Approval & Implementation

Larimer County’s Local Emergency Planning Committee (LEPC) developed the Larimer County Hazardous Materials Plan to identify and implement hazardous materials emergency preparedness and response responsibilities. The ERP details the purpose, policy, concept of operations, direction/control, actions and responsibilities of primary and support agencies to ensure that a mutual understanding and a coordinated plan of action for both the LEPC and ESF 10 is implemented with appropriate agencies within Larimer County. The ERP is considered part of the Larimer County Comprehensive Emergency Management Plan by Larimer County Emergency Management. The Larimer County LEPC is responsible for the development, publishing, and distribution of the LCHMP by U.S. Code Title 42 §11003 and will issue changes as required.

Creation of CEPC and LEPC

Colorado Emergency Planning Commission

In October 1986, the Federal Superfund and Reauthorization Act (SARA/Title III) that includes the Emergency Planning and Community Right-To-Know provisions was enacted. This legislation was in response to several very severe hazardous materials incidents worldwide. It put in place protection measures regarding hazardous materials incidents.

The legislation required that each state appoint a State Emergency Response Commission to implement the act. In Colorado, the Colorado Emergency Planning Commission (CEPC) was formed. It is made up of the following statutorily required members:

Permanent Commission Members

* Colorado Department of Public Health and Environment - Hazardous Waste Division
* Colorado Department of Local Affairs - Division of Local Government
* Colorado Department of Public Safety - Division of Homeland Security and Emergency Management
* Colorado Department of Public Safety - Division of Fire Prevention and Control
* Colorado Department of Public Safety - Colorado State Patrol

Executive Director of the Division of Emergency Management Appointed Members

The following members are appointed by the Executive Director and serve a two-year term from the following areas:

* Affected industries (Two representatives)
* Local governments (Two representatives)
* Public interest or community groups (Two representatives)
* Local Emergency Planning Committee community (One representative)

The CEPC implemented the act by designating Local Emergency Planning Districts and then requesting nominations from those districts for appointing Local Emergency Planning Committees (LEPC). Each LEPC has the charter of implementing the SARA/Title III requirements for their Local Emergency Planning Districts. These requirements are:

1. Participate with county emergency management in development of the county-level all-hazardous plan by obtaining and communicating hazardous material information for their area.
2. Create a Right-to-Know procedure for response to public inquiries for information for their district.
3. Monitor specific yearly hazardous materials reporting requirements.

The CEPC conducts several activities that include the Annual LEPC Conference, training programs and grant programs.

Record of Changes

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**I: INTRODUCTION**

Purpose

This plan establishes the policies and procedures under which the Larimer County LEPC and Emergency Support Function (ESF) 10 (HAZMAT) will operate both in the event of a hazardous materials incident, oil spill, a release that threatens waters of the state, air quality, or other release that threatens people or the environment. This plan will also describe the expectations set forth by the Larimer County LEPC regarding participation, notification, and communication from agencies and other community partners.

This document will outline the roles, responsibilities, and organizational relationships of government agencies and private entities regarding working with the Larimer County LEPC and ESF 10 in responding to and recovering from a hazardous materials event. The plan provides guidance for LEPC planning, notification and response as required by SARA Title III (1986), also known as the Emergency Planning & Community Right-to-Know Act, which shall hereafter be referred to as EPCRA.

Scope

This plan supersedes previous Larimer County Emergency Management plans related to the LEPC and hazardous materials incidents to include accidental or intentional releases of chemical/toxic substances, biological agents, radiological materials, and nuclear devices, as well as acts of terrorism involving suspected or confirmed release of chemical, biological, radiological, nuclear, and/or explosive materials. The Larimer County Hazardous Materials Plan does not replace local, state, or federal law enforcement directives whose core capabilities support intelligence gathering, implementation of security measures, or directives to maintain civil community functions. Although this plan primarily provides direction to the Larimer County LEPC, it does mentionresponsibilities for coordination with other local, State, Federal, and other partners.

Policies and Legal Authorities

* Local
  + Larimer County Comprehensive Emergency Management Plan
  + Larimer Mutual Aid Agreement for Hazardous Materials Response 2018
  + Larimer County Code Part 1, Chapter 18, Article 2, Division 2
* State
  + Colorado Disaster Emergency act C.R.S. 24-33.5-701
  + Local Emergency Planning Committees C.R.S. 24-33.5-1504
* Federal
  + (EPCRA) 42 U.S.C § 11001, et. Seq., and 24-33.5-1504, C.R.S.
  + ERP by U.S. Code Title 42 §11003

EPCRA

The Emergency Planning & Community Right-to-Know Act (EPCRA) was created in Title III of the Superfund Amendments and Reauthorization Act (SARA). The legislation focuses on community preparedness. This law is designed to help local communities protect public health, safety, and the environment from chemical hazards.

The Emergency Planning and Community Right-to-Know Act (EPCRA) was passed in 1986 in response to concerns regarding the environmental and safety hazards posed by the storage and handling of toxic chemicals.

To implement EPCRA, Congress requires each state to appoint a State Emergency Response Commission (SERC). The SERCs are required to divide their states into Emergency Planning Districts and to name a Local Emergency Planning Committee (LEPC) for each district. The LEPC should include representation by fire fighters, health officials, government and media representatives, community groups, industrial facilities, and emergency managers to ensure that all necessary elements of the planning process are represented.

EPCRA requires facilities to submit Safety Data Sheets (SDS’s) and Tier II forms (lists of hazardous chemicals on-site above threshold quantities) to the SERCs, the LEPC, and local fire departments on an annual basis for use in emergency response planning. It also allows LEPCs to request any information relevant to emergency planning from facilities that have “extremely hazardous substances” as defined and listed by EPA.

In response to a chemical disaster in Bhopal, India, the U.S. made changes and additions to Superfund with the passage of Superfund Amendments and Reauthorization Act (SARA). Under SARA was the passage of the Emergency Planning and Community Right-To-Know Act (EPCRA). Commonly known SARA Title III, the act sets requirements for local and state emergency planning around hazardous chemicals, public access to information, and reporting responsibilities for facilities that use, store, and/or release hazardous chemicals.

SARA Title III has four provisions

* Emergency Planning
* Emergency Release Notification
* Hazardous Chemical Storage Reporting Requirements
* Toxic Chemical Release Inventory

Facilities are required to complete a Toxic Chemical Release Inventory (TRI) annually if they use, store, and/or release specific chemicals. A facility must complete the form if the specific chemical is manufactured or processed at more than 25,000 pounds or otherwise use more than 10,000 pounds. A list of chemicals with lower threshold quantities is available through EPA. The information reported by facilities is available on-line from EPA for any interested person.

Facilities may also have to complete a Tier II report. Tier II is a summary of the hazardous materials at each facility. These reports are due March 1 using the Tier2Submit through the State of Colorado electronic reporting system. Facilities must report hazardous materials present on site in excess of 10,000 pounds for most chemicals. A list of chemicals with lower reporting thresholds, known as “extremely hazardous substances” is available through EPA and is known as the “list-of-lists”. Once facilities complete Tier II reports, the information is disseminated to local emergency planning committees and fire departments. Using the free software known as CAMEO, LEPCs disseminate the information within their community in whatever fashion best suits improved community preparedness. The CAMEO software will produce a Google Earth Map of the facility locations and it is recommended that LEPCs utilize this tool to communicate within the community.

**II: SITUATION AND ASSUMPTIONS**

Situation

A variety of hazardous materials are transported, stored, and used daily within Larimer County. An additional source of hazardous materials comes from products transported through the County. These hazardous materials are used in agriculture, industry, business, and other commercial and domestic applications. When properly used, applied, controlled, and contained, hazardous materials benefit our community. When accidentally or intentionally released they pose a threat to life, property, and the environment. Thorough planning and rapid, efficient response are imperative for mitigation of hazardous materials incidents. Inadequate response and recovery operations can be costly in terms of lives, dollars, and environmental damage. Most hazardous materials incidents require a multi-disciplinary approach with all responders participating in a coordinated effort. Utilizing the National Response Framework (NRF) and its designation of Emergency Support Function (ESF) annexes.

Assumptions

* An accidental release of hazardous materials could pose a threat to the local population

or environment.

* A hazardous materials incident may be caused by or occur during another emergency,

such as flooding, a major fire, or earthquake.

* A major transportation hazardous materials incident may require the evacuation of citizens from any location in Larimer County along its major transportation routes.
* The length of time available to determine the scope and magnitude of a hazardous

materials incident will impact protective action recommendations.

* Wind shifts and other changes in weather conditions during an incident may necessitate changes in protective action recommendations.
* If an evacuation is recommended because of a hazardous materials incident, a majority

of the population in an affected area will typically relocate voluntarily when advised to

do so by local authorities.

* + Some residents of unaffected areas may also evacuate spontaneously.
  + People who evacuate may require shelter in a mass-care facility.
* Residents/Visitors with disabilities or other Access and Functional Needs (AFN) may require assistance when evacuating.
* Residents/Visitors may have pets and livestock that may need to be evacuated and

sheltered.

* Hazardous materials could possibly enter water or sewer systems and necessitate the

shutdown of those systems.

Limitations

* There may be little to no warning during specific events to implement operational procedures.
* This plan is not intended to provide operational response instructions or procedures for any of the agencies identified in this plan. For specific information regarding response procedures, the specific agency should be contacted.
* Each agency, facility and jurisdiction will respond within the training, capabilities, and

qualifications limits of its members.

**III: Concept of Operations**

Larimer County’s Local Emergency Planning Committee (LEPC) will assist response agencies in preparing and reviewing hazardous material response plans and procedures.

The authorized representative of the regulated facilities and transportation companies involved in an actual or suspected release of a hazardous material will promptlynotify the Public Safety Answering Point (9-1-1) and appropriate response agencies, LEPC, and the Colorado Department of Public Health and Environment (CDPHE), and the National Response Center (NRC). Regulated facilities and transportation companies will also make recommendations to responding agencies on how to contain any release and protect the public and environment according to best practices.

Within Larimer County, the Designated Emergency Response Authority (DERA) is responsible for providing and maintaining the capability for emergency response and for taking the initial action necessary to minimize the effects of a hazardous substance incident. The “Agreement for Mutual Aid Among the Poudre Fire Authority, the Loveland Fire Rescue Authority, the Colorado State Patrol, and the Larimer County Sheriff’s Office for Hazardous Substance Incidents” defines how hazardous substance incidents are managed in Larimer County and further identifies DERA boundaries.

Larimer County’s Emergency Operations Center (EOC)will activate based on need to support incident command’s actions and community needs following a hazardous materials incident. Effective exchange of critical information between the EOC and Incident Command Post (ICP) is essential for success of overall response efforts. The EOC serves as a coordinating link between Larimer County’s elected officials and the field personnel coordinating the execution of event priorities. Larimer County EOC is the designated point-of-contact for state, and federal resources.

Release Identification

Methods and procedures for determining a hazardous materials release and reasonable supposition regarding extent of affected areas will be the responsibility of licensed hazardous materials transportation personnel, regulated/TIER II reporting facility personnel and emergency responders. It is understood that the methods and procedures utilized by various entities (i.e. transportation, fixed facility, emergency responder) for determining a release will differ in scope and extent.

Hazardous materials shippers within Larimer County will comply with applicable sections of 49 U.S. Code Chapter 51 and follow the general shipper responsibilities as contained in 49 CFR Part 173. Releases of hazardous materials in transit will most likely be observed by the transport agent, citizens and/or responders. Methods and procedures used to determine the occurrence of a release will vary by the qualification of the responder and the resources available to the transport agent.

Fixed facilities will conform to current, adopted local, state, and federal regulations for reporting hazardous materials, planning for emergencies, and notifying necessary agencies in the event of an unauthorized release. Fixed facilities must also comply with EPCRA Section 302(a)(2) regarding the required reporting of releases of Extremely Hazardous Substances (EHSs). EHS Reportable Quantities (RQs) are codified in 40 CFR Part 355, Appendix A and B. The use of facility emergency coordinators is key, and these personnel must be charged with developing the tools, methods and procedures used by a facility to determine:

1. The occurrence of a release; and
2. Identification of released material(s)

The recognized methods and procedures Larimer County responders will use to identify the release of hazardous materials vary by training and qualification.

Emergency Reporting and Notification

Hazardous materials release notifications come from multiple sources. The most reliable notifications come from individual regulated facilities, transportation agents, or responders.

In the event of any releases of hazardous materials surpassing thresholds of Reportable Quantities (RQ), responsible parties must immediately notify the local Public Safety Answering Point (9-1-1) for emergency response. The National Response Center (NRC) must also be notified by the hazardous material’s responsible party at 1-800-424-8802. Notification toColorado Department of Public Health and Environment (CDPHE) must also be made.Notification to the LEPC must be made to the Larimer County LEPC via email at [larimerlepc@gmail.com](mailto:larimerlepc@gmail.com) within 24 hours of the event regarding the details of the incident. The facility emergency coordinator, transporter, authorized representative or responsible party should provide reliable, effective and timely notification of a release.

RQs can be found in the EPA’s “Consolidated List of Chemicals Subject to EPCRA, CERCLA and Section 112(r) of the CAA (a.k.a. List of Lists).

In general, a responsible party must report the following releases:

* An Extremely Hazardous Substance (EHS) from the List of Lists spilled in excess of its RQ must be reported to the LEPC and the State Emergency Response Commission (SERC).
* A Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) hazardous substance spilled in excess of its RQ must be reported to the CDPHE, NRC, LEPC, and SERC.
* Any spill of a hazardous substance, which may enter waters of the State (which include surface water, ground water and dry gullies or storm sewers leading to surface water) must be reported to CDPHE immediately. Spills of 25 gallons or less of refined crude oil products (including gasoline and diesel) that do not physically enter waters of the state and are immediately contained and removed do not need to be reported to CDPHE.

Response agencies and responders will be notified of a hazardous materials release using the following notification procedures:

* Public Safety Answering Point (PSAP) (9-1-1) will be notified of the spill by the responsible party or bystanders and dispatch the appropriate emergency responders.
* Larimer County LEPC and the Larimer County Office of Emergency Management will be notified by the PSAP in the event of a large spill (> 55 gallon; > 208 liters).
* If the release is more than the Reportable Quantity (RQ) listed in the EPA’s “List of Lists” (CFR 40, §355 Appendices A, B), the Incident Commander will ask the PSAP to notify the National Response Center (NRC) and the LEPC.
* Larimer County LEPC Chairman will notify the CDPHE and SERC as a courtesy to ensure that the responsible party reported the spill as required by the Code of Federal Regulation and State Rules.

Public Safety and Site Management

The primary objective of every hazardous materials response is the realistic protection of people at risk. This includes responders, employees of the affected facility and/or incident site, as well as citizens and visitors in the immediate area of the release and/or the projected plume.

In accordance with EPCRA §304, facilities managers or designees should be prepared to provide the following information via a written follow-up report:

* The chemical name.
* An indication of whether the substance is extremely hazardous.
* An estimate of the quantity released into the environment.
* The location of the release.
* The time and duration of the release.
* Whether the release occurred into air, water, and/or land.
* Any known or anticipated acute or chronic health risks associated with the emergency, and where necessary, advice regarding medical attention for exposed individuals.
* Proper precautions, such as evacuation or sheltering in place.
* Name and telephone number of contact person.

**IV: LEPC Membership**

Membership on the LEPC is subject to designation and approval by the Colorado Emergency Planning Committee (CEPC). Nominations made to the CEPC shall be in accordance with the Larimer County Code Part 1, Chapter 18, Article 2, Division 2. Members will be designated by name, but may designate others to attend on their behalf, as voting members. The sign in sheet will act as the primary method of recording attendance. The members of the LEPC or their designees serve without compensation. The Larimer County Attorney’s Office has been authorized by the Larimer County Board of County Commissioners to act as Legal Advisor to the LEPC. The LEPC Chair will submit an annual roster to the CEPC by email at least once a year and designate a point of contact to be listed on the CEPC webpage.

**V: Roles and Responsibilities**

ESF 10 Lead Agencies (Larimer County Sheriff’s Office, Fire Departments/Districts, Larimer County Department of Health and Environment, Larimer County Office of Emergency Management, and Colorado State Patrol).

* Fulfill the role of the Designated Emergency Response Authority (DERA) and the responsibilities assigned to the DERA.
* Coordinate local, state and federal response in support of current and anticipated hazardous material operations in the field.
* Work with other ESF representatives to ensure the integration of the in-field situation assessment is clearly communicated to agencies that may not be directly involved in the tactical/technical response but have a role in the potential broader impacts of a hazardous materials event.
* Support the personal protection, decontamination, surveillance and sampling needs of ESFs during response and recovery operations related to human or animal health disasters.
* Participate in LEPC activities and provide a designee to serve on LEPC board.

Larimer County Department of Health and Environment (LCDHE)

* Determine whether an incident presents a serious threat to public health and environment.
* If the incident does present a serious threat to health and environment then LCDHE will ensure that mitigation and remediation are conducted, but does not have hands-on remediation capabilities.
* Serve as the lead agency for ensuring compliance with applicable public health and environmental laws and regulations.
* LCDHE will provide staff 24/7/365 to be available for consultation and response to emergencies via Larimer County Sheriff Dispatch (970)-416-1985 after hours and at 970-498-6775 during normal business hours.
* Participate in LEPC activities.
* Serve as a Liaison with CDPHE for local agency response.

Larimer County Office of Emergency Management

* Participate in LEPC activities and provide a designee to serve on LEPC board.
* Support Hazmat response operations in the Emergency Operations Center as needed.
* Lead long term community recovery as needed.

Larimer County Sheriff’s Office

* As the Designated Emergency Response Authority (DERA) in unincorporated Larimer County and off publicly maintained highways/roadways, the Sheriff's Office is the lead hazardous material response agency in unincorporated Larimer County.
* Support response operations in Hazmat related events.
* Participate in LEPC activities and provide a designee to serve on LEPC board.

LEPC Board (Per the LEPC By-Laws)

* Appoint Chair and establish rules for process, public notice, public meetings, response to public comments, and distribution of information.
* Establish procedures for handling information requests (received pursuant to Sections 312 and 324 of EPCRA).
* Consult and advise the Larimer County Office of Emergency Management and Sheriff’s Office on all- hazard planning documents.
* Receive from the State the Tier II (EPCRA chemical inventory form) information and communicate with local fire agencies to be sure they have accessed the same data.
* Otherwise perform the duties of an LEPC pursuant to EPCRA.

Regulated Facilities

* Promptly submit to the Colorado Department of Public Health and Environment (CDPHE) all necessary Tier II reports using EPA’s Tier2 Submit software annually.
* Participate in LEPC meetings per SERC requirements. The Larimer County LEPC recommends that both Tier II Facilities and Hazmat Transportation Companies participate in a minimum of one LEPC meeting per year.
* The authorized representative of the regulated facilities and transportation companies involved in an actual or suspected release of a hazardous material will promptly notify the Public Safety Answering Point (**9-1-1**) and/or appropriate response agencies, LEPC, Environmental Protection Agency (EPA), other potentially affected LEPCs.
* Regulated facilities and transportation companies will also make recommendations to responding agencies on how to contain any release and protect the public and environment according to best practices.

Response Agencies: These agencies are defined as those agencies who have a direct role in the immediate life safety response to a Hazmat Incident

* Agencies responding to the release will do so only to the extent of their personnel’s training and qualifications, available resources, and capabilities. The Incident Commander will request the assistance of regional and mutual aid partners when the size and scope of the hazardous materials incident exceeds the response capabilities of Larimer County’s local emergency responders.
* When able, participate in LEPC meetings and activities.

**VI: Direction and Control**

All communication regarding LEPC activities will be communicated to the LEPC membership through the LEPC Board via phone, email, or in person. All public requests for facility Safety Data Sheet (SDS) and Tier II form (lists of hazardous chemicals on-site above threshold quantities) information must be made in writing and mailed to 200 West Oak Street, Fort Collins, CO, 80521, or emailed to the official Larimer County LEPC email at [larimerlepc@gmail.com](mailto:larimerlepc@gmail.com) in order to effectively document requests for information.

All incidents in Larimer County comply with the National Incident Management System (NIMS) requirements outlined in the Larimer County Comprehensive Emergency Management Plan, including the implementation of the Incident Command System. Incident command will be activated by first-arriving units and will be "modular to allow the application of only those elements that are necessary at a particular incident and to allow elements to be activated or deactivated as the needs of incident change with time. Additional resources and support will be ordered using day-to-day policies and procedures and mutual aid agreements. For those incidents requiring assistance outside mutual aid, the Larimer EOC will be activated to provide support.

**VII: Security/Response Planning**

Properly trained and equipped personnel coupled with well-thought-out and rehearsed plans can reduce the probability of an attack achieving the adversaries’ desired goals.

A comprehensive crisis management plan should contain response strategies for different types of security incidents, such as:

* Contingency plans
* Emergency response
* Evacuation
* Notification control
* Post-incident security (e.g., post-terrorist attack, accident, or natural disaster)
* Security response

Crisis management plans generally contain documented agreements with offsite responders, including:

* Ambulance/medical support
* Firefighting support
* Environmental restoration support
* Explosive device disposal support
* Hazardous spill/recovery support

Drills, trainings, and exercises (e.g., tabletop and full-scale exercises) play a vital role in maximizing and testing the efficiency of the response plan to a security incident, as well as addressing any identified vulnerabilities. Involving local first responders when preparing the plan and conducting drills can carry significant benefits for the facility. The first time that local law enforcement or responders access a facility should not be the day of the incident.

Building collaborative relationships with local law enforcement and responders (e.g., police, firefighters, and emergency medical technicians) prior to an incident helps ensure response personnel have an improved understanding of the facility’s layout and hazards, maintain appropriate equipment and training to address facility hazards, and allow them to take quick and decisive action during an incident. Facilities should consider:

* Including response personnel in the development and exercise of your response plan
* Meeting regularly with first responders and sharing updates to emergency response plans
* Creating a toolkit for responders that contains items like the facility emergency contacts, facility layout, safety data sheets, access credentials, or a two-way radio
* Inviting local fire department and law enforcement for a tour of the facility
* Participating in the Local Emergency Planning Committee (LEPC) meetings
* Conducting joint exercises with other organizations off-site

Supplementary information can be found in the supporting document at [**https://www.dhs.gov/sites/default/files/publications/fs-rbps-9-response-cisa-508.pdf**](https://www.dhs.gov/sites/default/files/publications/fs-rbps-9-response-cisa-508.pdf)

**VIII: Contacts**

Local

* **Berthoud Fire Department:** 970-532-2264
* **CSU Office of Emergency Management:** 970-491-6425
* **CSU Police Department:** 970-491-6425
* **Estes Park Police Department:** 970-586-4000
* **Estes Valley Fire Protection District:** 970-577-0900
* **Fort Collins Office of Security and Preparedness:** 970-221-6540
* **Fort Collins Police Services:** 970-221-6540
* **Larimer County Department of Health and Environment:** 970-498-6775 or 970-416-1985 (after hours)
* **Larimer County LEPC:** 970-498-7146
* **Larimer County Office of Emergency Management:** 970-498-7147
* **Larimer County Sheriff's Office- Emergency Services:** 970-498-5300
* **Loveland Fire Department:** 970- 962-2471
* **Loveland Office of Emergency Management:** 970- 962-2471
* **Loveland Police Department:** 970-667-2151
* **Poudre Fire Authority:** 970-416-2891
* **Wellington Fire Department:** 970-568-3232
* **Windsor Fire Rescue:** 970-686-2626

Regional

* **Colorado Department of Public Health and Environment (CDPHE):** 303-692-2000
* **CDPHE Office of Emergency Preparedness and Response Environmental Spill Reporting 24– Hour Emergency and Incident Reporting Line 1-877-518-5608, Duty Officer 303-594-5219 (call both for spill reporting)**
* **Colorado Department of Homeland Security and Emergency Management:** 720-852-6600
* **Colorado State CEPC:** 720-852-6600
* **Colorado State Patrol:** 970-224-3027
* **EPA Region 8 Headquarters:** 303-312-6312
* **National Response Center (NRC):** 1-800-424-8802
* **Weld County LEPC:** 970-304-6540

**APPROVALS**

This Larimer County Hazardous Materials Plan was prepared by The Office of Emergency Management to outline the roles, responsibilities, and organizational relationships of government agencies and private entities regarding working with the Larimer County LEPC and ESF 10. This plan complies with applicable internal agency policies, state and local regulations and supports recommendations provided by the Federal Emergency Management Agency. This plan has been made available to the LEPC and is a part of the larger Comprehensive Emergency Management Plan.

Approved: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date \_\_\_\_\_\_\_\_\_\_\_\_

**Chair, Larimer County Local Emergency Planning Committee**