

VERMILION COUNTY
LOCAL EMERGENCY PLANNING COMMITTEE

Article I - TITLE

This organization shall be known as the Vermilion 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) 42 USC§ 11001 et. seq., are as follows:

The LEPC shall develop a chemical emergency response plan for the planning district and establish procedures for conducting its public information and education responsibilities. The plan 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 information from the public;
2. Notify the public of all LEPC meetings or activities;
3. Perform a hazard analysis using the information and reports from facilities operating within the jurisdiction of the LEPC, and analysis of the districts transportation risks;
4. Establish and maintain a database of hazardous chemical locations and quantities in the district;
5. Establish and maintain a 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 the planning district. 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 primary members to serve on the Local Emergency Planning Committee. The Committee shall be composed of, at a minimum, representatives from the following twelve groups or organizations: elected state or local officials, local environmental groups, law enforcement, hospital, local government emergency management, transportation, firefighting, broadcast/print media, first aid or emergency medical service, community groups, health, and owners and operators of facilities subject to Emergency Planning and Community Right to Know laws and regulations.

Each of the above listed twelve groups or organizations shall have one primary 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 Vermilion County LEPC.

FULL MEMBERSHIP. Full membership is defined as at least one primary member in each of the 12 categories as noted in 29 ILCS 620.50.

ALTERNATE MEMBERS. Each of the 12 categories may include alternate members. Alternate members shall be approved by the Committee at any regular meeting of the LEPC. Alternate members will be designated as first alternate, second alternate, etc. for the category they represent. In the absence of a primary member, an alternate member in that category, in order of their designation, will have voting rights for the transaction of committee business. Alternate members may not hold elected offices within the LEPC.

INACTIVE MEMBERS. Appointed and alternate members can be considered inactive when they have missed more than 2 consecutive Committee meetings without notification to the Committee Chairperson of significant reasons why they were unable to attend the meetings. An annual report listing the primary members declared inactive will be provided to the SERC by the Committee Chairperson.

REMOVAL. The Committee may ask the SERC to remove a primary member. The Committee may remove alternate members by a majority vote of the members present at any regular or special meeting but, the vote shall be by ballot only.

VACANCIES. The SERC shall appoint a replacement member for any vacancy (excluding alternate members) 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 will be the Information Coordinator and the Community Emergency Coordinator.

OFFICER TERMS. The membership of the LEPC shall elect officers by ballot or voice vote at a pre-identified vote event. Officers serve a term of 2 years. Existing officers may be reelected to their existing offices if they so indicate a willingness to continue.

THE CHAIRPERSON. The Chairperson shall preside at all meetings of the LEPC unless he/she cannot be present at an announced meeting. The Chairperson shall serve as an ex officio 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.

THE VICE-CHAIRPERSON. Upon the resignation, or death, or on the advice of the 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. In the absence of the Chairperson, the Vice-Chairperson shall preside at meetings of the LEPC.

THE SECRETARY-TREASURER. The Secretary-Treasurer, in cooperation with the Information Coordinator, shall be the custodian of all books, papers, documents, and other property of the LEPC. The Secretary 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. In the absence of the Chairperson and Vice-Chairperson, the Secretary-Treasurer shall preside at meetings of the LEPC.

THE 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 all 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 the planning district 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 the Illinois Open Meetings Act, 5 ILCS 120/1 *et. seq.*

- (a) **REGULAR MEETINGS**
The LEPC shall meet at least quarterly.
- (b) **SPECIAL MEETINGS**
The Chairperson may call special meetings as necessary to carry out the duties of the LEPC. Upon the written request of at least 51% of the primary members, excluding the Chairperson, the Chairperson shall call a meeting within ten (10) days.
- (c) **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.
- (d) **QUORUM**
6 primary members, each representing one of the 12 required membership categories and at least one being an elected officer, shall represent a quorum for the transaction of Committee business. If all 12 membership groups are not filled, a quorum shall consist of 50% + 1 of the active membership groups. The Chairperson shall notify the SERC immediately of the lack of full membership, and incomplete membership shall not exceed a six-month time frame. Acts of a majority of the quorum

shall be valid acts of the Committee, unless the action of a greater number is required by these by-laws.

(e) 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.

(f) RULES OF ORDER

The deliberations of all meetings of the LEPC and its subcommittees shall be governed by Robert's Rules of Order, Newly Revised.

(g) 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 Chairperson.

An annual notice of the regular meeting schedule of the LEPC shall be published in a newspaper with regular circulation in Vermilion County in accordance with SARA, Title III (EPCRA). This notice shall specify the meeting designated specifically for discussing the emergency plan with the public, and receiving and responding to public comments on the emergency plan.

Article VI – SUBCOMMITTEES

The Chairperson of the LEPC or the Chair of the subcommittee, may call meetings of the standing and ad hoc subcommittees as deemed necessary.

Section 1 Executive Subcommittee. The Executive Subcommittee will consist of the Chairperson, Vice-Chairperson, Secretary-Treasurer, and Chairpersons of any standing subcommittees as described in Section 2. The Information Coordinator shall serve as a non-voting member of the Executive Subcommittee. The duties of the Executive Subcommittee shall be to coordinate activities of the standing and ad hoc subcommittees.

Section 2 Standing Subcommittees. The following standing subcommittees can be established if deemed necessary for the good of the LEPC:

(a) Right-To-Know Subcommittee.

This subcommittee shall be responsible for the formulation of all policies and procedures concerning the Community Right-To-Know program; the formulation of all chemical release reporting procedures; the establishment of trade secret protection procedures; and the formulation of all record keeping information dissemination procedures for the LEPC.

(b) Public Education and Information Subcommittee.

This subcommittee shall be responsible for reviewing the public alert and notification program; public relations with affected communities and the public at large; all publicity of the LEPC; and the development of a public education and information program.

- (c) Chemical Facilities Liaison Subcommittee.
This subcommittee shall be responsible for identifying and communicating with affected facilities. This subcommittee shall work with the Emergency Response and Resources Subcommittee and with affected facilities to review and help the local emergency management office test the hazardous chemical emergency response plan for the planning district as required by law.
 - (d) Emergency Response and Resources Subcommittee.
This subcommittee will work with the Chemical Facilities Liaison Subcommittee and with existing emergency response organizations in jurisdictions within the planning district to review and help local emergency management office test the hazardous chemical emergency response plan for the planning district as required by law. This subcommittee shall review existing federal, state, and local plans for the purpose of coordination with the LEPC planning process.
- Section 3. Ad Hoc Subcommittees. The Chairperson may create ad hoc subcommittees as necessary to perform the functions of the LEPC. Chairpersons of ad hoc subcommittees shall be appointed by the Chairperson of the LEPC.
- Section 4. Chairperson of Standing Subcommittees. Chairpersons of the standing subcommittees shall be nominated and elected by their respective committees. The election shall be by ballot, except that when there is only one nomination for each office, election may be by voice vote.

Article VII – MISCELLANEOUS PROVISIONS

- Section 1. Fiscal year.
The fiscal year shall be considered to run from December 1st to November 30th.
- Section 2. Indebtedness.
All indebtedness incurred by the LEPC shall be approved by the Chairperson before payment by the Secretary-Treasurer.
- Section 3. Approval of Bylaws.
These bylaws shall become effective upon approval by a majority vote of the members.

Article VIII – AMENDMENTS

Amendments. These bylaws may be amended by a 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 one week in advance of the meeting. Any member of the LEPC shall have the right to comment on or suggest revisions to the 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.

Section 1. Adoption of Rules

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 Two 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 be identified, the LEPC shall withhold that information.

All information requested to be photocopied by a member for the public shall be provided at the sole expense of the requestor(s). The cost of such reproductions shall be set by the Information Coordinator, with the approval of the Executive Subcommittee, at a level which will enable the LEPC to recover all reasonable expenses associated with the processing of the request. 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 Two Information. Any person may request Tier Two 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 Two information as requested, it shall request a submission of the particular Tier Two form from the owner or operator of the facility subject to the request.

THESE BYLAWS OF THE VERMILION COUNTY LOCAL EMERGENCY PLANNING COMMITTEE, ADOPTED AT THE REGULAR MEETING OF THE LEPC ON THIS _____ DAY OF _____, 2016.

LEPC CHAIRPERSON:

DATE SIGNED:

LEPC SECRETARY-TREASURER:

DATE SIGNED:
