

**CALCASIEU PARISH LOCAL EMERGENCY PLANNING COMMITTEE  
BY LAWS**

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I. ARTICLE I: GENERAL OVERVIEW

a. SECTION 1 - NAME

The name of this organization shall be the *Calcasieu Parish Local Emergency Planning Committee*, hereinafter referred to as its acronym, LEPC.

b. SECTION 2 - PURPOSE

Mission Statement

Calcasieu Parish Local Emergency Planning Committee is established to meet the requirements assigned to it by the Emergency Planning and Community Right to Know Act (EPCRA) and the State Emergency Response Commission (SERC). The LEPC is dedicated to serving the citizens of Calcasieu Parish by defining expectations for emergency planning and forming and maintaining strong relationships with all partners with a role in emergency response of hazardous materials.

c. SECTION 3 - OBJECTIVES

- i. Develop, exercise, and evaluate the emergency response plan for hazardous materials of Calcasieu Parish.
- ii. Standardize procedures for regulated facilities to enhance the effectiveness of the informational and emergency notification process in accordance with Public Law 99-499, Superfund Amendments and Reauthorization Act of 1986 (SARA), Title III.
- iii. Develop, exercise, and evaluate procedures for the retrieval and process of requests from the public under the Community Right-to-Know provisions of SARA, Title III.
- iv. Define and support public notification and information programs to satisfy the requirements of LEPC's mission.
- v. Implement legal requirements proclaimed by the Federal Government and the State Emergency Response Commission (SERC).

II. ARTICLE II: MEMBERSHIP

a. SECTION 1: QUALIFICATIONS

- i. Members are nominated by the following agencies/organizations: Fire Departments, Police Departments, Sheriff's Department, School Board, 911, Office of Public Health, Police Jury, US Coast Guard, Municipalities within the Parish, LAIA.

- ii. All other members, representing the community and media are nominated by the LEPC Executive Committee.
  - iii. Members are approved by the LEPC Committee.
  - iv. Members must be approved by SERC.
  - v. Those appointed as members represent the various professional and community groups as designated by SARA, Title III.
  - vi. Members shall be residents of or conduct business within the jurisdiction of Calcasieu Parish.
- b. SECTION 2 - OFFICERS
- i. The roles and responsibilities of elected officers include the following:
    - A.) Conduct meetings
    - B.) Appoint subcommittees
    - C.) Document minutes of meetings
    - D.) Other actions that satisfy the needs of LEPC
- c. SECTION 3 – VACANCIES
- i. Any vacancy by reason of resignation, death, or disqualification of a member will be filled by appointment in accordance with Article III.
  - ii. Suggestions for potential candidates to fill vacant positions may be nominated by the Executive Committee of the LEPC. Acceptance or denial of membership is determined by majority vote from members in attendance at the next scheduled meeting.
  - iii. New members accepted by the LEPC will be forwarded to the Chairman of LEPC then to the SERC for further approval.
- d. SECTION 4 – AUTHORITY
- LEPC has authority over emergency response plans, programs, and public information regarding hazardous materials.
- e. SECTION 5 – MEETINGS
- i. There shall be a minimum of four (4) regular meetings per year for the community.

- ii. Special meetings may be called by the Chairman. The Chairman determines the time and location.
        - iii. The Chairman must call a special meeting to meet the demands of a written request of at least five (5) members. The special committees shall meet as required to complete their task.
  - f. SECTION 6 - QUORUM
    - i. One-third (33%) of members must be present at the opening of a meeting. These members constitute a quorum, so business transactions may be conducted.
    - ii. For Standing Committee meetings, the presence of three members shall constitute a quorum for the transaction of business.
  - g. SECTION 7 – COMPENSATION
    - i. Members shall receive no compensation, but shall be entitled to the necessary expenses, including travel expenses, incurred in the discharge of duties.
    - ii. Reimbursed rates shall be the same as Parish employees.
- III. ARTICLE III – OFFICERS
  - a. SECTION 1 – ENUMERATION OF OFFICERS
    - i. Officer positions for LEPC consists of a Chairman, Vice-Chairman, and a Secretary/Treasurer.
    - ii. Officers are elected by the committee.
    - iii. All officers are required to be members of LEPC.
  - b. SECTION 2 – NOMINATION AND ELECTION OF OFFICERS
    - i. Prior to the expiration of the officer’s term of service, nomination and election to fulfill the position shall occur.
    - ii. Nominations are accepted from the floor for the positions of Chairman, Vice-Chairman and Secretary-Treasurer.
    - iii. The election shall be by ballot, except that when there is only one nomination for each office, election may be performed by voice vote.
    - iv. These officers shall be selected by a majority of the members of the LEPC present and voting at the meeting and confirmed by the SERC.
  - c. SECTION 3 – TERM OF OFFICE

Term of office shall be for a period of two years, beginning January 1<sup>st</sup>.

d. SECTION 4 - CHAIRMAN

- i. The Chairman shall moderate all meetings.
- ii. Serves in an ex officio capacity for all committees under LEPC.
- iii. Perform duties necessary to accomplish the objectives of the LEPC.
- iv. The Chairman has the authority to create ad hoc committees when deemed necessary, so the objectives of the organization are fulfilled.

e. SECTION 5 - VICE-CHAIRMAN

Upon resignation, death, or in the absence of the Chairman, the Vice-Chairman shall perform the duties of the Chairman.

f. SECTION 6 - SECRETARY-TREASURER

- i. The Secretary-Treasurer in cooperation with the Chairman shall be the custodian of all books, papers, documents, and other property of the LEPC. The Secretary-Treasurer must keep a true record of the proceedings of all meetings that affiliate with LEPC.
- ii. Additionally, the Secretary-Treasurer, in conjunction with the Chairman, shall attend to the financial needs and shall maintain an accurate account of all moneys received and expended.

IV. ARTICLE IV – COMMITTEES

a. SECTION 1 - EXECUTIVE COMMITTEE

- i. The Executive Committee consists of the Chairman, Vice-Chairman, Secretary-Treasurer, and the reigning Chairman of all four Standing Committees.
- ii. The duties of the Executive Committee shall be to oversee the activities of the Standing and ad hoc Committees.

b. SECTION 2 - STANDING COMMITTEE

- i. The following Standing Committees shall be established:
  - A.) *Right-to-Know Committee* – This Committee shall be responsible for the formulation of all policies and procedures concerning the public's Right-to-Know program; the formulation of all chemical release reporting procedures; the establishment of trade secret protection procedures; and the formulation of all record keeping and information dissemination procedures for the LEPC.

- B.) *Public Education and Information Committee* – This committee shall be responsible for the development of a public education and information program, outreach with affected communities and the public at large, and all publicity of the LEPC.
  - C.) *Alerting and Notification Committee* – This committee shall be responsible for the development of a program to ensure coordination and consistency of all alerting and notification systems with a focus on the availability of timely and accurate information to the impacted public.
  - D.) *Hazardous Material Emergency Response and Resource Committee* – this Committee shall be responsible for procedures for identification and communication with facilities that contain hazardous materials. This committee shall develop and test a hazardous substance emergency response plan for the planning district as required by law. This committee shall review existing Federal, State, and local plans for the purpose of coordination with the LEPC planning program.
- ii. Authority
    - A.) Standing Committees have no authority apart from a vote of a quorum of the LEPC.
    - B.) Committee work may be conducted as authorized by the LEPC. This includes budgeted expenditures, meetings, evaluations, drafting rules or legislation.
    - C.) All drafts and any additional activities of the Committee must be approved by a quorum of the LEPC before any action is taken.
- c. SECTION 3 – MEETINGS
    - i. Meetings of the Standing and ad hoc Committees may be called by the Chairman of the LEPC, or the Chairman of those Committees as deemed necessary.
    - ii. Standing committee work may be conducted and approved during a regular LEPC committee if a committee meeting is not otherwise scheduled.
- d. SECTION 4 - CHAIRMAN OF THE STANDING COMMITTEES  
The Chairman of the Standing Committees shall be nominated and elected by the respective Committees.
- e. SECTION 5 - MEMBERSHIP OF STANDING COMMITTEES
    - i. All LEPC members must serve on at least one Standing Committee.

- ii. Membership for the Standing Committees shall be authorized by the Chairman after consultation with the Executive Committee to ensure that all Committees have sufficient membership to service the assigned tasks.
  - f. SECTION 6 - AD HOC COMMITTEES
    - i. The LEPC Chairman may create ad hoc committees to perform the functions of the LEPC.
    - ii. The Chairman of an ad hoc committee shall be appointed by the LEPC Chairman.
    - iii. Ad hoc committees have no authority apart from a vote of the quorum of the LEPC.
- V. ARTICLE V - MISCELLANEOUS PROVISIONS
- a. SECTION 1 – FISCAL YEAR

The fiscal year is from January 1<sup>st</sup> through December 31<sup>st</sup> of each year.
  - b. SECTION 2 – INDEBTEDNESS

All indebtedness incurred by the LEPC shall be approved by a quorum of LEPC membership at a properly noticed meeting and authorized by the Chairman before payment is recorded by the Secretary-Treasurer.
  - c. SECTION 3 - APPROVAL OF BY LAWS
    - i. By laws are effective upon approval by a majority vote of a quorum of the LEPC at the organizational meeting.
    - ii. In addition, by laws must be approved by the SERC.
  - d. SECTION 4 - DISQUALIFICATIONS.
    - i. Regular Membership
      - a. Any member that is absent at least half of regular scheduled meetings in the calendar year may be subjected to dismissal by the LEPC.
      - b. Members will receive a request to justify their absence by either certified mail or verbal contact.
      - c. If members do not respond to the request by the following meeting, a vote to disqualify members will be on the agenda.
      - d. All disqualifications will be acted on by LEPC, and then forwarded to the SERC for official action.
    - ii. Executive Committee Memberships

Any Executive Committee member who does not attend at least half of the Executive Committee meetings may be disqualified, per the above-mentioned procedure.

iii. Leaves of Absence

Under extenuating circumstances, members may request a maximum one-year leave of absence. This will be approved by the full board.

iv. Group Representation Disqualification

- a. Any member who no longer represents the originally appointed professional organization or community group will be disqualified from LEPC.
- b. The member may petition the full board for permission to represent the community at large if a position is open. The full board will review the position and determine disqualification. All action must be acted on by the full board and sent to the SERC for final approval.

VI. ARTICLE VI - AMENDMENTS

a. SECTION 1 – VOTING

These by-laws may be amended by a two-thirds vote of a quorum of members present during any properly noticed LEPC meeting.

b. SECTION 2 – PRIOR SUBMITTAL

However, any proposed amendments to the bylaws must be submitted in writing at least one week prior to an upcoming meeting.

c. SECTION 3 – APPROVAL

Amendments must be approved by SERC.

VII. ARTICLE VII - RULES

a. SECTION 1 - ADOPTION OF RULES AND PUBLICATION OF PROPOSALS

- i. The LEPC has the authority to adopt rules of general application regarding governance over the execution of its responsibilities under Title III and related applicable regulations.
- ii. Propositions must be provided in writing to the LEPC members at least 10 days prior to final adoption by the LEPC. Written notice includes a statement of basis and purpose. The proposed rule together with the statement of basis and purpose are hereafter referred to as “notice of proposed rulemaking.”
- iii. Such notice of proposed rulemaking shall invite written public comment on any aspect of the proposed rule during the 10-day period.

- iv. The LEPC may choose, but is not required, to mail notices of the proposed rulemaking to interested local governmental officials, industries, and citizens.

b. SECTION 2 - METHOD OF INITIATING PROPOSED RULEMAKING

- i. Any member of the LEPC may recommend the initiation of proposed rulemaking.
- ii. Any proposed rules shall be initially considered by the Executive Committee or Standing Committee, unless otherwise decided by the membership of the LEPC.
- iii. If the Executive Committee or Standing Committee by majority vote approves a proposed rule, it shall thereafter proceed with publication as provided in the preceding section.

c. SECTION 3 - METHOD OF ADOPTING FINAL RULES

- i. Following the expiration of the 10-day publication, the Executive Committee shall review all public comments and prepare a statement in response to comments raised. Furthermore, the Executive Committee shall facilitate a discussion based on any changes to the proposal.
- ii. The Executive Committee shall present the statement to all members of the LEPC.
- iii. The LEPC shall then vote on the adoption of the proposed rule.
- iv. If LEPC votes in favor of the proposition, the rule shall take effect immediately upon the time and date the notice of adoption is first published, unless LEPC determines otherwise.

d. SECTION 4 – EMERGENCY CIRCUMSTANCES

Under emergency circumstances, LEPC may adopt rules prior to a notice. However, the rule will remain in effect no longer than 90 days.

VIII. ARTICLE VIII - PARLIAMENTARY AUTHORITY

The rules contained in *Robert's Rules of Order, Newly Revised*, shall provide the general structure of governance for LEPC.