

Wisconsin LEPC Newsletter

December 2023 Vol. 3

This newsletter is a joint venture between a workgroup of Wisconsin Emergency Management (WEM) and statewide county emergency management representatives. This workgroup was formed to provide guidance and training to Local Emergency Planning Committees (LEPC), as they work to reenergize and improve participation in emergency planning in their communities.

LEPC

Struggling with Media representation on your LEPC? Some shared considerations to fill Group 3 include:

- TV/Radio Station Managers
- Newspapers
- Website Developer
- Trade Journal Editors/Reporters
- ARES/RACES
- Online Media/social media
- Local Weather Reporters
- County PIO

Transmittal Updates

The EPCRA Planning Subgroup has updated the Transmittal Forms for use in 2024 for the Offsite Plans, the County Wide Hazardous Materials Plan-Strategic Plan, County-Wide Farm Plan and Hazardous Materials County Wide Sulfuric Acid Battery Plan.

The new Forms can be found in WebEOC>Advanced File Library>EPCRA>(appropriate folders).

EPA News

EPCRA 311-312 Reporting Requirements Update: Lithium-Ion Batteries

Per EPA, OSHA has determined that lithium-ion batteries are not considered to be “articles” and are subject to the OSHA HCS regulations. Lithium-ion batteries are not considered to be articles because although they are sealed, they have the potential to leak, spill, or break during normal conditions of use and in foreseeable emergencies causing exposure to chemicals. This means, unless a facility qualifies for the Consumer Product Exemption (see source link for more information), any facility with 10,000 pounds or more of lithium-ion batteries will be subject to EPCRA (312) Tier II reporting. [More information here.](#)



EPA Issues Advanced Notice of Proposed Rulemaking for Reporting Animal Waster Air Emissions at Farms under EPCRA

The EPA is soliciting information pertaining to and is requesting comments to assist in the potential development of regulations to reinstate the reporting of animal waste air emissions at farms under EPCRA. EPA is soliciting comments under five general categories: health impacts; implementation challenges; costs and benefits; small farm definition and potential reporting exemption; and national report on

Grant Deadlines

- EPCRA POW program requirements must be completed by December 31st. Both the Program Report and Fiscal Report will be due January 31, 2024.
- EPCRA State Computer and HazMat Response Equipment Grant Reimbursement Request is due on December 15.
- Quarterly Report for HMEP Grants is due January 12, 2024.

Training/Conference

- [Rail Car Incident Response – February 3, 2024, Chippewa Falls, WI](#)
- [WAHMR Conference, March 6-7, 2024, Stevens Point, WI](#)
- [WI Governor’s Conference, March 13-15, 2024, Lake Geneva, WI](#)

Resources

- <https://wem.wi.gov/epcra/>
- <https://www.epa.gov/>
- <https://wi.webeocasp.com/wi/default.aspx>
- <https://www.epa.gov/epcra/consolidated-list-lists>
- <https://www.epa.gov/cameo/what-cameo-software-suite>
- <https://www.epa.gov/cameo/cameo-data-manager-software>
- <https://www.epa.gov/epcra/national-lepc-tepc-handbook>
- <https://dnr.wisconsin.gov/topic/Brownfields/botw.html>

animal waste air emissions. Requiring reporting of animal waste air emissions may advance the community right-to-know aspect of EPCRA by providing the public with information that may impact their health and the environment. This information may advance EPA's environmental justice goals of increasing the awareness of the potential impact these emissions have on communities with environmental justice concerns. Comments can be submitted at <https://www.regulations.gov> by February 15, 2024.

Commodity Flow Study

The regional Commodity Flow Study (CFS) should be underway in all WEM regions. The 2023 CFS includes: rail lines, pipelines, and local roads. In an effort to assist the contractor, each county that has a rail line running throughout their county can request a Flow Density Study/Report directly from the rail line. A density flow report will list the types and amounts of hazardous shipments that move through the county, typically for a one-year period. The completion date for the regional CFS remains March 31, 2024.

Statewide Incident

On Thursday, July 27, 2023, at 5:07 a.m., Dane County Public Safety Communication Center received a call about a hazmat release of ammonia at Devon's Chocolates, located in Sun Prairie. An ammonia leak was reported inside the compressor room of the facility. Devon's Chocolates is an EPCRA Planning Facility with Extremely Hazardous Substance (EHS) above Threshold Planning Quantities (TPQ).

Sun Prairie Fire Department (SPFD) responded to the incident and requested The City of Madison Fire Department Hazardous Incident Team (HIT). All employees were evacuated, but only one home located adjacent to the facility was evacuated. Another 20 homes were notified about the situation and the possibility of evacuation. There were reports of a white/grey vapor cloud seen in the area moving in a northeasterly direction.

HIT made entry and confirmed a leak after locating 25ppm (parts per million) reading on the top of the exterior cooler. HIT went into the compressor room and observed readings as high as 1200ppm with a PID (Photoionization Detector). A visible source of the leak was not clear or evident. The entry team gathered more info in the cold zone and went back in the facility to shut down three compressors with six valves in total, shutting off both dry suction and discharge lines. After the compressors were shut down, the entry team exited the facility, leaving the doors open and ventilation fans running and remotely monitored. After ventilation, the HIT turned the scene over to the facility contractor for further repair.

National News

[IL Crash Involving Semi-Truck Carrying Ammonia kills 5](#)
[West Texas Video: Leak at Warehouse](#)

This Newsletter is issued quarterly to bring ideas and information for helping your LEPC and energizing them in your county. The next issue will be released in March 2024. If you have ideas that you would like to share, please reach out to [Darlene Pintarro](#). Let's work together here in Wisconsin!



Did You Know?

Expenses incurred with hazardous material responses are reimbursable under WI Statute, section 332.71(4)(a):

A person shall reimburse a local agency as provided in sub. (5) for actual, reasonable, and necessary expenses incurred in responding to an emergency involving the release or potential release of a hazardous substance if any of the following conditions applies:

- 1. The person possessed or controlled a hazardous substance involved in the emergency.***
- 2. The person caused the emergency.***

***Resource: Ozaukee County EM & LEPC Vol. 2 ERG Newsletter
[Hazmat Awareness Refresher - Google Drive](#)***
