST ARKANSAS INSURANCE INC. SENATOR JAY BRADFORD	541-0020	COMM
26	UNIVERSITY OF ARKANSAS AT PINE BLUFF MR. WILLIE PERKINS	541-6644	COMM
27	TYSON FOODS INC. MR. PAUL FLETCHER	536-4864	FAC/REP
28	WELSCO INC. MR. JACK PLACE	541-0840	FAC/REP
29	PINE BLUFF ARSENAL MR. LEROY L. BOAS, JR	543-3199	FAC/REP
30	INTERNATIONAL PAPER COMPANY MR. KEN TROSPER	541-5740	FAC/REP
31	GENERAL CHEMICAL CORPORATION MR. A. GARNER	534-5235	FAC/REP
32	JEFF CO CORONER'S OFFICE CORONER HAVIS HESTER	541-5364	MAIL/L
33	TERRA INTERNATIONAL, INC. MR. ALBERT FAVER	479-3021	FAC/REP
34	CENTRAL MOLONEY TRANSFORMER DIVISION MR. JOHN JARRATT	534-5332	COMM
35	FARMERS SUPPLY ASSOCIATION MR. WARREN WILLIAMS	534-0541	FAC/REP
36	PETROLEUM FUEL & TERMINAL MR. HAROLD MITCHELL	535-5030	FAC/REP
37	FLORIDA DRUM DELTA COMPANY MR. CALVIN ZABCIK	247-2800	FAC/REP
38	JEFF CO SANITATION DEPT MR. JACK JONES	536-9414	SUB/COM
39	EMERGENCY AMB SERVICE MR. DOUG ROOKER	536-0734	SUB/COM
40	AMERICAN RED CROSS / JEFF CO CHAPTER MS. DONNA BOOTH JOHNSON	534-7312	SUB/COM
41	SOUTHEAST ARK REGIONAL PLANNING COMM MR. ALLEN SKINNER	534-4247	SUB/COM
42	GENERAL CHEMICAL CORPORATION MR. JACK WOODS	534-5235	SUB/COM
43	PINE BLUFF CITY PLANNING MR. GREG GARNER	543-1875	SUB/COM
44	PINE BLUFF STREET DEPARTMENT MR. JEFF SHIVER	534-6372	SUB/COM
45	WATSON CHAPEL COMMUNITY MR. DAVID MOSS	879-0645	COMM
46	PROGRESSIVE INK COMPANY MR. JIMMY MOSLEY	879-4740	FAC/REP
47	PINE BLUFF FIRE DEPARTMENT CAPT. DAVID PARSLEY	534-0011	SUB/COM
48	PINE BLUFF FIRE DEPARTMENT CAPTAIN DON COTNER	534-0011	SUB/COM
49	STRONGLITE PRODUCTS MR. ED HUGHES	536-3453	MAIL

50	HOOVER TREATED WOOD PRODUCTS MR. LOYD BOBO	247-3511	FAC/REP
51	PINE BLUFF WASTEWATER UTILITY MR. MICHEAL LUERS	535-6603	FAC/REP
52	GEORGIA PACIFIC CORPORATION MR ED LEWIS	535-0211	
53	VARCO-PRUDEN BUILDINGS MR DON R SEAGO	534-6030	
54	ARKOLA SAND AND GRAVEL COMPANY WILLIAM SCARBROUGH	785-4271	
55	STANT INC. MR PETE AHLGRIM	247-5480	
56	COCA-COLA BOTTLING CO OF SOUTH ARKANSAS MR GREG GOUGH	534-0621	
57	CONTINENTAL BAKING COMPANY		
58	PLANTERS COTTON OIL MILL, INC. MR RONNIE LUTTMAN	534-3631	
59	FARM CHEMICALS / FARMERS APC&E FURNISHED MSDS / 18	562-7444	
60	TYSON FOODS INC. MR. PAUL FLETCHER	536-4864	FAC/REP
61	JEFFERSON COUNTY INDUSTRIAL FOUNDATION MR DARRELL PIERCE	535-7189	MAIL
62	CENTURY TUBE CORPORATION MR. EUGENE WRIGHT	535-6200	FAC/REP
63	PINE BLUFF ARSENAL MR. BILL KERVIN	543-3171	FAC/REP
64	EMERGENCY AMBULANCE SERVICE MR. KENNETH STARNES	536-0734	SUB/COM



**PUEBLO CIVIL DEFENSE AGENCY**

33601 United Avenue  
Pueblo, CO 81001  
948-3308  
**BETTY JO HOPPER**  
Director

August 4, 1988

David Feldman  
Oak Ridge Labs  
P.O. Box 2008  
Oak Ridge, TN 37831-6206

Dear Mr. Feldman:

Enclosed please find the list of committee members of the Local Emergency Planning Committee for Pueblo, Colorado that you requested. If we can be of any other assistance, please do not hesitate to call.

Sincerely,

  
Betty Jo Hopper  
Director

Enclosure

## LOCAL EMERGENCY PLANNING COMMITTEE MEMBERS

Frank Cash, Chief, Pueblo Fire Department  
 Charles Terrill, Chief, Rye Fire Protection District  
 Earl Cannon, Trooper, Colorado State Patrol  
 Terrance Terrill, Fire Chief, Transportation Test Center  
 Jack Fowler, Chief, Pueblo West Fire Department  
 Gale Holderman, Sheriff's Department  
 Gene Wilcoxson, UNISYS Corporation  
 Joe Mauro, Chief, Rural Fire Department  
 Dr. Roger Stasiak, Pueblo City/County Health Department  
 James M. Brewer, Pueblo County Commissioner  
 Betty Jo Hopper, Director, Pueblo Civil Defense Agency  
 Robert Silva, Chief, Pueblo Police Department  
**Curtis Turner, Pueblo Depot Activity**  
 Gerald Knopic, Safety Director, Parkview Hospital  
 Steven Douglas, Senior Planner, Department of Planning & Development  
 Richard Blakeley, Safety Director, C. F. & I. Steel Corporation  
 Bill Bolt, Safety Director, St. Mary Corwin Hospital  
 Len Gregory, Pueblo Chieftain  
 Rebecca Espinoza, American Red Cross  
 Mark A. Carmel, Director, Pueblo County Public Works  
 Tom Pederson, Colorado State Hospital  
Tod Quirk, CSP, University of Southern Colorado  
Ross Vincent, Private Citizen  
 Paul Cozzetta, City of Pueblo

## Alternates

John Zupancic, Assistant Chief, Pueblo Fire Department  
 Sgt. Dale King, Colorado State Patrol  
 Dutch Gruse, City/County Health Department  
 Charles Finley, Director, Dept. of Planning & Development  
 Charlie DiDomenico, Pueblo County Public Works  
 John Simmer, Pueblo County Public Works  
 Karen Valdez, Pueblo Civil Defense Agency

SUB-COMMITTEES

PLANNING

Steve Douglas, Chairman  
Betty Jo Hopper  
Earl Cannon  
Gale Holderman  
Bill Bolt  
Bob Silva

TRAINING

Jack Fowler, Chairman  
Charles Terrill  
Mark Carmel

COMMUNITY RIGHT-TO-KNOW

Dr. Roger Stasiak, Chairman  
Tom Pederson  
James Brewer  
Tod Quirk

DATA COLLECTION - HAZARD ANALYSIS

John Zupancic, Chairman  
Richard Blakeley  
Curtis Turner  
Ross Vincent



**MADISON COUNTY CIVIL DEFENSE**

*RICHMOND, KENTUCKY 40475*

IRVINE-McDOWELL PARK  
345 LANCASTER AVENUE  
POST OFFICE BOX 785

PHONES:  
OFFICE: 623-3343  
RESIDENCE: 623-5729

August 11, 1988

Mr. David Feldman  
Oak Ridge National Laboratory  
P.O. Box 2008  
Oak Ridge, TN 37831-6206

Dear Mr. Feldman:

Pursuant to our telephone conversation this morning, I am enclosing a membership list of the Madison County Emergency Planning Committee.

It was a pleasure talking with you and we hope that the information provided you will prove helpful.

Please feel free to call again if we can be of further assistance.

Sincerely,

A handwritten signature in cursive script that reads 'Howard L. Colyer'.

Howard L. Colyer  
Director

Enclosure

TITLE III  
MADISON COUNTY EMERGENCY PLANNING COMMITTEE

Elected Local Official

Honorable Harold K. Botner  
Judge/Executive, Madison County  
Madison County Courthouse  
Richmond, KY 40475  
(606) 623-2849

Disaster & Emergency Services

Howard L. Colyer  
Director  
Madison County Civil Defense  
P.O. Box 785  
Richmond, KY 40475  
(606) 623-3343

Carl E. Cowell  
Civil Defense Specialist  
P.O. Box 411  
Berea, KY 40403  
(606) 986-8232

Holman Todd  
Communications Officer  
110 Meadowlark Drive  
Richmond, KY 40475  
(606) 623-3290

Law Enforcement

Cecil Cochran  
Sheriff of Madison County  
Madison County Courthouse  
Richmond, KY 40475  
(606) 623-1511

Russell Lane  
Chief  
Richmond Police Department  
P.O. Box 250  
Richmond, KY 40475  
(606) 623-1000

Fire Services

James R. McKinney  
Chief  
Madison County Fire Department  
356 Big Hill Ave.  
Richmond, KY 40475  
(606) 623-0429

William Lane  
Chief  
Richmond Fire Department  
P.O. Box 250  
Richmond, KY 40475  
(606) 623-1000

Jerry Simpson  
Chief  
Berea Fire Department  
P.O. Box 411  
Berea, KY 40403  
(606) 986-8232

First Aid

Edward Denham  
Assistant Manager  
Madison County Ambulance Service  
Eastern By-Pass  
Richmond, KY 40475  
(606) 623-5121

Hospitals

Richard L. Thomas  
Administrator  
Pattie A. Clay Hospital  
Richmond, KY 40475  
(606) 623-3131

Mrs. Molly Lowry  
Chairman of Safety Committee  
Berea Hospital  
Berea, KY 40403  
(606) 986-3151

Health

Mrs. Sandra Toussaint  
 Director  
 Madison County Health Department  
 P.O. Box 906  
 Richmond, KY 40475  
 (606) 623-7312

Local Environmental

Carl Noe  
 Environmentalist  
 Madison County Health Department  
 105 Fifth Street  
 Richmond, KY 40475  
 (606) 624-2284

Chemist

Dr. Harry M. Smiley  
 Chairman  
 Chemistry Department  
 Moore 337  
 Eastern Kentucky University  
 Richmond, KY 40475  
 (606) 622-1457

Schools

Eddie Pullins  
 Director  
 Department of Pupil Personnel  
 Madison County Schools  
 P.O. Box 430  
 Richmond, KY 40475  
 (606) 623-5200

Lawrence M. Westbrook  
 Safety and Health Coordinator  
 Million House  
 Eastern Kentucky University  
 Richmond, KY 40475  
 (606) 623-5523

Community Group

Tony D. Whitaker  
 President  
 First Federal  
 P.O. Box 340  
 Richmond, KY 40475  
 (606) 623-2548

Broadcast Media

Mrs. Betsy Robbins  
 Office Manager  
 WCBR-AM  
 P.O. Box 0  
 Richmond, KY 40475  
 (606) 623-1236

Print Media

Jerry Wallace  
 Managing Editor  
 The Richmond Register  
 P.O. Box 99  
 Richmond, KY 40475  
 (606) 623-1669

Transportation

Eugene Whitaker  
 Special Representative  
 Nuclear and Hazardous  
 Materials Division  
 Tri-State Motor Transit Inc.  
 109 Jemima Drive  
 Richmond, KY 40475  
 (606) 623-4556

Utilities

James C. Street  
 Superintendent  
 Richmond Utilities  
 P.O. Box 700  
 Richmond, KY 40475  
 (606) 623-2323

Utilities (cont'd)

Mike Bethurem  
 Administrator  
 Berea Electric & Water Utilities  
 College Box 2337  
 Berea, KY 40403  
 (606) 986-4611

Facilities

William R. Emanuel, Jr.  
 Plant Manager  
 Exide Corporation  
 P.O. Box 1500  
 Richmond, KY 40475  
 (606) 624-7296

David Billings  
 Industrial Engineering Manager  
 Hyster Company  
 Menelaus Road  
 Berea, KY 40403  
 (606) 986-9304

William R. Bryant  
 Chemical Surety Officer  
 Lexington-Blue Grass Army Depot  
 Attn: SDSLB-BSU  
 Lexington, KY 40511-5008  
 (606) 624-6530

Mrs. Leslie Moberly  
 Environmental & Safety Coordinator  
 Motor Wheel Corporation  
 Glades Road  
 Berea, KY 40403  
 (606) 986-9381

Facilities (cont'd)

Bert Hood  
 Manager  
 Building and Grounds  
 North American Philips Lighting  
 P.O. Box 500  
 Richmond, KY 40475  
 (606) 623-3424

Kyle Whited  
 Personnel Manager  
 Parker Seal Company  
 Maple Street  
 Berea, KY 40403  
 (606) 986-3121

Robert B. Geiger  
 Plant Manager  
 Sherwin Williams Company  
 Boggs Lane South  
 Richmond, KY 40475  
 (606) 623-1240

Richard Winn  
 Manager  
 Southern States Cooperative  
 P.O. Box 916  
 Richmond, KY 40475  
 (606) 623-3041

###



**HARFORD COUNTY GOVERNMENT**

DEPARTMENT OF EMERGENCY SERVICES COORDINATION

August 5, 1988

Dr. David Feldman  
 Research Staff  
 Oak Ridge National Laboratory  
 P.O. Box 2008  
 Oak Ridge, Tennessee 37831-6206

Dear Dr. Feldman:

The following information concerning the current composition of our SARA Title III Local Emergency Planning Committee (LEPC) is provided to you as you requested during our recent telephone conversation:

**Mrs. Barbara Risacher**, Chairperson - is also an elected member of the County Council.

**Sheriff Dominick Mele**

**Mr. Gene Worthington** - former President of the Harford County Volunteer Fire and Ambulance Assn.

**Mr. Thomas M. Thomas** - County Health Officer

**Mr. Leonard Cantrell, Jr.** - Administrator Harford Memorial Hospital.

**Mr. Dennis Averill**, American Cyanamid.

**Mr. Jim McMahan**, General Manager, Radio Station WAMD.

**Dr. Thomas Suter**, representing the public at large.

**Dr. Charles B. Browne**, Director Department of Emergency Services Coordination (Civil Defense).

**Mr. Merrill Cohen**, Chief, Plans & Operations Branch, Aberdeen Proving Ground.

**Mr. Walter Majerle**, Surety Officer, Edgewood Arsenal, Chemical Research, Development & Engr. Center

**Mr. James Terrell**, Chief, County's Emergency Communications Division (Central Alarm/911) and the LEPC's Emergency Coordinator.

Dr. David Feldman

Page 2.

Many other officials are invited to attend. They include but are not limited to the Police Chiefs of the three incorporated municipalities of Aberdeen, Bel Air and Havre de Grace and Mr. Jeff Blomquist, an attorney with the County's Law Department assigned to the SARA Committee.

I mentioned, during our conversation, our newly published HAZMAT Plan which has been distributed to all of the volunteer fire companies, the two military fire departments, the Sheriff's Department, Maryland State Police and the three municipal police departments. I have attached a copy as I thought you may want to see what we have developed. We believe it to be the first of its kind anywhere in the country.

Sincerely,

A handwritten signature in cursive script that reads "Charles B. Browne". The signature is written in dark ink and has a long, sweeping horizontal line extending to the right.

Charles B. Browne  
Director

Encl: a/s



**UMATILLA COUNTY EMERGENCY MANAGEMENT**  
Courthouse, 216 S. E. 4th · Pendleton, Oregon 97801 · (503)276-7111 X301  
Dennis Olson, Director

September 21, 1988

Mr. David Feldman  
Oakridge National Laboratory  
P.O. Box 2008  
Oakridge, TN 37831-6206

Dear Mr. Feldman:

Enclosed is the list of members of the local SARA Title III task force that you requested. Sorry it took me so long to get it to you.

Sincerely,

A handwritten signature in black ink, appearing to read "Dennis Olson", written in a cursive style.

Dennis A. Olson  
Emergency Management Director

DAO:vt  
enclosure



## UMATILLA COUNTY EMERGENCY MANAGEMENT

Courthouse, 216 S. E. 4th · Pendleton, Oregon 97801 · (503)276-7111 X301

Dennis Olson, Director

### UMATILLA COUNTY HAZARDOUS MATERIALS PLAN AD HOC ADVISORY COMMITTEE

<u>Name</u>	<u>Representing/Address</u>
Chief Dick Hopper	Pendleton Fire Department
Chief Jim Stearns	Hermiston Fire Department
Chief William Saager	Milton-Freewater Fire Department
Chief Jim Roxbury	Umatilla Fire District
Chief Ray Miller	Athena Fire Department
Chief Darrel Moon	Helix Fire District
Chief Jim Whelan	Stanfield Fire District
Chief Chris Mayer	Weston Fire Department
Chief Joe Pikul	Adams Fire Department
Chief Tom Enright	Echo Fire District
Chief Harry Christensen	Pilot Rock Fire District
Chief Greg Durfey	Ukiah Fire Department
Chief Bill Biggs	Milton-Freewater Police Dept.
Chief Tom McCann	Stanfield Police Department
Chester Spencer	Conf. Tribes Umatilla Indian Res.
Don Smythe	Umatilla Depot Activity (UMDA)
Stan Foster	Community Action Agency (CAPECO)
Dale Lingle	Bureau Indian Affairs (BIA)
Gordon Reinhardt	Umatilla National Forest
Terry Woolston	Umatilla County Health Dept.
Sheriff Jim Carey	Umatilla County Sheriff
Daryl Harper	Umatilla Co. Public Works Director
Bruce Hammon	State Dept. of Env. Quality (DEQ)
Allan Froese	Athena City Councilman
John Amort	Pendleton Grain Growers (PGG)
Lt. John Duggan	Oregon State Police (Pendleton)
Bob Hawes	Wood Fiber Industries, Inc.
Terry Copeland	Tri-River Chemical
Bruce Coe	Byrnes Oil Company
Don Hanson	Hermiston citizen
Dr. Kirby Flanagan	Occupational Medicine
Wayne Stephens	Umatilla Electric Coop Assn.
Tim Albert	Watermill Foods, Inc.
Vern Rodighiero	Blue Mt. Growers, Inc.
Don Bensei	Pilot Rock representative

[Appointed by the Umatilla County Board of Commissioners. Other interested individuals are welcome and encouraged to participate in the hazardous materials planning program.]

Appendix B

The Army CSDP and SARA Title III



## Appendix B. The Army CSDP and SARA Title III

It was the intent of Congress that Title III of SARA apply, in general, to federal facilities as it does to privately-owned and operated ones. However, the language of SARA Title III, which obliges legal "persons," coupled with the practice of limited immunity discussed in Section 4 of this report, limits the compliance obligations of the Army's Chemical Stockpile Disposal Program.

In 1987, a Federal Facilities Task Force, coordinated by the National Response Team for Chemical Emergencies (NRT), ruled that because of a "compelling public interest," all federal agencies should comply with Title III's purposes. This should be done by identifying hazardous facilities to relevant local emergency planning committees (LEPCs), participating in local emergency response planning, providing EPA with a "complete picture of their activities," and recognizing that government-owned, contractor operated facilities are legal entities fully bound by SARA Title III (Communication from Kathleen Bishop, Preparedness Staff, Office of Hazardous Waste and Emergency Response, U.S. EPA, June 30, 1988).

Subsequently, the Assistant Secretary of Defense (Environment) prepared a memorandum for DOD clarifying the manner in which all DOD components would comply with this decision. In particular, it was decided that, while "neither the substantive nor procedural aspects of Title III apply to DOD, all DOD components should comply with the conceptual objectives of the act to the extent practicable" (Schafer, 1987).

The procedural aspects specifically referred to were contained in Sections 301(c), 303(d), and 304 of Title III and encompass, respectively, emergency planning, facility participation in LEPCs, and emergency notification.

Figure B.1, attached to this appendix, depicts the relationship likely to emerge between CSDP facilities and SARA Title III instruments, once intergovernmental consultation and coordination commences. It suggests that commitments for compliance with Title III may in some cases, be fulfilled by following SARA reporting requirements. Figure B.1 also depicts the potential overlap in membership between certain SARA instruments and those involved in the ICCB structure described in the CSDP-FPEIS (U.S. Army, 1988, Vol. 1: 4-168). Some of the overlap was discussed in Section 7 of this report.

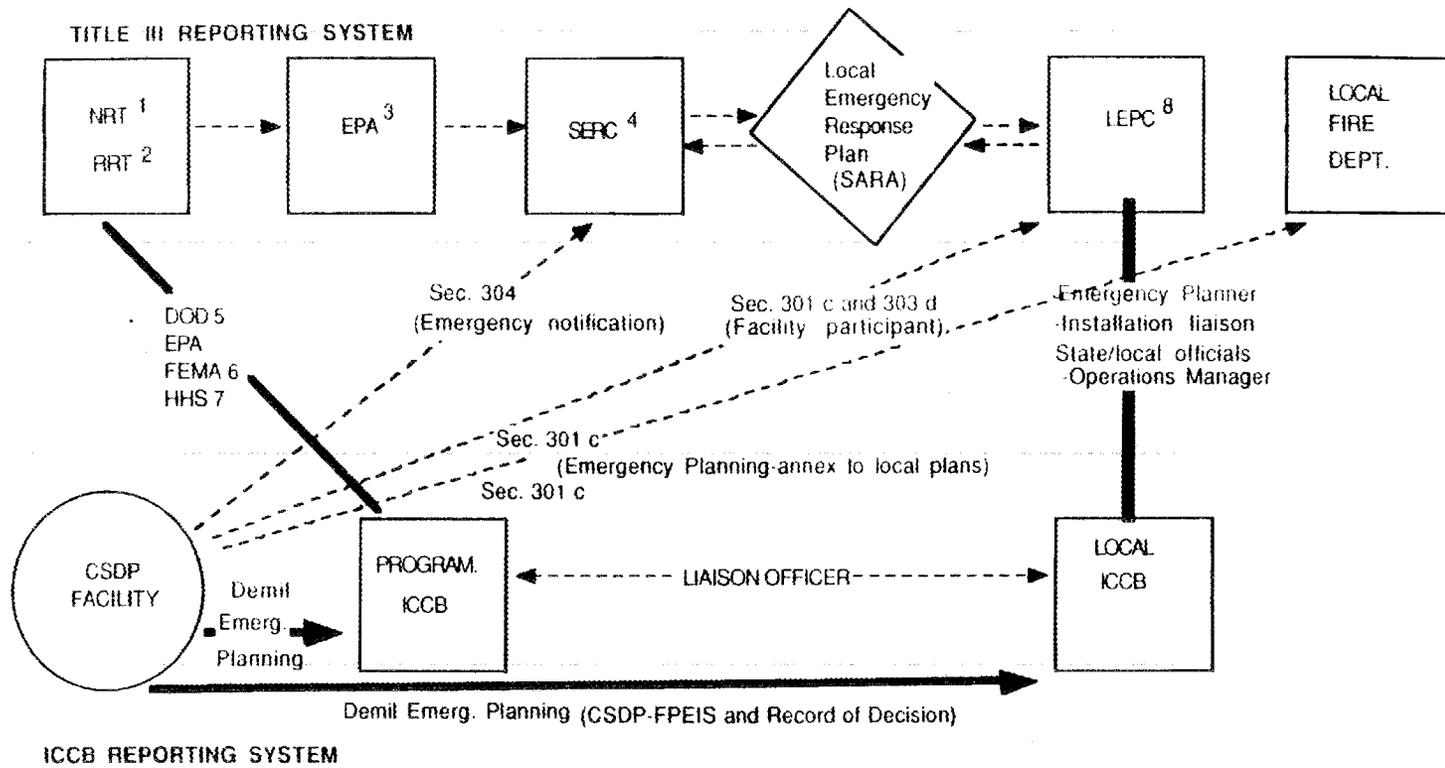
Finally, three attachments to this appendix, a memorandum from the Deputy Assistant Secretary of Defense (Environment), a memorandum from the Assistant Secretary of Energy for Environment, Safety, and Health, and a memorandum from Major General Charles Skipton, USAF, further clarify ways in which other federal actions similar to those encompassed

by the CSDP, may be made consistent with the intent of SARA Title III. In particular, the memorandum from the Assistant Secretary of Energy suggests some possible points of departure for contractor compliance with Title III relevant to CSDP facility contractors.

It should be noted that, in no instance does EPA expect, nor is a government facility obligated to provide, classified information pertaining to potential chemical hazards. It is for this reason that Figure B.1 does not include those facility reporting requirements encompassed by Tier I and II and MSDS reporting sections of SARA Title III (Sections 312-313). Only those sections of Title III agreed to by DOD are included in this suggested reporting configuration.

In conclusion, it should be noted that emergency planning information for the CSDP, provided by installations, could be utilized as annexes to the general emergency response plan for CSDP facilities which are being established by SERCs and LEPCs under SARA Title III.

Figure I. RELATIONSHIP BETWEEN SARA TITLE III REPORTING AND THE ICCB \*



KEY:

- 1 National Response Team
- 2 Regional Response Teams
- 3 Environmental Protection Agency
- 4 State Emergency Response Commission
- 5 Department of Defense
- 6 Federal Emergency Management Agency
- 7 Department of Health and Human Services
- 8 Local Emergency Planning Committee

\* SOURCE: Based upon information from U. S. EPA, Title III Fact Sheet, 1987; Schafer, 1987; Ambrose, 1988

FAX to Mr John Gustafson USRPA tel 382-3315  
 FAX NR 382-7883, verify NR 382-2078

THE OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, D.C. 20301-6000

FYI



PRODUCTION AND  
 LOGISTICS  
 E

JUNE 3 1987

MEMORANDUM FOR DEPUTY FOR ENVIRONMENT, SAFETY AND OCCUPATIONAL  
 HEALTH, OASA (I&L)  
 DEPUTY DIRECTOR FOR ENVIRONMENT, OASN (S&L)  
 DIRECTOR FOR ENVIRONMENT, SAFETY AND OCCUPATIONAL  
 HEALTH, (SAF/RIQ)  
 DEFENSE LOGISTICS AGENCY (DLA-W)

SUBJECT: Applicability of Title III of the Superfund Amendments  
 and Reauthorization Act of 1986 (SARA) to the  
 Department of Defense

Title III of SARA is known as the Emergency Planning and  
 Community Right to Know Act of 1986. Its purpose is to protect  
 communities living near commercial industrial facilities from  
 catastrophic releases of toxic substances such as the tragic  
 release in Bhopal, India in 1984. Title III, by its wording,  
 does not apply to Federal facilities. However, DoD endorses the  
 overall objective of the Act, which is to protect the public in  
 the event of a release of toxic materials.

As a matter of policy, although neither the substantive nor  
 procedural aspects of Title III apply to DoD, all DoD components  
 should comply with the conceptual objectives of the act to the  
 extent practicable. Such concepts are found in Sections ~~303~~  
 303 and ~~304~~ of Subtitle A - Emergency Planning and  
 Notification. Subtitles B and C are procedural, and DoD  
 components should not respond to those requirements.

As guidance, it is suggested that preventative programs such  
 as Spill Prevention, Control and Countermeasures (SPCC) plans be  
 upgraded to include hazardous materials. Response programs such  
 as Spill Contingency Plans (SCP) should include requirements for  
 training On Scene Coordinators (OSCs) in hazardous materials  
 response, and notification of Local Emergency Planning Committees  
 (LEPCs) in the event of a release of a reportable quantity of  
 material. Also, each installation should identify one official  
 to act as the point of contact for local preparedness committees  
 such as the LEPC.

Carl J. Schaefer, Jr.  
 Deputy Assistant Secretary of Defense  
 (Environment)

**memorandum**

**DATE:** May 14, 1987

**REPLY TO  
(ATTN OF):** EH-1

**SUBJECT:** Superfund Amendments and Reauthorization Act Title III - Emergency  
Planning and Community Right-to-Know

**TO:** Secretarial Officers  
Operations Office Managers

The purpose of this memorandum is to provide interim guidance on Title III applicability to the Department of Energy (DOE) and its contractors and to highlight some of the important Title III statutory deadlines. This issue arose at the Superfund Amendments and Reauthorization Act (SARA) Workshop on March 11-12, 1987, and a commitment was made to issue guidance.

Title III of SARA, also known as the Emergency Planning and Community Right-to-Know Act of 1986, is intended to encourage and support emergency planning efforts at the state and local level and provide residents and local governments with information concerning potential chemical hazards present in their communities.

While there is some question about Title III's applicability to Federal agencies, because Title III is applicable to both owners and operators of a facility, the contractors who operate DOE-owned facilities are subject to its provisions. Accordingly, DOE must take an active role in becoming familiar with the requirements of Title III, and insure compliance by its contractors. In addition, the Environmental Protection Agency (EPA) has indicated that Congress will enact legislation that will make Title III applicable to Federal agencies.

We are compiling a summary of all the statutory deadlines in SARA, including Title III. In the interim there are some important statutory deadlines that must be observed to insure that DOE contractors comply with Title III. These deadlines are summarized below:

- o **Emergency Planning Notification.** Section 302(c) requires that by May 17, 1987, the owner or operator of each facility where a substance on the list of extremely hazardous chemicals is present in an amount in excess of the threshold planning quantity for that substance shall notify the appropriate State emergency response commission that the facility is subject to the requirements of Subtitle A. The list of extremely hazardous chemicals was published by EPA as

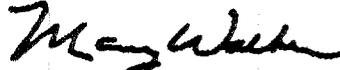
Appendix D and Appendix E to Title 40, Code of Federal Regulations, Part 300 (40 CFR 300) in an Interim Final Rule on November 17, 1986. The final rule was published in the Federal Register on April 22, 1987, as 40 CFR 355 - Emergency Planning and Notification.

- o List of Chemicals. Section 311(d) requires that owners or operators submit Material Safety Data Sheets (MSDSs) or a list of such hazardous chemicals that they are required to prepare or have available MSDSs under the Occupational Safety and Health Act (OSHA) of 1970 to the appropriate local emergency planning commission, the State emergency response commission and the local fire department. The material required under this Section must be submitted by October 17, 1987, or 3 months after the owner or operator of a facility is required to prepare MSDSs, whichever is later.
- o Inventory Forms. Section 312(a)(2) requires that by March 1, 1988, owners or operators submit emergency and hazardous chemical inventory forms containing Tier I information to the appropriate local emergency planning commission, the State emergency response commission and the local fire department. Tier I information is an estimate (in ranges) of the maximum amount and average daily amount of hazardous chemicals in each category present at the facility during the preceding year and the general location of hazardous chemicals in each category.

The hazardous chemicals referred to in Sections 311 and 312 are those defined in OSHA regulations (29 CFR 1910.1200(c)). Exempt from the definition of hazardous chemical is any substance to the extent it is used in a research laboratory or a hospital or other medical facility under the direct supervision of a technically qualified individual. This exemption means that DOE contractors who operate DOE laboratories, hospitals, or other medical facilities, will not have to report research related hazardous chemicals. They will have to report all other hazardous chemicals subject to the above requirements.

A great deal of information is required to be submitted to state and local agencies under Title III. Most of this information will be available for public review. At many DOE facilities, some of this information is protected for national security reasons and cannot be submitted for public review. We recognize that a conflict exists between the requirements of Title III and the protection of national security information and we will be issuing guidance on this matter in the near future.

If you have any questions on this matter, please contact  
Larry Sparks of my staff on (202) 586-6075 or FTS 896-6075.



Mary L. Walker  
Assistant Secretary  
Environment, Safety and Health

**DISTRIBUTION:**

General Counsel, GC-1  
 Assistant Secretary, Management and Administration, MA-1  
 Assistant Secretary for Congressional, Intergovernmental,  
 and Public Affairs, CP-1  
 Assistant Secretary for International Affairs and Energy  
 Emergencies, IE-1  
 Assistant Secretary for Nuclear Energy, NE-1  
 Assistant Secretary for Fossil Energy, FE-1  
 Assistant Secretary, Conservation and Renewable Energy, CE-1  
 Assistant Secretary for Defense Programs, DP-1  
 Administrator, Economic Regulatory Administration, RG-1  
 Administrator, Energy Information Administration, EI-1  
 Director of Policy, Planning and Analysis, PE-1  
 Director of Civilian Radioactive Waste Management, RW-1  
 Director of Energy Research, ER-1  
 Director of Minority Economic Impact, MI-1  
 Inspector General, IG-1  
 Director of Small and Disadvantaged  
 Business Utilization, MA-41  
 Director of Hearings and Appeals, HG-1  
 Chairman, Board of Contract Appeals, BC-1

Albuquerque Operations Office  
 Chicago Operations Office  
 Idaho Operations Office  
 Nevada Operations Office  
 Oak Ridge Operations Office  
 Richland Operations Office  
 San Francisco Operations Office  
 Savannah River Operations Office  
 Morgantown Energy Technology Center  
 Pittsburgh Energy Technology Center  
 Alaska Power Administration  
 Bonneville Power Administration  
 Southeastern Power Administration  
 Southwestern Power Administration  
 Western Area Power Administration  
 Bartlesville Project Office  
 Grand Forks Project  
 Laramie Project Office  
 Naval Petroleum Reserves, Casper, WY  
 Naval Petroleum Reserves, Tupman, CA  
 Pittsburgh Naval Reactors Office  
 Schenectady Naval Reactors Office  
 Technical Information Center



DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS UNITED STATES AIR FORCE  
WASHINGTON, D.C. 20330

09 NOV 1987

REPLY TO  
ATTN OF: LE

SUBJECT: Air Force Implementation of Title III of the Superfund Amendments and Reauthorization Act (SARA)

TO: ALMAJCOM-SOA/CV

1. SARA Title III, the Emergency Planning and Community Right to Know Act of 1986, was a response to the disaster in Bhopal, India which killed several hundred people due to the release of toxic chemicals. Title III's primary objective is to force states and communities to plan for these types of incidents. It is also designed to inform the public about hazardous materials in their community. We have been advised by the Deputy Assistant Secretary of Defense (Environment) that Title III does not apply to DoD (Atch 1), but that we should comply with the objectives of the Act to the extent practicable. Attached for implementation and dissemination to your installations is Guidance For Title III Emergency Planning (Atch 2).

2. The Air Force has excellent emergency response capability and our disaster preparedness plans, spill prevention control and counter measures plans and hazardous waste management plans could well serve as models for most local emergency planning committees. Also, our base disaster preparedness personnel, bioenvironmental engineers, safety officers, fire fighting personnel and environmental coordinators are well qualified to assist local planners and we should do so. A key element of local plans, as coordinated by local and state transportation authorities and the Department of Transportation may involve restrictions of hazardous material movement to specific streets and highways. The plans will also address emergency evacuation procedures and routes. While these provisions will generally pertain to off-base routes, and are primarily the planning responsibility of the states and the Department of Transportation, we should monitor them for potential mission impact. For these and other reasons, we must actively participate in local emergency planning committees and provide our technical expertise in community emergency response plan development. This must be a base level effort since the local planning activity will be comprised of representation from their neighboring communities.

3. Our cooperation and participation in this effort will enhance the Air Force image as a good neighbor. Please ensure your bases cooperate with local agencies to the maximum extent possible.

SIGNED  
CHARLES P. SKIPTON, MAJ GEN, USAF  
Asst DCS/Logistics & Engineering

2 Atchs  
1. DASD(E) Memo, 3 Jul 87  
2. Implementation Guidance  
w/Atchs

EMERGENCY PLANNING AND COMMUNITY RIGHT TO KNOW  
ACT OF 1986 IMPLEMENTATION GUIDANCE

I. Purpose: This guidance is designed to provide substantive compliance with the Emergency Planning and Community Right to Know Act of 1986 as set forth in Title III of the Superfund Amendments and Reauthorization Act (SARA), commonly known as Title III.

II. Background: Title III resulted from Congressional concern that a catastrophic environmental incident similar to the one which occurred in Bhopal, India in 1984 and killed or incapacitated thousands of people could happen in the United States. This incident involved an inadvertent release of toxic chemicals into a highly populated area surrounding a manufacturing plant. The citizens were not aware of the chemical's presence, the symptoms of exposure, appropriate first aid for exposure or potential evacuation routes from the contaminated area.

Title III was designed to prevent this type of incident in the United States and contains three major objectives:

- a. Identification of chemicals and activities which could contribute to such a catastrophe,
- b. Making the public aware of the potential for chemical release and,
- c. Development of local response plans and procedures should a chemical release occur.

The US EPA was tasked with identifying the chemicals of concern, collecting data on their locations and disseminating the data to the public for their information. The state governments are required to establish local, regional and state emergency planning and response procedures.

Title III is a stand alone law, since it contains its own definitions and is not dependent on, or relative to other Titles of SARA. The law basically impacts operations of "facilities" and places requirements on "persons" who own or operate these facilities. The Department of Justice has determined that the Title III definition of "persons" does not include federal agencies. It is unclear in the legislative history whether this omission of federal agencies was intentional or an oversight by Congress. Because of the importance of this issue and due to our interrelationship with the states and the communities which surround our installations, however, we should comply with the intent and substantive provisions of the legislation.

III. Discussion: The Air Force has long been involved in the type of planning required by Title III and bases should build upon existing plans, if possible, rather than duplicate the effort in an additional plan. The personnel at base level who have responsibility for disaster preparedness and response plans,

hazardous materials and waste spill response plans, base safety plans and fire prevention plans are the prime candidates for the development of the installation emergency response plan and for plan execution should an emergency occur. The lead for plan coordination with off-base activities and for Air Force participation in regional and state planning activities should be the base component with disaster preparedness and response planning responsibility. State and regional emergency response plans will most likely be developed by civilian organizations responsible for disaster response. Our people with similar responsibilities should already have working contacts established with these officials. Base representation should also include personnel with special technical expertise in environmental safety and health threat minimization such as the base bioenvironmental engineer.

While development of an implementation plan which is fully coordinated at base level is our prime concern, the Air Force must actively participate in off-base planning activities. Many of our people live off the installation and we must participate with local planning activities to help assure their protection. Also, many plans will establish coordinated local, state and Department of Transportation hazardous materials transportation routes which could impact the flow of supplies to our bases. They also will contain evacuation routes which could affect our base evacuation plans or even inhibit some base operations.

IV. Policy: Each Air Force installation shall:

- a. Identify a point of contact to the local emergency response planning function which is being formed in response to this law. Installation Commanders should consider appointing Base Disaster Preparedness Officers, Base Environmental Coordinators, Base Safety Officers, Fire Chiefs or other representatives most appropriate for their base.
- b. Participate in regional, local or state Title III planning activities. Develop response plans for our facilities (normally these plans will already be available) and coordinate them with appropriate local authorities.
- c. Report, as required, releases of hazardous materials which constitute a threat to the well being of our personnel or our off-base neighbors.
- d. Provide, upon request of the appropriate local emergency planning authorities, information not otherwise classified, on the nature and amount of hazardous materials stored on our bases. Such information should normally be available to support other requirements (e.g., Employee Right to Know information required by the OSHA Hazard Communication Standard, Material Safety Data Sheets, facility pre-fire plans, Spill Prevention Control and Countermeasures Plans, etc.). Note there is currently no legal requirement to devote resources to generate new information or to transfer existing information on to local or state forms designed to implement Title III. We should

emphasize substantive compliance with requests, instead of devoting scarce resources to meet procedural requirements.

v. Implementation: Installations shall ensure that appropriate existing plans address the following requirements. (Consideration should be given to establishing a consolidated, separate emergency response plan if warranted by the local situation).

a. Chemicals To Be Addressed: EPA was tasked by Title III to identify chemicals which should be addressed in the planning and reporting process. This list is included along with their final rule as Attachment 1 to this guidance. However, the Base Bioenvironmental Engineer is required by AFM 67-1, Vol II, Chapter 17, and AFR 161-17 to develop a comprehensive listing of hazardous chemicals used and stored on the base (identified by specific location) and to assess the hazards associated with their use. This information should be incorporated in appropriate plans and used as a basis for response procedure development. It is also a valuable source of information which can be reported to local planning authorities upon request.

b. Plan Content: Existing base plans or the base emergency response plan should, as a minimum, contain the following:

1. Identification of all areas on base where significant amounts of hazardous materials are used or stored
  - (a) Quantities and types of materials
  - (b) Conditions under which a threat would exist (i.e. fire, spill, etc.)
  - (c) Quantities of each material, which if released alone or with other materials present, would pose a health hazard.
  - (d) A description of the potential threatened area from such releases
2. Identification of responsibilities for planned actions
  - (a) Notification of civilian agencies
  - (b) Evacuation of personnel and provision of temporary quarters
  - (c) Fire response
  - (d) Ordnance disposal response
  - (e) Medical response
  - (f) Environmental cleanup
  - (g) State and local response coordination
3. For each potential threatened area identified, the plans should describe the appropriate response to include:
  - (a) Worker/resident notification and evacuation
  - (b) Type of remedial measures to be taken

- (c) Method of securing site during remediation  
 (d) Coordination with other affected or interested government units.

c. Air Force Unique Capabilities: The Air Force has unique expertise in areas such as fire fighting, explosive ordnance disposal, hazardous materials transportation, etc., which can greatly assist the civilian community. Those charged with preparing Air Force plans should use this expertise and bases should offer this expertise to state and local planners for development of state and regional plans.

d. Quality Control of Planning Efforts: MAJCOMs are responsible for assuring that base planning efforts are adequate and, where several bases are located in the same geographic area, for coordinating planning activities. The MAJCOM should also, when an exceptionally good plan is developed, provide copies of the plan to other installations to serve as a model.

Attachment 2 to this guidance is the Hazardous Materials Emergency Planning Guide published by the National Response Team. This guide is useful in plan review to assure that all aspects of emergency responses are addressed.

e. Air Staff Assistance: To assist development of emergency response plans, the following Air Staff action officers will respond to your questions:

- |    |                     |                  |
|----|---------------------|------------------|
| 1. | <u>USAF/LEEV</u>    |                  |
|    | Mr. Richard Kibler  | AUTOVON 297-6245 |
|    | Major Pat Fink      | " 297-6245       |
|    | Mr. Karl Kneeling   | " 297-6245       |
| 2. | <u>USAF/JACE</u>    |                  |
|    | LtCol Larry Hourcle | " 297-4823       |
| 3. | <u>USAF/SGPB</u>    |                  |
|    | Major Ed Artiglia   | " 297-1738       |

2 Atchs

1. EPA Final Rule, 40 CFR Parts 300 and 355
2. Hazardous Materials Emergency Planning Guide (olmxc)

*not attached to this plan*



## INTERNAL DISTRIBUTION

- |       |                  |        |                                     |
|-------|------------------|--------|-------------------------------------|
| 1.    | K. R. Ambrose    | 28.    | G. O. Rogers                        |
| 2.    | C. R. Boston     | 29.    | Eleanor Rogers                      |
| 3.    | R. B. Braid      | 30.    | M. Sears                            |
| 4.    | J. B. Cannon     | 31.    | R. B. Shelton                       |
| 5.    | R. Cantor        | 32.    | L. Sigal                            |
| 6.    | S. A. Carnes     | 33.    | J. H. Sorensen                      |
| 7.    | E. D. Copenhaver | 34.    | W. P. Staub                         |
| 8-17. | D. L. Feldman    | 35.    | V. R. Tolbert                       |
| 18.   | G. Flanagan      | 36.    | A. P. Watson                        |
| 19.   | W. Fulkerson     | 37.    | T. J. Wilbanks                      |
| 20.   | K. S. Gant       | 38.    | A. K. Wolfe                         |
| 21.   | E. L. Hillsman   | 39.    | G. P. Zimmerman                     |
| 22.   | R. B. McLean     | 40.    | Central Research Library            |
| 23.   | W. C. Minor      | 41.    | Documents Reference Section         |
| 24.   | S. R. Rayner     | 42-43. | Laboratory Records Department       |
| 25.   | R. Reed          | 44.    | Laboratory Records Department, R.C. |
| 26.   | D. E. Reichle    | 45.    | ORNL Patent Office                  |
| 27.   | L. W. Rickert    |        |                                     |

## EXTERNAL DISTRIBUTION

46. Nancy Carnes, Science Applications International Corporation, 800 Oak Ridge Turnpike, Oak Ridge, TN 37831
47. J. J. Cuttica, Vice President of Research and Development, Gas Research Institute, 8600 W. Bryn Mawr Avenue, Chicago, IL 60631
48. J. P. Kalt, Professor of Economics, Kennedy School of Government, Harvard University, 79 John F. Kennedy Street, Cambridge, MA 02138
49. D. E. Morrison, Professor of Sociology, Michigan State University, 201 Berkey Hall, East Lansing, MI 48824-1111
50. R. L. Perrine, Professor, Engineering and Applied Sciences, Civil Engineering Department, Engineering I, Room 2066, University of California, Los Angeles, CA 90024
- 51-60. Program Executive Officer for Chemical Demilitarization, Attn: AMCPEO-CDI (Marilyn Tischbin), Bldg. E4585, Room 24, Aberdeen Proving Ground, MD 21010-5401
61. Office of Assistant Manager for Energy Research and Development, DOE-ORO, P. O. Box 2001, Oak Ridge, TN 37831-8600
- 62-71. OSTI, U. S. Department of Energy, P. O. Box 62, Oak Ridge, TN 37831