

**CITY AND BOROUGH OF SITKA  
RESOLUTION 99-727**

**A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF SITKA, ALASKA,  
REPEALING RESOLUTION 92-516 AND ESTABLISHING CURRENT  
GUIDELINES FOR SITKA'S LOCAL EMERGENCY PLANNING COMMITTEE**

WHEREAS, the federal government has established environmental laws on hazardous waste, such as the Resource Conservation and Recovery Act (RCRA), the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA/Superfund), Underground Storage Program (UST/LUST), and continues to add new laws, regulations, and interpretations on environmental concerns; and

WHEREAS, Congress, as part of Superfund 1986 (SARA III) enacted the Emergency Planning and Community Right-to-know Act which establishes Local Emergency Planning Districts and Committees; and

WHEREAS, the State of Alaska has also adopted environmental and hazardous waste laws and regulations which conform to and supplement the federal laws and regulations; and

WHEREAS, the City and Borough of Sitka has a desire to fully participate in the implementation of federal and state laws, including SARA Title III; and

WHEREAS, the City and Borough of Sitka enacted Resolutions 89-406 and 89-441 which established and set forth rules of operation for a committee in efforts to comply with these laws, and then enacted Resolution 92-516 which repealed Resolutions 89-406 and 89-441 and attempted to clarify the municipality's relationship with the committee; and

NOW THEREFORE, BE IT RESOLVED by the Assembly of the City and Borough of Sitka that Resolution 92-516 is hereby repealed and Resolution 98-710 is enacted to effect the following:

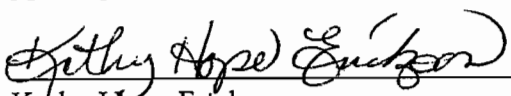
1. The Environmental Compliance and Citizen's Right-to-know Committee shall be called Sitka Local Emergency Planning Committee (LEPC).
2. The boundaries for the authority of the Local Emergency Planning District (LEPD) shall be the boundaries of the City and Borough of Sitka as those boundaries encompass the authority and the jurisdiction of the City and Borough of Sitka.
3. The Sitka LEPC shall consist of a minimum of seven members. According to AS 26.23.073(d) the Assembly shall approve each candidate and the category each wishes to serve on the local committee and will recommend that appointment to the State Emergency Response Commission (SERC) which appoints all members to LEPCs.
4. The Sitka LEPC will comply with all SERC policy and procedures, including committee membership from each of the following categories:
  - a. Elected local officials;
  - b. Law enforcement, civil defense, fire-fighting, first aid, health, local environmental, hospital, and transportation personnel;
  - c. Broadcast or print media;
  - d. Community groups;
  - e. Owners and operators of applicable facilities;

- f. Members of the public that are not described in a.- e. above.  
Additionally, the following category will be included:
- g. LEPC Information Coordinator/SERC liaison to respond to public and governmental requests.
5. The intent of the committee membership categories listed above is to provide as broad a range of expertise as possible on the Sitka LEPC.
  6. Members will serve without compensation for staggered three-year terms.
  7. The Sitka LEPC will elect annually from its members a Chairperson and Vice-chairperson and any other officers deemed necessary.
  8. Vacancies, attendance, and appointments shall be governed by the rules for Boards and Commissions in the Sitka General Code, and relating them to the rules of AS 26.23.073.
  9. The Sitka LEPC shall meet at least once per month and at a time and place designated by the committee.
  10. The Sitka LEPC shall comply with state statutes and municipal ordinances governing public meetings and reasonable public notice of meetings.
  11. Four members (with at least one from four of the major categories listed in 4. above) shall constitute a quorum for transaction of business.
  12. The staff liaison shall be from the Sitka Fire Department
  13. The Sitka LEPC shall have the responsibilities as established in AS 26.23.010 (1 - 4), 26.23.060, and 26.23.075, as well as:
    - a. The identification of facilities and transportation routes for extremely hazardous substances;
    - b. Emergency response procedures on-site and off-site;
    - c. Emergency notification procedures;
    - d. Methods for determining the occurrence of a release and probable affected area(s) of population;
    - e. Description of community and industrial emergency equipment and facilities and the identities of the persons responsible for them;
    - f. Evacuation plans;
    - g. Descriptions of schedules of training programs for emergency response personnel; and
    - h. Methods and schedules from emergency response plan.
  14. The Sitka LEPC shall publish an annual notice in local newspapers announcing that the following are available: an emergency response plan, extremely hazardous substances MSDS, Tier II Chemical Inventory reporting forms, and inventory forms.
  15. Most importantly, the LEPC shall prepare and implement a plan for emergency response, manage the paperwork flow of submissions from industry and their disclosure in response to requests. This involves handling, filing, and tracking reports and preparing data for delivery to the public.
  16. The Sitka LEPC shall prepare an annual report to the Assembly on the status of the municipality's environmental compliance and the present status of federal and state requirements for environmental compliance.

PASSED, APPROVED, AND ADOPTED this 30<sup>th</sup> day of March, 1999.

  
Dennis Rogers, Deputy Mayor

ATTEST:

  
Kathy Hope Erickson  
Municipal Clerk