

Warren County

Local Emergency Planning Committee (LEPC)

By-Laws

I. NAME

This committee shall be known as the Local Emergency Planning Committee of Warren County (hereafter referred to as the LEPC), and is established as provided for in the Superfund Amendments and Reauthorization Act of 1988, Title III.

II. PURPOSE

- A. To formulate, distribute and exercise plans for response by local agencies, (i.e., police, fire, ambulance, public works, public health) to emergencies caused by a release of hazardous materials.
- B. To collect information from local industries using and/or storing hazardous materials within the County.
 1. Amounts and locations of hazardous materials.
 2. Transportation routes used to transport materials to and from the locations.
 3. Existing plans and implements on site that would be used to contain spills or releases, and to protect workers and the general public.
- C. To inform the general public of hazardous materials in the vicinity of their homes, schools, churches and businesses and to make them aware of the plan.
- D. To evaluate the need for resources to implement the plan, and to develop means for obtaining them quickly, whether they are local resources or those obtained from other sources.
- E. To respond to public requests for information regarding the plan, and to make the public aware that such information exists.

III. COMMITTEE MEMBERSHIP

- A. The members of the LEPC shall be appointed by the New York State Disaster Preparedness Commission, which has been designated by the Governor as the State Emergency Response Commission pursuant to Section 01(a) of Public Law 99-499, upon nomination by the Warren County Office of Emergency Services:
 1. Emergency Management (2)
 2. Law Enforcement (2)
 3. Firefighting
 4. EMS
 5. Public Health
 6. Hospital
 7. Transportation
 8. Media (2)

9. Community Group (2)
10. Facility Owners or Operators (3)
11. Elected Officials (2)

Each appointed member of the LEPC may submit the name of an alternate delegate to attend LEPC meetings. The name of the alternate delegate must be submitted to the SERC for approval.

Three (3) consecutive, unexcused absences from the LEPC meetings will be taken as a lack of interest and the individual will be removed or replaced by their alternate where available.

IV. OFFICERS

- A. The officers shall consist of a Chairman, Vice Chairman and Secretary, each of whom shall serve one year terms.
- B. Election of officers shall take place at the first meeting of each calendar year. Nominations for office may be made by any member of the committee, and election will be by a majority vote of those present at the meeting.
- C. The powers and duties of the Chairman shall be to preside at meetings of the committee, appoint standing and special subcommittees as shall be necessary to conduct the business of the LEPC, serve as spokesperson for the LEPC, act as the coordinating official with the State Emergency Response Commission, and have such others powers and duties as are customary for the presiding officers of similar committees and boards.
- D. The powers and duties of the Vice Chairman shall be to preside over meetings of the LEPC in the absence of the Chairman, and to carry out such others duties as may be directed by the Chairman.
- E. The powers and duties of the Secretary shall be to record the proceedings of meetings, to handle correspondence of the committee, and to account for any moneys that the committee shall receive or dispense through the Office of the County Treasurer.

V. MEETINGS

- A. Meetings shall be held as often as necessary to conduct business, but at least once annually.
- B. A quorum is necessary to conduct a meeting. A quorum shall consist of six (6) (representing 25% of the membership) of the appointed membership.
- C. The LEPC shall be deemed to be a public body of the County of Warren, subject to the New York State Open Meetings and Freedom of Information statutes except as those statutes may be superseded by applicable Federal law.
- D. Robert Rules of Order shall govern conduct of meetings except as otherwise provided in these by-laws.
- E. Should the LEPC member and the alternate delegate be present at the meeting, only the member shall have the right to make motions or vote on an issue.

VI. PUBLIC INPUT AND ACCESS TO INFORMATION

- A. Public participation and input in the work of the LEPC is encouraged, through attendance at meetings, correspondence or other method of communication.
- B. Notice of meetings of the LEPC shall be provided to local media several days prior to each meeting.
- C. In response to FOIL requests, if deemed legitimate and applicable, should be handled in the following manner:
 - 1. All FOIL requests will be reviewed by the Warren County Attorney
 - 2. E-Plan accounts will NOT be approved for media or general public
 - 3. The Office of Emergency Services will provide the specific information requested by a FOIL request from the appropriate source
 - 4. Requests will be handled in accordance with regulations set forth by the NYS Committee on Open Government

VII. UTILIZING E-PLAN FOR ELECTRONIC FILING OF TIER II FORMS

- A. Authorizing Authorities of E-Plan for Warren County shall consist of:
 - 1. Director/Fire Coordinator LaFlure
 - 2. Deputy Director Manney
 - 3. Hazmat/WMD Coordinator Schrammel
- B. Response/LEPC agencies that would like to view Tier II information submitted on E-Plan, for planning and response purposes, are required to sign up as a user, on the E-Plan system web page.
- C. Any requests for a user account to view E-Plan information must be reviewed and approved by one of the above Authorizing Authorities. Users are those that NEED to access the information for planning and emergency response purposes only. Upon accessing the E-Plan account the user will be prompted by the system to enter the name of their Authoring Authority.
- D. Warren County LEPC has decided to accept and encourage the use of E-Plan, an electronic online submission of Tier II chemical inventory information, as the primary means for companies operating within Warren County to comply with federal chemical inventory reporting requirements.
 - 1. This completes the County LEPC filing requirement.
 - 2. A hard copy shall be mailed to the local fire department.
 - 3. E-Plan website is <https://erplan.net/eplan/login.htm>