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Kent County LEPC Bylaws

Emergency Planning and Community Right-to-Know

ARTICLE I - NAME

The name of the organization shall be the Kent County Local Emergency Planning Committee, hereinafter referred to as LEPC. For administrative purposes, the Kent County LEPC shall be a section within the Kent County Department of Public Safety, Division of Emergency Management.

ARTICLE II - MISSION

It is the mission of this committee to:

1. Establish procedures for receiving and processing requests from the public for information under Section 324, Subtitle C, Title III, The Emergency Planning and Community Right to Know Act of 1986. (Information concerning the emergency plan required by Section 303 is addressed separately.) The procedure for reviewing and processing requests will be to refer the requests to the Department of Natural Resources and Environmental Control. Most of the information is available on their website.
2. To develop, implement, and exercise the emergency plan required by Section 303, Subtitle A, Title III, The Emergency Planning and Community Right to Know Act of 1986. The emergency plan will be available at the Kent County LEPC Office at the Kent County Department of Public Safety Building, 911 Public Safety Blvd, Dover, Delaware.
3. Educate the public about risks from accidental and routine releases of chemicals, and work with facilities to minimize the risks.
4. Maintain a list of all EHS's and Hazardous Materials in Kent County and the facilities which house such chemicals; this will be implemented through the Computer Aided Management of Emergency Operations (CAMEO) System.

ARTICLES III - MEMBERSHIP

Section 1. Members

This Committee shall include at least one (1) person to represent each of the following groups or organizations:

Emergency Release
Notification (EPCRA
Section 304)

Hazardous Chemical
Inventory Reporting
(EPCRA Section 312)

MSDS Reporting (EPCRA
Section 311)

Online Reporting - Tier II
Manager

Toxics Release Inventory
Reporting (EPCRA
Section 313)

- Emergency Management
- Civil Defense
- Elected State and Local Officials
- Law Enforcement
- Local Environmental Officials
- Transportation Personnel
- Owners and Operators of Facilities Subject to the Requirements of SARA, Title III
- Broadcast and Print Media
- First Aid
- Hospital
- Health Personnel
- Community Groups

Appointments from the above groups are subject to approval by SERC. The LEPC may revise these designations as it deems appropriate.

Section 2. Resignation of Members

Any member may resign from the LEPC by giving a written notice of such intention to the chairperson. The chairperson shall present all resignation notices to the committee at the first meeting after their receipt. SERC will be notified of all resignations.

Section 3. Alternates

Members may designate an alternate, and that alternate may participate in the same manner as regular members when the regular member is absent.

Section 4. Inactive Members

Members will be considered INACTIVE when they have missed more than three consecutive scheduled LEPC meetings without notification to the LEPC Chairperson or Secretary of the reason they were unable to attend the meetings.

Section 5. Removal of Members

Members of the LEPC who become INACTIVE will be recommended to SERC by the LEPC chairperson for removal.

ARTICLE IV - OFFICERS

Section 1. Chairperson

By approval of these By-Laws, the Chairperson of the LEPC shall be the Assistant Director of the Kent County Department of Public Safety, Division of Emergency Management. He/she shall act upon all notices and correspondence. The Chairperson shall designate a Vice-Chairperson to function in his/her absence. The Chairperson shall be authorized to appoint ad-hoc committees as necessary to carry out the duties and responsibilities of the LEPC.

Section 2. Secretary

The Secretary shall record the minutes of the meetings, keep a record of proceedings, and perform all necessary duties and responsibilities incident to the position.

ARTICLE V - MEETINGS

Section 1. Time & Location

Regular meetings shall be held on the second Tuesday of every odd-numbered month at a location and time designated by the chairperson. Special meetings may be called by the chairperson at his/her discretion as deemed necessary to carry out the duties of the LEPC.

Section 2. Voting

Business shall be transacted by general consensus.

Section 3. Notice of Meetings

Notice of the time, place, and proposed agenda items to be considered at each meeting shall be given in writing by the Secretary to all members at least one week prior to the meeting.

Section 4. Public Notice

A Public Meeting Notice with a proposed agenda will be posted at the facility where the meeting is to be held at least seven days prior to the meeting.

ARTICLE VI - BUDGET**Section 1. Annual Budget**

The Annual Budget shall be endorsed by the LEPC before being submitted to the State Emergency Response Commission (SERC) for approval.

Section 2. Purchases

Deviations from the approved budget will be subject to the approval of the LEPC and SERC.

ARTICLE VII - AMENDMENTS**Section 1. Changes**

These by-laws may be amended upon the consensus of the membership of the LEPC at any meeting provided that the proposed changes were presented at the previous LEPC meeting.

Section 2. Suspension

For the entire guidelines and procedures to be suspended or replaced, a consensus of the entire LEPC membership would be required.

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