

# Chemical Security in North Carolina

BY BILL MCCLOY

## Special points of interest:

- Learn about Chemical Security in North Carolina!
- Learn about Federal, State and Local agencies and groups that are helping to address Chemical Security and provide you with information!
- Learn about your Local Emergency Planning Committee (LEPC)
- Learn where to access information about chemical facilities in your community!

## Inside this booklet:

- The Emergency Planning and Community Right-to-Know Act (EPCRA), 1986 **2**
- Local Emergency Planning Committees (LEPCs) In a Nutshell **2**
- What is Congress Doing About Chemical Security Now? **3**
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## CHEMICAL SECURITY AND YOU IN NORTH CAROLINA

- *What chemicals are stored at the chemical facility in my town?*
- *How will I be informed and what do I do if there is a chemical accident in my town?*
- *What might happen if there were an explosion at the chemical plant near my home?*
- *How prepared is my town for a terrorist attack?*

All of the above issues involve chemical security. Chemical security means protecting against accidental and intentional releases of chemicals through physically protecting infrastructure, planning, training, conducting exercises, monitoring, and improving best-practices on the jobsite. In many communities, these activities are facilitated by a Local Emergency Planning Com-

mittee, or LEPC. LEPCs serve as liaisons between community members, industrial facilities, and local emergency management agencies and services. In North Carolina, every county falls under the jurisdiction of an LEPC, however not all of them are active.

Accidental chemical releases of varying severity occur every day in the United States. Many of these releases are minor and are contained and cleaned up before injury occurs or the environment is damaged. Unfortunately, some of these accidents do lead to injury, death, or damage to the surrounding environment.

Since the 9/11 attacks, chemical security has become exponentially more important because very little had been done to secure the nation's thousands of chemical facilities against attacks.

## THE BHOPAL DISASTER, EPCRA, AND LEPCs

LEPCs were formed in every state after the Emergency Planning and Community Right-to-Know Act, or EPCRA, passed in 1986. A major impetus for EPCRA was the Union Carbide tragedy in Bhopal, India in 1984. A methyl isocyanate (MIC) gas leak has resulted in approximately 15,000 deaths over the last 20 years and permanently injured

thousands more<sup>1</sup>. Investigations determined that the addition of water to the MIC storage tank caused the disaster, and some speculate it was intentional. Many of these deaths and injuries could have been avoided if emergency workers had known the identity of the toxic gas, its reactivity, and how to treat its victims.

U.S. law-makers, workers,



This booklet will help you learn about, and understand many of the complexities of this issue. You will learn how to access chemical security information in your community, make informed decisions, and how you can assert yourself and become involved in improving the security where you live, work, and play.

environmentalists, and public health activists wanted to prevent a tragedy like this from happening here, through planning and informing communities. EPCRA was their answer. Important aspects of EPCRA that were the result of this remarkable collaboration are still in effect today.

<sup>1</sup> <http://www.newkerala.com/news-daily/news/features.php?action=fullnews&id=58546>

## THE EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT (EPCRA), 1986

After the Union Carbide tragedy in Bhopal, India it was clear that American facilities were also vulnerable to this type of disaster. Additionally, it was evident that many communities across America had no idea what kinds of potential hazards existed in their neighborhoods. Most chemical facilities did not voluntarily engage in active community interaction, especially when it came to disclosure of chemical inventories, accident histories, and prevention measures. EPCRA was designed to address these problems through its four primary provisions:

- 1) Emergency planning (Section 101),
- 2) Emergency release notification (Section 304),
- 3) Hazardous chemical storage

reporting requirements (Sections 311-312), and 4) Toxic chemical release inventory (Section 313)<sup>1,2</sup>

Many of the programs that the EPA initiated to address these provisions have been very successful, however others have yet to reach their full potential.

•**Emergency Planning**—Initially, State Emergency Response Commissions (SERCs) created Local Emergency Planning Committees (LEPCs) across each state and appointed the original members. LEPCs must draft an Emergency Response Plan for their jurisdictions and make chemical and safety information available to the public.

•**Emergency Release Notification**—Requires prompt

notification of releases of more than 1000 hazardous chemicals to the LEPC, SERC, and fire department.

•**Hazardous Chemical Storage Reporting**—Each year facilities must complete “Tier I or II” forms which describe chemical inventories, locations, and the manner of storage for all chemicals present.

•**Toxic Chemical Release Inventory**—The EPA created its very successful Toxic Release Inventory (TRI) program to document chemical releases of more than 600 toxic substances.

<sup>1</sup>Emergency Planning and Community Right-to-Know Act. 42 U.S.C., Chapter 116 (1986).

<sup>2</sup>US EPA. 2000. Factsheet: The Emergency Planning and Community Right-to-Know Act. EPA #550-F-00-004.

## LOCAL EMERGENCY PLANNING COMMITTEES IN A NUTSHELL

LEPCs are volunteer groups that are comprised of individuals that represent many different interests. Many states have an LEPC for each county, however an individual LEPC may cover several rural counties or a single large municipality. The EPCRA law states that its members must include at least one representative from:

•**Local officials** consisting of police, fire, civil defense, public health, transportation, and environmental professionals, as well as representatives of facilities subject to the emergency planning requirements, community

groups, and the media<sup>1</sup>.

After 1986, when LEPCs were becoming active, the program served as an invigorating force that brought together people from different backgrounds. In many cases, the agency or interest that they represented had never effectively communicated with others before. The enhanced communication and networking facilitated the writing of comprehensive Emergency Response Plans, a major requirement of the EPCRA regulation. These plans serve as the backbone for responses in the event of an emergency of any kind.

To fulfill the liaison ca-

pability, the LEPCs were also tasked with providing chemical security information to the public. Many LEPCs meet regularly throughout the year and these meetings are always open to the public. While not all LEPCs have a public representative in addition to the others, an active community member can and should be appointed to each committee. Citizens can access “Tier I or II” reports (see above) and the Emergency Response Plans through the LEPCs as well.

<sup>1</sup>US EPA. 2000. Factsheet: The Emergency Planning and Community Right-to-Know Act. EPA #550-F-00-004.

### WANT MORE???

#### EPA EPCRA AND LEPC FACTSHEET:

[WWW.EPA.GOV/  
SWERCEPP/  
FACTSHEETS/  
EPCRA.PDF](http://www.epa.gov/swercepp/factsheets/epcra.pdf) \*

[HTTP://  
YOSEMITE.EPA.GOV/  
OSWER/  
CEPPOWEB.NSF/  
CONTENT/INDEX.HTML](http://yosemite.epa.gov/oswer/ceppoweb.nsf/content/index.html)

#### OFFICIAL TEXT OF EPCRA:

[HTTP://  
WWW4.LAW.CORNELL.ED  
U/USCODE/42/  
CH116.HTML](http://www4.law.cornell.edu/u/uscode/42/ch116.html)



\* To activate the hyperlinks that are throughout the publication—simply hold mouse pointer over the link and while holding the control key, click. The website will open using your default browser.

## WHAT IS CONGRESS DOING ABOUT CHEMICAL SECURITY NOW?

There are two major pieces of pending federal legislation that have been introduced since 9/11. Both have been drafted with the specific intent of addressing the current short-falls concerning chemical security in the United States.

1. The Chemical Security Act of 2003 (S.157) (Corzine, D-NJ)<sup>1</sup>
2. The Chemical Facilities Security Act (S. 994) (Inhofe, R-OK)<sup>1</sup>

The first bill was introduced by both Democrat and Independent Senators, is more comprehensive, and is being resisted by the chemical industry. It has passed through the Senate Committee on Environment and Public Works which is chaired by Senator Inhofe (R-OK).



The second bill was introduced in a bipartisan manner and lacks critical provisions that would further enhance security. The bill allows for the acceptance of existing chemical industry security standards and thus is more accepted by the chemical industry. As with the Corzine proposal, it has also successfully passed through the Senate Committee on Environment and Public

Works.

Although the titles of these acts are very similar, under the surface they differ with regards to a few very important provisions.

The most important distinction involves “inherently safer technology”. The Corzine (D-NJ) bill includes language that allows the federal government to set standards requiring chemical facilities to utilize this technology. Examples of “safer technologies” are defined in the bill and include altering processes to include less hazardous alternatives, reducing storage and transport of hazardous chemicals, and increasing efficiency, just to name a few. The chemical industry does not support this type of strict, federal regulation and is actively lobbying against it being included in any compromise legislation. For example, the American Chemistry Council (ACC) spent \$4.3 million dollars in 2002 and 2003 on their own lobbyists<sup>2</sup>.

Another major concern with the Inhofe bill involves exemptions of federal facilities (including wastewater treatment facilities, power plants, and National Park pesticide storage facilities)<sup>1</sup>. These facilities are subject to other environmental regulations and should be included.

The last major worry relates to a potential loophole in the Inhofe bill that could allow industry members to avoid tough federal security regulations. The Inhofe bill allows for compliance to be

achieved through the acceptance of existing industry standards if they are deemed “substantially equivalent” to the future federal regulations. An example of an existing industry standard is the American Chemistry Council’s Responsible Care® Security Code<sup>3</sup>. To be effective, “substantially equivalent” *must* be defined more specifically (for example including strict criteria that these programs must meet for acceptance) to avoid allowing the industry to exploit this loophole and sidestep the federal regulations, possibly putting more people at risk.

Although both bills have passed out of committee, neither has been brought to the Senate floor for debate. The aforementioned differences are currently the subject of negotiations between lawmakers, potential regulators (Dept. of Homeland Security and EPA), and the chemical industry<sup>4</sup>. According to a representative from Sen. Corzine’s office, they are currently working to find compromises between the two pieces of legislation.

Hopefully the 109th Congress can expedite this process and draft a strong, uncompromising, loop-hole free piece of legislation that will secure America’s chemical infrastructure and protect our citizens.

<sup>1</sup> Library of Congress, Legislative Information Service.

<http://thomas.loc.gov>

<sup>2</sup> US PIRG. [www.uspirg.org/](http://www.uspirg.org/).

<sup>3</sup> American Chemistry Council. [www.americanchemistry.com](http://www.americanchemistry.com)

<sup>4</sup> 108<sup>th</sup> Congress, U.S. Senate. 2004. Senate Calendar No. 509. Report 108-261.

### WANT MORE???

WHO ARE MY CONGRESSIONAL REPRESENTATIVES?

[WWW.SENATE.GOV](http://WWW.SENATE.GOV)

[WWW.HOUSE.GOV](http://WWW.HOUSE.GOV)

WANT TEXT OF THE LEGISLATION?

[HTTP://THOMAS.LOC.GOV/](http://THOMAS.LOC.GOV/)

JUST SEARCH UNDER S157 AND S994 OR ANY OTHER BILL YOU’RE CURIOUS ABOUT

### WHAT CAN I DO???

WRITE YOUR CONGRESSIONAL REPRESENTATIVES AND VOICE YOUR CONCERN ABOUT CHEMICAL SECURITY (OR INSECURITY) IN YOUR COMMUNITY AND ACROSS THE COUNTRY!

REGISTER TO VOTE IN UPCOMING ELECTIONS AND RESEARCH YOUR REGIONAL CANDIDATES STANCE ON CHEMICAL SECURITY!!

REGISTER TO VOTE LOCALLY OR ONLINE!  
[DEMOCRAT—HERE](#)  
[REPUBLICAN—HERE](#)



**WHAT'S NEW??**

**JUNE 21, 2004 WAS THE DEADLINE FOR THE LATEST SUBMISSION OF RISK MANAGEMENT PLANS TO THE EPA**

## THE CLEAN AIR ACT AMENDMENTS AND THE EPA'S RISK MANAGEMENT PROGRAM

In 1990, Congress amended the Clean Air Act. One of the new sections, titled Section 112(r), was designed to further reduce the possibility of devastating, accidental chemical releases to the air. The EPA implemented its Risk Management Program to address these concerns<sup>1</sup>. One of the most important aspects of the program in terms of mitigating chemical accidents and informing the public of potential chemical hazards in their area is the requirement for facilities to develop risk management plans, or RMPs. Initially, most of this information was made available to the public, although much of it has been restricted since 9/11 (see page 9 for more). Facilities that perform any "processes" or procedures that use more than the threshold quantities of 77 acutely toxic substances and 63 highly volatile flammable substances must comply with the Risk Management Program. If the same facility qualifies for EPCRA requirements, it must comply with both. A process is defined in the regulation as any activity that involves the use, storage, handling, manufacturing, or transportation within the facility of any of the aforementioned substances.

If a facility has a regulated process, there are four primary components of the risk management program that it must abide by. These include:

- Hazard assessment,

- A management system,
- A prevention and emergency response program,
- and a Risk Management Plan that describes these steps<sup>1</sup>

The hazard assessment includes a 5-year history of accidents involving regulated substances under the risk management program. This must include specific information about the potential or real impacts that the accident had on-site, to the environment, and to the surrounding communities. The hazard assessment must also include descriptions of a worst-case scenario and its impacts on the surrounding community, along with descriptions of alternate release scenarios. Interestingly, the off-site consequences are the only part of the risk management plans that are not available to the public.

If the off-site consequence analysis (OCA) indicates that there is a potential to harm persons living near the facility, a risk management program and a prevention program must be developed. All facilities, regardless of the results of the off-site analysis, must additionally coordinate with the LEPC or local emergency management responders.

Lastly, if the facility has its own personnel that are trained to respond to on-site chemical accidents, a detailed plan including training and practice programs must be generated and coordinated

with the surrounding region's emergency response plan through the LEPC or equivalent local emergency management authority.

<sup>1</sup> US EPA. 1999. RMPs Are on the Way! How LEPCs and Other Local Agencies Can Include Information from Risk Management Plans in Their Ongoing Work. EPA #550-B99-003.

*"According to EPA, 123 chemical facilities located throughout the nation have accidental toxic release "worst-case" scenarios where more than one million people in the surrounding area could be at risk of exposure to a cloud of toxic gas"—GAO Report GAO-03-439*



**CONTACT THE REGIONAL EPA OFFICE IN ATLANTA FOR INFORMATION**

**U.S. ENVIRONMENTAL PROTECTION AGENCY  
REGION 4  
SAM NUNN ATLANTA FEDERAL CENTER  
61 FORSYTH STREET, SW  
ATLANTA, GA  
30303-3104**

**1-800-241-1754**

[HTTP://WWW.EPA.GOV/REGION4/](http://www.epa.gov/region4/)

**AS OF 2002, NORTH CAROLINA HAD 357 RMP FACILITIES. NC EXPECTS TO HAVE ABOUT 350 FACILITIES THAT SUBMIT RMPs BY THE JUNE, 2004 DEADLINE**

## STATUS OF CHEMICAL SECURITY IN THE U.S. TODAY

After the September 11, 2001 terrorist attacks, many aspects of the country's infrastructure were reevaluated with respect to the potential vulnerabilities to, and implications of, future attacks. This investigation focused on the estimated 66,000 facilities located across the country that make up the various chemical industries<sup>1</sup>.

The EPA Risk Management Program includes approximately 15,000 facilities and covers more than 20,000 chemical processes, many of which are required to submit "worst-case" scenarios<sup>2</sup>. These "worst-case" scenarios generally involved accidents and not terrorist activities. According to a study carried out by the United States General Accountability Office the EPA has listed 123 chemical facilities across the country whose "worst-case" chemical scenarios put more than one million people in the surrounding areas at risk of exposure to a toxic cloud if the

accident were to occur<sup>2</sup>. These "worst-case" scenarios could easily represent the potential effects of a terrorist attack on these facilities. None of the aforementioned 123 facilities exist in N.C., however two facilities owned by members of what the U.S. Public Interest Research Group (U.S. PIRG) dubs the "Dangerous Dozen" have the potentially to collectively threaten approximately 902,000 people if their "worst-case" scenario were to occur<sup>3</sup> (See Blue Box ? ).

Although EPCRA and EPA's Risk Management Program could be utilized or interpreted to increase chemical security the fact remains that, "No federal laws explicitly require that chemical facilities assess vulnerabilities or take security actions to safeguard their facilities from Attack"<sup>3</sup>. (GAO Report GAO-04-482T). Voluntary, industry based security programs exist, however the scope of these is unknown.

- An Army Surgeon General study stated that with regards to the magnitude of hazard to the public, an attack on a chemical plant would be second only to a widespread biological attack (US PIRG)<sup>4</sup>.
- The U.S. Public Interest Research Group (U.S. PIRG) identified 12 companies whose many facilities collectively threaten approximately 100 million people (U.S. PIRG)<sup>4</sup>.

<sup>1</sup>US Executive Office. 2003. "The National Strategy for the Physical Protection of Critical Infrastructures and Key Assets."

<sup>2</sup>US GAO. 2003. GAO-03-439. Homeland Security: Voluntary Initiatives Are Under Way at Chemical Facilities, but the Extent of Security Preparedness Is Unknown.

<sup>3</sup>US GAO. 2004. GAO-04-482T. Federal Action Needed to Address Security Challenges at Chemical Facilities.

<sup>4</sup>U.S. Public Interest Research Group Report (U.S. PIRG). "Dangerous Dozen: A Look at How 12 Chemical Companies Jeopardize Millions of Americans"

### WANT MORE??

#### CHECK OUT:

**GAO REPORTS:**  
**GAO-03-439 AND**  
**GAO-04-482T @**  
[WWW.GAO.GOV](http://WWW.GAO.GOV)

**U.S. PIRG REPORT:**  
**DANGEROUS DOZEN: A**  
**LOOK AT HOW 12**  
**CHEMICAL COMPANIES**  
**JEOPARDIZE MILLIONS OF**  
**AMERICANS, JUNE,**  
**2004**

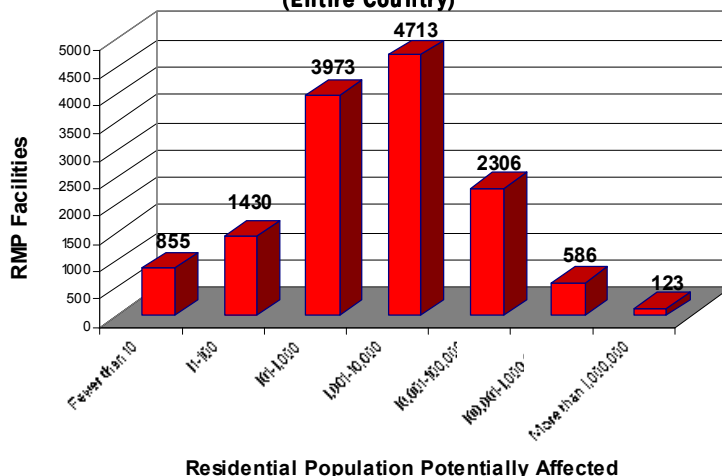
[VIEW REPORT](#)  
[HERE](#)

**NC FACILITIES:**  
**1) JCI JONES, CHARLOTTE**  
**878,000 PEOPLE**  
**2) DuPONT**  
**24,000 PEOPLE**

*"No federal laws explicitly require that chemical facilities assess vulnerabilities or take security actions to safeguard their facilities from Attack"*  
 - GAO Report  
 GAO-04-482T



**Number of Risk Management Program Facilities and Number of Potentially Threatened Residents in Worst-Case Accident Scenarios (Entire Country)**



Source: US EPA Data

## LEPC ACTIVITY IN NORTH CAROLINA



In North Carolina, all 100 counties, as well as the Eastern Band of the Cherokee Indians, are covered by an LEPC. Four counties have formed a regional LEPC and two counties have joined their LEPCs together. As of 2003, LEPCs were considered active in 69 of the 101 counties. Activity is defined as having met as a group in the last year. The goal of the NC Emergency Response Commission is to eventually achieve LEPC activity in 100% of the counties.



If federal law mandates that these LEPCs are supposed to exist and perform certain duties each year, why are there still so many inactive LEPCs in North Carolina? There is not one answer to this question and it is likely due to a combination of different factors. First, the North Carolina EPCRA Coordinator does not have the power to force an LEPC to become active. There is no regulatory “hammer” that can be used. Instead, persistent encouragement of the individual LEPCs is the only option and each year, more and more LEPCs are re-



activating and meeting regularly. For example, there were active LEPCs in only 50 counties in 1999.

Related to this lack of strict state oversight is the fact that each county in North Carolina has the freedom to operate in a somewhat autonomous manner from other counties and the state government. Therefore, LEPCs have assumed many different shapes and forms over the last 17 years. Some counties have used their LEPC as a framework for their emergency management operations, while in others the normal activities of a LEPC are accomplished through other county departments or agencies and the responsibilities of the LEPC in itself are minimized. An example of this shift of functions includes Buncombe County which retains an active LEPC. A Terrorism Advisory Group meets bi-monthly and has assumed many of the LEPCs normal activities.

Another problem facing LEPC activity in many counties has been an attitude that “it can’t happen here.” There

are some counties with very few facilities that qualify for Tier II reporting or the Risk Management Program. According to North Carolina Emergency Management officials, the 9/11 terrorist attacks have helped erase that feeling in some places and there is more money available to conduct training and exercises and to update equipment. Unfortunately, this attitude still persists in some places, and in others LEPCs remain idle for other reasons, or combinations of those mentioned.

Just as the individual LEPCs themselves vary, so do their activities. There are many that are very active and involved in the emergency planning and outreach to the public in their area. Many LEPCs organize drills and exercises designed to test their plans and protocols. Wake County runs a conference each year called the Business Environmental and Safety Training Conference or “B.E.S.T. Conference”. Many of the LEPCs are using grants to update emergency operation plans and conduct studies on their counties.



### MORE, MORE, MORE! INFORMATION ON LEPCs IN NORTH CAROLINA

N.C. EMERGENCY MANAGEMENT (NCEM) @ [WWW.DEM.DCC.STATE.NC.US](http://WWW.DEM.DCC.STATE.NC.US)

LEPC ANNUAL REPORTS—THESE REPORTS DESCRIBE LEPC ACTIVITY AND OTHER INFORMATION AND ARE AVAILABLE FROM NCEM

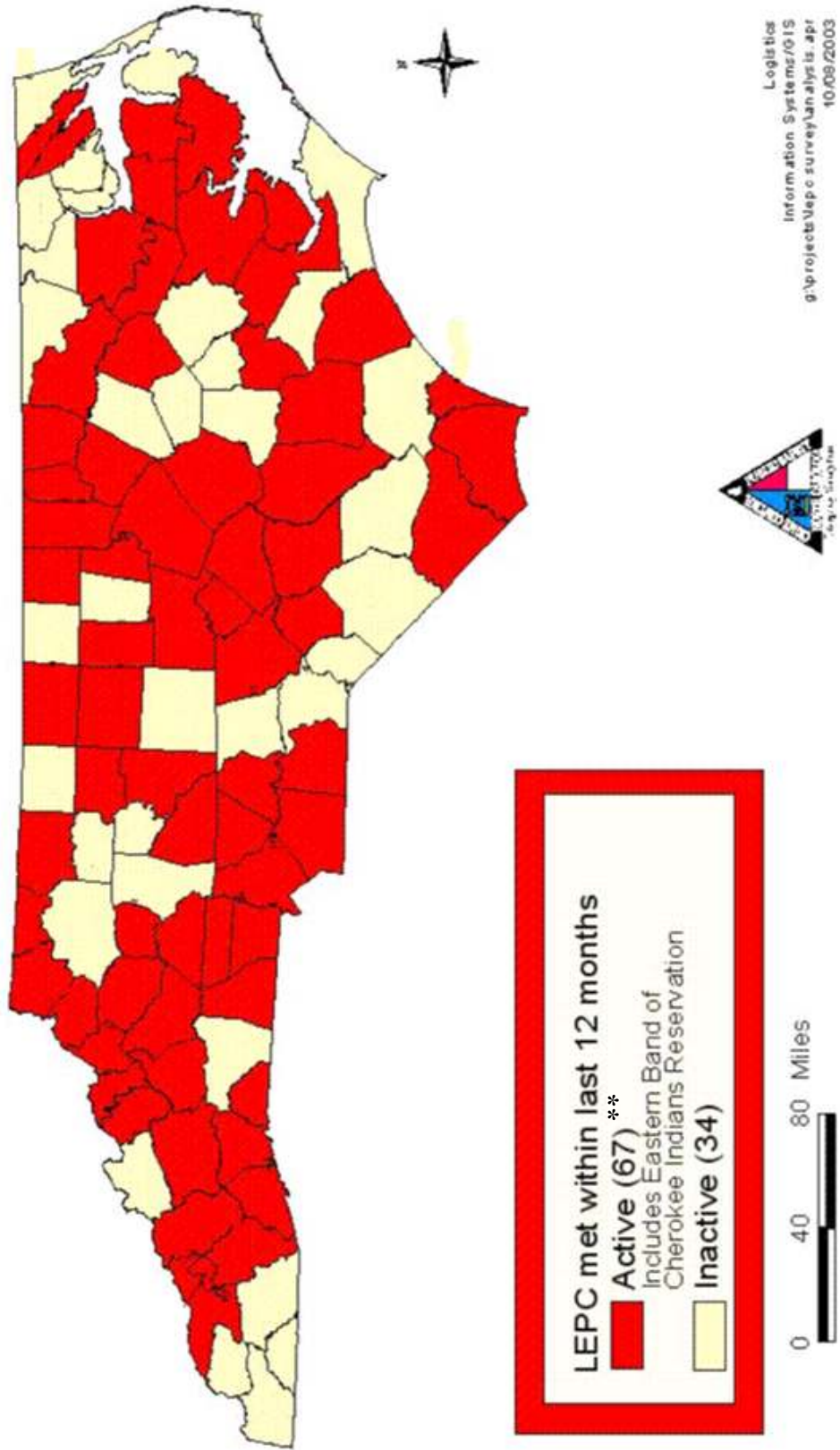
CONTACT: FELICIA PYLE, STATE EPCRA COORDINATOR  
NC DIVISION OF EMERGENCY MANAGEMENT

E-MAIL: [FPYLE@NCEM.ORG](mailto:FPYLE@NCEM.ORG) PHONE: (919) 715-4406

\*\*\*

CONTACT YOUR COUNTY’S EMERGENCY MANAGEMENT OFFICE FOR LEPC CONTACTS,  
ASK WHEN YOUR LEPC IS MEETING, AND THEN ATTEND THE MEETINGS!!  
ASK YOUR LEPC FOR TIER II REPORTS FROM FACILITIES IN YOUR AREA

# 2003 LEPC Status



\*\*Iredell and Stokes County are also active although not indicated on this map.  
Original Map provided by N.C. Emergency Management—State EPCRA Coordinator

## STATUS OF CHEMICAL SECURITY IN NORTH CAROLINA



Today, the status of chemical security in North Carolina is unclear. Many LEPCs are working to draft terrorism appendices for their county's emergency operations plans and conducting exercises and updating equipment. However, as you know, there are no mandated requirements to address this issue and preparations across the state are occurring in a piecemeal fashion.

Therefore, aside from planning at the county level, security at the individual facilities varies widely. It is likely that some facilities have not changed their security much at all. Safety and security improvements can require a major capitol investment and during the recent recession, this was an investment that became harder to justify. Another important factor involves the

business philosophy for each individual company. There are some companies that emphasize safety and security and craft business plans to address these issues. Other companies are more focused on maximizing profit and security is not a top priority, especially while it remains voluntary.

According to the American Chemistry Council (ACC), its members are required to conform to the Responsible Care® Security Code. Although this code requires members to conduct comprehensive security vulnerability assessments, implement security enhancements, and obtain independent verification of those enhancements, many citizens' groups see it as a way to avoid enforceable federal security regulations<sup>1</sup>. Moreover, these facilities only

make up a very small percentage of the state's chemical facilities<sup>1</sup>.

So what is the future of chemical security in N.C.? Barring any federal or state legislation, security improvements will likely occur at the discretion of the individual companies. However, N.C. LEPCs can play a role, especially if they make security improvements a priority and exert some pressure on local facilities. North Carolina's citizens can also make a difference by attending their LEPC meetings, seeking information about hazardous materials at local facilities, and calling for pollution prevention and less hazardous operations.

<sup>1</sup> American Chemistry Council (ACC). Accessed online: [www.americanchemistry.com](http://www.americanchemistry.com)

*"[the administration] ought to lead this nation to take every step to prevent one of our own chemical plants from being turned into a weapon of mass destruction against our own people."*

- Sen. John Kerry

([www.johnkerry.com/pressroom/clips/news\\_2004\\_0430.html](http://www.johnkerry.com/pressroom/clips/news_2004_0430.html))

## A CALL TO ACTION!!!

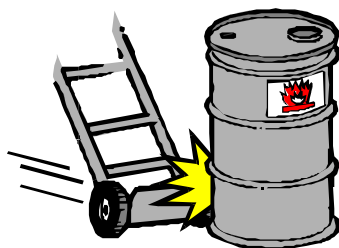
The most important reasons to act are to change the lackadaisical attitude concerning chemical security in North Carolina and improve protection, awareness, and safety everywhere. Representatives from five LEPCs across the state including Buncombe, Haywood, Wake, Durham, and Granville Counties contributed to this report. The State EPCRA and Risk Management Program Coordinators and LEPC representatives from Duke University also added their insight. *All of them* indicated that they have experienced very little or no interaction with their surrounding community mem-

bers whom they are supposed to serve.

Why? Most of them feel that it is a general lack of interest in the issue and a overall sense of complacency about the potential hazards that exist. Others feel that the general mentality of their constituents mirrors the "it can't happen here" attitude of many LEPCs and commented that much of society in general has become too willing to wait for a serious event to spur a response. Instead, community members and LEPCs should be working harder now to plan and prepare ahead of time before these events occur.

### WHAT CAN YOU DO??

- **ATTEND YOUR LEPCs MEETINGS AND INFORM YOURSELF AND YOUR NEIGHBORS!**
- **BECOME YOUR LEPCs PUBLIC REPRESENTATIVE IF THERE ISN'T ONE ALREADY!**
- **IF YOUR COUNTY'S LEPC IS INACTIVE—DEMAND THAT THEY REACTIVATE!**
- **REGISTER TO VOTE! RESEARCH YOUR LOCAL CANDIDATES POSITIONS ON CHEMICAL SECURITY**





## THREATS TO YOUR RIGHT-TO-KNOW

Since the 9/11 terrorist attacks, the federal government has restricted access to important public information concerning chemical security. Some of the information would be a legitimate threat to national security if it was used by terrorists. An example of this type of information are the actual Risk Management Plans for facilities in the Risk Management Program. This information used to be available on the U.S. EPA website. These plans contained lists of hazardous chemicals along with maps depicting their storage locations and other potentially harmful information.

These plans also contained the Off-site Consequence Analyses (OCA) for the facilities. The OCA describes the potential worst-case scenarios in the event of

an accident or terrorist attack. They include maps of the surrounding area and the number of residents that would be at risk if certain hazardous chemicals were released.

In another case of inhibited data access, the EPA has changed the way the 2002 TRI data was released according to the nonprofit government accountability group OMB Watch.<sup>1</sup> Normally there is a full Public Data Release (PDR) associated with the database that includes hundreds of pages of easy to understand data and simple graphs. This year, the PDR consisted of a short summary. Additionally, the

database itself was only made available through the EPA's TRI Explorer website. This website can be difficult to use for people who are not familiar with the data and generates cumbersome data reports. Not only does this limit access to those with internet services, but it impedes the ability of many people to fully understand the data and in turn educate themselves and their communities.

<sup>1</sup> BushGreenwatch. 2004. "EPA Narrows Access to Toxics Release Data." [www.bushgreenwatch.org](http://www.bushgreenwatch.org)



**YOU CAN ACCESS SOME RISK MANAGEMENT PLAN (RMP) DATA AT:**

[WWW.RTKNET.ORG/RTKDATA.HTML](http://WWW.RTKNET.ORG/RTKDATA.HTML)

**FIND OUT WHAT FACILITIES IN YOUR AREA ARE EMITTING—GO TO U.S. EPA TOXIC RELEASE INVENTORY:**

[WWW.EPA.GOV/TRI/](http://WWW.EPA.GOV/TRI/)

**READ A GREENPEACE REPORT ON CHEMICAL SECURITY**

[READ REPORT HERE](#)

### HOW TO CHECK THE PULSE OF YOUR LEPC: (QUESTIONS TO GET YOU STARTED)

1. HOW OFTEN DOES YOUR LEPC MEET?
2. IS THERE A REPRESENTATIVE FROM THE PUBLIC ON THE COMMITTEE? IF NOT, HOW CAN ONE BE APPOINTED?
3. IS THE PUBLIC NOTIFIED OF THESE MEETINGS? HOW? AND IF NOT, WHY?
4. ARE THE NAMES OF THE LEPC MEMBERS AND THE MINUTES FROM THE MEETINGS AVAILABLE?
5. ARE THERE OTHER COMMITTEES THAT HAVE BEEN FORMED IN YOUR COUNTY TO ADDRESS HOMELAND SECURITY? ARE THEY OPEN TO MEMBERS OF THE COMMUNITY?
6. DOES YOUR COUNTY HAVE AN UPDATED EMERGENCY OPERATION PLAN?

# Clean Water For North Carolina

*Working with communities for clean, safe places to live, work and play.*



## Contact Us!!

29 1/2 Page Avenue

Asheville, NC 28805

(828) 251-1291

or

2009 Chapel Hill Road

Durham, NC 27707

(919) 401-9600

Email: [info@cwfn.org](mailto:info@cwfn.org)

*Since 1984 Clean Water for North Carolina (CWFNC, formerly the Clean Water Fund of North Carolina) has worked for clean, safe communities and workplaces with hundreds of communities and thousands of North Carolinians.*

*CWFNC is a private non-profit membership organization serving residents across the state of North Carolina. We have a very active and diverse board and staff, dozens of volunteers and hundreds of members who work hard to make North Carolina a better place.*

*We have helped people in every county of North Carolina through organizing and technical assistance, and have been a key player in many statewide environmental issues. CWFNC researches environmental problems, analyzes public policy, and educates and empowers people.*

[www.cwfn.org](http://www.cwfn.org)

## SPECIAL THANKS!

- The Stanback Internship Program
- Representatives of the following LEPCs: Haywood County, Wake County, Buncombe County, Durham County, and Granville County
- North Carolina Emergency Management
- Erin McIntyre, Risk Management Program
- Felicia Pyle, Current State EPCRA Coordinator
- Anthony Bonapart, Former State EPCRA Coordinator
- Duke University Occupational and Environmental Safety Office
- Duke University Nicholas School of the Environment and Earth Sciences