MARINETTE COUNTY

LOCAL EMERGENCY PLANNING COMMITTEE

Philip Everhart
Chairperson

Brett Looze
Vice-Chairperson

MINUTES
Marinette County
LOCAL EMERGENCY PLANNING COMMITTEE (LEPC)
Monday, January 28, 2013 at 3:00 pm.

Members Present: Lt. Jim Albright, Marinette County Sheriff Dept.
Steve Anderson, BPM, Inc.
Jim Brien, Area Assoc. of Rescue Squads
Eric Burmeister, Marinette County Emergency Mgt.
Lt. Doug Erdmann, Marinette PD
Phil Everhart, Citizen
Ron Gerbyshak, Farmer's Rep.
Asst. Chief Jay Heckel, Marinette FD/Hazmat Team
Craig Kahoun, WI Public Service
Mike Kitt, Citizen
Jim Lawatsch, Waupaca Foundry (Alt)
Brett Looze, Karl Schmidt Unisia
Sgt. Joe Nault, Marinette PD (Alt)
Dan Nyman, Waupaca Foundry
David Oginski, WI DNR
Raymond Palonen, Marinette County Highway Dept.
Mary Rosner, Marinette County Health & Human Services
Ted Sauve, Citizen Rep.
Lisa Schram, Bay Area Medical Center
Vilas Schroeder, Marinette County Board
Scott Stacy, Tyco Safety Products – Ansul (Alt)
David Thibodeau, Peshtigo Times
Chief Bob Thull, Marinette FD/Hazmat Team

Members Excused: Rep. John Nygren, 89th Assembly Dist. (Assoc.)
Rep. Jeff Mursau, 36th Assembly Dist. (Assoc.)
Wade Fronsee, Marinette County Fire Association
Don Schmidt, AgVentures, LLC
Karen Stacy, Kimberly-Clark Corp.

Members Absent: Wendy Kabacinski, Marinette Marine Corp. (alternate)
David Niemczyk, Kimberly-Clark Corp. (Alt)

Others Present: Kathy Frank, LEPC Secretary

1. Call meeting to order
Chair Everhart called the meeting to order at 3:01pm.

2. Approve/amend agenda items
Motion (Schroeder/Gerbyshak) to approve the agenda as presented. Motion carried.

3. Approve/correct minutes of October 22, 2012
Motion (Burmeister/Kitt) to approve the minutes of October 22, 2012 as presented. Motion carried.

4. Public comment period. (Speakers will be limited to 5 minutes)
None

5. Emergency Management Report, information only

- Grants update: Hazard Mitigation Planning Sub-Committee met earlier today. Draft mitigation plan due to State in September.
  Annual Hazmat training grants were approved; hazmat technician refresher, confined space refresher, high angle rope rescue.
  EPCRA Computer/HazMat Equipment grant application documents received earlier this month; working with the Hazmat Team for equipment needs.
- Planning Facility Off-Site HazMat Response Plans currently being reviewed are: Kimberly Clark Corporation and the three (3) City of Peshtigo water wells.

6. Review/discuss LEPC Standard Operating Procedures, which includes Rules of Operation and By-Laws. Action if any.
Motion (S. Stacy/Thull) to approve the LEPC Standard Operating Procedures, including Rules of Operations and By-Laws, as presented. Motion carried. (Attachment A)

7. Updates from Committee members regarding training, equipment, processes or membership. Action if any.
Dan Nyman, Waupaca Foundry, asked how his facility would be notified if there were an incident nearby. Marinette Fire Dept/Hazmat Team would make notification if they were involved, or through a public information announcement. Marinette County has issued a Request for Proposals (RFP) for a mass notification system.

8. Identify future items to be placed on the agenda.
None.

9. Set next meeting date.
April 22, 2013, 3:00 pm

10. Adjournment
Motion (Rosner/Thull) to adjourn at 3:15 pm. Motion carried.

Respectfully submitted,

Kathy Frank
EM Program Assistant/LEPC Secretary

Marinette County
Local Emergency Planning Committee

STANDARD OPERATING PROCEDURES

TABLE OF CONTENTS

1. **LEPC Rules of Operation By-Laws**
Included are the appointments of a designated Emergency Coordinator, Coordinator of Information, elected officials of office, and the LEPC's designated Enforcement Inspector.

2. **HazMat Response Expenditures Review Procedure**

3. **Material Safety Data Sheets (MSDS) Files Procedure**

4. **Emergency & Hazardous Chemical Inventory (Tier II) Files Procedure**

5. **Emergency Notification Files and Follow-Up Procedure**

6. **Receiving & Processing Public Requests for Information Procedure**

This packet contains Marinette County LEPC procedures. These procedures have been/will be incorporated into the County-Wide Hazardous Materials Strategic Plan in the Plan's Introduction section and kept in the Marinette County Binder of Standard Operating Procedures.

MARINETTE COUNTY
LOCAL EMERGENCY PLANNING COMMITTEE

Rules of Operation By-Laws

1. Preface:

The County Local Emergency Planning Committee (LEPC) serves the Marinette County Local Planning District which was established by the Wisconsin State Emergency Response Commission on 17 July 1987. The LEPC was confirmed on 9 September 1987 by the State Emergency Response Committee, presently known as the State Emergency Response Board (SERB). These rules of operation are promulgated under directive of SARA, Title III, Section 301(c). All meetings will be held in conformance with Wisconsin's Open Meetings Laws and County Ordinances.

2. Legal Basis:

The LEPC By-Laws have been developed and formatted from the following mandates:

- Emergency Planning and Right-to-Know Act (EPCRA) of 1986, Superfund Amendment Reauthorization Act (SARA), Title III 42 U.S.C. 11001-11050
- 2007-08 State of Wisconsin Statutes 323.14 Local government; duties and powers
- 2007-08 State of Wisconsin Statutes 323.60 Hazardous substances information and emergency planning
- Marinette County Code of Ordinances – County Government 2.05 (6)(k) Reference to Procedures and Rules during County meetings

3. Definitions:

"Board" means the State Emergency Response Board (SERB) created under s. 15.105(20), Wis.Stats.

"Committee" means a local emergency planning committee created pursuant to s. 59.54(8) (a) 1997-98 Wis. Stats.

"County Emergency Management Committee" means the (Marinette County) Law Enforcement, Emergency Management, Coroner, Court Commissioner and Judiciary Committee referred to in 323.14 (1) (a) 3. Wis. Stats.

4. Positions, Appointments, and Elections:

a. Chairperson and Vice Chairperson

In accordance with the requirements of Title III, Section 301 (c) a Chairperson and Vice-Chairperson will be elected by the committee. The Chairperson and Vice-Chairperson of the LEPC shall serve a two-year term unless replaced earlier according to the terms of these by-laws. Elections for these two offices shall be held at the July meeting of the LEPC in even numbered years, and said term of office shall commence on October 1st in even numbered years and expire on September 30th in even numbered years. LEPC meetings will be presided over by the Chairperson who must be a member of the Committee. Only one elected position in the LEPC will be held by the Chairperson.

The Vice-Chairperson will carry out the duties and responsibilities in the absence of the Chairperson and will hold only one elected position in the LEPC. In the event the Chair and Vice-Chair are absent and there is a quorum, a Temporary Chairperson may be elected by members present to Chair the current meeting.

b. Marinette County Emergency Coordinator

In accordance with the requirements of SARA Title III, Section 301 (c) (3) Emergency Planning and Notification, the Marinette County Emergency Coordinator will be designated by the (LEPC) Committee per 323.60 (3) (b) Wis. Stats. and will serve at the pleasure of the Committee. The Marinette County Emergency Coordinator will undertake those duties as assigned by the county's hazardous material plan

created under SARA Title III, and other responsibilities and duties assigned by SARA Title III, Section 303 (Notification) and the (LEPC) Committee. The Marinette County LEPC has designated the County Emergency Management Director as the Marinette County Emergency Coordinator due to the Director's involvement with the LEPC through County funding of SARA monies issued by the State and reviewed by the County Emergency Management Committee.

c. Coordinator of Information

In accordance with the requirements of SARA Title III, Section 301 (c), a Coordinator of Information will be designated by and serve at the pleasure of the Local Emergency Planning Committee. The Coordinator of Information will undertake those duties as outlined under SARA Title III, Section 301 (c) and other responsibilities and duties assigned by the Committee. A Deputy Coordinator of Information may also be designated by the LEPC. The Marinette County LEPC has designated the County Emergency Management Director as the Marinette County Coordinator of Information due to the Director's involvement with the LEPC through County funding of SARA monies issued by the State and reviewed by the County Emergency Management Committee.

d. Secretary

The Committee Chairperson or head of any Committee or Sub-Committee shall designate a Secretary to assure proper minutes are kept of all meetings. Such minutes shall be forwarded to the Coordinator of Information for the required distribution. These minutes will include a roll call and all motions made during the open meeting as protocol designates through Roberts Rules of Order and Marinette County Reference Manual for Agendas, Minutes, Resolutions and Ordinances (2006). The Marinette County LEPC has designated the Emergency Management Office Program Assistant, or in their absence the Emergency Management Director or their designee as the Secretary to the LEPC.

5. Meetings:

a. Policy

All meetings conducted by the LEPC, its Committees or Sub-Committees, in order to ensure an informed public, will be conducted in conformance with the Wisconsin State Statutes pertaining to the Open Meetings Laws. These laws include providing a public meeting notice issued 24 hours in advance (Wis. Stat. 19.84 (3), and preserving the minutes of each meeting (Wis. Stat. 19.88 (1).

b. Location

The LEPC will establish a normal meeting location within Marinette County. Meetings which require jointly related business or coordination of activities with other LEPCs of the SERB will be the exception. All meetings will be held in conformance with the Open Meetings Laws.

c. Dates and Times

A normal meeting time and date will be selected by the Committee and will be held at least quarterly (or per requirement of any SARA grant). The Chairperson may call special meetings with at least seventy-two (72) hours public notice prior to the event.

d. Emergencies

When a release of a substance covered by the notification requirements of Title III, Section 304 has occurred, is occurring, or is imminent, an emergency meeting (in accordance with WI Stats. 19.84 (3)) of the LEPC may be called by the Chairperson. All reasonable attempts will be made through the media to notify the public of the meeting and the agenda of such meetings will be limited to the present emergency conditions.

6. Agenda Items:

Agenda items will be submitted at least five (5) working days prior to meetings to the Coordinator of Information. The agenda will be organized and distribution made to Committee Members, the media and others upon request at least twenty-four (24) hours prior to the meeting.

7. Public Involvement:

The agenda of every LEPC meeting will include time for public input and comments on a first-come, first-served basis. Comments may be limited to a certain time frame and public input above thirty (30) minutes per meeting approved by a majority roll call of the committee. The LEPC will discuss and decide actions on public comment by quorum.

8. Quorum:

Fifty percent (50%) of the Members should be in attendance at any meeting of the LEPC to constitute a quorum. In the absence of a Member causing an Alternate Member to be entitled to vote, the Alternate Member shall count towards the quorum.

9. Voting:

A majority vote of Members present where a quorum exists will be needed for passage. Alternate Members approved by the SERB who are attending a committee meeting in the absence of primary Members will have voting rights. Associate members are non-voting members of the LEPC.

10. Membership:

a. Nominee

Any member of the LEPC may, orally or in writing, nominate a person for membership, provided that such nominee shall have the qualifications to represent one of the following groups or organizations: elected State and local officials; law enforcement, Emergency Management, firefighting, first aid, health, local environmental, hospital, and transportation personnel; broadcast and print media; community groups; and owners and operators of facilities subject to the requirements of SARA Title III. Upon approval by the LEPC, the person's name shall be submitted to the SERB and upon confirmation by the SERB shall become a member of the LEPC. The membership, excluding alternates, on the LEPC may not at any given time exceed 30 persons.

b. Automatic Membership

By virtue of office, the person holding the position of Marinette County Emergency Management Director shall automatically become a member of the LEPC. Also, the person holding the position of City of Marinette Fire Chief in charge of the Hazardous Materials Response Team will automatically become a member of the LEPC. This will ensure continuous representation of the HazMat Team.

c. Status

Full membership and Associate membership is recognized in the LEPC. Due to time constraints and distance traveled, the LEPC Chairperson may award some members an Associate member title to remain on the committee. The status of an Associate membership is given to keep open, two-way communications in the fields represented. This associate status fulfills federal requirements and also provides a continuous flow of information to and from local LEPC members.

d. Attendance

Any member who shall fail to attend four (4) consecutive meetings of the LEPC without being excused from any such meeting by an officer, or without having been represented by his or her alternate, shall cease to be a member of the LEPC. The member shall be notified by the Committee Chairperson, in writing, of their removal from the committee. A copy of the letter shall also be sent to the individual's sponsoring agency.

11. Alternates:

Each member of the LEPC may nominate one Alternate Member from his or her Group, who, upon confirmation by the LEPC and SERB, shall be entitled to attend and participate in all meetings of the LEPC. Alternate Members may not vote on LEPC matters unless the LEPC member who nominated him or her is absent.

12. Minutes of Meetings:

Once approved, distribution of minutes of all meetings conducted by the LEPC, its Committees or Sub-Committees, will be filed by the Coordinator of Information to Committee Members, Heads of Government within Marinette County including the County Clerk Office, the County Administrator Office, the Chairman of the County Board and the Northeast Regional Director of Wisconsin Emergency Management and others upon request.

13. Amendments of the Rules of Operation:

Amendments to the subject rules can be made at any regularly scheduled or special meeting of the LEPC as an agenda item with a majority roll call vote of an established quorum.

14. Countywide Hazardous Materials Strategic Plan:

The Countywide Hazardous Materials Strategic Plan is maintained in the Emergency Management Office, 2161 University Drive, Marinette, WI. It is available for review during normal business hours. The plan is reviewed annually per requirements of SARA Title III (EPCRA) Sec. 303 [42 U.S.C. 11003] Comprehensive Emergency Response Plans.

Hazardous materials off-site response plans are also maintained at the Emergency Management Office for public review. Completed off-site plans shall be distributed, at a minimum, as follows:

a. A copy to the facility for which the plan was written
b. A copy to the local fire department with jurisdiction over the planning facility
c. A copy to the appropriate NE WEM Regional Office
d. A copy to any affected outside jurisdictions
e. A file copy for the appropriate County Emergency Management Office(s)
f. Copies to other entities as appropriate

15. Designation of LEPC Compliance Inspector:

The LEPC designated compliance inspector is selected from the Wisconsin Emergency Management State Agency list. These inspectors are state trained for local enforcement of federal fixed facility sites. LEPC members can volunteer to go through certification to meet the requirements of an inspector and be added to this list. Each designation is a two-year term from date of certification. The State list is revised annually.

HazMat Response Expenditures Review

AUTHORITY: Wisconsin Statutes (2007-2008) Chapter 323 Emergency Management, Subchapter VII Emergency Response Teams

323.70 Hazardous substance emergency response.

(1) In this subchapter:

(a) "Hazardous substance" has the meaning given in s. 299.01 (6).

(b) "Local agency" means an agency of a county, city, village, or town, including a municipal police or fire department, a municipal health organization, a county office of emergency management, a county sheriff, an emergency medical service, a local emergency response team, or a public works department.

(c) "Local emergency response team" means a team that the committee identifies under s. 323.61 (2m) (e).

323.71 Local agency response and reimbursement.

(1) A person who possesses or controls a hazardous substance that is released or who causes the release of a hazardous substance shall take the actions necessary to protect public health and safety and prevent damage to property.

(2) If action required under sub. (1) is not being adequately taken or the identity of the person responsible for an emergency involving a release or potential release of a hazardous substance is unknown and the emergency involving a release or potential release threatens public health or safety or damage to property, a local agency may take any emergency action that is consistent with the contingency plan for the undertaking of emergency actions in response to the release or potential release of hazardous substances established by the department of natural resources under s. 292.11 (5) and that it considers appropriate under the circumstances.

(3) The division shall reimburse a local emergency response team for costs incurred by the team in responding to an emergency involving a hazardous substance release, or potential release, if the team followed the procedures in the rules promulgated under s. 323.70 (7) (c) to determine if an emergency requiring the team's response existed. Reimbursement under this subsection is limited to the amount appropriated under s. 20.465 (3) (dr). Reimbursement is available under s. 20.465 (3) (dr) only if the local emergency response team has made a good faith effort to identify the person responsible under sub. (4) and that person cannot be identified, or, if that person is identified, the team has received reimbursement from that person to the extent that the person is financially able or has determined that the person does not have adequate money or other resources to reimburse the local emergency response team.

(4) (a) Except as provided in par. (b), a person shall reimburse a local agency as provided in sub. (5) for actual, reasonable, and necessary expenses incurred in responding to an emergency involving the release or potential release of a hazardous substance if any of the following conditions applies:

1. The person possessed or controlled a hazardous substance involved in the emergency.
2. The person caused the emergency.

(b) A local emergency response team may receive reimbursement under par. (a) only if the team followed the procedures established under s. 323.70 (7) (c) to determine if an emergency requiring the team's response existed.

(5) (a) The county board may designate a county employee or body as the reviewing entity under this subsection. If the county board does not make a designation, the local emergency planning committee is the reviewing entity.

(am) A local agency seeking reimbursement under sub. (4) shall submit a claim stating its expenses to the reviewing entity for the county in which the emergency occurred.

(b) The reviewing entity shall review claims submitted under par. (am) and determine the amount of reasonable and necessary expenses incurred. The reviewing entity shall provide a person who is liable for reimbursement under sub. (4) with a notice of the amount of expenses it has determined to be reasonable and necessary that arose from the emergency involving the release or potential release of a hazardous substance and that were incurred by all local agencies from which the reviewing entity receives a claim.

(c) If a person receiving a notice under par. (b) objects to the amount of expenses in the notice, the person may ask the reviewing entity to review its determination. The reviewing entity may modify the determine and shall notify the person of the result of its review.

(d) A person liable for reimbursement under sub. (4) shall pay the reimbursement directly to each local agency.

(6) A county may enact an ordinance in conformity with this section that governs the administration of claims under sub. (5).

Marinette County Resolution No. 90-91-27 (6/26/1990)
Designates Local Emergency Planning Committee as the reviewing entity for reimbursement of actual, reasonable, and necessary expense incurred by any local agency responding to discharges of hazardous substances.

PROCEDURE:

The Local Emergency Planning Committee will review the charges for the services of the Marinette County Hazardous Materials Response Team annually to assure that the responding services and equipment are reasonable and necessary costs to maintain the team in Marinette County.

The review will consist of a review of several of the surrounding county HazMat Teams reimbursement charges to determine a comparable rate of services for Marinette County's Hazardous Materials Response Team in regards to equipment per hour.

The City of Marinette Fire Chief in charge of the Hazardous Materials Response Team will provide these numbers and be available to the LEPC for questions based on the reimbursement cost of their agency's services.

When a Quorum is present at the LEPC, this discussion and action taken on approving the new charges will be approved.

Material Safety Data Sheets (MSDS) Files

AUTHORITY: Code of Federal Regulations
Title 42 - Chapter 116 - Subchapter II – Sec. 11021 Material Safety Data Sheets
Title 42 – Chapter 116 – Subchapter II – Sec. 11042 Trade secrets
SARA Title III – Emergency Planning and Community Right-To-Know Act:
Subtitle B – Reporting Requirements: Sec. 311 [42 U.S.C. 11021] Material Safety Data Sheets
Subtitle C – General Provisions: Sec. 322 [42 U.S.C. 11042] Trade Secrets
Wisconsin Statutes 323.60 Hazardous Substance Information and Emergency Planning

PROCEDURE:

Emergency Management Director
The LEPC has designated the Marinette County Emergency Management Director as the Community Emergency Coordinator and the Information Coordinator by default unless another designee is elected. With the combined responsibilities of both offices, Wisconsin Statutes 323.60(3) (b) and (c) apply to this position. This link is the only connection between the LEPC and Emergency Management in directly connected work activities.

The LEPC can request a MSDS sheet upon request from an owner or operator of a facility in accordance with Section 311.

The LEPC, upon request from the public, shall make available a MSDS to the person requesting it in accordance with Section 311.

Authority to Withhold information
With regard to a hazardous chemical, an extremely hazardous substance, or a toxic chemical, any person required under SARA to submit information to any other person may withhold from such submittal the specific chemical identity (including the chemical name and specific identification), as defined in regulations prescribed by the Administrator of the Environmental Protection Agency (EPA) if such a person claims that such information is a trade secret, on the basis of the factors enumerated in SARA Title III, Section 322.

Petition for Review
The LEPC will refer any person petitioning for the disclosure of the specific chemical identity of a hazardous chemical, an extremely hazardous substance, or a toxic chemical, which is claimed as a trade secret under this section to the Administrator of the EPA.

Information on Adverse Effects
In any case in which the identity of a hazardous chemical or extremely hazardous substance is claimed as a trade secret, the LEPC will refer the person who is requesting the information to the Governor or State Emergency Response Commission to identify the adverse health effects associated with the hazardous chemical or extremely hazardous substance.

In any case in which the identity of a toxic chemical is claimed as a trade secret, the LEPC will refer the person who is requesting the information to the Administrator of the EPA to identity the adverse health effects associated with the toxic chemical.

Emergency & Hazardous Chemical Inventory (Tier II) Files

AUTHORITY: Code of Federal Regulations
Title 42 - Chapter 116 – Subchapter II - Sec. 11022 Emergency and Hazardous Chemical Inventory Forms
SARA Title III – Emergency Planning and Community Right-To-Know Act:
Subtitle B – Reporting Requirements: Sec. 312 [42 U.S.C. 11022] Emergency and Hazardous Chemical Inventory Forms

PROCEDURE:

General Information
Any person may request from the LEPC, Tier Two information relating to the preceding calendar year with respect to a facility. Such a request must be in writing and shall be with respect to a specific facility. A form is available in the Emergency Management Office to request the needed information.

Automatic Provision of Information to the Public
Any Tier Two information, which a LEPC has in its possession, shall be made available to a person making a request under this paragraph in accordance with Section 312. If the LEPC does not have the requested Tier Two information in its possession, the LEPC shall request the facility owner or operator for Tier Two information with respect to a hazardous chemical which a facility has stored in an amount in excess of 10,000 pounds present at the facility at any time during the preceding calendar year and make such information available, in accordance with Sections 312/322 (Inventory Forms/ Trade Secrets) to the person making the request.

Discretionary Provision of Information to Public
A request for the Tier Two information from a person **must include the general need for the information.** The LEPC may request the facility owner or operator for the Tier Two information on behalf of the person making the request.

Response in 45 days
A LEPC shall respond to a request for Tier Two information no later than 45 days after the date of the request.

Emergency Notification Files and Follow-Up Procedure

AUTHORITY: Code of Federal Regulations
Title 42 - Chapter 116 – Subchapter I - Sec. 11004 Emergency Notification
SARA Title III – Emergency Planning and Community Right-To-Know Act:
Sec. 304 [42 U.S.C. 11004] Emergency Notification

PROCEDURE:

The Community Emergency Coordinator
The Coordinator (designated by the LEPC, currently the Marinette County Emergency Management Director) will ensure that hazardous substance discharges are reported to the Department of Natural Resources in accordance with the "Spills Law", Wis. Stats. Chapter 292.11, and Section NR 706.05(1)(b), WI Administrative Code.

The Coordinator WILL check the *List of Extremely Hazardous Substances* to determine if an extremely hazardous substance has been released. Additionally, the coordinator should remind the responsible party to contact the National Response Center if their release meets or exceeds Reportable Quantities for CERCLA or EHS chemicals (1-800-442-8802).

The Coordinator will then inform the contact person (responsible party) reporting the notification to call the Wisconsin Department of Natural Resources (via the **State Duty Officer at 1-800-943-0003**) if a prior contact has not been made to them. This step will start the implementation of the WDNR into the loop as well as assist the Responsible Party in legal contact obligations (contacting the State Emergency Response Commission).

After the incident's emergency phase is over, the Community Emergency Coordinator will request a follow-up report or record the WDNR's ID Number for the response as documentation of the mitigation of the incident.

The documents of both are filed and on record (for the length of the record retention period) at the Marinette County Emergency Management Office at 2161 University Drive, Marinette, WI 54143-3889 and are available for viewing during normal business hours.

Receiving & Processing Public Requests for Information Procedure

AUTHORITY: Code of Federal Regulations
Title 42 - Chapter 116 – Subchapter I - Sec. 11001 Establishment of State Commissions, Planning Districts and Local Committees
"The Local Emergency Planning Committee shall establish procedures for receiving and processing requests from the public for information under Section 11044 of this title, including Tier II information under Section 11022 of this title."
Code of Federal Regulations
Title 42 - Chapter 116 – Subchapter I - Sec. 11004 Emergency Notification
SARA Title III – Emergency Planning and Community Right-To-Know Act:
Subtitle C – General Provisions: Sec. 324 [42 U.S.C. 11004] Public Availability of Plans, Data Sheets, Forms and Follow-up Notices

PROCEDURE:

Availability to the Public
The LEPC's designated Information Coordinator (Marinette County Emergency Management Director) shall ensure that the following documents that have been received are available for general public viewing:

- The County-Wide Hazardous Materials Strategic Plan
- Material Safety Data Sheet (For Tier II facilities)
- Inventory Forms (Tier II forms)
- Toxic Chemical Release Form (for generators of over 10,000 lbs. and identified under specific Standard Industry Codes)
- Follow-up Emergency Notices

Availability of Information
These documents are made available to the general public during normal posted working hours at the Emergency Management Office located at 2161 University Drive in the City of Marinette.

Forms can be reviewed at the location during hours of operation. If copies are requested, a written request will be given to comply with federal statutes and a cost for copies will be charged. The current rate for Marinette County's copying costs will apply. Upon request by any facility, the LEPC shall withhold from disclosure the location of any specific chemical required by SARA to be contained in an inventory form as Tier Two information. If information is not available at the location (due to record retention or other situation) the Information Coordinator will refer the person requesting information (on behalf of the LEPC) to the State, or the Coordinator will pursue the information (if available) from Facility and Reporting Facilities (Per 42 CFR 11044) on behalf of the person requesting that information.

Notice of Public Availability
Each LEPC shall annually publish a notice in the local newspapers that the Emergency Response Plan, MSDS's, and inventory forms have been submitted under this section. The Information Coordinator will be responsible for the annual information published in a local/county-wide newspaper and periodic updates to the web site.
The LEPC shall send a certified copy of this announcement to the Wisconsin Emergency Management (WEM) through the NE Regional Director.