

Greater Houston Local Emergency Planning Committee BY-LAWS

ARTICLE I-THE GREATER HOUSTON LOCAL EMERGENCY PLANNING COMMITTEE

This organization shall be known as the Greater Houston Local Emergency Planning Committee (GHLEPC). The GHLEPC is formally organized pursuant to Section 501 (c) (3) of the Internal Revenue Code.

ARTICLE II- PURPOSE

The primary purpose of the GHLEPC is to administer and comply with the guidelines of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA) for the area assigned to the GHLEPC within Harris County, Texas. In addition, the GHLEPC will adhere to any other federal, state, and/or local laws, mandates, or directives related to EPCRA to help improve the public's knowledge and access to information on chemicals at facilities, their uses, and releases into the environment. It is the intent of the GHLEPC to improve chemical safety awareness and protect the health and environment of our citizens.

It is the intent of the GHLEPC to conduct all of its activities in a manner that encourages input and participation from all segments of the community.

In addition, the GHLEPC will:

1. Develop and test applicable emergency response plans for hazardous materials incidents in the City of Houston (COH) and surrounding areas.
2. Develop and implement emergency notification procedures applicable for facilities.
3. Receive and process open records requests pursuant to the Texas Public Information Act.
4. Provide Public notification of LEPC activities and General Membership meetings via the GHLEPC website, General Membership meetings or other reasonable outlet(s).

ARTICLE III – OPERATING PROCEDURES

Section 1: Powers and Duties

The GHLEPC shall have those powers and duties specifically delegated by EPCRA and /or any other federal, state or local lawmaking entity

Section 2: Fiscal Year

The fiscal year shall be September 1 through August 31.

Section 3: Use of Funds

All funds of the GHLEPC shall be utilized in accordance with the rules and requirements outlined in Section 501 (c) (3) of the Internal Revenue Code. All indebtedness of the GHLEPC shall be approved by the Chairperson prior to payment by the Treasurer/Secretary. Upon dissolution of the GHLEPC, all GHLEPC assets shall be liquidated pursuant to Section 501 (c) (3) of the Internal Revenue Code and/or any other applicable law, mandate, or directive.

ARTICLE IV – MEMBERSHIP

Section 1: Active/Alternate Members

A membership list shall be reported annually to the State Emergency Response Committee. Active members shall represent the various professions and community groups designated by EPCRA, and shall be resident of, or conduct Business within the GHLEPC jurisdiction. All GHLEPC members shall notify the Chair or Vice Chair of changes in their membership status so current membership rosters can be maintained.

The GHLEPC shall consist of members elected by vote of the current membership during a scheduled General Membership meeting. A prospective member is eligible for active membership after attending three (3) General Membership meetings. Replacement for active members must attend two (3) General Membership meetings before being eligible for membership and will have full voting rights and can be elected to an officer's position.

An active member that misses three consecutive General Membership meeting or three consecutive assigned subcommittee or ad hoc committee meetings will automatically be reassigned as an associate member.

Section 2: Associate Member

Associate members do not have voting rights and will not be elected to an officer's position. On the third visit, the Associate member shall be voted on as an active member with all rights and responsibilities Associate members can be appointed to serve on a subcommittee or ad hoc committee and may provide monetary or in-kind donations.

ARTICLE V – OFFICERS AND ELECTIONS

Section 1: Officer Positions

All officer positions for the GHLEPC are considered voluntary. The GHLEPC shall elect officers whose primary responsibility is the general management of the GHLEPC. Officer positions shall consist of a Chairperson, Vice Chairperson, and Treasurer/Secretary, and such other officers as the members of the GHLEPC shall establish by resolution. All officers shall be active members of the GHLEPC. Officers shall be elected during the final General Membership meeting during odd numbered years.

Officers' duties may include conducting meetings, appointment of subcommittees and ad hoc committees, administer finance activities, and maintain general documentation related to the GHLEPC proceedings.

Section 2: Vacancies

Vacancies for an officer position shall attempt to be filled at the next General Membership meeting following the vacancy. All replacements for any vacancy shall be filled pursuant to the requirements of Article V, Section 4 of these By-Laws. Nomination for candidates to fill vacant officer positions may be made by the membership of the GHLEPC.

Section 3: Term of Office

The term of each officer's position will be two years beginning on the date of the final General Membership meeting during odd numbered years. Any officer shall serve for no more than two (2) terms unless by special vote and approval by the active membership during a General Membership

meeting. An officer who has served more than one-half (1/2) of a term in their respective position is considered to have served a full term.

Section 4: Nomination and Elections

An Ad Hoc Officer Nominating Subcommittee shall submit a list of officer nominees at a General Membership meeting. At a subsequent General Membership meeting the vote for officers will be held and counted. The election shall be by ballot, unless there is only one nomination for the officer position. Officer nominees shall be elected by a majority of active members in attendance.

Section 5: Duties of Officers

5.1 Chairperson

The Chairperson shall preside over all GHLEPC General Membership and Executive Board meetings, and any other special meetings. The Chairperson is not allowed to preside over the Ad Hoc Officer Nominating Subcommittee.

The Chairperson shall be empowered to create any additional committees, as deemed necessary, and perform such duties and acts as necessary to accomplish the goals for the GHLEPC and/or EPCRA.

5.2 Vice Chairperson

The Vice Chairperson is primarily responsible for the annual review/revision of the By-Laws and the GHLEPC Five-year (5) plan. The Vice Chairperson shall perform other duties assigned by the Chairperson. During the absence of the Chairperson, or when the Chairperson position is vacant, the Vice Chairperson shall perform the duties of the Chairperson. An active member shall be elected by the Ad Hoc Officer Nominating Subcommittee to fill the vacant Vice Chairperson position.

5.3: Treasurer/Secretary

The Treasurer/Secretary shall maintain complete financial accounts and records as well as, prepare financial reports for review by the members. The Treasurer/Secretary shall prepare all reports and correspondence that may be required pursuant to Section 501 (c) (3) of the Internal Revenue Code or corresponding section of any other federal tax code. The Treasurer/Secretary will serve as the Chair of any designated finance subcommittee.

In the event the position of Treasurer is vacant and a member has not been nominated and approved by the membership, an IRS enrolled agent (or EA). An EA is a federally authorized tax practitioner empowered by the U.S. Department of the Treasury to represent taxpayers before the Internal Revenue Service (IRS) and whose status is the highest credential awarded by the IRS.

ARTICLE VI – COMMUNITY EMERGENCY COORDINATOR (CEC)

Section 1: Position

The City of Houston Fire Department (HFD) shall serve as the CEC to assist the GHLEPC with EPCRA requirements.

The HFD CEC will be responsible for all communication and information related to HAZMAT issues in the City of Houston. Additionally, the CEC shall assist in the establishment of industry relationships to encourage coordinated response efforts and activities pursuant to EPCRA.

ARTICLE VII – EXECUTIVE BOARD

Section 1: Members

The executive Board shall consist of the Chairperson, Vice Chairperson, Treasurer/Secretary, Legal Advisors, and standing subcommittee chairpersons.

Section 2: Authority

The executive Board shall have general supervision and administration over the affairs of the GHLEPC, and coordinate activities of the standing subcommittees and any active ad hoc committees. The Executive Board will also identify the duties of the GHLEPC Administrator and any related staff. In those instances, where the GHLEPC Administrator position is funded by the City of Houston Fire Department (HFD) or other public/private entity, all proposed GHLEPC Administrator duties will be subject to review and approval by the appropriate HFD or other public/private entity official and will be compatible with the general job classifications of the funding entity. The Executive Board will also perform other duties and acts specified in these By-Laws to accomplish the goals of the GHLEPC and EPCRA.

Section 3: Meetings

Executive Board regular meetings will be held prior to the General Membership meeting and as required. The presence of three (3) members at any Executive Board meeting shall constitute a quorum.

ARTICLE VIII – GHLEPC ADMINISTRATOR

Section 1: Position

An Administrator may be employed to assist the Executive Board in accomplishing the goals of the GHLEPC and EPCRA. The GHLEPC Administrator job description will be reviewed and, if needed, revised on an annual basis by the Executive Board. The GHLEPC Administrator job description will be reviewed and, if needed, revised on an annual basis by the Executive Board. The GHLEPC Administrator will be classified as an Active Member of the GHLEPC.

Section 2: Hiring and Tenure

The Executive Board shall conduct an annual performance review of the GHLEPC Administrator no later than August 31 of each year.

Section 3: Direction

The Chairperson shall have direct/primary authority over the activities of the Administrator in performing the duties set out by the Executive Board in accordance with the current GHLEPC Administrator job description.

Section 4: Committee Membership

The GHLEPC Administrator will serve as a member, and provide administrative support, to all assigned ad hoc subcommittees as deemed appropriate by the Chairperson.

Section 5: Salaried Administrator Position

When the GHLEPC Administrator position is funded by HFD or another public/private entity, all proposed GHLEPC Administrator duties and general employee obligation will be subject to review and approval based on their applicable employee evaluation procedures. The GHLEPC Administrator

position will be subject to any other applicable federal, state, and/or local laws when funded by HFD or another public/private entity.

ARTICLE IX – MEETINGS

Section 1: General Membership Meetings

General Membership meetings will be held on the last Wednesday of each odd numbered month beginning in January, unless otherwise ordered by the Executive Board. The final meeting of the Calendar year will be the first Wednesday of December unless otherwise ordered by the Executive Board.

Section 2: Special Meetings

Special meetings of the GHLEPC may be called by the Chairperson or by the Executive Board within fourteen (14) days of receipt of a written request from five (5) members of the general membership.

ARTICLE X-SUBCOMMITTEES

Section 1: Standing Subcommittees

Standing Subcommittees of the GHLEPC are: 1) Finance, Administration, and Logistics, 2) Planning and Operations, 3) Information, and 4) Liaison.

Section 2: Meetings

Each standing subcommittee shall meet on a regular basis and report to the Executive Board.

Section 3: Duties of Standing Subcommittees:

3.1: Finance, Administration, and Logistics

The Treasurer/Secretary, or designee, shall serve as the Chairperson of the Finance, Administration, and Logistics Subcommittee. The general duties of the subcommittee will be:

- Identify potential sources of funding and in-kind support for GHLEPC activities
- Develop an annual budget and long-range financial plan to be implemented in the GHLEPC five-year plan. This plan should be presented to the Vice-Chairperson for the annual review and revision. The Vice-Chairperson is responsible for keeping the plan on course.
- Coordinate office support for the GHLEPC office, if applicable.
- Ensure an audit of the GHLEPC finances is conducted every August by a Certified Public Accountant. The audit is to be presented at each September General Membership meeting
- Review legal issue for final consideration by the Executive Board for presentation to the General Membership, as appropriate
- Maintain GHLEPC records pursuant to the approved records retention Policy.

3.2: Planning and Operations Subcommittee Duties

- Conduct an annual response exercise with member facilities, local government, and other applicable organizations.
- After an exercise, provide a written After Action Report (AAR) to the Executive Board including lessons learned within 60 days of the exercise.
- Annually review/revise the GHLEPC Emergency Response Plan to insure compatibility with all federal, state, and/or local mandated plans.
- Identify and initiate any training needs associated with the GHLEPC.

- Promote various training opportunities for GHLEPC member to include, but not limited to, chemical awareness, hazardous materials response, and incident management
- Identify, and evaluate shortcomings in emergency public notification procedures pursuant to a hazardous materials emergency and make recommendations to Chair so the it might be presented to City/County OEM.
- Coordinate actives with other LEPC's in and around Harris County.
- Conduct recruiting activities for potential GHLPEC members

3.3: Information Subcommittee Duties

Chairperson of this Committee reports to Executive Board.

- Promote various community awareness initiatives related to hazardous materials emergencies.
- Inform the public of the overall purpose of the GHLEPC through various media outlets.
- Formulate policies and procedures based on federal, state, and /or local regulation related to the community, the GHLEPC and EPCRA.
- Respond to public inquires and complaints regarding hazardous materials incidents or specific facilities within the realms of Texas Open Records Act. Any other inquiries should be reviewed for legality before answering such inquiries.
- Update the GHLEPC website.
- Develop procedures for processing and maintaining EPCRA-related information from regulated facilities
- Maintain communication with community/Citizen Advisory Panels within the GHLEPC jurisdiction
- Coordinate activities with other LEPC's in and around Harris County.

3.4: Liaison Subcommittee Duties

- Maintain Liaison with federal, state, and local entities with any EPCRA related responsibilities
- Maintain active participation with other Harris County LEPC's.

3.5: Ad Hoc Subcommittees

The GHLEPC Chairperson may create ad hoc subcommittees, as necessary, to accomplish the overall objectives of the GHLEPC. The Chairperson, after review and approval by the Executive board, shall appoint a chairperson and subcommittee members.

ARTICLE XI-AMENDMENT & RULES

Section 1: Amendments

The GHLEPC By-Laws may be amended by a two-thirds (2/3rds) vote of the members present and voting at any General Membership meeting. All proposed GHLEPC amendments will be submitted in writing to the general membership at least thirty (30) days in advance of the General Membership meeting where any amendment is submitted for vote and approval.

Section 2: Rules

The GHLEPC may, as necessary and proper, adopt rules of general application governing the execution of its EPCRA responsibilities and/or any other applicable federal, state, and/or local law or mandate. Any rule of the GHLEPC shall be published in proposed form not less than ten (10) days prior to final adoption by the GHLEPC.

Any proposed rule(s) shall first be considered by the Executive Board. If the proposed rule is approved by the Executive Board, it shall then be presented for publication.

A Ten (10)-Day comment period shall apply to all proposed rules. The Executive Board shall review all submitted comments and prepare a written response to address them. A vote by the GHLEPTC membership shall then be initiated and, if approved, the proposed rule shall be effective immediately.

ARTICLE XII-PARLIAMENTARY AUTHORITY

Section 1: Parliamentary Authority

The deliberations of all GHLEPC meetings and its subcommittees shall be governed by Robert's Rules of Order, Newly Revised

Denise Chatam Walker, DBA
Chairperson
Greater Houston Local Emergency Planning Committee

Date Signed