

**DANE COUNTY
LOCAL EMERGENCY PLANNING COMMITTEE**

ORGANIZATIONAL GUIDELINES

Last Updated: June 2014

DANE COUNTY LOCAL EMERGENCY PLANNING COMMITTEE

ORGANIZATIONAL GUIDELINES

ARTICLE I

NAME, DESCRIPTION, PURPOSE AND AUTHORITY

Section 1. **NAME.** The name of this committee shall be Dane County Local Emergency Planning Committee (LEPC).

Section 2. **DESCRIPTION.** The Dane County Local Emergency Planning Committee shall be a committee as provided for under Section 36.04, Chapter 36 of the Dane County Code of Ordinances, and advise the Dane County Board's Public Protection & Judiciary Committee, as provided for under Section 7.17 (2), Chapter 7 of the Dane County Code of Ordinances.

Section 3. **PURPOSE.** In order to protect a community from the harmful and possibly life-threatening effects of a hazardous materials release, the Dane County Local Emergency Planning Committee's purpose is to develop policies, procedures and emergency plans for prevention, response to and recovery from hazardous materials incidents and/or accidents in compliance with the requirements of the Federal Superfund Amendments and Reauthorization Act of 1986 (SARA--Title III) and Wisconsin Hazardous Substances Information and Emergency Planning Act.

Section 4. **AUTHORITY.** Per Dane County Ordinance Section 36.04(1): The Local Emergency Planning Committee has the powers and duties established for such Committees under 42 USC 11000 to 11050 and under sections 59.07(145), 323.60, and 323.61 of Wisconsin Statutes.

- **(A)** Per Dane County Ordinance Section 36.04(7): The Local Emergency Planning Committee is authorized to apply for emergency planning grants for reimbursement of expenses. Such reimbursements shall be administered by Dane County Emergency Management in a separate cost account division.
- **(B)** Per Section 36.04(8) of the Dane County Code of Ordinances: The Local Emergency Planning Committee shall develop a comprehensive hazardous materials response plan. The Committee shall make recommendations and advise the Dane County Board of Supervisors and the Board's designated oversight standing committee (Public Protection & Judiciary) on matters pertaining to hazardous materials emergency planning and response.

ARTICLE II

MEMBERSHIP

Section 1. Per Section 36.04(3) of the Dane County Code of Ordinances:

The membership of the Local Emergency Planning Committee should consist of between ten and fourteen members. At least one member of the Committee shall be a member of the Dane County Board of Supervisors. As required by Wisconsin Emergency Management (WEM), the Dane County Emergency Management Director shall be a member. There shall also be at least one representative from each of the following groups: law enforcement, fire service, emergency medical service, community group, environmental group, and the media. The committee shall also have at least two representatives from facilities subject to 42 USC 11001-11050, the emergency planning and community right-to-know legislation.

Section 2. Per Section 36.04(4) of the Dane County Code of Ordinances:

Committee members shall serve two-year terms ending at the regular meeting of the LEPC in June of the even-numbered years, or as soon thereafter as a successor is appointed and confirmed.

Section 3. Per Section 36.04(5) of the Dane County Code of Ordinances:

Citizen members shall receive no compensation or mileage allowance or reimbursement for other expenses incurred in the performance of their duties. Dane County Board members shall receive the same per diem for attendance as other county meetings and the same mileage and expense allowance.

Section 4. Per Section 36.04(2) of the Dane County Code of Ordinances:

The County Executive shall make membership appointments, subject to membership confirmation by the Dane County Board of Supervisors. Wisconsin Emergency Management shall be notified of any such changes in membership.

Section 5. Appointed members of the Committee may designate an alternate to attend a meeting in their absence. The designated alternate will be included in the quorum and may participate in LEPC discussions and will have voting rights.

Section 6. Members of the Committee who fail to attend two consecutive meetings may be contacted by Dane County Emergency Management staff on behalf of the LEPC to determine the interest of the individual to continue to serve on the Committee.

ARTICLE III

MEETINGS

- Section 1.** Regular meetings of the LEPC will be held on the second Monday of February, June and October.
- Section 2.** Special meetings of the Committee may be called by the Chairperson or by a majority vote of the Executive Committee.
- Section 3.** All meetings of the Committee shall be conducted in accordance with the open meeting laws of the State of Wisconsin and Dane County Code of Ordinances. Meeting notices will be posted in the Dane County Clerk's Office and minutes provided to the County Clerk and WEM as the official record of Committee actions.
- Section 4.** Per requirements of Wisconsin Emergency Management, there will be an opportunity for at least thirty (30) minutes of Public Comment at each LEPC meeting.
- Section 5.** All organizational or procedural questions not covered by these Organizational Guidelines shall be governed by the Dane County Code of Ordinances and then by Scott Foresman Robert's Rules of Order.

ARTICLE IV

VOTING RIGHTS

- Section 1.** Votes shall be cast by members present at regular and special meetings. A designated alternate attending on behalf of an appointed LEPC member will have voting rights.
- Section 2.** In case of a tie vote on a matter, the Dane County Emergency Management Director shall not vote.

ARTICLE V

QUORUM

- Section 1.** Fifty-percent plus one of the current confirmed members of the Committee or designated alternate shall constitute a quorum necessary for the transaction of business. The fact that one or more members abstain from voting on a particular question shall not void an otherwise legitimate quorum.

ARTICLE VI

OFFICERS, DUTIES, ELECTIONS AND TERMS

Section 1. OFFICERS.

The officers of the Committee shall be Chairperson, Vice-Chairperson and Coordinator of Information/Dane County Emergency Management Director.

Section 2. CHAIRPERSON.

The Chairperson shall preside at all meetings of the Committee. He/She shall perform the usual duties of the office and such other duties as may be prescribed by the Committee. The Chairperson shall be an ex officio member of all subcommittees created by the Committee and may meet and deliberate at their meetings, but may not vote or make motions while acting as ex officio member.

Section 3. VICE-CHAIRPERSON.

The Vice-Chairperson shall, in case of a vacancy in the office of the Chairperson, or in the absence or disability of the Chairperson, perform all the duties of the Chairperson until that position is filled. When acting in the place of the Chairperson, the Vice-Chairperson shall have all the powers pertaining to that office. The Vice-Chairperson shall be an ex officio member of all Subcommittees created by the Committee and may meet and deliberate at their meetings, but may not vote or make motions while acting as ex officio member.

Section 4. COORDINATOR OF INFORMATION/COMMUNITY EMERGENCY COORDINATOR.

The Dane County Emergency Management Director shall:

- Serve as the Coordinator of Information and Community Emergency Coordinator for the Dane County LEPC.
- Have the duties and responsibilities as outlined under SARA Title III, Section 301(c) and those duties and responsibilities assigned by LEPC.
- Chair the meetings of the Committee in the absence of both the Chairperson and the Vice-Chairperson.

Section 5. ELECTIONS

The Chairperson and Vice-Chairperson shall be elected at the regular June or next scheduled meeting of the Committee in even numbered years and shall serve for a two-year term or until a successor has been named.

Section 6. EXECUTIVE COMMITTEE.

The Chairperson, Vice-Chairperson and the Coordinator of Information shall constitute the Executive Committee. The Executive Committee shall be responsible for conducting affairs of the Committee between regular and special meetings.

The off-site emergency plans, developed for facilities under SARA Title III, shall be reviewed by the county Emergency Management Director or designee, the elected LEPC Chairperson and the coordinator of that facility, and others as may be deemed appropriate. Any member of the Executive Committee may refer an off-site plan to the full Committee for review when deemed appropriate.

ARTICLE VII

SUB-COMMITTEES

Section 1. Subcommittees of the LEPC shall be appointed by the Chairperson for terms necessary to accomplish specific goals and objectives of the LEPC.

Section 2. Membership of designated sub-committee(s) shall be made by the Chairperson and approved by the LEPC membership and shall have as many members as necessary to accomplish the subcommittee's goals and directives.

Section 3. Duties of the Chairperson for each sub-committee is at the discretion of sub-committee members. Reports of meetings of the sub-committees shall be provided to the Committee.

Section 4. Membership of sub-committees shall include at least two (2) approved LEPC members and as many other individuals as necessary to accomplish the subcommittee's goals and directives.

ARTICLE VIII

STAFF SUPPORT

Per Section 36.04(6) of the Dane County Code of Ordinances:

- Section 1.** The Dane County Department of Emergency Management shall provide such staff assistance as may be required to carry out the functions of the LEPC.
- Section 2.** Staff of Dane County Department of Emergency Management shall be responsible for preparing minutes of the proceedings of the LEPC meetings.
- Section 3.** Staff of Dane County Department of Emergency Management can serve as an informational resource and act as a facilitator for subcommittee meetings. Staff will also assist in preparing of meeting reports and agendas.

ARTICLE IX

PLAN DISTRIBUTION

- Section 1.** The Dane County Strategic Plan for Emergency Response to Hazardous Materials Releases will be distributed to public safety agencies. This plan is also posted on the Dane County E-Sponder site.
- Section 2.** Off-site plans are reviewed, approved and signed by the Dane County Director of Emergency Management, the LEPC Chair, and by the Regional Director of Wisconsin Emergency Management. Upon request, one copy of an approved off-site plan may be provided to an interested individual or agency in accordance with Dane County Ordinances.
- Section 3.** The LEPC is not responsible for providing multiple copies of off-site plans to a requesting individual or agency. Additional copies may be obtained at the expense of the requestor at rates established by Dane County Records Control Ordinance, Chapter 16.

ARTICLE X

AVAILABILITY OF INFORMATION

Section 1. Information maintained on behalf of the LEPC by the Dane County Department of Emergency Management under P.L. 99-499, or Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA), is available for public review at the Dane County Emergency Management Office, 115 West Doty Street, Room 2107, Madison, between the hours of 8:00 a.m. and 4:00 p.m. Monday through Friday during regular business days. It is the intent of the Dane County Local Emergency Planning Committee to make access to these records as convenient as possible.

The following information is available:

1. Lists of reporting facilities.
2. List of planning facilities.
3. Emergency response plan(s). Facility off-site plans.
4. County Wide Strategic Plan for Emergency Response to Hazardous Material Releases.

Section 2. Information concerning a specific facility must be reviewed in person at the offices of Dane County Emergency Management. Copies of documents may be made at the expense of the requesting individual at rates established by Dane County Records Control Ordinance, Ch. 16.

Section 3. Other information may be sent after approval for release by the Dane County Emergency Management Director. Information may be sent via mail, fax or e-mail depending upon the volume of the requested materials and at the expense of the requesting individual.

ARTICLE XI

FACILITY COMPLIANCE - REFERRALS TO WEM

Section 1. The Dane County Local Emergency Planning Committee shall follow procedures outlined by Wisconsin Emergency Management as outlined in "*Wisconsin Local Emergency Planning Committee and Compliance Procedures.*"

ARTICLE XII

FACILITY REPORTS & RETENTION

- Section 1.** Facilities subject to the requirements of Title III of the Superfund Amendments and Reauthorization Act shall submit annual reports to Wisconsin Emergency Management using the Wisconsin HazMat Online Planning and Reporting System (WHOPRS). The Dane County LEPC, assisted by Dane County Emergency Management will utilize WHOPRS to generate its required reports and information
- Section 2.** In accordance with Wisconsin Emergency Management policy, reports received from temporary construction facilities may be disposed of 90 days following the estimated completion date of the project. Such reports may include blueprints, site plans, and specification manuals, which offer limited information concerning chemicals on site.

ARTICLE XIII

ADOPTION AND AMENDMENT

- Section 1.** The Organizational Guidelines shall be binding and effective upon approval of majority vote at a regular meeting of the Committee. The Organizational Guidelines may be amended at any regular or special meeting by not less than quorum. The proposed amendment shall be printed in full and included with distribution of the notice for such meeting.
- Section 2.** The Organizational Guidelines shall be reviewed by the LEPC annually.