

WOOD COUNTY LOCAL EMERGENCY PLANNING COMMITTEE

BY-LAWS AND PROCEDURES

**WOOD COUNTY COMMISSION
Office of Emergency Services
911 Core Road, Parkersburg, WV 26104**

Wood County Local Emergency Planning Committee

BY-LAWS AND PROCEDURES

PREAMBLE

To provide an efficient means of operation, the Wood County Local Emergency Planning Committee (LEPC) has established the following set of By-laws and Procedures by which to operate. These By-laws and Procedures address a variety of issues and requirements including meeting formats, membership, agendas, public notification activities, receiving and responding to public comment, distribution of emergency plans, and requests for information under the Emergency Planning and Community Right-to-Know Act of 1986.

CHANGES TO THE BY-LAWS AND PROCEDURES

The By-laws may only be changed by a two-thirds majority vote of the LEPC membership following a review of the proposed change(s) by all members of the LEPC. The procedures may be changed by a majority vote of the LEPC members present at a regularly scheduled meeting. The review period for proposed changes to the by-laws and procedures shall be decided by a simple majority vote of the members present.

COMPOSITION OF THE COMMITTEE

The committee shall be composed of the following representatives:

1. Elected State &. Local Officials
2. Law Enforcement, Fire Fighting, and Emergency Medical Services
3. Broadcast and print media
4. Owner/Operators of "Covered" Facilities
5. Environmental and Health Organizations
6. Interested Community Groups
7. Other interested public as deemed appropriate by the LEPC.

All members shall be appointed by the Wood County Commission for terms not to exceed two years. Potential members may be recommended to the County Commission by members of the LEPC. Members may be re-appointed without any limit on terms.

OFFICERS

A quorum of the LEPC shall annually elect a Chairperson and Co-Chairperson at a publicly announced meeting for a term not to exceed two years. Nothing in these by-laws shall preclude one person from holding more than one office except the Chairperson and Co-Chairperson position, who by the nature of the positions, must be two separate individuals. There are no limits imposed on the number of terms for each office; however, the committee shall encourage participation of as many members as possible to fulfill the functions of the officers.

Chairperson

The Chairperson shall be elected by a majority vote of the LEPC at a monthly meeting or thirty days prior to the expiration of a 2-year term of office. The role of the Chairperson is to be the leader of the committee and ensure that all LEPC projects, tasks and associated paperwork requirements for the functioning of this committee are carried out. These duties include, setting meeting times, preparation of agendas, appointing standing or ad hoc committees, chairing meetings, reporting to the County Commission concerning committee project status, and other duties associated with being a chairperson for any type of committee.

Co-Chairperson

The Co-Chairperson shall be elected by a majority vote of the LEPC at a monthly meeting or thirty days prior to the expiration of a 2-year term of office. The role of the co-chairperson is to assist the chairperson and assume the responsibilities of the chairperson during their absence. In the event the chairperson is unable to fulfill their term, the co-chairperson will assume full responsibility of the chairperson until such time a new Chairperson is elected.

Recorder/Secretary

A Recorder/Secretary shall be appointed by the Chairperson to serve for a term of two years. The responsibilities shall include recording of the minutes of LEPC meetings, sending out meeting notifications or making personal telephone reminder calls, preparing meeting agendas and public notification of meetings, and any other duties assigned by the Chairperson.

Information Coordinator

An Information Coordinator shall be appointed by the Chairperson for a term not to exceed two years. It is the duty of the Information Coordinator to process public information requests in a timely manner. The coordinator shall maintain a record of all requests and have access to those records during normal working hours and to fulfill these responsibilities, will use the procedures and guidelines contained in Attachment A, "Procedures and Guidelines for Receiving and Processing Information Requests Under SARA Title III".

PUBLIC NOTIFICATION OF LEPC ACTIVITIES

The following requirements are set forth for conducting public meetings of the LEPC.

Meetings

Meetings shall be held monthly or at a minimum of once per calendar year quarter. The Recorder/Secretary shall issue a news release at least five business days preceding each meeting to the local media. Attachment B contains a sample of a suggested news release.

Public Hearings

In the event of a Public Hearing, notification shall be the same as for meeting notification, but also shall include a legal advertisement placed in the local newspapers at least five business days before the Public Hearing. Attachment B contains a suggested legal advertisement.

Major Reports and Plans

Public notification concerning the issuing of major reports and plans shall be the same as for Public Hearings.

Minutes of Meetings and Hearings

Official minutes of all LEPC meetings and hearings shall be documented and made available to the public upon request. Requests for minutes shall be made using the request for information procedures in Attachment A.

PUBLIC COMMENT AND RESPONSE

Occasionally the LEPC will be confronted with both positive and negative public comment. The LEPC shall respond to such comments timely and responsibly with the public interest in mind. They may receive comments through letters, news editorials, telephone calls, and formal oral comments at LEPC meetings.

It is important that the LEPC respond officially and timely. The LEPC shall request that all comments be submitted in writing. This will provide for adequate documentation and will allow the LEPC to respond accordingly.

Oral comments at public meetings shall be recorded. It should be noted that instantaneous responses to sensitive questions or comments are not mandatory. A well-prepared response to sensitive issues, delivered in a reasonable time, is acceptable.

IDENTIFICATION OF COVERED FACILITIES

The identification of covered facilities that must meet (1) Emergency Release Notification and Emergency Planning, (2) Hazardous Chemical Reporting, and (3) Toxic Chemical Release Inventory requirements of Title III is a monumental task.

Many facilities, especially small, independent facilities, may not know that they are required to report to the LEPC. The LEPC can help in the identification of covered facilities through:

1. Chamber of Commerce
2. Planning Commissions
3. Phone Book Yellow Pages
4. State Tax Records, through the County Assessor's Office
5. Standard industrial Code (SIC) Book.

Once the LEPC identifies a potentially covered facility, the LEPC shall formally contact the facility to request information regarding their status as a covered facility. Attachment C contains a sample letter that may be used when contacting these facilities. The LEPC shall attempt to communicate the requirements of Title III to facilities within their district. Methods of communicating this information are advertisement, news articles, trade journals, seminars, and other such means.

The LEPC can expect to encounter many questions from facility owners and operators. The reporting requirements are complex and the facility owner/operator may not know if Title III applies to their facility. A covered facility also may need to be provided information about the substances covered under Title III. The Federal Register contains lists of these substances including: "List of Hazardous Chemicals", "Extremely Hazardous Substances", and "Toxic Chemicals". The facility will be provided with a copy of those lists on request.

Title III legislation has mandated many new changes and requirements on both government and private industry. Only through cooperation, good communication, and much hard work, can the requirements of this vital piece of legislation be met.