

ASCENSION PARISH  
LOCAL EMERGENCY  
PLANNING COMMITTEE  
(LEPC)

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**BY LAWS**

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Revised: September 27, 2007  
Original: March 24, 1992

## **Article I – Name**

The name of this organization shall be the Local Emergency Preparedness Committee of Ascension Parish, Louisiana, hereinafter referred to as the “LEPC”.

## **Article II – Objective**

The role of the Ascension Parish LEPC is to form a partnership with local government agencies and industries as a resource for enhancing emergency response and preparedness. Local governments are responsible for the integration of hazmat and all hazards planning and response within the jurisdiction. This includes ensuring the local hazard analysis adequately addresses hazmat incidents; incorporating planning for hazmat incidents into the local emergency management plan and annexes; assessing capabilities and developing hazmat response capability using local resources, mutual aid and contractors; training responders; and exercising the plan.

## **Article III – Purpose**

The purpose of the LEPC shall be to carry out those responsibilities required pursuant to Section 301(c) of Public Law 99-499, the Emergency Planning and Community Right-To-Know Act (EPCRA) of 1986, also known as SARA Title III, and related regulations. The plan shall be reviewed and updated as necessary on an annual basis in accordance with Section 303 of SARA, Title III.

The LEPC shall, in addition:

1. Receive and process request for information from the public under the Right-To-Know provisions;
2. With the information and reports from facilities operating within the jurisdiction of the LEPC, and an analysis of the district’s transportation risks, the LEPC will perform a hazard analysis;
3. Establish and maintain a database of hazardous chemical locations and quantities in the district;
4. Establish and maintain a computerized system of data management;
5. Maintain detailed information on all facilities which manufactures, or stores, EXTREMELY HAZARDOUS SUBSTANCES (EHS) and include the information within the emergency response and preparedness plan;
6. Develop training and testing of a Hazardous Materials Emergency Response Plan.

The LEPC will make assessments of resources necessary to implement the emergency response and preparedness plan, and make recommendations to appropriate people, agencies, and organizations regarding additional resources needed to implement the plan.

The LEPC shall be instrumental in fulfilling the purpose of the Community Right-To-Know laws to increase the protection of the community from exposure to chemicals produced, used, stored and/or transported within the parish. Transportation hazards analysis will include those risks to the district from commercial transportation by rail, highway, aircraft, and waters of commerce.

## **Article IV – Membership**

Membership will at all times include, at a minimum, representatives of the groups listed in Section 301 of SARA, Title III. This will include equal representation of elected state and local officials; law enforcement, emergency management, fire-fighting personnel, first aid/EMS personnel; health care personnel, local environmental personnel; hospital personnel, transportation personnel, broadcast and print media personnel; community groups and owners or operators of local facilities. The members will be nominated by the Director of Ascension Parish Office of Homeland Security and Emergency Preparedness and appointed by the Louisiana Emergency Response Commission (LERC).

The membership of the LEPC shall consist of officers and a staff. The officers shall consist of a Chairperson, a Vice-Chairperson, an Information Coordinator, and a Secretary-Treasurer.

1. Terms of Membership: Members shall be residents of or have a business affiliation in Ascension Parish.
2. Terms of Office: Membership of the LEPC may select the terms of office to be either one or two years. Existing officers may be re-elected to their existing offices if they so indicate a willingness to continue.
3. The Chairperson: The Chairperson shall preside at all meetings of the LEPC unless he/she cannot be present at an announced meeting. An alternate representative can be named to fulfill the obligation by the existing Chairperson. The Chairperson shall serve as an ex-officio member of all committees, and shall perform such duties and acts as necessary to accomplish the goals of the LEPC. The Chairperson shall be empowered to create such other Ad Hoc Committees as necessary to accomplish the goals of the LEPC.
4. The Vice-Chairperson: Upon resignation, or death, or the advice of the Chairperson, the Vice-Chairperson shall perform the duties of the Chairperson. The Vice Chairperson shall perform such other duties as may be assigned by the Chairperson.

5. The Secretary-Treasurer: The Secretary-Treasurer in cooperation with the Information Coordinator shall be the custodian of all books, papers, documents, and other property of the LEPC. The Secretary-Treasurer shall attend to the business needs of the LEPC and shall maintain an accurate record of all monies received and expended for the use of the LEPC.
6. The Information Coordinator: The LEPC will appoint an Information Coordinator. This person will process request from the public for information under Section 324, including Tier Two information under Section 312. The coordinator will assist the Secretary-Treasurer in records management and financial matters. The Information Coordinator will be a non-voting member of all committees of the LEPC.
7. Inactive Members: Appointed members shall be considered inactive when he/she have missed more than 2 consecutive Committee meetings without notification to the Committee Chair of significant reason why they were unable to attend the meetings. An annual report listing members declared inactive will be provided to the Executive Advisory Panel and the LERC.
8. Removal of Members: The Ascension Parish LEPC may ask that the LERC remove a member from its roll.
9. Vacancies: Any vacancy occurring in the LEPC by reason of resignation, death, or disqualification of a member will be filled by the nomination of the LEPC Chairperson and appointed by the LERC.

## **Article V – Committees**

Section 1: Executive Advisory Panel – The Executive Advisory Panel will consist of the LEPC Chairperson, Vice-Chairperson, Secretary-Treasurer, Mayors of Gonzales, Donaldsonville, and Sorrento, the Parish President, Sheriff of Ascension Parish, Gonzales Chief of Police, Sorrento Chief of Police, and the Parish Council Chairperson. The duties of the Executive Advisory Panel will assist in coordinating the activities of the Subcommittee and Ad Hoc Committees.

Section 2: Subcommittees – The following Subcommittees shall be established:

- a) Right-To-Know Subcommittee – This Committee will be responsible for the formulation of all policies and procedures concerning the public's Right-To-Know program; the formulation of all chemical release reporting procedures, the establishment of trade secret protection procedures, and the formulation of all record keeping and information dissemination procedures for the LEPC.
- b) GAMA Subcommittee – This Committee will be responsible for reporting the status of the Geismar Area Mutual Aid Association (GAMA).

- c) CAER Subcommittee – This Committee will be responsible for reporting the status of Community Awareness and Emergency Response (CAER), Organization.
- d) Training and Exercise Subcommittee – This Committee will be responsible for the coordination of multi agency collective training and exercises.
- e) Transportation and Evacuation Subcommittee – This Committee will be responsible for reporting the status of transportation resources, and evacuation planning.
- f) Communications Subcommittee- This Committee will be responsible for the coordination and implementation of interoperable communications between first responding agencies within Ascension Parish.
- g) Public Works Subcommittee- This Committee will be responsible for reporting the status of and coordinating the emergency management efforts between the Ascension Parish Department of Public Works, Ascension Parish Road and Bridges Department, the East Ascension Drainage District and corresponding agencies within all municipalities.
- h) Fire Services Subcommittee- This Committee will be responsible for reporting the status of resources, assets, training, personnel and mutual aid agreements as it pertains to fire support functions within the parish.
- i) Emergency Management Subcommittee- This Committee will be responsible for reporting the status of NIMS training, State and National Emergency Management initiatives, Emergency Management Logistics, and the coordination between GOHSEP Region 2 and the Southeast Louisiana Hurricane Task Force. Additionally, it will coordinate efforts between the Louisiana Emergency Preparedness Association (LEPA) and the LERC.
- j) Mass Care and Shelter Task Force Subcommittee- This Committee will be responsible for reporting the coordination efforts with the American Red Cross and all Faith Based Organizations as it pertains to mass care and sheltering operations.
- k) Emergency Response and Resources Committee – This Committee will report on the status of all emergency response resources by using an all hazards approach.
- l) Emergency Medical Services and Hospitals Subcommittee- This Committee will report on the coordination and planning efforts between EMS First Responders and hospitals.
- m) Social Services Committee - This Committee will be responsible for reporting the status of social and mental health services under emergency conditions.
- n) Urban Search and Rescue Subcommittee- This Committee will be responsible for reporting the status of training, equipment and personnel as it pertains to search and rescue in Ascension Parish.
- o) Hazmat Response Committee – This Committee will be responsible for reporting the status of training, assets, equipment and personnel.

- p) Food, Water and Logistics Subcommittee- This Committee will be responsible for coordinating the emergency purchases of food, water and supplies for first responding agencies as well as the emergency distribution of commodities within Ascension Parish under emergency conditions.
- q) Public Alerting, Information and Education Subcommittee – This Committee will be responsible for reviewing the public alerting and notification systems; public relations with affected communities and the public at large, and development of public awareness, education and information programs.
- r) Volunteers and Donations Subcommittee- This Committee will be responsible for coordinating with regional volunteers and faith based organizations.
- s) Law Enforcement Subcommittee- This Committee will be responsible for reporting the coordinating efforts of law, order and security agencies within Ascension Parish.
- t) Animal Control Subcommittee- This Committee will be responsible for the sheltering, evacuation and rescue of domesticated animals.

Section 3: Ad Hoc Committees – The Chairperson may create the Ad Hoc Committee as necessary to perform the functions of the LEPC. Chairpersons of Ad Hoc Committees shall be appointed by the Chairperson of the LEPC.

Section 4: Chairpersons of the Subcommittees – The Chairperson of the Subcommittee shall be nominated and elected by their respective committees. The election shall be by ballot, except that when there is only one nomination for each office, election may be by voice vote.

Section 5: Memberships in Subcommittees – All members must volunteer to serve on at least one Subcommittee and shall not serve on more than three Subcommittees. Final membership of the Subcommittee shall be determined by the Chairperson after consultation with the Executive Advisory Panel to ensure that all Committees have sufficient manpower to carry out their assigned tasks.

Section 6: Meetings – Meetings of the Subcommittee and Ad Hoc Committees may be called by the Chairperson of the LEPC or the Chair of the Committee as deemed necessary.

- a) Regular Meetings – The LEPC Committee and Subcommittees shall meet at a minimum quarterly.
- b) Special Meetings – The LEPC Chairperson may call such special meetings as may be deemed necessary to carry out duties of the LEPC. Upon the written request of at least 50% of the members the LEPC Chairperson shall call a meeting within ten (10) days.
- c) Hearings – The LEPC shall hold such public hearings or forums as it may deem necessary and desirable at such time and places as may be

determined by a majority vote of the Committee. At least one such public hearing, or forum, shall be held each year for the purpose of discussing the Committee's emergency plan with the public, and to receive and respond to the public comments of the presented plan.

Section 7: Quorum – A quorum shall consist of a majority of the LEPC members, excluding those members declared to be inactive. A quorum shall be required to transact business.

Section 8: Agenda – Any member may request that the LEPC Chairperson place an item on the meeting agenda. If the Chairperson should decline to do so, a member may have such item placed on the agenda by submitting it in writing to the Chairperson with support signatures of 50% of the members.

Section 9: Rules of Order – The deliberations of all meetings of the LEPC and its subcommittees shall be governed by Robert's Rules of Order.

Section 10: Notice of Meetings – Notice of time, date, place of meeting, and agenda items to be considered at each meeting shall be given in writing to all members at least two weeks prior to each meeting by the staff or the LEPC Chairperson.

An annual notice of the regular meeting schedule of the LEPC shall be published in a newspaper with regular circulation in Ascension Parish in accordance with SARA, Title III (EPCRA). This notice shall specify the meeting designated specifically for receipt of public comments on the emergency plan.

## **Article VI – Miscellaneous Provisions**

Section 1: Fiscal Year – The fiscal year shall be considered to run from October 1 to September 30.

Section 2: Indebtedness – All indebtedness incurred by the LEPC shall be approved by the LEPC Chairperson before payment by the Secretary-Treasurer.

Section 3: Approval of Bylaws – These bylaws shall become effective upon approval of majority vote by those in attendance at an organized meeting.

Section 4: Disqualification – Any member who is unable to attend a meeting of the LEPC may notify the Secretary-Treasurer or Information Coordinator. Any member with five or more absences is subject to disqualification at the request of the LEPC Chairperson. This disqualification request will be forwarded to the LERC for final approval.

## **Article VII – Amendments**

Section 1: Amendments – These bylaws may be amended by a two-thirds vote of members present and voting at any meeting of the LEPC provided that any proposed amendments to these bylaws be submitted to the members in writing at least one week in advance of the meeting. Any member of the LEPC shall have the right to comment on or suggest revisions to the bylaws.

## Article VIII – Rules

EPCRA requires that the LEPC shall establish rules by which the committee shall function. Such rules shall include provisions for public notification of committee activities, public meetings to discuss the emergency plan, public comments, response to such comments by the committee, and distribution of the emergency plan.

Section 1: Method of Initiating Proposed Rule-Making – Any member of the LEPC may recommend the initiation of proposed rule-making. Any proposed rules shall be initially considered by the Executive Advisory Panel, unless otherwise decided by the LEPC. If the Executive Advisory Panel, by majority vote approves the proposed rule, it shall thereafter proceed to publication as provided in the preceding section.

Section 2: Method of Adopting Final Rules – Following the expiration of the 10 day comment period, the Executive Advisory Panel shall review all public comments and prepare a statement which responds to comments raised and discusses the basis for any appropriate changes to the proposal. The Executive Advisory Panel shall present such statement to the LEPC. The LEPC shall then vote on the adoption of the proposed rule. If the vote is favorable, the rule shall take effect immediately upon the time and date the notice of adoption is first published.

Section 3: Emergency Rules – In emergency circumstances, the LEPC may adopt rules without prior public notice and comment, provided that no such rule will remain in effect for more than 90 days.

Section 4: In accordance with Section 324 of the SARA Title III Act, all information obtained from an owner or operator pursuant with EPCRA and any requested Tier Two forms or Material Safety Data Sheet (MSDS) otherwise in possession of the LEPC shall be made available to any person submitting a written request under this section. If the owner should request the **LOCATION** of a specified chemical not be identified, the LEPC shall withhold that information.

Section 5: All photocopied information requests by a member of the public shall be provided at the sole expense of the requestor(s). The cost of such reproduction shall be set by the Information Coordinator, with the approval of the Executive Advisory Panel, at a level which will enable the LEPC to recover all reasonable expenses associated with the processing of the request.



Section 6: Request for MSDS's and other Non-Confidential Information: Any person may obtain an MSDS with respect to a specific facility by submitting a written request to the LEPC Information Coordinator. The facility shall provide the MSDS copy with 45 days of the written request. Any person may request any other non-confidential information concerning a facility which may be held by the LEPC by submitting a written request to the LEPC Information Coordinator.

Section 7: Requests for Tier Two Information: Any person may request Tier Two information with respect to a specific facility by submitting a written request to the LEPC in accordance with the following requirements:

- a) If the Committee does not have in its possession the Tier Two information as requested, it shall request a submission of the particular Tier Two form from the owner or operator of the facility subject to the request, provided that the request is from a state or local official acting in his or her official capacity or the request is limited to hazardous chemicals stored at the facility in an amount in excess of the threshold planning quantity.
- b) If the request does not meet the requirements of the LEPC may request submission of the Tier Two form from the owner or operator of the facility subject to the request if the request includes a general statement of need.

Section 8: The Ascension Parish LEPC shall take an all hazard approach when conducting risk assessments and emergency planning within the parish.

## **Article IX – Amendments**

These By-Laws may be amended as necessary.