

# SERC Responsibilities Under EPCRA

EPCRA places full responsibility on state, tribal, and local agencies to prepare for, respond to, and protect their communities from chemical accidents. To fulfill these responsibilities, EPCRA requires states to establish certain organizations. These organizations and their responsibilities are provided in Section 301 of the law.

First, a State Emergency Response Commission (SERC) must be established in each state either through a governor's executive order or by state law. Then, each SERC is required to establish "local emergency planning districts" throughout the state, with a local emergency planning committee (LEPC) for each district.

## SERC Responsibilities

- Determine local emergency planning districts.
- Approve appointed LEPCs and TEPCs.
- Coordinate and support the activities of the LEPCs/TEPCs in their state.
- Establish procedures for receiving and processing requests from the public for information as well as emergency response plans.

Each of these responsibilities is explained in detail below.



**Determine local emergency planning districts** – EPCRA Section 301(b) required SERCs to designate emergency planning districts to facilitate preparation and implementation of emergency plans, generally by existing political subdivisions, counties or townships. Montana has designated those at the county or tribal level.



**Approve appointed LEPCs and TEPCs** – Section 301(c) requires SERCs to approve those appointed members by an LEPC or TEPC for each emergency planning district.

# SERC Responsibilities



**Coordinate and support the activities of the LEPCs/TEPCs in their state** – SERCs should assist their LEPCs and TEPCs to meet their responsibilities, as prescribed in the EPCRA statute, to protect their communities from chemical accidents. SERCs should provide proper direction for LEPCs and TEPCs to meet these requirements. They may develop guidance, attend LEPC (or TEPC) meetings regularly, assist in conducting exercises to implement the emergency response plan, assist in explaining potential risks to the community, etc. In addition, SERCs should develop guidance or fact sheets to inform LEPCs and TEPCs of any new statutory requirements, regulations or policies set by the state, and EPA and other federal agencies' regulations that may apply to them and to the regulated facilities in their community.



**Establish procedures for receiving and processing requests from the public for information as well as emergency response plans** – SERCs are required to make information submitted by facilities available to the public. To meet this requirement, SERCs should establish procedures for public requests. SERCs should also designate an official to be the information coordinator, to collect information submitted by facilities under EPCRA and to disseminate information requested by the public.

