

**PENINSULA LOCAL EMERGENCY
PLANNING COMMITTEE
BYLAWS
2001**

I. Organization.

The cities of Hampton, Newport News, Poquoson and the County of York established a regional Local Emergency Planning Committee (LEPC) consistent with Federal Public Law 99-499, the Superfund Amendments and Reauthorization Act of 1986, under Title III, section 301 (also known as the Emergency Planning and Community Right-to-Know Act (EPCRA)). The name of this organization is the Peninsula Local Emergency Planning Committee, hereinafter referred to as the PLEPC.

II. PURPOSE

A. Develop, maintain and update a regional Hazardous Materials Emergency Response Plan, entitled the Peninsula Local Emergency Response Plan, for the peninsula. This includes procedures for regulated facilities to provide information to the PLEPC in accordance with SARA Title III and notifications of accidental releases of hazardous chemicals.

B. Establish procedures for receiving and processing requests from the public for information about and/or copies of emergency response plans, material safety data sheets and chemical inventory forms.

C. Devise, observe and critique regional emergency operations exercises annually.

D. Educate the public about risks from accidental and routine releases of chemicals, and work with facilities to minimize such risks within the region.

E. Encourage hazardous materials training of public and quasi-public personnel within the region.

III. MEMBERSHIP

A. Appointment of Members: The PLEPC will consider nominees from each of the four local governing bodies and member organizations, and applications from other interested personnel. Nominations should be submitted in writing from the member organization. These nominations will be referred to the VERC.

B. Membership Requirements: There should be at least one member on the PLEPC from each of the following eight categories:

1. Local Emergency Services Coordinators/Managers for each jurisdiction
2. Elected State and local officials

3. Law enforcement, emergency management, firefighting and Hazmat personnel
4. Health, EMS, local environmental, hospital and transportation personnel
5. Representatives of broadcast and print media
6. Community Groups and private citizens
7. Local Federal facilities
8. Owners and operators of industrial facilities, including other businesses using, storing, processing or distributing chemicals, subject to the requirements of SARA Title III
9. Fire Chief for each local jurisdiction

C. Resignation of Members. Any member may resign from the PLEPC by giving written notice of such intention to the Chair. The Chair shall present all resignation notices to the PLEPC at the first meeting following their receipt, and the replacement process should commence immediately.

D. Removal of Member for Non-Participation

1. If a member fails to attend fifty percent of the PLEPC meetings or is not represented by proxy, in any calendar year, or otherwise fails, in the opinion of the Chair, to actively participate as a member of the PLEPC, the Chair shall notify the member of such fact and shall request an improvement in participation.
2. If such member's participation fails to increase within six months of the notification, the Chair shall send a letter of notice to the member organization and request appropriate action.

IV. MEETING OF MEMBERS

A. Regular Meetings. Meetings shall be held at 9:00 a.m. on the last Thursday of the month once every Quarter at a location to be determined and announced by the Chair. The Chair may change the location and time of the meetings when deemed necessary. These meetings shall be open to all interested parties, including the public.

B. Special Meetings. A Special meeting of the members may be called at the discretion of the Chair, or at the request of any three members.

C. Voting. Each member shall be entitled to one vote on each matter brought before the PLEPC.

D. Quorum. A quorum at any meeting shall exist if a majority of the members are present in person or by proxy. A quorum shall be necessary for adoption of any matter voted upon by the members, unless a greater proportion is specified in other articles of these bylaws.

E. Parliamentary Authority. The rules contained in Robert's Rules of Order (Newly Revised) shall govern this committee in all cases to which they are applicable and in which they are not inconsistent with these bylaws.

V. OFFICERS, ELECTIONS AND RESPONSIBILITIES

The Officers of the PLEPC shall be a Chair, Vice-Chair, Secretary and Treasurer. The Secretary and Treasurer positions may be combined if necessary. The Officers shall be elected by the committee as a whole in a manner herein provided. All officers shall be a member of the PLEPC. Term of office shall be for a period of two years, from July 1st to June 30th. Elections will be held at the meeting during the April – June quarter.

A. Chair. The Chair shall be elected by a majority vote of the members present. The Chair shall:

1. preside over all general meetings and executive committee meetings,
2. serve as an ex-officio member of all subcommittees,
3. receive and act upon all notices and correspondence, and
4. perform such duties and acts as necessary to accomplish the goals of the PLEPC.

B. Vice-Chair. A Vice-Chair shall be elected by a majority vote of the members present. In the absence of the Chair or if appropriate, the Vice-Chair shall perform the duties of the Chair. The Vice-Chair shall perform such duties as may be assigned by the Chair.

C. Secretary. The Secretary shall be elected by a majority vote of the members present.

The Secretary shall:

1. keep a record of all proceedings of the general or special meetings;
2. provide notice of such meetings;
3. prepare and provide to the membership minutes of all meetings; and
4. forward to the membership and all other interested parties all pertinent communications.

D. Treasurer. The Treasurer shall be elected by a majority vote of the members present.

The Treasurer will be responsible for:

1. overseeing funds allocated to the PLEPC, and
2. submitting an audited financial statement to the PLEPC at the first meeting after June 30th.

E. Public Information Officer (PIO). The Executive Committee shall appoint a PIO to provide oversight to the Public Information Committee, which is a standing committee.

F. Executive Committee. The PLEPC officers will form an Executive Committee, which includes the immediate Past Chair and the three Standing Committee chairs. The Executive Committee shall:

1. Annually review the work of the standing committees and their recommended goals and objectives for the coming year. Make recommendations as needed; and
2. Prepare an annual report to the membership and the local governing bodies; and
3. Set the agenda for upcoming meetings.

VI. STANDING COMMITTEES

Standing committees of the PLEPC shall be comprised of members and staff to the PLEPC and shall function on a continual basis. The Standing Committees may have non-voting, non-PLEPC members as necessary. All members of the PLEPC must volunteer to serve on at least one Standing Committee. Final membership on the Standing Committees shall be determined by the PLEPC Chair after consultation with the Executive Committee to ensure that all committees have sufficient manpower to carry out their assigned tasks. The names and functions of the committees are as follows:

A. Peninsula Local Emergency Response Plan: The committee shall be comprised of Fire Chiefs, Local Emergency Service Coordinators, Hazmat Officers and other personnel. The committee shall be responsible for reviewing the plan once a year, or more frequently as changed circumstances in the community or at a facility may require. The plan should incorporate lessons learned during the regional exercises.

B. Exercises/Training. The committee is responsible for coordinating training opportunities for PLEPC members. Additionally, this subcommittee is responsible for coordinating an annual PLEPC exercise with the intent of exercising the plan. Such exercises may involve a tabletop exercise or participation in other exercises conducted by PLEPC members' facilities. Jurisdictions, commercial facilities and federal installations are responsible for hazardous materials training as needed for their fire, law enforcement and other emergency response personnel.

C. Public Information: The Public Information committee shall:

1. Develop and distribute through print and broadcast media public information to promote community awareness about the potential for, nature and handling of hazardous substance emergencies, and advise the public on appropriate actions to take in such emergencies.
2. Respond to public inquiries and complaints regarding specific facilities or incidents in coordination with the Local Emergency Services Coordinator/Manager or Fire Chief as appropriate.

3. Develop and maintain a system of public notification when hazards do occur.

D. Task Forces. The Chair shall have the authority to create task forces, appointing members from the PLEPC general membership to research or resolve an issue. The task force's mission will be single purpose, and members shall have access to all available resources essential to complete the task. The task force shall cease to exist once there is resolution.

VII. ADMINISTRATION

A All grant awards shall be managed through the agency obtaining the funding. The Treasurer will be expected to work with the agency to prepare required reports.

B. Any staff which is employed by the PLEPC through grant monies or through some mutual cost-sharing agreement of local jurisdictions, will be hired and managed through the agency managing the funding according to their personnel policies and procedures.

C. All purchases made on behalf of the PLEPC will follow the purchasing procedures of the agency managing the funding.

D. If at any time the PLEPC dissolves or re-structures the organization, funds managed will be appropriated to the new organization or equally divided among the participating cities and counties.

E. The PLEPC fiscal year will be concurrent with that of local jurisdictions, which is July 1st to June 30th.

VIII. FEES

Materials can be made available to the public; however, the cost for reproducing any documents will be charged according to the following schedule, plus any necessary postage:

Per page	.25
Double sided pages	.50
Labor	\$20.00

IX. CHANGES OF BYLAWS

These bylaws can be changed or repealed at the meeting following the meeting at which the proposed change or repeal is presented, by majority vote. However, a copy of the proposed change or repeal must be sent or delivered to each member at least ten (10) days prior to the meeting at which a vote on the change or repeal is taken.

The undersigned, being the duly elected Secretary of the PLEPC, hereby certifies that these Bylaws were adopted as the Bylaws of the PLEPC on May 24, 2001, by a majority vote.

Chair

Secretary