

**CHITTENDEN COUNTY, VERMONT LOCAL EMERGENCY PLANNING COMMITTEE (LEPC)
BY-LAWS OF THE LEPC**

Mission Statement 1-1-0

LEPC Structure 1-2-0

Regulation overview 1-2-1

LEPC District #1 membership 1-2-2

Members 1-2-3

Officers 2-1-0

Secretary 2-1-1

Treasurer / Budget Administrator 2-1-2

Assistant Chairperson 2-1-3

Chairperson 2-1-4

Election of Officers 2-1-5

Standing Subcommittees 2-2-0

Training Coordination Subcommittee 2-2-1

Emergency Response Plan Subcommittee 2-2-2

Administrative 3-1-0

Meetings 3-1-1

Record Maintenance 3-1-2

Financial 3-2-0

Income 3-2-1

Expenditures 3-2-2

LEPC Equipment 3-2-3

By-laws Amendments 3-3-1

Mission Statement 1-1-0

To Provide resources and guidance to the community through education, coordination and assistance in hazmat planning to assure public health and safety.

LEPC Structure 1-2-0

Regulation overview 1-2-1

In accordance with Title 20 VSA and the Superfund Amendment & Reauthorization Act of 1986, Title III Emergency Planning and Community Right to Know Program (SARA Title III, EPCRA), the governor of Vermont appoints the State Emergency Response Commission (SERC). The SERC has divided the state into 10 local emergency planning districts, and has appointed a Local Emergency Planning Committee (LEPC) for each district.

LEPC District #1 membership 1-2-2

LEPC #1 consists of representatives from businesses, local government, emergency responders and citizen groups located in Chittenden County municipalities including:

Burlington, Essex, Shelburne, Underhill, South Burlington, Essex, Junction, Charlotte, Jericho, Winooski, Westford, Hinesburg, Richmond, Colchester, Milton, St George, Bolton, Williston, Huntington, & Buel's Gore

Members 1-2-3

LEPC members are approved by the LEPC, SERC and the organization which they represent. Members must be residents of, or represent entities located in Chittenden County.

Each member shall select and maintain an alternate who can act on his/her behalf to ensure there is adequate representation for their region or function. LEPC #1 must include at least one representative from each of the following:

- Local elected officials, Chittenden County Fire Chief's Association,
- Emergency Management District A, EMS District #3,
- Health Care, Law enforcement,
- Community groups, Local environmental industry,
- News media, Transportation
- Owners and operators of industrial plants and other users of chemicals.

Additionally, representation from the following groups should be encouraged:

- American Red Cross,
- Public Education,
- Regional Planners,

- Vermont Emergency Management,
- Municipal employees, planners and administrators.

Dismissal

The Committee may recommend removal, to the SERC, of any member of the committee for just cause, or at the request of the members of the region. Such dismissal request shall be made upon a majority vote of the committee in executive session.

Resignation

A member of the committee may resign by presenting a letter to that effect to the Chairperson. Resignation will be effective 30 days after submittal.

Officers 2-1-0

Secretary 2-1-1

Prepares and submits minutes of LEPC meetings, including attendance. Maintains roster of LEPC #1 members.

Treasurer / Budget Administrator 2-1-2

- Provide financial statements to the LEPC as requested/directed
- Ensure that all financial transactions are properly supported, and approved by the LEPC
- Be co-signer of all checks
- Make such dispersals and transactions as might be directed

Assistant Chairperson 2-1-3

- Acts on behalf of the chairperson in his/her absence
- Assists the chairperson in accomplishing duties assigned

Chairperson 2-1-4

- Responsible to the State Emergency Response Commission for the operation, administration, and development of the LEPC
- Chairs LEPC meetings
- Represents the District at the state level
- Consults and coordinates with the heads of local government, emergency services and Emergency Management
- Upon notification of an incident, ensure the plan has been implemented

Election of Officers 2-1-5

Members shall elect the following officers from within the LEPC each year at the October meeting:

- Chairperson
- Assistant Chairperson
- Treasurer
- Secretary

Candidates receiving the majority of votes from those members present and those that have already voted by absentee, will begin their term of office on January 1 of the following year. There shall be no limit to the number of terms a member may serve in any one of these positions.

Standing Subcommittees 2-2-0

Training Coordination Subcommittee 2-2-1

Responsible for arranging a drill annually to test the district emergency response plan and capabilities.

Emergency Response Plan Subcommittee 2-2-2

Responsible for updating and distributing District Emergency Response Plan. Integral to this will be Resource Development and Information Development.

Resource Development:

Resource development is responsible for assessing District and state resources available for incident mitigation

Information Development:

Responsible for maintaining Tier II reports, CAMEO support and requests for community Right to Know information.

Additional subcommittees may be added as necessary

Administrative 3-1-0

Meetings 3-1-1

Monthly meetings

The District #1 LEPC will meet at 9:00 on the second Wednesday of each month at the Chittenden County Regional Planning Office, or at such place and time as might be decided by the LEPC. A quorum of four (4) members shall be required in order to conduct business.

Conduct

Meetings will be run by consensus until such a time as any member requests governance by Robert's Rules of Order. General business of the Committee will be conducted in open session . Executive sessions may be requested by any member in accordance with law.

Notification

All meetings of the LEPC will be properly warned.

Record Maintenance 3-1-2

For administrative purposes, records will be maintained for three (3) years.

Financial 3-2-0

All financial transactions of the District shall be overseen by the Treasurer.

Income 3-2-1

Funds received and or accepted by the District will be forwarded to the Treasurer.

Reimbursements to LEPC

Legally recoupable expenses, incurred in the performance of incident mitigation, or normal LEPC business, will be billed by the LEPC to the accountable party. These costs include, but are not limited to:

- Unused LEPC disbursements
- Cost of materials, equipment, personnel used
- Overhead expenses incurred

Expenditures 3-2-2

All expenditures of funds will be approved by a majority of members present at a meeting of District #1 LEPC.

Reimbursement to members

LEPC members or their agents may be reimbursed for official expenditures, including mileage traveled to meetings.

Cash Advances

Cash advances to facilitate the business of the LEPC without impacting financially upon its members or employees are acceptable with the prior approval of the LEPC for specific projects.

Fiscal Year

The fiscal year will be the same as that used by the State of Vermont.

Audit

The financial records of this LEPC will be maintained and audited in a manner consistent with SERC requirements.

LEPC Equipment 3-2-3

Equipment purchased by and for the LEPC is the property of the LEPC. Authorization for usage and storage does not constitute rendering of ownership. Should the LEPC be dissolved, all owned equipment will be equitably distributed to the District, or sold and the cash returned to the SERC.

By-laws Amendments 3-3-1

These by-laws may be amended by a majority of members present at a meeting of District #1 LEPC. Proposed amendment must be submitted in writing to the chair 20 days prior to the vote.

Appendix A Highlights of the Emergency Planning and Community Right-to-Know Act (EPCRA)

- Responsibilities
- Emergency Planning (Sections 301-303)
 - Governors appoint state emergency response commissions (SERCs).
 - SERCs establish emergency planning districts and appoint, supervise, and coordinate local emergency planning committees (LEPCs).
 - LEPCs develop local emergency response plans and review them at least annually.
 - Facilities notify SERCs and LEPCs if they have extremely hazardous substances present above "threshold planning quantities," and participate in emergency planning.
- Emergency Release Notification (Section 304)
 - Facilities notify SERCs and LEPCs immediately of accidental releases of hazardous substances in excess of "reportable quantities" and provide written reports on actions taken and on medical effects.
 - SERCs and LEPCs make accidental release information available to the public.
- Hazardous Chemical Reporting (Sections 311-312)
 - Facilities submit material safety data sheets (MSDSs) or lists of hazardous chemicals on-site (above "threshold quantities") to SERCs, LEPCs, and local fire departments.
 - Facilities submit emergency and hazardous chemical inventory forms (amounts and locations of chemicals) to SERCs, LEPCs, and local fire departments.
 - SERCs and LEPCs make hazardous chemical information available to the public.

- Toxic Chemical Release Reporting (Section 313)
 - Covered facilities submit annual reports on yearly toxic chemical releases to states and EPA.
 - EPA establishes a national toxic chemical release inventory based on facility reports.
 - States and EPA make release information available to the public and communities, EPA makes the information accessible on a national computerized data base, and by other means.
- Appendix B The Emergency Plan

An emergency plan must:

- Use the information provided by industry to identify the facilities and transportation routes where hazardous substances are present.
- Establish emergency response procedures, including evacuation plans, for dealing with accidental chemical releases.
- Set up notification procedures for those who will respond to an emergency.
- Establish methods for determining the occurrence and severity of a release and the areas and populations likely to be affected.
- Establish ways to notify the public of a release.
- Identify the emergency equipment available in the community, including equipment at facilities.
- Contain a program and schedules for training local emergency response and medical workers to respond to chemical emergencies.
- Establish methods and schedules for conducting "exercises" (simulations) to test elements of the emergency response plan.
- Designate a community coordinator and facility coordinators to carry out the plan.