



**THE BYLAWS  
OF THE  
RICHMOND COUNTY  
LOCAL EMERGENCY PLANNING  
COMMITTEE**

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ARTICLE 1

NAME

This organization shall be known as the Richmond County Local Emergency Planning Committee, (LEPC).

ARTICLE II

PURPOSES

The duties and activities of the Committee are those set forth by the Superfund Amendment and Reauthorization Act of 1987, (SARA), Title III, Subtitle A, Emergency Planning and Notification Section 301.

- A. Establish procedures for reviewing and processing requests for the public for information under Section 324 of SARA.
- B. Establish procedures for receiving and handling Material Data Safety Sheets (MSDS), and Tier I and Tier II information submitted by facilities.
- C. Develop and maintain an updated Title III, SARA Emergency Response Plan. In developing this plan, the committee will evaluate resources for preparing for and responding to a potential hazardous materials accident. These plans will be integrated with Richmond County's Emergency Operations Plan (EOP).

The plan must include provisions for:

- 1. Identification of facilities and extremely hazardous substances transportation routes.
- 2. Emergency response procedures, on-site and off-site.
- 3. Designation of a community coordinator and facility coordinator(s) to implement this plan.
- 4. Emergency notification procedures. The 911 emergency lines will be utilized for initial notification.
- 5. Methods for determining the occurrence of a release and the probable affected area and population.
- 6. Description of community and industry emergency equipment and facilities, and the identity of persons responsible for them.
- 7. Evacuation planning and Shelter-in-Place planning.
- 8. Training and exercise programs for emergency response personnel.
- 9. Coordinate with Risk Management Plan (RMP) facility.

## ARTICLE III

### MEMBERSHIP

**Section 1.** Members – The Richmond County Local Emergency Planning Committee shall be composed of representatives from the following groups or organizations that desire to join and have physical operations within Richmond County;

- A. Local Elected Official (City or County).
- B. Law Enforcement (City, County, and/or State).
- C. Emergency Medical Services/Rescue.
- D. Emergency Management (County and State).
- E. Health Services (Public, Local or State Government).
- F. Fire Services (City or County).
- G. Local Environmental (Professional, Local or State Government).
- H. Environmental Clean-Up (Government or Public)
- I. Hospitals (RAC Representation).
- J. Transportation Industry (Trucking, Railroad or DOT).
- K. Media (Radio, TV and/or Print).
- L. Community Groups (VOAD Representation).
- M. Extremely Hazardous Substances (EHS)/Risk Management Plan (RMP) Facilities.
- N. Other Covered Facilities (Tier II Facilities).
- O. Public (Must be resident of Richmond County).
- P. Schools (Public & Private).
- Q. Agriculture (Local or State Representation).
- R. HAZMAT Teams (Local and/or Regional).
- S. Technical Advisors (Public and/or Private).
- T. Others as desired by the Richmond County Emergency Management Director or LEPC Chairman.

**Section 2.** Appointment and Term – Members shall be nominated every two years by the Director of Richmond County Emergency Management and appointed by the approval of the SERC. Members shall serve a two-year term. Members may be reappointed for additional terms at the

discretion of the appointing authority. Vacancies of the Voting members will be filled from the Community Participant listing.

**Section 3.** **Inactive Members** – Appointed members shall be considered inactive when they miss more than two consecutive LEPC meetings without notification to the Committee Chairman or staff liaison.

**Section 4.** **Removal of members** - Members of the Committee may be recommended to be removed by the Director of Richmond County Emergency Management and LEPC Chairman to the SERC after having missed more than two consecutive LEPC meetings without notification to the Committee Chairman or staff as stated in Article III, Section 2. Removal of a member must be approved by SERC.

**Section 5.** **Technical Advisors** – The LEPC Chairman can also select technical advisors from any group as deemed necessary. These can be from the public or private sector as needed. Only one Technical Advisor can be a voting member.

**Section 6.** **Community Participants** – Community Participants will be composed of individuals that attend meetings on a regular basis (2 out of 4 consecutive meetings). These members will receive all distributions of materials from the committee. These members do not have voting privileges. The Emergency Management Director shall use this group to fill vacancies of the voting members.

#### ARTICLE IV

##### OFFICERS

**Section 1.** **Named** – The officers of the Committee shall consist of a Chairman and a Vice-Chairman.

**Section 2.** **Election and Term** – The Committee shall elect, from its own membership, a Chairman and a Vice-Chairman. The Vice-Chairman shall ascend to the Chairman's position if the Chairman is unable to fulfill his obligation. Both the Chairman and Vice-Chairman shall serve for two years or until their death, resignation, retirement, removal or disqualification. At the first meeting of each second year, an election shall be held to elect the new Chairman & Vice-Chairman.

**Section 3.** **Vacancies** – All vacancies shall be filled in accordance with SARA Title III requirements and local appointing rules and regulations.

#### ARTICLE V

##### DUTIES OF OFFICERS

**Section 1.** **Duties of the Chairman** – The chairman shall preside at all meetings of the Committee, preserve order during its meetings, appoint all subcommittees, serve as an ex-officio member of such subcommittees, and sign all minutes, and such record, vouchers, or other documents connected with the work of the Committee requiring such signature. On an annual basis, the Chairman shall develop and review goals and objectives with Emergency Management staff. These goals and objectives shall be presented to the LEPC members for approval by a vote.

**Section 2.** **Duties of the Vice Chairman** – In the absence of the chairman or in the event of his inability or refusal to act, the Vice Chairman, unless otherwise determined by the Committee, shall perform the duties of the Chairman, and when so acting shall have all the powers of the chairman. He shall exercise such duties as from time-to-time may be assigned to him by the Chairman or the Committee.

## ARTICLE VI

### STAFF

The committee may receive administrative or other support from Richmond County Emergency Management, with the approval of that agency's supervisor, unless prohibited by Federal, State, County or Local regulations.

## ARTICLE VII

### MEETINGS

- Section 1.** **Regular Meetings** – The Committee shall meet at least once a calendar quarter for regular meetings.
- A.** Meetings are held in January, April, July, and October.
- B.** The annual meeting to discuss the Emergency Operations Plan will be held in January.
- Section 2.** **Special Meetings** – The Chairman may call such special meetings as may be deemed necessary to carry out the duties of the Committee. Upon the written request of a subcommittee Chairperson or at least four members, the Chairman shall call a meeting within ten working days.
- Section 3.** **Hearings** – The Committee shall hold such hearing as it may deem necessary and desirable at such times and places as may be determined by a majority vote of the Committee in regular meetings.
- Section 4.** **Quorum** – A majority (more than half) of the filled membership positions shall constitute a quorum. A quorum is necessary to conduct official business at any meeting. The Chairperson shall be considered a member of the Board in considering the number of members actually present for a quorum. The Chairman and Vice Chairman cast a vote as a representative member organization only. Thus only one vote from each member type. A simple majority of votes of a qualified quorum is all that is necessary to pass or defeat a motion.)
- Section 5.** **Agenda** – Any member may request the Chairman to place an item on the agenda. If the Chairman should decline to do so, a member may have such item placed on the agenda by submitting it in writing to the Chairman.
- Section 6.** **Rules of Order** – The deliberations of all meetings of the Committee and various subcommittees shall be governed by Robert's Rules of Order, Newly Revised.
- Section 7.** **Notice of Meetings** – Notice of the time, place, and agenda items to be considered at each meeting shall be given in writing to all members at least five workdays prior to each meeting by the staff. Any matters not appearing on the agenda may be considered upon a favorable vote of the majority of the members present to do so. Notice of special meetings and intended agenda items shall be given to all Committee members in writing or by phone at least seven workdays in advance of any special meeting. Public notice shall be given in accordance with GS 143.318, N.C. Open Meeting Law.
- Section 8.** **Sub-Committees** – All subcommittees are to report to the Chairman on their activities. The Chairman should be invited to all meeting and kept up-to-date on all sub-committee activities. Sub-Committees shall make all recommendations to the chairman so that he/she can then present to the full LEPC committee.

## ARTICLE VIII

### VOTING

- Section 1.** **One Vote Each** – Each group or organization, identified in Article III, Section 1, shall be entitled to one vote. Since the Chairman and Vice-Chairman serve as representative members, their vote will be as the representative of that group or organization only.
- Section 2.** **Proxy Votes** – A voting member may designate in writing someone to vote upon his behalf. This documentation must be presented to the Chairman before the meeting begins.
- Section 3.** **Abstention** – Members may register their abstention on any vote, which shall be reflected in the minutes. Members are encouraged to abstain from voting and from participating in deliberations on matters, which may pose a conflict of interest for them.
- Section 4.** **Determination of Actions** – All final actions, committee positions, or policy recommendations shall require the favorable vote of a majority of those Committee members present and not abstaining on the vote at a duly called meeting.

## ARTICLE IX

### REPORTS AND RECOMMENDATIONS

- Section 1.** **Annual Report** –Effective December 31, 2011, each year the Committee shall make a written report describing its activities for the preceding calendar year.
- Section 2.** **Issuance of Reports** – No reports of any kind shall be released in the name of the Committee unless and until it has been duly adopted by a favorable vote of a majority of the members of the Committee. North Carolina Right-To-Know and SARA Title III provisions to release of public information shall apply.
- Section 3.** **Annual Review of the Emergency Operations Plan(EOP)** - Annually at the April meeting, members of the LEPC committee shall review the EOP and make recommendations for updates or changes.
- Section 4.** **Distribution of the Emergency Operations Plan** - Annually at the October meeting, members of the LEPC shall receive the updated version of the EOP.
- Section 5.** **Procedures for Processing Requests for Information** - Any requests for information from a citizen seeking information about chemicals at a facility will be handled through the Director of Richmond County Emergency Services.

## ARTICLE X

### AMENDMENTS

These bylaws may be amended upon the affirmative vote of a majority of the members of the Committee at any regular meeting of the Committee.

**ARTICLE XI**

**RATIFICATION PROVISIONS**

These bylaws were duly adopted by a majority of the members of the Committee this 18th day of October, 2011 at an LEPC meeting held in Richmond County, North Carolina.

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**Chairman, Richmond County Local Emergency Planning Committee**

Revised: 01/10/12