

# **LOCAL EMERGENCY PLANNING COMMITTEE #9**

## **ADMINISTRATIVE PROCEDURES**

**ADOPTED 6/26/2003**

### **ARTICLE I. GENERAL PROVISIONS**

#### SECTION 1.1 AUTHORIZATION & PURPOSE

The Local Emergency Planning Committee #9 (hereinafter referred to as LEPC 9) has adopted these Administrative Procedures (hereinafter referred to as these Procedures) for the purpose of supplementing the LEPC 9 Bylaws. The LEPC serves as the focal point for community information and discussions related to all hazards, emergency planning, health and environmental risks.

#### SECTION 1.2 AMENDING THESE RULES

These rules may be amended at any meeting by a quorum of five (5) members of LEPC 9 provided that such amendment has been presented in writing to each member of the LEPC at least twenty (20) days prior to the public meeting at which the vote is taken.

#### SECTION 1.3 SUSPENDING THESE RULES

The LEPC may suspend these rules by a five (5) member vote of the LEPC providing that the suspending of such rules is not in conflict with state law or with a fundamental principle of parliamentary law.

### **ARTICLE II. MEMBERSHIP AND PERSONNEL**

#### SECTION 2.1 APPOINTMENTS & TERMS

- A. The LEPC consists of voting members approved by the State Emergency Response Commission (SERC).
- B. The term of each member shall be for the duration of their appointment by their representative organization. Members from Industry, Public Health, and the two (2) at large members shall have a term of one year, with the LEPC accepting (re)nominations annually in September.
- C. Term years commence on November 1 and end on October 31.

## SECTION 2.2 REMOVAL OF MEMBERS

The LEPC may recommend removal of any member to the SERC.

## SECTION 2.3 FILLING COMMISSION VACANCIES

Vacancies shall be filled by the appointing body, or for non-appointing bodies, by the LEPC, at their next available meeting, for the un-expired term of a vacant seat. Recommendations for vacancies shall be approved by the SERC.

## SECTION 2.4 ATTENDANCE AT MEETINGS AND HEARINGS

- A. Attendance is required at all LEPC meetings.
- B. Three (3) consecutive absences from the LEPC meetings shall result in notification of the appointing body for potential replacement of the LEPC representative.

# **ARTICLE III. DUTIES & RESPONSIBILITIES OF THE LEPC**

## SECTION 3.1 LEPC DUTIES & RESPONSIBILITIES

The LEPC is authorized, but not limited, to do the following:

- A. The LEPC shall prepare, maintain, exercise and amend the regional emergency response plan to prepare for and respond to all hazards, including chemical emergencies.
- B. The emergency response plan shall include the identity and location of hazardous materials, procedures for responding to an incident, notifying the public, critical facility contact information, and schedules and plans for testing the plan.
- C. The plan shall be advertised to the public through public meetings and media briefings to obtain public comment and should be reviewed annually.
- D. The LEPC should periodically update the public regarding its activities.
- E. The LEPC shall maintain records of hazardous inventory information and shall make this information available to the public upon request.
- F. The LEPC shall maintain information regarding emergency releases of hazardous materials.
- G. The LEPC may request additional information from hazardous materials facilities for their own planning purposes or on behalf of others and may visit

facilities within the community to determine what they are doing to reduce hazards, prepare for accidents, and reduce hazardous inventories and releases.

- H. The LEPC may take civil action against a facility if they fail to provide the information required under the Federal Emergency Planning and Community Right to Know Act.

## **ARTICLE IV. MEETINGS & HEARINGS**

### SECTION 4.1 REGULAR MEETINGS

- A. Regular meetings of the LEPC shall be held at least four (4) times per year at a date, time, and location established by the LEPC or chair. Regular meetings will be noticed to the public.
- B. All regular meetings shall follow an agenda established by the chair (or vice chair in the absence of the chair).
- B. All meetings shall require a quorum of the LEPC [five (5) members] in order to conduct business. LEPC meetings must obey Vermont's Open Meetings Law.

### SECTION 4.2 PUBLIC HEARINGS

- A. Public hearings are called as needed by the Chair or by vote of the LEPC. Public hearings may be held in order to solicit comment on proposed emergency operations plans amendments, proposed bylaws, or appropriate business.
- B. Public hearings must be warned in three public places at least fifteen (15) days in advance. Common locations are municipal office complexes or emergency response facilities. Public hearings must also be printed in a newspaper of general circulation (Caledonian Record) at least fifteen (15) days in advance of the hearing. Finally, a copy of the warning must be sent to anyone else who has requested to be notified. The warning must include the date, place, and purpose of such hearing.
- C. The order of business for public hearings shall be:
  - a. Public to be heard
  - b. Public hearing(s) items
  - c. Adjournment

### SECTION 4.3 VOTING PROCEDURES

- A. Quorum – In order to conduct a meeting or hearing, a quorum of the LEPC must be present, either in person or by telephonic conference call. A quorum consists of five (5) members.
- B. Majority vote required – Decisions on any matter before the LEPC, except the amending or suspending of these rules as above in sections 1.2 and 1.3, shall require the concurrence of a majority of the members of the entire LEPC, regardless of vacancies or disqualifications. A concurrence requires five (5) votes.
- C. All decisions of the LEPC shall be put in writing and shall be binding when signed by the Chair (or Vice chair if Chair was not present at hearing).

## **ARTICLE V. ADMINISTRATION**

### SECTION 6.1 ANNUAL REPORTS

The Chair of the LEPC must present an annual report to the SERC and the membership at the close of every year. This report should summarize the LEPC's activities for the year, including current issues, trends, and needs future action.

### SECTION 6.2 FUNDING & FINANCING

The LEPC shall have the authority to request appropriations from the State for its expenses. The commission shall have the authority to receive gifts, grants, or money from any sources for their purposes.

### SECTION 6.3 RECORD KEEPING

- A. The LEPC must keep a record of its business including all meetings, transactions, and decisions. The Records must be kept on file and available to the public.