

BY-LAWS of District 10 Local Emergency Planning Committee, Orleans County
Updated April 14, 2004

Mission Statement

To provide resources and guidance to the community through education, coordination and assistance in ALL HAZARDS planning to assure public health and safety.

LEPC Structure

Regulation overview: 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 13 local emergency planning districts and has appointed a Local Emergency Planning Committee (LEPC) for each district.

LEPC District #10 membership:

LEPC #10 consists of representatives from businesses, local government, emergency responders and citizen groups located in Orleans & Northern Essex Counties including: Albany, Barton, Brownington, Charleston, Coventry, Craftsbury, Derby, Glover, Greensboro, Holland, Irasburg, Jay, Lowell, Morgan, Newport City, Newport Town, Troy, Westfield, Westmore, Averil, Avery's Gore, Bloomfield, Brighton, Brunswick, Canaan, Ferdinand, Lewis, Lemington, Maidstone, Norton, Warner's Grant, and Warren's Gore.

LEPC members are approved by the LEPC, SERC, and the organization which they represent. Members must be residents of, or represent entities located in Orleans & Northern Essex Counties. 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 #10 may include one or more representatives from each of the following organizations and other members as agreed upon by the board. Representatives who are granted membership status will be allowed to vote during an LEPC #10 meeting:

- | | |
|---|--|
| <input type="checkbox"/> Local elected officials | <input type="checkbox"/> Mental Health |
| <input type="checkbox"/> Local Emergency Management | <input type="checkbox"/> Veterinarians |
| <input type="checkbox"/> Northeast International Mutual Aid Association | <input type="checkbox"/> Agency of Transportation |
| <input type="checkbox"/> Beecher Falls Fire Department | <input type="checkbox"/> Rural Community Transportation |
| <input type="checkbox"/> EMS District #2 | <input type="checkbox"/> Radio Media |
| <input type="checkbox"/> Local Law Enforcement | <input type="checkbox"/> Newspaper Media |
| <input type="checkbox"/> Sheriff's Department | <input type="checkbox"/> Owners and operators of industrial plants and other users of chemical |
| <input type="checkbox"/> State Police | <input type="checkbox"/> American Red Cross, Northern Vermont Chapter |
| <input type="checkbox"/> US Customs & Border Patrol | <input type="checkbox"/> VT Towers Association |
| <input type="checkbox"/> North Country Hospital | <input type="checkbox"/> Local National Guard |
| <input type="checkbox"/> Vermont Department of Health, Newport D.O. | |
| <input type="checkbox"/> CERT Team | |

Additionally, representation from the following groups should be encouraged:

- | | |
|--|---|
| <input type="checkbox"/> Public Education | <input type="checkbox"/> Northern Vermont Development Association |
| <input type="checkbox"/> VEM | <input type="checkbox"/> Community Groups |
| <input type="checkbox"/> Municipal employees | <input type="checkbox"/> Churches |

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:

Secretary:

- Prepares and submits minutes of LEPC meetings, including attendance.
- Maintains roster of LEPC #10 members.
- May co-sign checks.

Treasurer/Budget Administrator:

- Provides financial statements to the LEPC as requested/directed.
- Ensures that all financial transactions are properly supported and approved by the LEPC.
- Makes such dispersals and transactions as might be directed.
- May co-sign checks.

Assistant Chairperson:

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

Chairperson:

- 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, ensures the plan has been implemented.
- May co-sign checks.

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

- Chairperson
- Assistant Chairperson
- Treasurer
- Secretary

Standing Subcommittees:

- Training Coordination Subcommittee: Responsible for arranging a drill annually to test the district emergency response plan and capabilities.
- Additional subcommittees may be added as necessary.

Administrative

Meetings:

- Monthly meetings: The District #10 LEPC will meet at 7:00 PM on the second Tuesday of each month at such place as might be decided by the LEPC. A quorum of four (4) members shall be required in order to conduct business.
- Notification: All meetings of the LEPC will be properly warned.

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.

Financial:

- All financial transactions of the District shall be overseen by the Treasurer.
- Checks require the signature of 2 out of the 3 designated signers.

Income:

- 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:

- Ordinary business expenditures of \$50.00 or less may be initiated and completed by the treasurer.
- All other expenditures of funds will be approved by a majority of members present at a meeting of District #10 LEPC.
- Reimbursements 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: 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: These by-laws may be amended by a majority of members present at a meeting of District #10 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 (Section 301-303):

- Governor appoints state emergency response commissions (SERC).
- SERCs establish emergency planning districts and appoint, supervise, and coordinate local emergency planning committees (LEPC).
- 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 (Section 311-312): Facilities submit material safety data sheets (MSDS) or lists of hazardous chemicals on-site (above “threshold quantities”) to SERCs, LEPCs, and local fire departments.

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 database, 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 community coordinator and facility coordinators to carry out the plan.