



LOCAL EMERGENCY PLANNING COMMITTEE BYLAWS

Bee County, Texas

Revision Date: August 2023

A Primer for Local Planning for Hazardous Materials

**ALL HAZARD
PREPAREDNESS
GUIDE
FOR
CITIZENS**

LEPC
...safety in knowledge®

BEE COUNTY EMERGENCY PLANNING COMMITTEE

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INTRODUCTION

Congress passed the Emergency Planning and Community Right-to-Know Act (EPCRA) also known as the Superfund Amendments and Reauthorization Act (SARA Title III), in 1986. EPCRA has four major provisions: Emergency Planning (Sections 301-303); Emergency notification (Section 304); Hazardous chemical storage reporting requirements (Section 311-312); and Toxic chemical release inventory (Section 313).

The Community Right -to-Know (CRTK) provisions in EPCRA help increase public knowledge and access to information on chemicals at individual facilities, their uses, and release into the environment. The State Legislature also enacted Right-to-Know (RTK) laws that are now fairly consistent with the existing federal RTK laws. As a result, states and communities, working with industrial sites and producers, are better able to protect public health and the environment.

The U.S. Environmental Protection Agency (EPA), other federal agencies, state agencies, and the chemical industry are cooperating with local communities to make EPCRA and related state laws effective. The LEPCs are the link between citizen, industry and the government.

Homeland Security Presidential Directive (HSPD) – 5, Management of Domestic Incidents, directed the development of a new National Response Plan (NRP), December 2004, (Appendix O) to align Federal coordination structures, capabilities, and resources into a unified, all-discipline and all-hazard approach to domestic incident management.

The NRP incorporates best practices from a wide variety of incident management disciplines to include fire, rescue, emergency management, law enforcement, public works and emergency medical services.

The NRP is built on the framework of the National Incident Management System (NIMS), March 2004, (Appendix P), which provides a consistent doctrinal framework for incident management at all jurisdictional levels, regardless of the cause, size or complexity of the incident.

The Emergency Planning and Community Right-to-Know Act (EPCRA) establishes the LEPC as a forum at the local level for discussions and a focus for action in matters pertaining to hazardous material planning.

The main purpose of EPCRA (also known as SARA Title III) the LEPC is to:

- Ensure first responders and citizens are prepared for an accidental chemical release.
- Increase the public's knowledge of and access to information on:
 - The presence of hazardous chemicals in their communities
 - Releases of hazardous chemicals into the environment

The major legal responsibilities of LEPCs in Texas are listed below. The citations are from the EPCRA, Public Law 99-499. Each LEPC:

1. Shall review local emergency management plans once a year or more frequently as circumstances change in the community or as any facility may require (Section 303(a)*).
2. Shall make available each MSDS/SDS, chemical list described in Section 311(a)(2) or Texas Tier II report, inventory form, toxic chemical release form, and follow-up emergency notice to the general public, consistent with Section 322, during normal working hours at a location designated by the LEPC (Section 324 (a)).
3. Shall establish procedures for receiving and processing requests from the public for information under Section 324, including Tier II information under Section 312. Such procedures shall include the designation of an official to serve as the coordinator for information I.e. Information Coordinator (Section 301(c)).
4. Shall receive from each subject facility the name of the facility representative who will participate in the emergency planning process as a facility emergency coordinator (Section 303 (d)).
5. Shall be informed by the community emergency coordinator of hazardous chemical releases reported by owners or operators of covered facilities (Section 304(b)(1)(a)). Shall be given follow-up emergency notice information as soon as practical after a release, which requires the owner/operator to submit a notice. (Section 304(c)).
6. Shall receive from the owner or operator of any facility an MSDS/SDS for each such chemical (upon request of LEPC or fire department or a list of such chemicals as described in paragraph (2) (Section 311(a)).
7. Shall, upon request by any person, make available an MSDS/SDS to the person in accordance with Section 324 (Section 311(a)).

8. Shall receive from the owner or operator of each facility an emergency and hazardous chemical inventory form (Section 312(a)).
9. Shall respond to a request for Tier II information under this paragraph no later than 45 days after the date of receipt of the request (Section 312(e)).
10. May commence a civil action against an owner or operator of a facility for failure to provide information under section 303(d) or failure to submit Tier II information under section 312(e)(1), Section 326(a)(b)).

Research shows that the most successful LEPCS have the following attributes:

1. They have clearly defined goals.
2. Members are trained in the law and know what is expected of them
3. Appointment of the right people with responsibilities and from broad-based community representation
4. Members are committed and interested because they:
 - a. Feel useful and believe they are helping the community
 - b. Have been given tasks according to their interests and expertise
 - c. Have been given challenging tasks
 - d. Are recognized for their contributions
 - e. Have a chance to develop their skills
5. They maintain a working relationship with state and federal agencies
6. They are responsible for their program & with peers from other LEPCS
7. Meetings are scheduled at regular and convenient times
8. The meetings adhere to the agenda and are concerned with common interests
9. They have strong leadership and designated staff

Source: National Local Emergency Planning Committee Handbook (July 2022)

**BEE COUNTY AND CITY OF BEEVILLE
LOCAL EMERGENCY PLANNING COMMITTEE
BY-LAWS**

ARTICLE I

NAME AND PURPOSE

Section 1. **Name.** The name of this organization shall be the “Bee County Local Emergency Planning Committee,” hereinafter referred to as the “LEPC”.

Section 2. **Purpose.** The purpose of the LEPC shall be:

- A. To carry out for Bee County & City of Beville those responsibilities required of the LEPC pursuant to Public Law 99-499, Superfund Amendments and Reauthorization Acts of 1986 (SARA) Title III, and related regulations including, but not limited to:
 - 1. Assistance with development, training, and testing of a hazardous substance emergency response plan(s) for jurisdictions and school systems within Bee County.
 - 2. Development of procedures for regulated facilities to provide notification of a hazardous release to the LEPC in accordance with SARA Title III.
 - 3. Development of procedures for receiving and processing requests from the public under the Community Right-to-Know EPCRA provisions of Title III. Requested copies to the public shall be provided at the sole expense of such person set by the Information Coordinator.
- B. To implement such other and further related activities as may hereafter be legally required by the Federal Government, the State Emergency Response Commission (SERC), and the Bee County Judge.
- C. City / County LEPC Emergency Communication Notification -
 - a. Each LEPC member (Service Business, Manufacturer of Articles, Pipeline related incident, transportation related incident and / or Chemical/Product Manufacturer) is required to provide rapid communication to the 911 Dispatch Center and to the LEPC during an emergency / event or a potential to impact the community or impact the community.
 - b. Formation of a partnership between local government and industrial sites/facilities as a resource for enhancing hazardous materials preparedness.

This includes ensuring the local hazard analysis adequately addresses hazmat incidents; incorporating planning for hazmat incidents into the local emergency management plans and annexes; assessing capabilities and developing hazmat response capability using local resources, mutual aid and contractors; training responders and the community and to exercising the plan.

ARTICLE II

MEMBERSHIP

Section 1. **Membership**

A. Application for membership - Any Changes, and Qualification: Applications for membership may be obtained from LEPC officers, LEPC Information Coordinator's office, or at the LEPC website/social media.

Applications for membership shall be submitted in writing to the LEPC Information Coordinator or LEPC secretary and include the name of the company or individual seeking membership. Applications for membership shall be recommended to the county judge by a majority vote of voting membership.

B. Qualifications. Membership shall be open to all residents of Bee County and/or any individual who conducts business within Bee County. The County Judge may appoint any person to the LEPC regardless of residence.

Membership shall at all times include, at a minimum, representatives from groups and organizations listed in Section 301 of SARA, Title III ("The Act"). This shall include: elected State and local officials; law enforcement, civil defense, firefighting, first aid, health, local environmental, hospital, and transportation personnel; broadcast and print media; community groups; and owners and operators of facilities subject to the requirements of EPCRA.

Section 2. Classes of Membership: The membership of the LEPC shall consist of community and business/industrial members, as designed by SARA Title III. A single member may represent more than one of the following groups or organizations. All members are considered voting members. Each member must volunteer to serve on at least one Standing Committee or ad hoc committee.

A). Appointed Members: Such members shall consist of duly elected or appointed officials of local, state, and federal governments with jurisdiction over any part of the area served by the LEPC; local police, fire fighting, rescue and emergency services; communications media; health professionals; environmental groups; citizens groups; citizens; and certain industry.

B). Facility Representatives: Industrial/Business members shall be those persons named by owners or operators of companies within the LEPC boundaries as their facility representatives under provisions of Section 301 of SARA Title III. There shall be two classifications of Facility Representatives as follows:

1). Full Member – A representative of a regulated facility (subject to the provisions of The Act) that participates in the funding of the LEPC by paying the full amount of its share of the annual dues as determined by the funding allocation formula adopted by the LEPC. Each “Full Member” shall appoint one primary and one alternate representative.

(a). Service Business (e.g., warehouse facilities, hazmat – related clean up companies, disposals, etc.)

(b). Manufacturer of Articles

(c). Chemical Manufacturer

(d). Transportation – Related – truck, rail, and pipeline companies

(e). Responsible agencies and jurisdictions

2). Associate member

(a). Facility – Industry located outside the LEPC boundaries who will pay one half full membership annual dues.

(b). Non-profit organizations (i.e., hospitals, charitable organizations, etc.)

(c). Each “Associate Member” shall appoint one primary and one alternate representative. Associate members are exempt from attendance requirements.

Section 3

Officers. The LEPC Officers i.e. Chairperson, Vice-Chairperson, Treasurer and Secretary shall be elected by the committee, and then receive approval by the County Judge unless otherwise designated. Officers shall be elected to conduct meetings, appoint subcommittees, keep minutes and to meet all requirements of the LEPC pursuant to Public Law 99-499, Superfund Amendments and Reauthorization Acts of 1986 (SARA) Title III.

Section 4. Meetings. There shall be a minimum of four (4) regular meetings of the LEPC per year. Meetings will be held on the 2nd Wednesday of the month at 10:00 am. Special meetings of the LEPC may be called by the Chairperson at such time and place as the Chairperson may determine as needed. The Chairperson shall call a special meeting of the LEPC within 14 days of receiving written request from five members. The Chairperson can schedule an Executive Meeting of the LEPC Officers as need is deemed. General & subcommittees meetings are open to the public, except where TOMA permits otherwise.

A). Meeting Agenda – The Chairperson and Information Coordinator shall develop and publish and distribute an agenda in advance of each General and Special Meeting. These meeting notices will be posted on the public bulletin board located on the east side of the Bee County Courthouse, Beeville, Texas, at least 72 hours prior any such meeting. In emergencies, declared by the Chairperson and confirmed by a majority of the LEPC membership in attendance at an emergency meeting, the 72-hour notice may be waived in accordance with Section 3A(h) of the Texas Open Meeting Act (TOMA), Tex. Rev. Stat. Ann art. 6252-17. Prior to the onset of the General or Special Meeting, citizens, members and non-members wishing to address the LEPC inform the Chairman and/or the Secretary. The Chairperson shall allocate a timeslot for this activity. Major issue comments may be published but not required.

Note: Comments will be limited to three (5) minutes per person during the agenda item for Public Comment/Announcements. It is to be understood the Texas Open Meetings Act prohibits the committee from responding and discussing your comments at length. The law only authorizes members to make a statement of factual information, recite an existing policy in response to the inquiry or advise the citizen that this subject will be placed on an agenda at a later date.

Section 5. Voting Members. A voting member is the designated representative of those community or business/industrial members who have provided “fair share” financial support to the LEPC in the current *Budget year and met those membership duties listed in Section 7. No member shall vote by proxy.

Section 6. Non-Voting Members.
(A). A person or organization who has, not provided their “fair share” financial dues support to the LEPC in the current * budget year (*Budget year January 1 to December 31), yet meets those duties in Section 7.
(B). Appointed members who do not provide “fair share” financial dues support.

- Section 7. Duties.** Members & Officers are expected to actively participate in the LEPC process. These duties are the following:
- Regular meeting attendance is required, and member can be disqualified with four (4) unexcused absences within one (1) year.
 - Participation is a minimum at least one Standing Committee if called upon, and/or
 - Any special assignments deemed necessary by the Executive Committee
- Section 8. Quorum.** A majority vote of those eligible and present shall prevail on any matter before the LEPC.
- Section 9. Voting.** Voting membership shall be comprised of individuals approved by the LEPC committee as members and/or appointed by the County Judge as per Section 5.

ARTICLE III OFFICERS

- Section 1. Enumeration of Officers.** The officers of the LEPC shall be Chairperson, Vice-Chairperson, Information Coordinator and the Secretary/Treasurer. The Chairperson shall appoint any additional officers as needed for ad-hoc or standing committees.
- Section 2. Term of Office.** The term of the officers shall be for a period of two years, expiring on December 31 of odd number years for the Chairperson and Secretary / Treasurer, and on December 31 of even number years for the Vice Chairperson. There are no term limits so officers may succeed themselves if unopposed or choose to move to other positions on the LEPC as terms expire.
- Section 3. Chairperson.** The responsibilities are:
- o Open and conduct LEPC meetings,
 - o Approves the meeting agenda and the meeting minutes before being issued
 - o Maintain the authority to sign and execute contracts on behalf of the LEPC,
 - o Authenticate/Approve LEPC proceedings by signing the completed minutes,
 - o Appoints subcommittees and respective chairs,
 - o Votes only in tie-breaking circumstances.
 - o This individual is also tasked with preserving order during LEPC meetings, and making appointments to all technical committees.
 - o The Chair or his/her designee oversees all hearings held before the LEPC, signs all official findings and documents resulting from LEPC actions, and coordinates all findings and actions with authorities representing the Bee County Government.

- Section 4. Vice-Chairperson.** The responsibilities are:
- o Assumes the roles and responsibilities of the chairperson in the chairperson's absence or upon request.
 - o Serves as a parliamentarian during meetings.
 - o Be liaison among members should any issues/questions arise, it is often the role of the Vice-Chairperson to discover the facts of the situation and report back to the Chairperson.

- Section 5. Secretary.** The responsibilities are:
- o Prepare public notices as prescribed by the Open Meetings Act
 - o Make public notice of any calendar change within 3 days after the change is made.
 - o Prepare notice of cancellation of meetings.
 - o Prepare and distribute the meeting agendas at the direction of the Chairperson.
 - o Prepare and keep legible permanent records (e.g., the minutes) of LEPC proceedings.
 - o The Secretary will authenticate the meeting minutes of the LEPC available within eight (8) business days after the meeting and present to Chairperson for review and approval.
 - o Approved minutes will be made available for public inspection by the Secretary within five (5) days after they are approved.
 - o The secretary is responsible for filing and preserving minutes as a public record.
 - o The Secretary shall assist the Information Coordinator/County Emergency Management Coordinator as needed with LEPC.

- Section 6. Treasurer.** The responsibilities are:
- o Oversees an operating budget based on the organization's fiscal year.
 - o As chair of the finance committee, the treasurer works with the Subcommittee Vice-Chairperson, and members to create the overall budget, as well as budgets for specific programs or tasks.
 - o Has budget statements prepared for discussion at LEPC General Meeting.
 - o All proposed expenditures shall be approved by LEPC Chairperson and Treasurer prior to actual expense being incurred to ensure it is in accordance to EPRCA & the LEPC primary mission. All transactions will be conducted by check that is signed by the LEPC Chairperson and the Treasurer. A receipt will always be used to reconcile all transactions.
 - o Ensure that funds are spent properly and as approved by committee.
 - o Issue receipts and record all money received to reconcile all transactions.
 - o Attend committee meetings and present the budget report during LEPC General Meeting.
 - o Prepare the end of year annual accounts to present to the auditors upon request.

- Section 7. Information Coordinator i.e. EMC.** The responsibilities are:
- o Receiving, organizing, and maintaining facility reports as required under SARA Title III.
 - o Process all information requests from the public. Note: Copies of LEPC documents will be at the sole expense of the requestor.
 - o Prepares a planning template for use and enters initial data into the plan
 - o Presents plan and routine data to the LEPC for coordination.
 - o Transmits completed plans to local response organizations and SERC.
 - o Issue Tier II updates at LEPC General Meetings

- Section 8. Emergency Management Coordinator.** The responsibilities are:
- o Coordinate the development and implementation of site-specific hazardous materials emergency response plans.
 - o Develop Standard Operating Procedures for the implementation of SARA Title III for the LEPC.
 - o Act on behalf of the LEPC to develop procedures to receive immediate notification regarding hazardous materials' releases, subject to SARA Title III in Bee County.
 - o Incorporate relevant information from LEPC plans into the Counties Emergency Operation Plan, where appropriate.
 - o Serves as a Sergeant at arms at meetings.
 - o Work with the Secretary with required activities between meetings.

ARTICLE IV

COMMITTEES

Section 1. Executive Committee. The LEPC Executive Committee will consist of the Chairperson, Vice-Chairperson, Treasurer, Secretary and Information Coordinator (non-voting member). Special Executive Committee meetings will be schedule as needed to provide updates on the LEPC on-going business to the County Judge and Mayor of the City of Beeville or their designees. The designee must be assigned in writing and presented to the Chairperson. The duties of the Executive Committee shall be to review and coordinate the activities of the standing and ad hoc committees.

Section 2. Standing Sub-committees: The following standing subcommittees shall be established:

A. FINANCE SUBCOMMITTEE

Responsibilities/Goals:

- Management of the LEPC budget and accuracy of expenditures entered under oversight of Treasurer.
- Maintaining appropriate paperwork for 501(c)(3) status for annual budget auditing process.
- Obtain budget recommendations from each subcommittee chair by November of each year.
- Submit grant application requests to appropriate funding sources for all proposed and approved subcommittee projects.
- Examining and recommending funding sources.
- Prepare Financial Report in advance as an attachment with General Meeting Agenda and review Budget/Finance information during the Finance subcommittee report.

B. RISK AWARENESS, COMMUNICATIONS AND PLANNING SUBCOMMITTEE

Responsibilities/Goals:

- Writing and publishing public notices.
- Establishing an information retrieval system from the public.
- Ensuring compliance with Right-to-Know laws.
- Performing citizen/neighborhood/school outreach to inform them of plans and other information that is available. Develop publications for residents outlining the hazards in the community and the provisions contained in the emergency plan, including expected public actions.
- Conduct media outreach describing the LEPC, its function, and the actions the public should take in the event of an emergency, i.e. hold a meeting/conference of potentially affected institutions (schools, hospitals, factories, stadiums, etc.) located within the vulnerable zones.
- Maintain Public Alert & Notification Systems i.e. I-Info System including systems such as LEPC website, social media account, and publish contact information in a public place as well as including information for public Sheltering-in-Place, Evacuation and home safety plans.
- Assisting in the revision of the hazardous materials response portion of the emergency operations plan/emergency action guidelines for the County.
- Establishing a vulnerability zone determination methodology.
- Establish and maintain an emergency response and communication system between federal, state, and local government response personnel and site facility response personnel that is consistent with the National Incident Management System (NIMS) and Homeland Security Presidential Directive (HSPD-5).
- Review and document the off-site plans for each Section 302 site.
- Ensure the review of the Emergency Response Plan annually.

C. PIPELINE DAMAGE PREVENTION SUBCOMMITTEE -

Responsibilities/Goals:

- Promote safety & identification of pipelines in Bee County.
- Educate citizens/construction/plumbing companies to utilize 811 before digging in town or outside of City limits and promote the Texas One-Call System.
- Facilitate communication between local government and responders regarding potential and actual pipeline emergency incidents, including Pipeline Safety & rule updates from Texas Railroad Commission and U.S. Department of Transportation.
- Make available safety brochures to Beeville/County citizens

D. EMERGENCY RESPONSE AND RESOURCE DEVELOPMENT

Responsibilities/Goals:

- Collecting Occupational Health and Safety training information and compliance statistics.
- Establishing an exercise schedule and coordinating it with the local emergency management.
- Program prioritizing and coordinating training for chemical emergencies as well as All-Hazard responses.
- Being familiar with state, local, and federal laws which impact the hazardous materials/All hazards planning process.
- Researching the community's resources for emergency response capabilities.
- Identifying alternative resources upon which the community may draw in times of emergencies or disasters.
- Updating the local resource manual and contact information at Site Facilities.
- Identifying other volunteer or in-kind contributions.
- Developing emergency response procedures for local government/response personnel that may be utilized in hazardous materials/All hazards' responses including but not confined to site facilities, transportation, rail, water/waste facilities, etc. within Beeville/Bee County.
- Establishing local Incident Command System (ICS) procedures to strengthen and coordinate local government emergency response.
- At each facility for which site-specific emergency procedures are developed, hold a tabletop top type drill periodically. At a minimum, the local emergency management coordinator, local fire chief(s), and facility emergency coordinator should be involved. These persons can review the plan and discuss operating procedures. Information from the After-Action Report from the group responders in the drill can help to update any requirements for plan changes they believe are necessary to the LEPC to meet EPRCA requirements.
- Annually, the LEPC should choose one facility or entity for which site-specific emergency procedures are developed and hold a full-scale exercise. This exercise should involve all emergency responders and should be located at the emergency site facility identified in the plan. They should respond to a hypothetical incident at the site, as they would in real life. The facility & LEPC emergency responders need to be involved in developing the scenario. This exercise is often held in conjunction with the facility exercising its own procedures. Response teams will be deployed to the site to test procedures to meet EPRCA requirements.

- Section 3.** **Meetings.** Meetings of the Standing Subcommittees and Ad Hoc Committees may be called by the Chairperson of the LEPC or the Chairperson of those subcommittees as deemed necessary. Subcommittees will meet at a minimum every quarter or more as needed.
- Section 4.** **Chairperson of the Standing Sub-committees.** Unless otherwise specified or provided for in these By-Laws, the subcommittee members shall elect its own subcommittee chairperson to serve for a two (2) year term. The Chairperson will submit a copy of the committees' minutes and attendance record to the Chairperson of the LEPC and Secretary.
- Section 5.** **Membership of Standing Sub-committees.** Membership to a Standing Committee shall be on a volunteer basis. Each member must volunteer to serve on at least one Standing Committee or ad hoc committee. LEPC Chairperson may appoint individuals to a standing subcommittee to ensure that committees have sufficient manpower to carry out their assigned tasks.
- Section 6.** **Ad Hoc Committees.** The Chairperson may create ad hoc committees as necessary and appoint its chairperson. Ad hoc committees shall limit their activities to the accomplishment of the tasks for which it is designated and shall have no power to act except as specifically conferred by action of the Chairperson or the Chairperson of the appropriate Standing Committee.

ARTICLE V

MISCELLANEOUS PROVISIONS

- Section 1.** **Fiscal Year.** The fiscal year shall be considered to run from January 1, through December 31.
- Section 2.** **Indebtedness.** All indebtedness incurred by the LEPC shall be approved by the LEPC Chairperson before payment by the Treasurer. Refer to Section 6 on page 9 on expenditures.
- Section 3.** **Disqualification.** Any member is subject to being disqualified at the request of the LEPC and approval of the County Judge.
- Section 4.** **Post Emergency / Event.** A LEPC member that has had an emergency / event that impacted the community and/or required an emergency response is expected to discuss the event by the next General LEPC meeting with the membership.
- Section 5.** Pursuant to Section 3112 and Section 214 (a) of the Act, the location of specific chemicals requested to be submitted with Tier II information shall be maintained as **confidential** by the LEPC provided that a claim of

confidentiality is submitted with the information and satisfies all requirements for such claims under EPCRA and any regulations promulgated pursuant to the same. LEPC will only forfeit allowable information through the Community Right to Know Act.

Section 6. Liquidation of Funds. Should Bee County LEPC disband then all unobligated funds shall be donated to the local Chapter of the American Red Cross. Prior to the donation all obligations MUST be reconciled and approved by the LEPC.

ARTICLE VI

AMENDMENTS

Section 1. Amendments. These by-laws may be amended by a majority vote of members present and voting at any meeting of the LEPC provided that any proposed amendments to these by-laws be available to members in writing at least one week in advance of the meeting.

Section 2. Approval of By-Laws. These by-laws shall become effective upon approval by a majority of those in attendance at the time of the vote. Signed by the LEPC Chairperson and presented to the Bee County Judge.

ARTICLE VII

RULES

Section 1. Adoption of Rules: Publication of Proposals. The LEPC may, as deemed necessary and proper, adopt rules of general application governing the execution of its responsibilities under SARA Title III and related applicable regulations. Any such rules must first be published in proposed form not less than 10 days prior to final adoption of the LEPC. Publication shall be through posting of the proposed rule and a statement of basis and purpose on the public bulletin board located on the east side of the Bee County Courthouse, Beeville, Texas, and distributed to each member of the LEPC.

Section 2. **Public Notifications** – Not less than once each calendar year, the Chairperson shall cause to be published in a newspaper of general circulation in Bee County a notice that written comment is invited during a thirty-day period on any aspect of the LEPC organization, membership, functions, planning process or purpose. Such notice shall comply in all respects with Section 324(b) of the Act and present a brief explanation of the LEPCs statutory purpose, the location of LEPC minutes and other records and the name and address of the designated by the Chairperson to receive written comments. LEPC shall publish as stated in Art. II, Sect. 4.

- Section 3. Method of Initiating Proposed Rulemaking.** Any member of the LEPC may recommend the initiation of proposed rulemaking. Any proposed rules shall be initially considered by the Executive Committee, unless otherwise decided by the LEPC. If the Executive Committee, by majority vote, approves a proposed rule, it shall thereafter proceed to publication as provided in the preceding section.
- Section 3. Method of Adopting Final Rules.** Following the expiration of the 10-day comment period, the Executive Committee shall review all public comments and prepare a statement which responds to comments raised and discusses the basis for any appropriate changes to the proposal. The Executive Committee shall present such statement to the LEPC. If the LEPC acts favorably, the rule shall take effect immediately upon the time and date the notice of adoption is first published unless the LEPC determines otherwise.
- Section 4. Notice of Adoption.** Upon adoption of any rules by the LEPC, the Secretary shall publish the LEPC's response to comments received and any changes to the proposal made in response to such comments. Publication of the final rule shall be in the same manner as that for proposed rules. Nothing herein shall require a specific response to each and every comment received.
- Section 5. Emergency Rules.** In emergency circumstances, to be determined by the LEPC Executive Committee, the LEPC may adopt rules without prior public notice and comment, provided that no such rule will remain in effect for more than 90 days.

ARTICLE VII

PARLIAMENTARY AUTHORITY

- Section 1. Parliamentary Authority.** The rules contained in Robert's Rules of Order, Newly Revised, shall govern this committee in all cases to which they are applicable and in which they are not inconsistent with these by-laws.

Attachments:

- Exhibit 1 – Abbreviations
- Exhibit 2 – Map of County

Abbreviations

ACC	American Chemistry Council
ALOHA®	Areal Locations of Hazardous Atmospheres
AWIA	America's Water Infrastructure Act
CAA	Clean Air Act
CAMEO®	Computer-Aided Management of Emergency Operations
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CEPP	Chemical Emergency Preparedness Program
CFATS	Chemical Facility Anti-Terrorism Standards
CMA	Chemical Manufacturers Association
CSB	U.S. Chemical Safety Board
DHS	Department of Homeland Security
DOT	U.S. Department of Transportation
EHS	Extremely Hazardous Substance
EPA	U.S. Environmental Protection Agency
EPCRA	Emergency Planning and Community Right-to-Know Act
ERP	Emergency Response Plan
FEMA	Federal Emergency Management Agency
GDC	General Duty Clause
HAZWOPER	Hazardous Waste Operations and Emergency Response
HCS	Hazard Communication Standard
HMEP	Hazardous Materials Emergency Preparedness
HHFT	High Hazard Flammable Trains
ICP	Integrated Contingency Plan (also known as the "One Plan")
LEPC	Local Emergency Planning Committee
MARPLOT	Mapping Application for Response, Planning, and Local Operational Tasks
NCP	National Oil and Hazardous Substances Pollution Contingency Plan
NRT	National Response Team
OSH Act	Occupational Safety and Health Act
OSHA	Occupational Safety and Health Administration
RCRA	Resource Conservation and Recovery Act
RMP	Risk Management Program (or Risk Management Plan)
RRT	Regional Response Team
SARA	Superfund Amendments and Reauthorization Act
SDS	Safety Data Sheet
SERC	State Emergency Response Commission
SPI	Safety Performance Indicators
TEPC	Tribal Emergency Planning Committee
TERC	Tribal Emergency Response Commission
TPQ	Threshold Planning Quantity
TRI	Toxics Release Inventory
TSDF	Treatment, Storage, and Disposal Facility

Exhibit 1

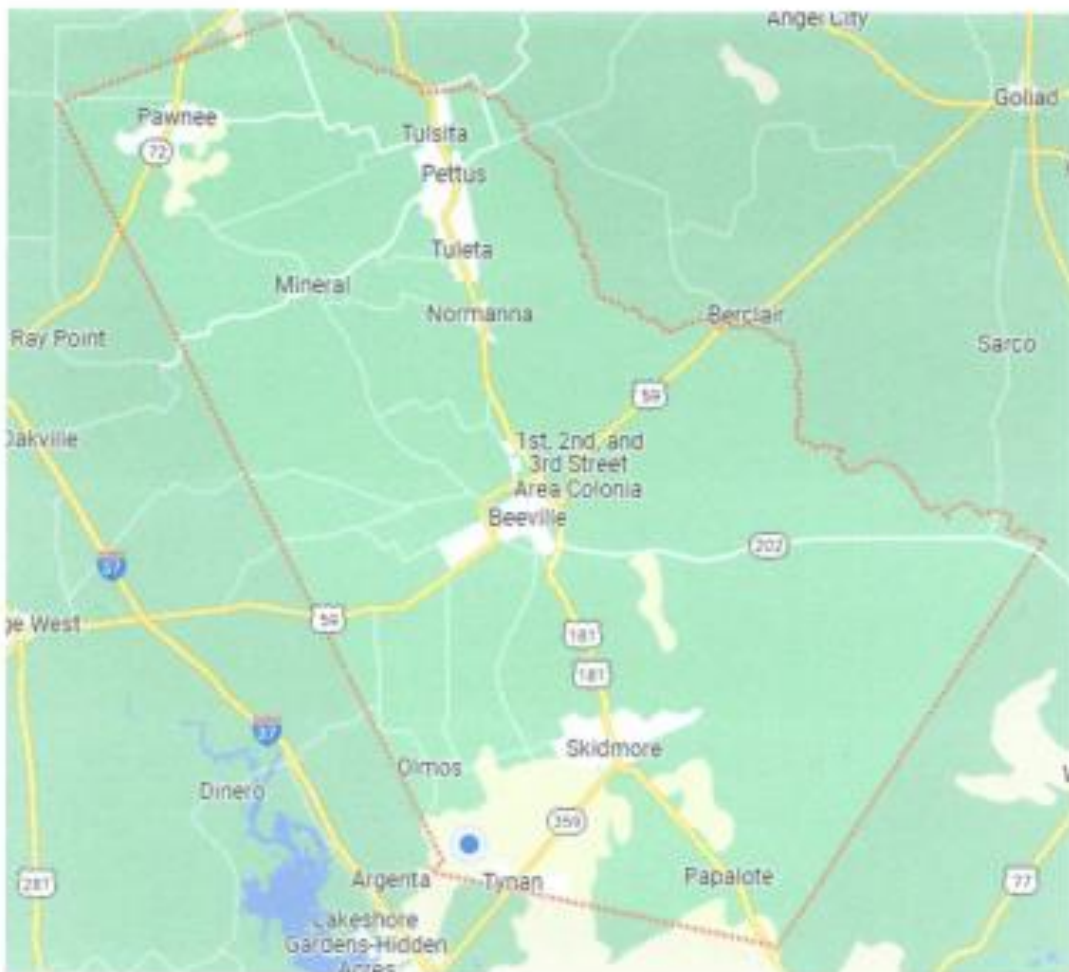


Exhibit 2

These By-Laws are effective, as amended and approved, by unanimous vote of members present and voting at a meeting convened on.


LEPC Bee County Chairperson – David Cave


Date

- 1) Bylaws adopted on April 21, 2008
- 2) Amended on November 12, 2014
- 3) Amended on August 9, 2023