

BYLAWS

COCONINO COUNTY LOCAL EMERGENCY PLANNING COMMITTEE (LEPC)

JANUARY , 2019

TABLE OF CONTENTS

<i>ARTICLE I – AUTHORITY</i>	<i>page 3</i>
<i>ARTICLE II – NAME/JURISDICTION</i>	<i>4</i>
<i>ARTICLE III – MISSION/GOALS</i>	<i>4</i>
<i>ARTICLE IV – MEMBERSHIP</i>	<i>5</i>
<i>ARTICLE V – MEETINGS</i>	<i>6</i>
<i>ARTICLE VI – OFFICERS</i>	<i>8</i>
<i>ARTICLE VII – SUBCOMMITTEES</i>	<i>9</i>
<i>ARTICLE VIII – PUBLIC INFORMATION</i>	<i>10</i>
<i>ARTICLE IX – AMENDMENTS</i>	<i>11</i>

ARTICLE I – AUTHORITY

- Section 1. FEDERAL/STATE. These bylaws have been adopted pursuant to the requirements cited in Section 301, Title III, Superfund Amendments and Re-authorization Act of 1986 (SARA), also called the Emergency Planning and Community Right-To-Know Act of 1986 (EPCRA), and in Arizona Revised Statutes, (A.R.S.) § 26-344, 26-345.
- Section 2. NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) COMPLIANCE REQUIREMENTS FOR LOCAL EMERGENCY PLANNING COMMITTEE. Local Emergency Planning Committee (LEPC) are required to meet NIMS implementation requirements to be eligible to receive Federal preparedness assistance in the form of grants, cooperative agreements and direct contracts. LEPC participate in the communities within the States by assisting in the preparation of emergency operation plan to prepare for and respond to chemical emergencies.
- A. Required elements of the community emergency operation plan for the LEPC:
 - B. Identify facilities and transportation routes of extremely hazardous substances;
 - C. Describe emergency response procedures, on and off site;
 - D. Designate a community coordinator and facility coordinator(s) to implement the plan;
 - E. Outline emergency notification procedures;
 - F. Describe how to determine the probable affected area and population by releases;
 - G. Describe local emergency equipment and facilities and the persons responsible for them;
 - H. Outline evacuation plans;
 - I. Provide a training program for emergency responders (including schedules);

- J. Provide methods and schedules for exercising emergency response plans.

ARTICLE II – NAME/JURISDICTION

- Section 1. NAME. This committee shall be known as the Coconino County Local Emergency Planning Committee, hereafter called the LEPC.
- Section 2. JURISDICTION. The State of Arizona Emergency Response Commission (AZSERC) has designated each County within the State as a “planning district”, effective July 17, 1987. As of 2016, the AZSERC is overseen by Arizona Department of Environmental Quality (ADEQ). AZSERC receives and coordinates emergency notifications of chemical releases, collects chemical inventory information and provides the information to interested parties, training programs and grant programs.
- Section 3. The principal office of the LEPC shall be at the Coconino County Emergency Management, 219 East Cherry Ave, Flagstaff, AZ 86001.

ARTICLE III – MISSION/GOALS

- Section 1. MISSION. To serve as the Coconino County multi-jurisdictional, multi-discipline, and multi-agency coordinating body to facilitate discussion and planning for SARA Title III, Hazardous Materials, and related public safety matters as determined appropriate by the LEPC membership.

GOALS. The goals of the LEPC shall be to:

- A. Facilitate public safety preparedness efforts, with emphasis on Hazardous Materials, and including planning, training, exercising, and mitigation (preventative) measures;
- B. Facilitate county-wide analysis studies and the identification and prioritization of emergency preparedness and response needs, including equipment, planning, training, and exercising;
- C. Promote and facilitate the preparation and submission of grants applications supporting multi-jurisdictional and/or multi-agency projects and projects addressing critical county Hazardous Materials Response needs as prioritized by the LEPC;
- D. Facilitate the preparation, maintenance, and approval of Coconino Hazardous Materials Emergency Operation Annex, also known as Emergency Support Function (ESF) Oil and

Hazardous Material Response ESF # 10 and portions of Firefighting ESF # 4 pretraining to hazardous materials of the County's Emergency Operation Plan, and related Annexes.

- E. Develop procedures for receiving and processing requests from the public for information under Sections 312 and 324, Title III of EPCRA (See Article VIII, Section 1);
- F. Establish provisions for public notification of LEPC activities and meetings, receiving and responding to public comments, and dissemination of the Coconino County Emergency Operation Plan and Hazardous Material Annex;
- G. Conduct emergency preparedness public awareness and education programs designed to create an informed and knowledgeable public;
- H. Provide recommendations to appropriate organizations concerning hazardous materials response and preparedness.

ARTICLE IV – MEMBERSHIP

Section 1. ORGANIZATION ELIGIBILITY. LEPC membership will be invited, at a minimum, from groups or organizations specified in Section 301, EPCRA, and A.R.S. § 26-344. These categories include:

- A. Elected state and local officials.
- B. Law enforcement, emergency management, fire service, emergency medical service, public health, local environmental, hospital, transportation, and other emergency services / support personnel.
- C. Broadcast, print and social media.
- D. Community groups, to include non-profit and volunteer agencies.
- E. Owners and operators of facilities subject to the requirements of EPCRA and A.R.S. § 26-344.

Section 2. MEMBER NOMINATION. Any entity (organization, etc.) falling within the categories in Section 1 of this article can participate in the LEPC by nominating in writing one primary member and, if the entity so desires, one alternate member as its representative(s). Primary and alternate nominees need not be from the same unit of the entity but will be considered to represent all units of the entity.

- Section 3. MEMBER APPROVAL. Upon receipt of written nomination(s) from an eligible entity, nominee(s) will be voted upon at the next regular LEPC meeting with a quorum present.
- Section 4. MEMBER RESIGNATION. A member from any entity may submit a written resignation to the Chair at any time with immediate effect, upon which the Chair will request that the entity submit a written nomination for a replacement. Member resignation will be forwarded to AZSERC for approval.
- Section 5. MEMBER TERMINATION. The LEPC Chair may declare the existence of vacancy and request that an entity nominate replacement(s) when both primary and alternate members of the entity fail to attend three consecutive regularly scheduled quarterly meetings, or the actions of a primary or alternate member are consistently detrimental or contrary to the mission or goals of the LEPC, as determined by a majority of the LEPC. Termination will be forwarded to AZSERC for approval.

Upon membership termination for any reason, a person, organization, or entity, must reapply to the LEPC if they wish to be reinstated.

- Section 6. DISCLAIMER OF ENDORSEMENTS No individual member or group of the LEPC shall have the authority to endorse or recommend any product, service, and any candidate for a political office in the name of the LEPC

ARTICLE V – MEETINGS

- Section 1. REGULAR MEETINGS. Regular meetings shall occur once per calendar quarter at a time and place designated by the Chair or the LEPC, for the purpose of determining progress in LEPC goals, providing guidance to subcommittee task groups, approving recommendations from subcommittees, information sharing, and transacting such other business as may properly come before it.
- Section 2. SPECIAL MEETINGS. Special meetings shall be held at the call of and at a time and place designated by the Chair, or the Vice Chair in the absence of the Chair. Only the business that necessitated the calling of the Special Meeting may be considered during such meeting.
- Section 3. NOTICE OF MEETINGS. Notice of any meeting or subcommittee meeting of the LEPC shall be posted at Coconino County

Administration Building, 219 E. Cherry Avenue, Flagstaff, AZ in accordance with Public Meetings and Proceedings, A.R.S. § 38-431 thru 38-431.09. Such notice shall outline, as far as practicable, the matters to be considered at such meeting, including specific issues. Notice of all meetings of the LEPC shall be given to each member via mail, e-mail, or telephone prior to the meeting.

- Section 4. QUORUM. At any LEPC meeting, a quorum for approval of business is defined as 30 % of the members on the most recent membership and designated proxy list being present at the meeting; with the exception that when two or more members of an entity are present, only one will be included in the member attendance count for voting purposes. "Present" means that the entity's primary or alternate member or designated proxy is physically present. Provision will be made at the primary meeting room for public attendance.
- Section 5. VOTING. At any LEPC meeting, each member present shall be entitled to one vote, and voting by proxy shall be permitted, with the exception that when there are two or more members present from the same entity, only one member from the entity may vote. Members must pre-designate proxy representatives in writing for inclusion on the current membership/proxy list in order for proxy voting to be accepted by the Chair at a meeting. Decisions on any question at a meeting of the LEPC shall be by majority vote of the authorized voting members or proxies, counting only one per entity toward the total, present at the meeting.
- Section 6. CONDUCT OF MEETINGS. Meetings will be conducted in a relatively informal, polite and courteous manner, encouraging participation. Any disputes in meeting procedures will be referred to the latest edition of *Roberts Rules of Order* for resolution.
- Section 7. AGENDA. Agenda shall be in accordance with the guidelines of A.R.S. § 38-431 thru 38-431.09, Public Meetings and Procedures. Agenda contents shall list specific items to be discussed. Suggested items shall be submitted to the Coordinator of Information in writing not later than five (5) working days prior to a scheduled meeting and must include a point of contact for clarification. Prior to LEPC action on each item individuals/groups submitting the topic may be asked to comment and shall be given ten (10) minutes. Agenda shall be available to LEPC members and public prior to the scheduled meetings.
- Section 8. "CALL TO PUBLIC". "Call to Public" shall be included as the last item on the agenda prior to adjournment. Individuals desiring to address the LEPC shall state name, organization they represent and topic of discussion. Speaker shall be given a maximum of ten (10) minutes for

their presentation. At the completion of speaker's presentation, the Chair or Vice Chair will determine further actions to be taken. There shall be no discussion by the LEPC members at this time, unless determined by the Chair or Vice Chair.

ARTICLE VI - OFFICERS

- Section 1. **PRINCIPAL OFFICERS.** The principal officers shall be the Chair, Vice Chair, and Coordinator of Information. The Chair and Vice Chair shall be appointed by the LEPC on an annual basis. The Coordinator of Information shall be employed in the Coconino County Emergency Management Office.
- Section 2. **CHAIR.** The Chair shall preside at all meetings of the LEPC. The Chair shall have general charge and supervision of the affairs of the LEPC and shall perform such other duties as may from time to time be assigned by the LEPC.
- Section 3. **VICE CHAIR.** At the request of the Chair, or in the event of his/her absence or disability, the Vice Chair shall perform any and/or all of the duties of the Chair. The Vice Chair shall have such other powers and perform such duties as the Chair may assign from time to time.
- Section 4. **COORDINATOR OF INFORMATION.** The Coordinator of Information will:
- A. Provide administrative support to the other principal officers and the LEPC, including attending and keeping the minutes of all meetings;
 - B. Coordinate and facilitate the preparation of emergency plans;
 - C. Assist with the public posting and member notification of meeting notices and agendas;
 - D. Maintain a current mailing, contact list of LEPC member organizations and representatives and provide such list to AZSERC;
 - E. Provide information in response to public requests as per Article VIII, Section 2;
 - F. Perform such other duties as the Chair and Vice Chair may assign;
 - G. In the absent of the Chair and Vice Chair at a regularly scheduled meeting the Coordinator will preside as moderator or

appoint a moderator;

- H. In the absence of the Coordinator of Information from a meeting or LEPC the Coconino County Emergency Manager will designate a person from Emergency Management to fulfill the duties.

ARTICLE VII – SUBCOMMITTEES

Section 1. **SUBCOMMITTEE ESTABLISHMENT/APPOINTMENT OF MEMBERS.** Subcommittees may be established, as the need arises, by the LEPC, or by the Chair with subsequent approval of the LEPC. Individual appointments to the sub-committees may be made by the LEPC or by the Chair, or as otherwise specified for the standing subcommittees.

Section 2. **STANDING SUBCOMMITTEES**

A. **TRAINING/EXERCISE SUBCOMMITTEE.**

A standing subcommittee will meet at least annually to identify training and exercise needs, integrate individual organization plans into a county-wide training/exercise activity schedule, assist in coordinating multi-jurisdictional or multi-agency activities, and identify and prioritize opportunities for expenditure of training/exercise funding provided to the county. The subcommittee will be composed of one representative from Coconino County Emergency Management, and two other member entity representatives who request to sit on the subcommittee and are appointed by the LEPC Chair. The annual subcommittee meeting may be the Multi-Year Training and Exercise Plan Conference coordinated annually by Coconino County Emergency Management.

B. **HAZARDOUS MATERIALS RESPONSE RESOURCE SUBCOMMITTEE**

A subcommittee will meet annually to review, evaluate and update Coconino Hazardous Materials Emergency Operation Plan, also known as Emergency Support Function (ESF) Oil and Hazardous Material Response ESF # 10 and portions of Firefighting ESF # 4 pretraining to hazardous materials of the County's Emergency Operation Plan, and related Annexes. The subcommittee will be a five-member committee appointed by the LEPC Chair. Review time shall be from the first annual quarterly meeting to the second quarterly meeting. The

committee will present their findings at the second quarterly meeting for consideration and actions by the LEPC.

C. AD-HOC COMMITTEE

Additional ad-hoc committees will be selected as required by the LEPC. Term of committee shall expire upon completion of assignment.

- Section 3. SUBCOMMITTEE CHAIRS. Each subcommittee chair shall be recommended by the subcommittee and appointed by the LEPC Chair. The business and affairs of the subcommittee shall be managed and controlled by the subcommittee chair.
- Section 4. TECHNICAL ADVISORS. Individuals with expertise, who are affiliated with a member entity, can participate in sub-committee activities as technical advisors regardless of LEPC membership. They will not, however, have voting rights if not an LEPC member.
- Section 5. QUORUM. One half of the subcommittee members shall constitute a quorum, but a lesser number (not less than two) may hold a meeting.
- Section 6. VOTING. Except as otherwise specifically prescribed in these bylaws, all decisions at any meeting of a subcommittee shall be by majority vote of those subcommittee members attending the meeting. Each subcommittee member must be physically present and shall be entitled to one vote. Voting by proxy shall not be permitted, with the exception that when there are 2 or more members present from the same entity, the entity shall have one vote. Decisions will be by majority vote of subcommittee members physically present and will be presented as recommendations to, and confirmed by vote of, the LEPC to have effect.
- Section 7. TERMINATION. Subcommittee membership may be terminated by the LEPC or LEPC Chair after appropriate hearing or by resignation. Three consecutive unexcused absences from regular meetings of the subcommittee may constitute grounds for termination.
- Section 8. VACANCIES. Any vacancy in a subcommittee may be filled by appointment by the LEPC Chair or the LEPC.
- Section 9. MEETINGS. Meetings of any subcommittee shall be held at the call of the subcommittee or subcommittee chair.

ARTICLE VIII – PUBLIC INFORMATION

- Section 1. REQUESTS FOR EPCRA TITLE III INFORMATION. Requests from the public for information under Sections 312 and 324, Title III of EPCRA will be promptly forwarded to the Arizona Emergency Response Commission (AZSERC) for handling in accordance with AZSERC procedures.
- Section 2. REQUESTS FOR INFORMATION OTHER THAN THOSE UNDER SECTION 1 ABOVE. Requests for other information regarding LEPC plans, procedures, and functions will be forwarded to the Coordinator of Information for prompt handling.
- Section 3. PUBLIC REVIEW OF THE COCONINO COUNTY HAZARDOUS MATERIALS EMERGENCY OPERATION ANNEX. At each quarterly LEPC meeting, the Hazardous Materials Emergency Response Annex will be made available for public review and comment.

ARTICLE IX – AMENDMENTS

Amendments to these bylaws consistent with Title III SARA, EPCRA, and these Bylaws may be amended through a process by which the proposed changes are distributed in writing to LEPC members at least ten days prior to the next scheduled meeting and, if a quorum is present, adopted at the meeting by a positive vote of a majority of the participating entities represented at the meeting.

APPROVED AND ADOPTED BY THE COCONINO COUNTY LOCAL EMERGENCY PLANNING COMMITTEE THIS _____ DAY OF _____, 20____.

LEPC Chairperson