

FRANKLIN COUNTY LOCAL EMERGENCY PLANNING COMMITTEE BYLAWS

Article I

This organization shall be known as the Franklin County Local Emergency Planning Committee (LEPC).

Article II- Purposes

The purposes of the LEPC, in meeting the requirements of SARA Title III—Emergency Planning and Community Right-to-Know Act (EPCRA) 42USC~110001 *et. seq.*, are as follows. The LEPC shall develop a chemical emergency response plan for Franklin County and establish procedures for conducting its public information and education responsibilities. The plan shall become an appendix of the Franklin County Emergency Operation Plan and shall be reviewed and updated as necessary on an annual basis, in accordance with Section 303 of EPCRA.

The LEPC shall, in addition:

1. Receive and process requests for hazardous materials information from the public;
2. Notify the public of all LEPC meetings or activities;
3. Perform a hazard analysis using information and reports from facilities operating within the jurisdiction of the LEPC, and analysis of districts transportation risks;
4. Establish and maintain a database of hazardous chemical locations and quantities in the district;
5. Establish and maintain computerized system of data management;
6. Maintain information on ALL facilities which manufacture or store extremely hazardous substances, and include this information within the emergency response and preparedness plan.

The LEPC will establish, and notify the public, that all meetings, including sub-committee and *ad hoc* committee meetings, are open to the public. The LEPC will implement such other and related activities as may hereafter be legally required by the federal government and/or the State Emergency Response Commission (SERC).

The LEPC will make assessments of resources necessary to implement the emergency response and preparedness plan and make recommendation to appropriate people, agencies, and organizations regarding additional resources needed to implement the plan. The LEPC shall be instrumental in fulfilling the purpose of the Community Right-To-Know laws to increase the protection of the community from exposure to chemicals produced, used, stored and/or transported within Franklin County. Transportation hazards analysis will include those risks to the district from commercial transportation by rail, highway, aircraft, and waters of commerce.

In keeping with the intent of the SARA Title III / EPCRA regulations, all activities of the Committee will be conducted in a manner encouraging input and participation from all segments of the community.

Article III – Membership

The SERC shall appoint members to serve on the Local Emergency Planning Committee. The Committee shall be composed of, at a minimum, 1 agency / company representative from the following twelve groups or organizations: elected state or local officials, local environmental groups, law enforcement, hospital, local government emergency management, transportation, fire fighting, broadcast/ print media, first aid/EMT, community groups, health, and owners and operators of facilities subject to Emergency Planning and Community Right-to-Know laws and regulations.

Each agency / company of the above listed twelve groups or organizations shall have one vote for the transaction of Committee business. Members of the LEPC are volunteer personnel and shall be residents and/or conduct business in the jurisdictional area of the LEPC.

INACTIVE MEMBERS: Appointed members shall be considered inactive when they have missed more than 3 consecutive Committee meetings without notification to the Committee Chairperson, or office staff, of significant reasons why they were unable to attend the meetings. If a member becomes inactive, the LEPC will contact that agency / company for a suggested replacement if the agency / company desires. An annual report, listing members declared inactive, will be provided to the SERC.

REMOVAL: The Committee may ask the SERC to remove a member.

VACANCIES: The SERC shall appoint a replacement member for any vacancy occurring in the LEPC, including a vacancy by reason of resignation, death, removal, or disqualification of a member. The Committee may request that the SERC appoint a qualified replacement identified by the Chairperson or by a majority of Committee members.

Article IV – Offices and Appointed Positions

Elected offices of the LEPC are Chairperson, Vice-Chairperson, and Secretary-Treasurer. Appointed positions are Information Coordinator and Community Emergency Coordinator.

OFFICER TERMS: The membership of the LEPC shall elect officers by ballot or voice vote at a pre-selected vote event. Officers serve a term of two years, beginning biyearly with the calendar year. Existing officers may be re-elected to their existing offices if they so indicate a willingness to continue.

CHAIRPERSON: The Chairperson shall preside at all meetings of the LEPC unless he/she cannot be present at an announced meeting. An alternate representative, typically the Vice-Chairperson, can be named to fulfill the obligation by the existing Chairperson. The Chairperson shall serve *ex-officio* as a member of all committees, and shall perform such duties and acts as necessary to accomplish the goals of the LEPC. The Chairperson shall be empowered to create such other *ad hoc* committees as necessary to accomplish the goals of the LEPC.

VICE-CHAIRPERSON: Upon resignation, or death, or on the advice of Chairperson, the Vice-Chairperson shall perform the duties of the Chairperson. The Vice-Chairperson shall perform such other duties as may be assigned by the Chairperson.

SECRETARY-TREASURER: The Secretary-Treasurer, in cooperation with the Information Coordinator, shall be custodian of all books, papers, documents, and other property of the LEPC. The Secretary-Treasurer shall attend to the business needs of the LEPC and shall maintain an accurate record of all monies received and expended for the use of the LEPC.

INFORMATION COORDINATOR: The LEPC shall appoint an Information Coordinator. The Information Coordinator is responsible for maintaining the committee's files of information received under the Act and procedures adopted under it and for receiving and fulfilling requests from the public for that information. The Information Coordinator will assist the Secretary-Treasurer in records management. The Information Coordinator will be a non-voting member of any subcommittees of the LEPC.

COMMUNITY EMERGENCY COORDINATOR: The LEPC shall appoint a Community Emergency Coordinator who is responsible for coordinating the development and implementation of the chemical emergency preparedness plan of Franklin County and for receiving verbal and follow-up written notices of releases of hazardous substances provided under EPCRA.

Article V – Meetings

All meetings are open to the public and subject to Illinois Open Meetings Act, 5 ILCS 120/1 *et. seq.* An annual notice of the regular meeting schedule of the LEPC shall be published in a newspaper with regular circulation in Franklin County in accordance with SARA, Title III (EPCRA). This notice shall specify the meeting designated specifically for receipt of public comments on the chemical emergency response plan.

REGULAR MEETINGS: The LEPC shall meet at least quarterly.

SPECIAL MEETINGS: The Chairperson may call special meetings as necessary to carry out the duties of the LEPC. Upon written request of at least 25% of the members, the Chairperson shall call a meeting within fourteen (14) days.

HEARINGS: The LEPC shall hold such public hearings or forums as necessary and desirable at such time and places as may be determined by a majority vote of the Committee. At least one such public hearing, or forum, shall be held each year for the purpose of discussing the committee's emergency plan with the public, and receiving and responding to the public comments on the presented plan.

QUORUM: Attendance by 3 out of five LEPC officers and 10% of the entire LEPC membership shall represent a quorum for the transaction of business. Acts of this quorum shall be valid acts of the Committee, unless the action of a greater number is required by these bylaws.

AGENDA: Any member may request that the Chairperson place an item on the meeting agenda. If the Chairperson should decline to do so, a member may have the item placed on the agenda by submitting it in writing to the Chairperson with support signatures of 25% of the membership.

RULES OF ORDER: The deliberations of all meetings of the LEPC and its subcommittees shall be governed by Robert's "Rules of Order, Revised," as they may be revised from time to time.

NOTICE OF MEETINGS: Notice of time, date, place of meeting and agenda items to be considered at each meeting shall be given in writing to all members at least two weeks prior to each meeting by the staff or Chairperson.

Article VI – Subcommittees

The Chairperson of the LEPC, or his/her designee, may create subcommittees as deemed necessary.

Executive Subcommittee: The Executive Subcommittee will consist of the Chairperson, Vice-Chairperson, Secretary-Treasurer, and Chairpersons of any standing subcommittees. The Information Coordinator shall serve *ex-officio* as a non-voting member of this Subcommittee. The duties of the Executive Subcommittee shall be to coordinate activities of any other subcommittees.

Article VII – Miscellaneous Provisions

Fiscal Year: The fiscal year shall run from December 1 to November 30.

Indebtedness: All indebtedness incurred by the LEPC shall be approved by the Chairperson before payment by the Secretary-Treasurer.

Approval of Bylaws: These bylaws shall become effective upon approval by a majority of those members in attendance at the organizational meeting.

Article VIII – Amendments

These bylaws may be amended by two-thirds vote of members present and voting at any meeting of the LEPC, provided that any proposed amendments to these bylaws be submitted to the members in writing at least two weeks in advance of the meeting. Any member of the LEPC shall have the right to comment on or suggest revisions to these bylaws.

Article IX – Rules

EPCRA requires that the LEPC shall establish rules by which the committee shall function. Such rules shall include provisions for public notification of committee activities, public meetings to discuss the emergency plan, public comments, response to such comments by the Committee and distribution of the emergency plan.

The LEPC may, as necessary and proper, adopt rules of general application governing the execution of responsibilities under EPCRA and related applicable regulations.

Article X – Public Access to Information

In accordance with Section 324 of EPCRA, all information obtained from an owner or operator pursuant to EPCRA and any requested Tier II forms or the Material Safety Data Sheets (MSDSs) otherwise in possession of the LEPC shall be made available to any person submitting a request under this section, subject to any withholding provisions of EPCRA. If the owner should request the location of a specified chemical not identified, the LEPC shall withhold that information.

All information requested to be photocopied by a member of the public shall be provided at the sole expense of the requestor(s). The cost of such reproductions has been set by the Committee at \$1 per page. This cost assessment may be waived under certain circumstances as enumerated by the LEPC in its written rules and procedures.

All written requests for information shall be complied with in accordance with the Illinois Freedom of Information Act, 5 ILCS 140 (1999).

Requests for MSDSs and Other Non-Confidential Information. Any person may obtain an MSDS with respect to a specific facility by submitting a written request to the Committee's Information Coordinator. Any person may request any other non-confidential information concerning a facility by submitting a written request to the Committee's Information Coordinator.

Request for Tier II Information. Any person may request Tier II information with respect to a specific facility by submitting a written request to the Committee's Information Coordinator. If the Committee does not have in its possession the Tier II information as requested, it shall request a submission of the particular Tier II form from the owner or operator of the facility subject to the request.

THESE BYLAWS OF THE FRANKLIN COUNTY LOCAL EMERGENCY PLANNING COMMITTEE, ADOPTED AT THE REGULAR MEETING OF THE LEPC ON THIS 4th Day of February, 2011.



FRANKLIN COUNTY LEPC CHAIRPERSON

02-04-2011

DATE SIGNED