

By-Laws of the Pierce County Local Emergency Planning Committee

Article 1 - Name

The name of the committee shall be the Pierce County Local Emergency Planning Committee.

Article 2 - Authority

Pierce County was designated a local emergency planning jurisdiction by the State Emergency Response Commission pursuant to the Superfund Amendments and Reauthorization Act of 1986 (SARA), under Title III: "The Emergency Planning and Community Right-to-Know Act of 1986" (EPCRA). EPCRA establishes requirements for federal, state, and local governments, and industry regarding emergency response planning and community right-to-know on hazardous chemicals.

Codification of the LEPC's role is contained within WAC 118-40-150 et seq.

Article 3 - Mission Statement

"To enhance the protection of the community and the environment from hazardous materials incidents through planning, preparation and communication between citizens, business and government."

Article 4 - Membership

A. Representation

The committee shall include representation, as stated in WAC 118-40-160, from each of the following groups or organizations:

1. State and local officials
2. Law enforcement
3. Emergency management
4. Fire fighting
5. First aid (Emergency Medical Service)
6. Health profession (Public Health)
7. Local environmental
8. Hospital
9. Transportation personnel

10. Broadcast and print media and/or PIO
11. Community groups
12. Owners and operators of facilities subject to the requirements of Section 302(b) of EPCRA
13. Pierce County school system (not a federal requirement)

A Pierce County Department of Emergency Management (PC DEM) representative to the committee shall work closely with the chairperson and other members of the committee to facilitate the operations of the LEPC.

B. Member Recruiting and Appointing

Exceptions may occur in representation if the LEPC cannot find a volunteer after making a reasonable effort by media communication and by calling likely candidates.

Members shall be recruited and appointed upon the recommendation of the Director of Pierce County DEM or by the LEPC chairperson, and approved by the Pierce County Executive.

C. Meeting Attendance and Voting

Voting privileges are enjoyed by each appointed member who is in attendance at the meeting. Attendance can be face-to-face or via teleconferencing. When a voting member is unable to attend a meeting, that member may designate a voting representative. Attendance by the designee shall be deemed acceptable to maintain voting privileges.

Any member or designee unable to attend 3 consecutive meetings may be removed from the committee by the LEPC chairperson.

For meetings, a quorum shall consist of those appointed members or designees in attendance. LEPC decisions may be approved by a simple majority of those voting members in attendance.

The PC DEM, on behalf of the committee, shall submit annually a list of members and the organizations they represent to the Washington State Emergency Response Commission (SERC).

Article 5 - Officers

A. Election

The committee shall have the following officers: chairperson, chairperson elect and secretary/treasurer.

The chairperson elect and the secretary/treasurer shall be elected annually by committee members in attendance at the October meeting each year. The current year's chairperson elect shall become the chairperson. As a result, a chairperson elect shall serve two years, the first as chairperson elect and the second as chairperson. The length of committee member service shall be open ended, except as provided for in Article 4.

B. Duties

Duties of the officers are:

1. Chairperson

The chairperson presides at all committee meetings, appoints committees as required, and performs the necessary duties of office. The chairperson, or in his/her absence the chairperson elect, is authorized to sign documents on behalf of the committee.

2. Chairperson Elect

The chairperson elect presides in the absence of the chairperson and may perform other duties as assigned by the chairperson.

3. Secretary

The secretary prepares minutes of the meetings, ensures the distribution of the minutes prior to the next meeting, provides public notification, handles correspondence, and performs other duties as appropriate.

Article 6 - Committee Responsibilities

The committee is responsible for developing and maintaining a local hazardous materials response plan that shall be Emergency Support Function 10 (ESF10) in the Pierce County Comprehensive Emergency Management Plan (CEMP).

The Pierce County DEM representative, on behalf of the LEPC, will ensure that the following duties are performed:

- A. Evaluate resources needed to develop, implement and exercise the emergency plan.
- B. Identify existing emergency response equipment and personnel.
- C. Conduct a needs assessment of emergency response equipment and personnel requirements.
- D. Establish procedures for receiving and processing requests from the general public for information about industrial hazardous materials as specified under Section 324 of EPCRA and including Tier II information specified under Section 312.
- E. Designate the Pierce County DEM to serve on behalf of the committee as the coordinator for all information requests and to provide access to Tier II and other specified information.
- F. Review the hazardous materials response plan annually and work to update facilities information.
- G. Establish methods and schedules for exercising the plan.

In order to accomplish these responsibilities the committee shall establish its own internal rules and procedures as may be necessary. Rules and procedures shall be discussed in meetings open to the public prior to adoption.

The LEPC's primary objectives are to improve emergency preparedness for hazardous materials incidents at fixed facilities in Pierce County and to notify the public about LEPC activities. The LEPC is comprised of volunteers. It does not have the resources to work on all of the duties listed in A – G at the same time. Accordingly, each year the LEPC shall select those projects it believes will help accomplish its primary objectives.

Article 7 – Meetings

A. Meetings

Committee meetings shall comply with RCW 42.30, Open Meetings.

The committee shall meet at least three times each year. The public shall be notified of the dates, times and locations of meetings at least 30 days in advance. The committee chairperson can change a meeting date, time, or location with 30 days prior notification of the public.

Meetings shall be face-to-face however a combination of telephone and web conferencing may also be available.

Meetings shall be open to the public, with no restriction. However, executive sessions are an exception. The chairperson shall place a meeting in executive session to discuss matters of national security or other matters as provided for in RCW 42.30.110. Executive sessions are closed to the public.

Any member of the public attending a LEPC meeting shall be allowed to provide comments regarding the emergency plan and other LEPC activities. LEPC responses to public comments shall be provided in writing to the commenter and shall be posted on the PC DEM website as provided for in Article 9.

B. Work Sessions

LEPC members on subcommittees may meet to complete assigned tasks without public notification or public attendance. Such meetings shall not be used to conduct business that requires an open meeting as regulated by RCW 42.30.060.

Article 8 – Finances

Money for LEPC activities may be obtained from three sources:

- A. The LEPC may apply for grants from the State Department of Emergency Management or other agencies. Grant monies awarded shall be set aside by the Pierce County Department of Emergency Management for use by the LEPC.
- B. The LEPC may offer training seminars on industrial emergency preparedness or other topics, and revenues from these sessions shall also be set aside by the Pierce County Department of Emergency Management for use by the LEPC. The LEPC account status shall be provided to a LEPC officer by the Pierce County Department of Emergency Management upon request.

- C. From time to time, the Pierce County Department of Emergency Management may provide additional resources when requested by the LEPC.

Article 9 – Public Notification of Committee Activities

The public shall be notified of committee activities as follows:

- A. Meeting notices and LEPC information shall be accessible from the Pierce County Department of Emergency Management’s website using the LEPC link. The website can be accessed from most public library branches in Pierce County.
- B. The information shall also be available by contacting the LEPC secretary/treasurer or the Pierce County Department of Emergency Management.
- C. Information shall include:
 - 1. Meeting notifications and access information
 - 2. Meeting minutes
 - 3. Project reports
 - 4. Responses to public comments
 - 5. The Emergency Response Plan (ESF-10)
 - 6. Annual work plan
 - 7. Other committee activities
 - 8. Committee members and organizations represented
- D. Information shall not include information the LEPC considers a matter affecting national security

*As approved on January 25, 2012