



Coconino County LEPC

Local Emergency
Planning Committee

BYLAWS

Approved and Adopted on
October 13, 2021

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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.) Title 49, Chapter 1, Article 2.

Section 2. NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) COMPLIANCE REQUIREMENTS FOR LOCAL EMERGENCY PLANNING COMMITTEE. Local Emergency Planning Committee

Local Emergency Planning Committees (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. LEPCs participate in their respective communities by assisting in the preparation of emergency operation plans to prepare for, and respond, to hazardous material emergencies.

Required elements of the Coconino County Emergency Operation Plan for the LEPC:

- A. Identify facilities and transportation routes of extremely hazardous substances.
- B. Describe emergency response procedures, on and off site.
- C. Designate a community coordinator and facility coordinator(s) to implement the plan.
- D. Outline emergency notification procedures.
- E. Describe how to determine the probable affected area and population by releases.
- F. Describe local emergency equipment and facilities and the persons responsible for them.
- G. Outline evacuation plans.
- H. Provide a training program for emergency responders (including schedules).
- I. Provide methods and schedules for exercising emergency

ARTICLE II – NAME

Section 1. NAME: This committee shall be known as the Coconino County Local Emergency Planning Committee, hereafter called the LEPC.

Section 2. PLANNING DISTRICT: 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 2015, 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, 2625 N. King Street, Flagstaff, AZ 86004.

ARTICLE III – MISSION/GOALS

Section 1. MISSION: To serve Coconino County as the multi-jurisdictional, multi-discipline, and multi-agency coordinating body to facilitate discussion and planning for SARA Title 111, 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 multiagency 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 Emergency Operations Annex, also known as Emergency Support Function (ESF) Oil and Hazardous Materials Response ESF #10 and portions of Firefighting ESF#4 pertaining 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 624, Title II 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 Operations Plan and Hazardous Materials 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. LEPC membership shall meet guidelines set forth by Arizona Revised Statute § 49-124 (B).
In addition, LEPC membership is extended to owners and operations of facilities subject to the requirements of EPCRA and A.R.S. § 49-124(B)(5).

Section 2. MEMBERSHIP NOMINATION: Any entity (organization, etc.) falling within the categories in Section 1 of this article can participate in the LEPC by nominating in writing individuals for membership to serve as its representative(s).

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 of voting membership present. Once approved by the LEPC, the application will be sent to AZSERC for ratification at their next regularly scheduled meeting.

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, as outlined in this Article.

Section 5. MEMBER TERMINATION: When the actions of a member are detrimental or contrary to the mission or goals of the LEPC, the individual's membership may be terminated by a majority vote of voting members. If this termination of membership creates a lack of agency representation in the LEPC, the Chair may declare the existence of vacancy and request that an entity nominate replacement(s).

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 of 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 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 on the official website of Coconino County Emergency Management and at the 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. All member agencies are encouraged to publicly post all official notices in accordance with their established policies and procedures, where practical. Provision will be made for public attendance both in person and online.

Section 4. QUORUM: At any LEPC meeting, a quorum for approval of business is defined as 50% plus one (1) of the voting members on the most recent membership roster being present at the meeting. "Present" means that the voting member is physically present or personally appearing either through online video conferencing or telephone.

Section 5. VOTING: Voting representation shall follow the LEPC organizational chart. Each group (as defined below) shall be entitled to one vote. In addition, the Chair and Vice-Chair are each entitled to one vote. To comply with the quorum rules of “50% plus one”, as stated above, five (5) voting members shall constitute a quorum. Voting positions and groups are:

1. Chair
2. Vice Chair
3. LEPC Information Officer
4. Elected Officials Group representative - This group is comprised of all members, who are elected officials to either local or state office. (Arizona Revised Statute § 49-124 (B)(1)).
5. Law Enforcement Group representative – This group is comprised of all agencies whose primary mission is maintaining public order, enforcing laws, and preventing, detecting, and investigating criminal activities (Arizona Revised Statute § 49-124 (B)(2)).
6. Fire / Medical Group representative – This group is comprised of all agencies whose primary mission is fire protection, investigation, and hazardous material mitigation, as well as agencies whose primary mission is providing out-of-hospital acute or emergency medical care and transporting patients to medical facilities (Arizona Revised Statute § 49-124 (B)(2)).
7. Media Group representative – This group is comprised of all organizations whose primary mission is the distribution of information to the public through print, broadcast, and the internet (Arizona Revised Statute § 49-124 (B)(3)).
8. Community Group representative – This group is comprised of a diversified cross section of the community and should be an appropriate balance of interested parties and affected groups (Arizona Revised Statute § 49-124 (B)(4)).
9. Transportation / Facilities Group representative - This group is comprised of all agencies whose primary mission is the movement of people and cargo via roadways and railways, agencies responsible for the maintenance and upkeep of transportation infrastructure (i.e., public works), and facilities subject to reporting under Arizona Revised Statutes, (A.R.S.) Title 49, Chapter 1, Article 2 (Arizona Revised Statute § 49-124 (B)(5)).

Each group shall select a primary and alternate voting member to serve two-year terms. Selections shall take place at the January meeting.

If the primary voting member of any group misses three consecutive meetings, they will automatically be replaced by the alternate member of the respective group, and a new alternate member immediately selected.

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 LEPC Information Officer 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. Final agendas shall be publicly posted, and distributed to all LEPC members, no later than 48 hours prior to the meeting start time.

Section 8. CALL TO PUBLIC: A "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 (if applicable) 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 LEPC Information Officer. The Chair, Vice Chair, and LEPC Information Officer shall be elected by the voting members of the LEPC every two years. Elections shall be held at the October meeting. The LEPC Information Officer shall be employed in the Coconino County Emergency Management Office.

A. 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.

B. 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 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.

C. LEPC INFORMATION OFFICER: The LEPC Information Officer 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. Coordinate public postings and member notifications of meeting notices and agendas.
- d. Maintain a current contact list of LEPC member organizations and representatives and provide such list to AZSERC.
- e. Provide information in response to public requests per Article VIII, Section 2.
- f. Perform such other duties as the Chair and Vice Chair may assign.

- g. In the absence of the Chair and Vice Chair at a regularly scheduled meeting, the LEPC Information Officer will preside as moderator or appoint a moderator.
- h. In the absence of the LEPC Information Officer from a meeting, the Coconino County Emergency Manager will designate a person from Emergency Management to fulfill the duties.

Section 2. VACANCIES: Should a vacancy arise in any officer position, nominations and elections of a replacement shall occur at the next regularly scheduled meeting.

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. RESOURCE AND GRANT OPPORTUNITIES SUBCOMMITTEE: A standing subcommittee will meet at least annually to identify beneficial resources and possible grant funding for the LEPC and participating agencies. The primary focus should be identifying support and funding for training related to hazardous materials response.

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.

- Section 5. TERMINATION: Subcommittees may be terminated by the LEPC or LEPC Chair after appropriate hearing.
- Section 6. VACANCIES: Any vacancy in a subcommittee may be filled by appointment by the LEPC Chair or the LEPC. Where possible, it is highly recommended that the replacement member is selected from the same voting group as the previous member.
- Section 7. MEETINGS: Meetings of any subcommittee shall be held at the call of the subcommittee chair. As with meetings of the full LEPC body, they shall follow Arizona Revised Statutes, (A.R.S.) Title 38, Chapter 3, Article 3.1.

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 LEPC Information Officer 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 majority vote of the voting members represented at the meeting.

APPROVED AND ADOPTED BY THE COCONINO COUNTY LOCAL EMERGENCY PLANNING COMMITTEE THIS 13th DAY OF October 2021.


LEPC CHAIR


LEPC VICE CHAIR

ATTEST: 
LEPC INFORMATION OFFICER