Presented by: Assembly Lands Committee
Introduced: 05/21/90
Drafted by: B.J.B.

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 1443

A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU RECOMMENDING THAT THE CITY AND BOROUGH OF JUNEAU BE DESIGNATED BY THE ALASKA STATE EMERGENCY RESPONSE COMMISSION AS A LOCAL EMERGENCY PLANNING DISTRICT UNDER SARA TITLE III, AND ESTABLISHING A LOCAL EMERGENCY PLANNING COMMITTEE.

WHEREAS, the Emergency Planning and Community Right-to-Know Act of 1986 - Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA Title III), establishes requirements for industry and federal, state, and local governments regarding emergency planning and community right-to-know reporting on hazardous materials and toxic chemicals, and

WHEREAS, the community right-to-know provisions of SARA Title III will help to increase the public's knowledge and access to information on the presence of hazardous chemicals in the community and releases of these chemicals into the environment, and

WHEREAS, pursuant to SARA Title III, Governor Cowper has established the Alaska State Emergency Response Commission (SERC) chaired by the commissioner of the Alaska Department of Environmental Conservation, and

WHEREAS, under SARA Title III, the SERC must designate Local Emergency Planning Districts (LEPD) and appoint Local Emergency Planning Committees (LEPC) nominated by each LEPD, and

WHEREAS, each LEPC is responsible for collecting and making available information on extremely hazardous substances in its district, and preparing an emergency response plan to be used in the event of a hazardous material spill or leak, and

WHEREAS, the SERC has requested that the local government jurisdictions in Alaska accept the designation as LEPD's and nominate persons to serve on their LEPC, and

WHEREAS, the Ad Hoc Hazardous Materials and Hazardous Waste Committee established by the Assembly in January 1989 by Resolution No. 1350, thoroughly examined this issue and recommended in its report dated March 1990 that the Assembly recommend that the City and Borough of Juneau be designated by the SERC as an LEPD, and

WHEREAS, the committee further recommended that the Assembly establish an LEPC, and nominate the members of the LEPC for appointment by the SERC, and

WHEREAS, the 1988 revisions to the Comprehensive Plan called for the completion of an emergency disaster management plan for the city and borough and the establishment of an LEPC, and

WHEREAS, the Assembly has determined that it is appropriate for the City and Borough of Juneau to be designated by the SERC as an LEPD and establish an LEPC under SARA Title III;

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

A. Designation as LEPD. The Assembly recommends that the City and Borough of Juneau be designated by the Alaska State Emergency Response Commission as a Local Emergency Planning District under SARA Title III.

B. Establishment of LEPC. A Local Emergency Planning Committee is hereby established as provided in SARA Title III to be composed of not more than 20 members nominated by the Assembly and appointed by the SERC to serve for three-year staggered terms. The LEPC members shall include representatives from the following groups and organizations:

(1) Elected state and local officials;

(2) Law enforcement;

(3) Civil Defense;

(4) Firefighting;

(5) First aid;

(6) Health;

(7) Local environmental;

(8) Bartlett Memorial Hospital;

(9) Transportation personnel;

(10) Broadcast and print media;

(11) Community groups;

(12) Owners and operators of facilities subject to the requirements of SARA Title III;

(13) U.S. Coast Guard.

C. Purpose of the LEPC. The purpose of the LEPC shall be:

(1) To collect, manage, and provide public access to information on hazardous chemicals within the city and borough.

(2) To develop a comprehensive emergency response plan for the city and borough and keep the plan up-to-date. The plan shall include:

(a) Identification of hazardous materials facilities and transportation systems.

(b) Emergency response procedures.

(c) Designation of a community emergency coordinator and facility emergency coordinators.

(d) Procedures for reliable, effective, and timely notification of hazardous materials spills or leaks to designated persons and to the public.

(e) Methods for determining the occurrence and affected area of a hazardous material release.

(f) Description of emergency equipment and facilities subject to SARA Title III requirements and persons responsible.

(g) Evacuation plans in the event of a hazardous material release.

(h) Training of emergency responders.

(i) Methods and schedules for exercising the emergency response plan.

(3) To receive information concerning accidental chemical releases in the city and borough.

(4) Assist the city and borough in the development of a comprehensive emergency response plan for all potential emergencies which may affect the Juneau area, including earthquakes and avalanches.

(5) To study and make recommendations on the regulation of transportation routes for hazardous materials, including an assessment of the enforcement of state and federal transportation laws, and investigation of off-loading of explosives to determine the safest way to bring them into the community.

(6) To coordinate information on hazardous materials shipped to and from Juneau between the U.S. Coast Guard, the fire department, and other appropriate agencies.

(7) To work with the mining companies and the business community in the Juneau area to encourage them to participate in the community right-to-know and the chemical inventory reporting systems under SARA Title III.

(8) To make recommendations on the safest locations for storage and transshipment facilities for hazardous materials in the city and borough, and work for more active enforcement of regulations relating to transshipment storage of hazardous materials.

D. Submission of Resolution and LEPC Nominations to SERC. This resolution and any other documentation necessary for designation of the City and Borough of Juneau as an LEPD shall be submitted to the SERC for approval. In addition, the list of the persons, and the organizations that they represent, nominated by the Assembly to serve on the LEPC shall be submitted to the SERC for appointment to the LEPC by the SERC.

E. Staff Assistance. Staff support and assistance to the LEPC shall be provided by the manager's office, as available and appropriate.

F. Effective Date. This resolution shall be effective immediately upon adoption.

Adopted this 21st day of May, 1990.

Mayor

Attest:

Clerk