

**LARIMER COUNTY LOCAL EMERGENCY PLANNING COMMITTEE
(LC-LEPC)**

BY-LAWS

ARTICLE 1 – AUTHORITY AND DUTIES

Section 1. The Larimer County Local Emergency Planning Committee (LC-LEPC) is authorized by Title III to the Superfund Amendment and Reauthorization Act (SARA) of October, 1986, 42 U.S.C. § 11001, et. Seq., P.L. 99-499, Part 26 of Article 32 of Title 24, C.R.S., and Resolution of the Board of County Commissioners of Larimer County.

Section 2. The duties of the Committee are:

LOCAL EMERGENCY PLANNING COMMITTEE DUTIES
(Pursuant to Section 301(C) of Title III)

- A. Appoint Chair and establish rules for process, public notice, public meetings on the Emergency Plan, response to public comments, and distribution of the Plan.
- B. Establish procedures for handling information requests (received pursuant to Sections 312 and 324 of SARA Title III).
- C. Consult and advise the Larimer County Office of Emergency Management and Sheriff’s Office on all-hazard planning documents.
- D. Make available to the public, Safety Data Sheets (SDS, the document that describes the physical properties and health impacts of the described chemical) by setting up a central file at the Larimer County Sheriff’s Office. The Larimer County Sheriff’s Office will work with the facility owners/operators to meet public request for information.
- E. Request Tier II (SARA Title III Inventory Form) information on inventory forms (local fire departments may also request Tier II information).
- F. Provide Tier II information to state/local officials acting in their official capacity on request (request from facility, if necessary).
- G. Provide Tier II information to any person requesting information on a specific facility in writing; if not on hand, request from facility for quantities in excess of 10,000 pounds (mandatory); if not on hand, may request from facility for quantities below 10,000 pounds if requester has included information on his/her general need for the information (response must be made within 45 days).
- H. Designate the repository for the LEPC Plan, SDS/list, inventory form, toxic chemical release form and follow up emergency notice. This information must be available to the public during

normal working hours (at facility request, withhold information on the specific location of a specific chemical within the facility). The Larimer County Sheriff's Office will be the central repository for the Plan, SDS and other reporting documents. Others may be designated as needs and resources change.

I. Cooperate with SARA enforcement agencies, such as the Environmental Protection Agency, Health Department, and local Designated Emergency Response Authority (Larimer County Sheriff's Department).

ARTICLE II – MEMBERSHIP

Section 1. Membership shall be in accordance with Larimer County Code Part 1, Chapter 18, Article 2, Division 2.

Section 2. Members will be designated by name, but may designate others to attend on their behalf, as voting members. The sign-in sheet will act as the primary method of recording membership. The members of the LEPC or their designees serve without compensation.

Section 3. The Larimer County Attorney's Office will act as Legal Advisor to the LEPC.

Section 4. The LEPC Chair will submit an annual roster to the Colorado Emergency Planning Committee (CEPC) by email at least once a year.

ARTICLE III – EXECUTIVE COMMITTEE

Section 1. The following officers and persons shall be the Officers of the LEPC and serve as its Executive Committee:

Chair and/or Co-Chairs

Vice Chair

Secretary

Liaison Commissioner from the Larimer County Board of County Commissioners.

Section 2. The Executive Committee shall be responsible for preparing the policy guidance for a discussion and vote by the LEPC membership.

Section 3. Duties of Officers:

A. Chair and/or Co-Chairs

1. Is responsible for executing the goals of the Executive Committee and presides as Chair of all regular and special sessions of the LEPC.

2. Support the objectives and duties for which the LEPC was formed, and conduct all functions in a professional manner.

B. Vice-Chair

1. Act as second in charge and serves as Chair in the absence of the Chair.
2. Assumes the duties and responsibilities of the Chair in the event the latter resigns, is removed, or becomes incapacitated.

C. Secretary

1. Records and completes the Minutes of all meetings, to include scheduled Executive Committee Sessions.
2. Responsible for insuring that all records and files are maintained in good condition at the designated administrative address for the LEPC or electronically.
3. Assists, when possible in mailing the Minutes and Agenda with enough lead time to insure tasking is timely.
4. Work with the Chair and Vice-Chair to post the meeting time of the LEPC.

ARTICLE IV – MEETINGS

Section 1. Meetings will be held at a frequency and location determined by the Chair or Co-Chairs.

Section 2. An election meeting will be held annually at the last meeting of the year.

Section 3. Minutes will be taken at all meetings of the LEPC. All meetings will be open to the public with a conspicuous posting at the Larimer County Office of Emergency Management, Larimer County Courthouse, Fort Collins, Colorado at least twenty-four (24) hours in advance.

ARTICLE V – VOTING

Section 1. A quorum shall consist of eight (8) members. With a quorum present, only a vote of the majority of those present shall be necessary to take action. If there are not eight (8) members present, a vote may be taken electronically through the official LEPC email.

ARTICLE VI – ASSIGNMENTS

Section 1. Assignments

- A. Sub-Committees will exist until their tasks are complete. Minutes will be taken at Sub-Committee meetings, with an Agenda posted. Briefings of Sub-Committee meetings shall be made to the LEPC and a written report shall be prepared upon completion of the assigned task.
- B. Administrative Focal Point.

1. All requests for information from the public will be handled by the Larimer County Sheriff's Office with queries being responded to in writing within thirty (30) days. Queries will be in writing and directed to the following address:

Larimer County Sheriff's Office

2501 Midpoint Drive

Fort Collins, Colorado 80525

Coordination with the LEPC Chair or Co-Chairs will be made immediately upon receipt of a query.

2. The Larimer County Sheriff's Office will act as the mailing address, public point of contact and Office of Primary Responsibility (OPR) for the LEPC documents. This office will maintain the files, records, history and all other documentation pertinent to the LEPC.

C. All members serving on a Sub-Committee shall serve until the task is completed or the individual requests, in writing or email to be relieved.

D. The Officers will review Committee involvement and achievement for possible nominations for an annual award, to be voted on by the LEPC during the last meeting of the year.

ARTICLE VIII – GRIEVANCES

Written grievances from LEPC members and the public at large will be given prompt consideration by the Executive Committee for discussion and resolution by the LEPC. A written reply for LEPC files will be prepared by the Executive Committee within thirty (30) days of the receipt of the written complaint.

ARTICLE IX – AVAILABILITY OF BY-LAWS

The Chair or Co-Chairs, Vice-Chair and Secretary shall maintain a copy of the By-Laws. A copy will always be available at the LEPC meetings.

ARTICLE X – GRANTS – EXPENSES

Section 1. GRANTS – The LEPC is eligible to apply for and to receive grant monies from a variety of sources, to include Federal Emergency Management Agency (FEMA), the Environmental Protection Agency (EPA), and the Department of Transportation (DOT). Any grants to be applied for shall be reviewed by the Executive Committee, with recommendations to the LEPC for final approval. Prior to the commitment of the receipt of any monies, the LEPC will discuss, as a body, these monies and make recommendations to the Larimer County Liaison Commissioner. The Legal Advisor, and if necessary the Larimer County Finance Director and Larimer County Purchasing Department Director, will provide input if a bid process is involved.

As a minimum, records shall be kept for auditing purposes and will be on file for the Larimer County Board of County Commissioner's access. Progress Reports to the SERC, if required, will be handled by the Officers.

Section 2. EXPENSES – Daily administrative operating expenses for the LEPC will be handled by and be the responsibility of the Larimer County Sheriff's Office from budget line item. Records will be kept by the Larimer County Office of Emergency Management of expenditures, with an End-of-Year Report to the LEPC. Payment of bills and budgeting will be in accordance with County Policy.

ARTICLE XII – LEPC PLANS

Section 1. Develop relevant plans in accordance with guidance from the CEPC