

PIMA COUNTY
LOCAL EMERGENCY PLANNING
COMMITTEE (LEPC)



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LOCAL EMERGENCY
PLANNING COMMITTEE

BYLAWS

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SECTION I - AUTHORITY

- 1.01 The Pima County Local Emergency Planning Committee (“LEPC” or “Committee”) was created under Title III of the Superfund Amendments and Reauthorization Act (SARA) of 1986 (P.L. 99-499) and Arizona Revised Statutes §§ 49-121 through 49-133, which require each state to establish planning districts and rules to facilitate preparation and implementation of emergency plans. In Arizona, the fifteen (15) individual counties serve as planning districts.
- 1.02 These Bylaws are adopted pursuant to SARA Title III and ARS § 49-124.
- 1.03 LEPC authorities are:
- 1) USC Title 42 Section 11001 through 11005 Emergency Planning and Community Right-to-Know Act (EPCRA),
 - 2) Code of Federal Regulations 40 CFR §§ 300 through 316,
 - 3) Arizona Revised Statutes §§ 49-121 through 49-133 Community Right to Know Act & Hazardous Materials Emergency Response, and
 - 4) Arizona Administrative Code Title 8, Chapter 4 Arizona Emergency Response Commission.

SECTION II - ADMINISTRATION

- 2.01 NAME: This committee is known as Pima County Local Emergency Planning Committee (“LEPC” or “Committee”).
- 2.02 DISTRICT: The Arizona State Emergency Response Commission (AZSERC) has designated each county within the State as a “Planning District” effective July 17, 1987.
- 2.03 OFFICE: The office of the Committee shall be with the Pima County Office of Emergency Management located at 3434 East 22nd Street, Tucson, Arizona 85713. This also serves as the mailing address for the Committee. Electronic mailing shall be through lepc@pima.gov or through a link on the www.pima.gov/lepc website.

SECTION III – PURPOSE/MISSION

3.01 Purpose: The LEPC serves all of Pima County by coordinating hazardous materials emergency preparedness activities including SARA Title III, general hazardous materials and waste management issues including transportation, storage, release, incident response and recovery, and addressing other public safety matters as determined appropriate by the LEPC membership. The activities of the Committee are:

- 1) Facilitate public safety preparedness efforts (planning, training, exercising), response, recovery, and mitigation actions relative to hazardous materials in the community;
- 2) Apply for and administer grants supportive of the LEPC and local response agency's missions;
- 3) Prepare, implement and maintain the Pima County Hazardous Materials Response Plan and coordinate development of standard operational guidelines with local response agencies;
- 4) Support the state system for managing the submission of industry reports required by SARA Title III;
- 5) Process public requests for information under federal and state law;
- 6) Develop and conduct public and business awareness and education programs designated to provide preparedness, prevention, mitigation, response, and recovery information relative to hazardous materials; and
- 7) Ensure that procedures for protective measures and notification are in place for the safety of the citizens of Pima County.

3.02 Mission:

- 1) Increase public awareness and preparedness related to hazardous materials;
- 2) Support local agency hazardous materials response teams, regional response capabilities, and other first responders;
- 3) Provide hazardous materials guidance and education to businesses, industry, and government agencies operating within the community;
- 4) Support members on the various subcommittees of the LEPC and on other community organizations;
- 5) Fulfill LEPC responsibilities and requirements identified in EPCRA, Arizona Revised Statutes, and Arizona Administrative Code.

SECTION IV-MEMBERSHIP

- 4.01 Committee membership includes, at a minimum, the representation required by EPCRA Section 301 and ARS § 49-124. These representatives include but are not limited to:
- 1) Elected officials including city, town and county councils, fire district board members, and other elected officers;
 - 2) Public health and safety including law enforcement, emergency management, health departments, fire, emergency medical services, hospitals;
 - 3) Transportation including public works, pipeline, rail, trucking, etc.;
 - 4) Media including print, broadcast, and radio;
 - 5) Community groups and service organizations;
 - 6) Facility owners, operators or environmental, health and safety personnel; and
 - 7) Community members acting as citizen representatives of the planning district.
- 4.02 MEMBERSHIP: Persons wishing to become members of the LEPC shall submit the following:
- 1) A membership application listing qualifications and organization they will be representing; and
 - 2) If an individual is representing an organization, provide from their represented agency, business or department a letter of support.
- 4.03 NEW MEMBERS: New members shall be nominated and approved by a majority vote of the LEPC membership.
- 1) Applications will be read at the quarterly meeting.
 - 2) The applicant should be present to provide an overview of knowledge, skills, and reason for joining, and answer questions from the membership;
 - 3) Approved applications will be forwarded to the Arizona State Emergency Response Commission (AZSERC) by the LEPC Coordinator.
- 4.04 PROXY: Each member may appoint a proxy by notifying the Chairperson or Coordinator with the name of the person they wish to serve as Proxy. The notice will be a written and dated request signed by that member or an electronic mail notice before the scheduled meeting.

4.05 TERMINATION of MEMBERSHIP: A membership may be voluntarily terminated by written resignation or involuntarily terminated by vote of the Committee for the following reasons:

- 1) Action(s) deemed detrimental to the mission of the Committee;
- 2) Unacceptable record of attendance at scheduled Committee Meetings;
 - a. Three consecutive unexcused absences from regular meetings of the Committee or attendance by Proxy at more than two consecutive meetings may be considered unsatisfactory attendance. Written notification of an unsatisfactory attendance record must be mailed to the Committee member by the Chairperson and an opportunity afforded to improve attendance before termination.
- 3) Notification of resignation or termination of a Committee member will be forwarded to AZSERC.

SECTION V-MEETINGS

- 5.01 **REGULAR MEETINGS:** Regular Committee meetings shall be held no less than quarterly, at a time and location designated by the Chairperson and Coordinator. Each meeting will be held for the purpose of determining progress in accomplishment of the Committee purposes (Section 3.01), providing guidance to subcommittee task groups and for the transaction of such other Committee business as properly presented.
- 5.02 **SPECIAL MEETINGS:** Special meetings may be held at the call of the Chairperson at a time and location designated by the Chairperson and Coordinator. Any properly noticed matter within the jurisdiction of the Committee may be considered and voted upon at designated Special Meeting.
- 5.03 **NOTICE of MEETINGS/AGENDA:** Notice of any meeting of the Committee or subcommittees shall be distributed and posted in accordance with the State of Arizona Open Meeting Law. The meeting notice shall outline the matters to be considered at the meeting, including specific issues, topics for discussion, special presentations, public comments, review plans or reports, or any other business that the Committee needs to conduct. Notice of the Committee meetings shall be given to each member via electronic mail and filed with the Clerk of the Board of Pima County for public posting.
- 5.04 **QUORUM:** At any regular or special meeting of the Committee, a simple majority of the number of members shall be considered a quorum to conduct business. Proxies are included in determining whether a quorum is in attendance.
- 5.05 **VOTING:** Each member present is entitled to one vote. Decisions on any topic or business at a meeting of the Committee shall be approved by majority vote of the members present or their proxy.
- 5.06 **PUBLIC:** Public attendance at Committee meetings is welcomed and encouraged. The public cannot vote on the business of the Committee. The public will be given an opportunity to speak at times noted on the agenda.

SECTION VI-OFFICERS

- 6.01 CHAIRPERSON: The Chairperson shall preside over all meetings of the Committee. The Chairperson shall have general charge, supervision and authority of the affairs of the Committee and shall perform other such other duties assigned by the Committee. The Chairperson is elected by the Committee by majority vote.
- 1) A minimum of two years' prior service on the Committee is recommended.
 - 2) The position is limited to (2) consecutive, 2-year terms.
- 6.02 VICE CHAIRPERSON: The Vice Chairperson assumes all duties of the Chairperson in their absence. The Vice Chairperson is elected by the Committee by majority vote.
- 1) A minimum of two years' prior service on the Committee is recommended.
 - 2) The position is limited to (2) consecutive, 2-year terms.
- 6.03 ELECTION for CHAIRPERSON and VICE CHAIRPERSON: The regular elections to the office of Chairperson and Vice Chairperson shall take place in January of every even numbered year. If an office becomes vacant, the Committee will hold a special election at the next scheduled meeting. If an officeholder is elected at a special election to fill a vacated office, the term remains the same as the vacated officer's term.
- 6.04 AD HOC CHAIRPERSON: If both the Chairperson and the Vice Chairperson cannot attend a meeting, an Ad Hoc Chairperson may be elected by a majority vote. A proxy of the Chairperson or Vice Chairperson may be elected as Ad Hoc Chairperson.
- 6.05 LEPC COORDINATOR: The Coordinator is the representative of the Pima County Office of Emergency Management. The LEPC Coordinator shall:
- 1) Serve as a voting member;
 - 2) Provide necessary administrative support to the Committee, including attending and keeping the minutes of all meetings of the Committee;
 - 3) Prepare and maintain the hazardous materials response plan;
 - 4) Assist with official notifications as directed by the Chairperson;
 - 5) Gather and disseminate information to the public as specified in section 3.01 of these Bylaws;
 - 6) Interact with the AZSERC on behalf of the Committee;
 - 7) Serve as a member of the Pima County Regional Hazmat Committee; and
 - 8) Other such duties as may be directed by the Chairperson or the AZSERC.

SECTION VII-SUBCOMMITTEES

- 7.01 SUBCOMMITTEES: The Chairperson, with the approval of the Committee, may appoint subcommittees as needed to make recommendations to the Committee.
- 7.02 SUBCOMMITTEE LEADER: The Committee Chairperson designates a person to lead the subcommittee.
- 7.03 MEMBERSHIP: Any person may volunteer to serve on a subcommittee. The subcommittee members need not be members of the Committee.

SECTION VIII-ADMENDMENTS

- 8.01 AMENDMENTS: Amendments of these Bylaws may be adopted at any properly publicly noticed meeting of the Committee. At least five days prior to the meeting where bylaw amendments will be considered, members will be notified and given adequate, pertinent information as to the terms of the proposed amendments and revisions.

Adopted on the 11th day of January 2017.

Chairperson
Pima County Local Emergency Planning Committee
Pima County, Arizona