**Procedure for Requesting Viewing of Emergency Off-Site Response Plans and Tier II Reports**

**For County Level LEPC under EPCRA and Pennsylvania Emergency Management Statutes**

**1. Purpose**

To establish a standardized process for requesting and reviewing Emergency Off-Site Response Plans and Tier II reports while ensuring compliance with EPCRA and Pennsylvania emergency management statutes, maintaining confidentiality, and security awareness.

**2. Scope**

This procedure applies to all individuals or entities requesting access to Emergency Off-Site Response Plans and Tier II reports maintained by the County Level Local Emergency Planning Committee (LEPC).

**3. Authority and Legal Basis for Public Access**

**3.1 EPCRA (Emergency Planning and Community Right-to-Know Act)**

* **Tier II Reports:**
Under EPCRA Section 324, LEPCs must make Tier II chemical inventory reports available for public inspection. Information considered sensitive or presenting an undue risk to public safety (e.g., security-sensitive details) may be withheld or redacted.
* **Emergency Off-Site Response Plans (EOSRPs):**
EPCRA encourages public involvement in emergency planning but does **not require full public disclosure** of EOSRPs due to security concerns. LEPCs typically restrict full plan access to authorized personnel such as emergency responders, government officials, and other qualified individuals.

**3.2 Pennsylvania Emergency Management Services Code (35 Pa.C.S. § 7101 et seq.)**

* Establishes the framework for emergency management in Pennsylvania, supporting LEPCs in managing emergency plans and ensuring confidential handling of sensitive information.

**4. Definitions**

* **Emergency Off-Site Response Plan (EOSRP):** Coordinated response plan for hazardous chemical incidents.
* **Tier II Reports:** Facility-submitted annual chemical inventory reports under EPCRA Section 312.
* **Requestor:** Individual or organization requesting access to LEPC documents.
* **Confidential Information:** Data exempt from public disclosure due to security or proprietary concerns under EPCRA and Pennsylvania emergency management laws.

**5. Request Submission**

**5.1 Eligibility**

Requests may be submitted by LEPC members, local emergency responders, government officials, the public, and authorized parties involved in emergency planning and response.

**5.2 Request Format**

Requests must be in writing (email or letter) and include:

* Requestor’s name, organization, and contact info.
* Purpose of the request.
* Specific documents requested (Facility Specific EOSRPs & Tier II reports).

**5.3 Confidentiality Acknowledgment**

Requestors must sign an agreement to:

* Maintain confidentiality of sensitive information.
* Not disclose or misuse the information.
* Understand penalties for violations under federal and state laws.

\*Please see the Request Form

**6. Review and Approval Process**

**6.1 Initial Review**

LEPC Administrator reviews request for completeness and eligibility.

**6.2 Security Screening**

Verify requestor’s identity and authority; identify sensitive information for redaction or restricted access.

**6.3 Approval**

LEPC Chair or designee approves or denies the request; denials documented and explained.

**7. Viewing and Handling Procedures**

**7.1 Viewing Location**

Documents viewed **on-site at secure LEPC facilities** or other authorized locations; remote access is not allowed.

**7.2 Supervision**

LEPC staff supervises all document reviews; requestors may not remove or copy documents without explicit authorization.

**73. Personal Belongings**

Only paper and writing utensils are permitted in the viewing area. All other personal belongings such as bags, phones, electronic devices, cameras, or recording devices must be left outside the viewing area or securely stored as directed by LEPC staff.

**7.4 Record-Keeping**

Maintain detailed logs of access including date/time, documents reviewed, requestor’s info, and supervising staff.

**8. Data Security and Confidentiality**

**8.1 Handling Sensitive Information**

Sensitive information shall be redacted or access restricted as required by EPCRA and Pennsylvania emergency management laws.

**8.2 Confidentiality Training**

LEPC staff and authorized requestors shall receive periodic training on confidentiality and data protection.

**8.3 Data Disposal**

Authorized copies must be securely returned or destroyed in compliance with LEPC policy.

**9. Non-Compliance and Penalties**

Unauthorized disclosure or misuse may result in revocation of access and potential legal penalties under EPCRA, Pennsylvania Emergency Management Services Code, or other applicable laws.

**10. Contact Information**

**Gene Miketa, LEPC Chairman**
Beaver County Local Emergency Planning Committee
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**11. Document Review**

This procedure will be reviewed annually and updated as needed.