



**WORKING TOGETHER FOR OUR SAFETY**

**CITY OF CORPUS CHRISTI / NUECES COUNTY  
LOCAL EMERGENCY PLANNING COMMITTEE**

**BYLAWS OF THE  
CITY OF CORPUS CHRISTI / NUECES COUNTY  
LOCAL EMERGENCY PLANNING COMMITTEE**

*Amended: January 4, 2005*

*Amended: October 1, 2013*

*Amended: January 6, 2015*

These By-Laws are effective, as amended and approved, by unanimous vote of members present and voting at a meeting convened on January 6, 2015.



Chief Robert Rocha, CCFD  
LEPC Chairperson



Date

## INTRODUCTION

Congress passed the Emergency Planning and Community Right-to-Know Act (EPCRA), also known as the Superfund Amendments and Reauthorization Act (SARA Title III), in 1986. EPCRA has four major provisions: Emergency Planning (Sections 301-303); Emergency release notification (Section 304); Hazardous chemical storage reporting requirements (Sections 311-312); and Toxic chemical release inventory Section 313). The Community Right-to-Know (CRTK) provisions in EPCRA help increase public knowledge and access to information on chemicals at individual facilities, their uses, and release into the environment. The State Legislature also enacted Right-to-Know (RTK) laws that are now fairly consistent with the existing federal RTK laws. As a result, states and communities, working with industry, are better able to protect public health and the environment.

The U.S. Environmental Protection Agency (EPA), other federal agencies, state agencies, and the chemical industry are cooperating with local communities to make EPCRA and related state laws effective. The LEPCs are the link between citizens, industry, and government.

Homeland Security Presidential Directive (HSPD) – 5, *Management of Domestic Incidents*, directed the development of a new National Response Plan (NRP), December 2004, (Appendix O) to align Federal coordination structures, capabilities, and resources into a unified, all-discipline, and all-hazard approach to domestic incident management.

The NRP incorporates best practices from a wide variety of incident management disciplines to include fire, rescue, emergency management, law enforcement, public works, and emergency medical services.

The NRP is built on the framework of the National Incident Management System (NIMS), March 2004, (Appendix P), which provides a consistent doctrinal framework for incident management at all jurisdictional levels, regardless of the cause, size, or complexity of the incident.

Both the NRP and NIMS will be incorporated into State and local emergency planning efforts as rapidly as possible.

The Emergency Planning and Community Right-To-Know Act (EPCRA) establishes the LEPC as a forum at the local level for discussions and a focus for action in matters pertaining to hazardous materials planning. LEPCs also help to provide local governments and the public with information about possible chemical hazards in their communities.

The major legal responsibilities of LEPCs in Texas are listed below. The citations are from the EPCRA, Public Law 99-499. Each LEPC:

1. Shall review local emergency management plans once a year, or more frequently as circumstances change in the community or as any facility may require (Section 303(a))\*.
2. Shall make available each MSDS, chemical list described in Section 311(a)(2) or Texas Tier II report, inventory form, toxic chemical release form, and follow-up emergency notice to the general public, consistent with Section 322, during normal working hours at a location designated by the LEPC (Section 324(a)).
3. Shall establish procedures for receiving and processing requests from the public for information under Section 324, including Tier II information under Section 312. Such procedures shall include the designation of an official to serve as coordinator for information (Section 301(c)).

4. Shall receive from each subject facility the name of a facility representative who will participate in the emergency planning process as a facility emergency coordinator (Section 303(d)).
5. Shall be informed by the community emergency coordinator of hazardous chemical releases reported by owners or operators of covered facilities (Section 304 (b)(1)(a)). Shall be given follow-up emergency notice information as soon as practical after a release, which requires the owner/operator to submit a notice (Section 304(c)).
6. Shall receive from the owner or operator of any facility an MSDS for each such chemical (upon request of the LEPC or fire department), or a list of such chemicals as described in paragraph (2) (Section 311(a)).
7. Shall, upon request by any person, make available an MSDS to the person in accordance with section 324 (Section 311(a)).
8. Shall receive from the owner or operator of each facility an emergency and hazardous chemical inventory form (Section 312(a)).
9. Shall respond to a request for Tier II information under this paragraph no later than 45 days after the date of receipt of the request (Section 312(e)).
10. May commence a civil action against an owner or operator of a facility for failure to provide information under section 303(d) or for failure to submit Tier II information under section 312(e)(1) (Section 326(a)(2)(B)).

Research shows that the most successful LEPCs have the following attributes

- They have clearly defined goals;
- Members are trained in the law and know what is expected of them;
- Appointment of the right people with responsibilities and interests from
- broad-based community representation;
- Members are committed and interested because they:
  - feel useful and believe they are helping the community;
  - have been given tasks according to their interests and expertise
  - have been given challenging tasks;
  - are recognized for their contributions; and
  - have a chance to develop their skills.
- They maintain a working relationship state and federal agencies
- Responsible for their program, and with peers from other LEPCs;
- Meetings are scheduled at regular and convenient times;
- The meetings adhere to the agenda and are concerned with common interests; and,
- They have strong leadership and designated staff.

*Source: State of Texas Local Emergency Planning Committee Handbook (July 2006)*

**CITY OF CORPUS CHRISTI/NUECES COUNTY  
LOCAL EMERGENCY PLANNING COMMITTEE  
BY-LAWS**

**ARTICLE I**

**NAME AND PURPOSE**

**Section 1. Name.**

The name of this organization shall be "City of Corpus Christi/Nueces County Local Emergency Planning Committee," hereinafter referred to as the "LEPC".

**Section 2. Purpose.**

The purpose of the LEPC shall be to:

- A. Carry out for Nueces County those responsibilities required of the LEPC pursuant to Public Law 99-499, Superfund Amendments and Reauthorization Acts of 1986 (SARA) Title III, the Emergency Planning and Community Right-to-Know Act (EPCRA), and related regulations including, but not limited to:
  - 1) Assistance in developing, training, and testing of (a) hazardous substance emergency response plan(s) for jurisdictions within Nueces County.
  - 2) Development of procedures for regulated facilities to provide notification to the LEPC in accordance with EPCRA SARA Title III.
  - 3) Development of procedures for receiving and processing requests from the public under the Community Right-to-Know provisions of the EPCRA Title III.
- B. To implement such other and further related activities as may hereafter be legally required by the Federal Government, the State Emergency Response Commission (SERC), County Judge, or the Mayor of Corpus Christi.
- C. Provisions for public education and notification of committee activities.
- D. Formation of a partnership between local government and industry as a resource for enhancing hazardous materials preparedness. This includes ensuring the local hazard analysis adequately addresses hazmat incidents; incorporating planning for hazmat incidents into the local emergency management plans and annexes; assessing capabilities and developing hazmat response capability using local resources, mutual aid and contractors; training responders; and exercising the plan.

**ARTICLE II**

**MEMBERSHIP**

**Section 1. Application for Membership, Any Changes and Qualification.**

Applications for membership may be obtained from the Secretary/Treasurer, LEPC Coordinator or at the LEPC website (cclepc.org). Applications for membership shall be submitted in writing to the LEPC Coordinator and include the name of the company or individual seeking

membership. Applications for membership shall be recommended to the County Judge by a majority vote of voting members present.

**Qualifications.** Membership shall be open to all residents of Nueces County and/or any individual who conducts business within Nueces County. The County Judge may appoint any person to the LEPC regardless of residence. Membership shall at all times include, at a minimum, representatives from groups and organizations listed in Section 301 of SARA Title III.

### **Section 2. Classes of Membership.**

The membership of the LEPC shall consist of community and industrial members, as designated by the EPCRA. A single member may represent more than one of the following groups or organizations.

- A. Appointed Members: Such members shall include: elected State and local officials; law enforcement, emergency management, firefighting, emergency medical personnel, health, local environmental groups, hospital and transportation personnel; broadcast and print media; community groups; and industry including but not limited to owners and operators of facilities subject to the requirements of EPCRA. Each "Appointed Member" shall appoint one primary and one alternate representative.
- B. Facility Representatives: Industrial members shall be those persons named by owners or operators of companies with the LEPC boundaries as their facility representatives under provisions of Section 301 of SARA Title III. There shall be two classifications of facility Representatives as follows:
  - 1) Full Member- A representative of a regulated facility (subject to the provisions of The Act) that participates in the funding of the LEPC by paying the full amount of its share of the annual operating budget as determined by the funding allocation formula adopted by the LEPC. Each "Full Member" shall appoint one primary and one alternate representative.
    - a) Service Business (e.g., warehouse facilities, hazmat-related clean-up companies, etc.)
    - b) Manufacturer of Articles
    - c) Chemical Manufacturer
    - d) Transportation-Related- truck, rail and pipeline companies
    - e) Responsible agencies and jurisdictions
  - 2) Associate Member-
    - a) Facility- Industry located outside the LEPC boundaries who will pay one-half full member rates
    - b) Non-profit organizations (i.e., hospitals, charitable organizations, etc.)
    - c) Each "Associate Member" shall appoint one primary and one alternate representative. Associate members are exempt from attendance requirements.

### **Section 3. Officers.**

The LEPC Chairperson shall be appointed by the County Judge as agreed in the Interlocal Cooperation Agreement for Local Emergency Response Planning Specific to Extremely Hazardous Substances between the City of Corpus Christi, Nueces Count and the Port of

Corpus Christi Authority (effective June 1, 2009). All other officers shall be appointed by the Chairperson with approval of the Executive Committee.

#### **Section 4. Vacancies.**

Any vacancy occurring in the LEPC by reason of the resignation, death or disqualification of a member may be filled by appointment in accordance with Article II, Section 1.

#### **Section 5. Duties.**

Members are expected to actively participate in the LEPC process. These duties are:

- A. Regular meeting attendance, and
- B. Participation in a minimum of one Standing Subcommittee, and/or
- C. Any special assignments deemed necessary by the Executive Committee.

#### **Section 6. Meetings.**

There shall be at least six regular meetings of the LEPC per year. Meetings will be held on the 1st Tuesday of the month.

- A. **Special Meetings:** Special meetings of the LEPC may be called by the Chairperson at such time and place as the Chairperson may determine. The Chairperson shall call a special meeting of the LEPC within 14 days of receiving written request from five members.
- B. **Meeting Agenda.** The Executive Committee shall develop and publish and distribute an agenda in advance of each General and Special Meeting. Prior to the onset of the General or Special Meeting, citizens and non-members wishing to address the LEPC shall so inform the Executive Committee. The Chairperson shall allocate a timeslot for this activity. Meetings will be posted in accordance with the Open Meetings Act at the City of Corpus Christi City Hall and the Nueces County Courthouse.

#### **Section 7. Voting**

A. **Voting Members.** A voting member is the designated representative of those community or industrial members who have provided "fair share" financial support (See Exhibit 1) to the LEPC in the current fiscal year and met those membership duties listed in Section 5.

#### **B. Non-Voting Members.**

- 1) A person or organization who has not provided their "fair share" financial support to the LEPC in the current fiscal year yet meets those duties in Section 5.
- 2) Appointed members who do not provide "fair share" financial support.

#### **Section 8. Voting Criteria.**

Each voting member will have one (1) representative vote for those motions before the LEPC which involve election of officers, the disbursement of unbudgeted funds, or amendments to the bylaws. Ballots shall consist of the member's name, the casting of a yes or no vote and the date. A simple majority of those members present shall be used to decide all matters brought before the Executive Committee, Standing or Ad Hoc Subcommittees.

**Section 9. Quorum.**

The presence of 33% voting members of the LEPC at the opening of the meeting shall constitute a quorum for the transaction of business by the LEPC. For purposes of Standing and Ad Hoc Subcommittee meetings, the presence of 33% members shall constitute a quorum for the transaction of business. A majority vote of those eligible and present shall prevail on any matter before the LEPC.

**Section 10. Disqualification.**

A representative of a voting member who is unable to attend a regular meeting of the LEPC should send an alternate. Any member with excessive absenteeism (usually more than three consecutive unexcused absences) will be referred to the Executive Committee for possible action.

**ARTICLE III**

**OFFICERS**

**Section 1. Enumeration of Officers.**

The officers of the LEPC shall be Chairperson, Vice-Chairperson, and the Secretary/Treasurer. The Chairperson shall be appointed by the County Judge. The Chairperson shall appoint the Vice-Chairperson, Secretary/Treasurer, and any additional officers as needed with approval of the Executive Committee.

**Section 2 Term of Office.**

Officers serve until they are relieved of their duties by the County Judge or the LEPC Chairperson.

**Section 3. Chairperson.**

A. Duties. The Chairperson shall preside at all meetings of the LEPC; shall serve as exofficio member of all committees; and shall perform such duties and act as necessary to accomplish the goals of the LEPC. The Chairperson shall:

- 1) Be empowered to create such other Ad Hoc Subcommittees as necessary to accomplish the goals of the LEPC.
- 2) Establish procedures for processing information from regulated entities and responding to release reports.
- 3) Implement procedures to evaluate and address requests for information and respond to public inquiries or complaints regarding specific facilities or incidents.
- 4) Present an annual report to Nueces County, City of Corpus Christi and the Port of Corpus Christi Authority

B. Qualification. The Chairperson should be considered qualified if having extensive experience with management of emergency incidents, hazardous materials and/or industry. Appropriate candidates would include chief fire officers, emergency response team managers or other equivalent experience/education related to emergency management and response to hazardous materials.

**Section 4. Vice-Chairperson.**

In the absence 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.

**Section 5. Secretary /Treasurer.**

The Secretary/Treasurer, in cooperation with the Administrator, shall be the custodian of all books, papers, documentation, and all other property of the LEPC. The Secretary/Treasurer shall keep a true record of the proceedings of all meetings. Additionally, 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.

**Section 6. Administrator / Information Coordinator.**

The City of Corpus Christi (Administrator) shall serve as the coordinator of information, as required by The Act. The Administrator shall process and respond to requests from the public for information under Section 324 of The Act, including Tier II information under Section 312.

The Administrator shall assist the Secretary/Treasurer in records management and financial matters. The Administrator shall be a non-voting member, unless otherwise specified by the LEPC Chairperson, of all Standing Subcommittees and of the LEPC.

The Administrator may employ an Administrative Assistant (“LEPC Coordinator”) to assist the LEPC Chairperson. The Administrative Assistant shall be a paid City employee, whose position shall be civilian managerial, funded as described in the Interlocal Cooperation Agreement for Local Emergency Response Planning Specific to Extremely Hazardous Substances between the City of Corpus Christi, Nueces County and the Port of Corpus Christi Authority (effective June 1, 2009), for so long as the City acts on behalf to the LEPC as Administrator.

**ARTICLE IV**

**COMMITTEE**

**Section 1. Executive Committee.**

The Executive Committee, will consist of the Chairperson, Vice-Chairperson, County Judge, Mayor of the City of Corpus Christi and a designee of the Standing Subcommittees as described below. The duties of the Executive Committee shall be to coordinate the activities of the Standing and Ad Hoc Subcommittees.

The Executive Committee will be responsible for: coordinating with other LEPC's and the SERC; being familiar with local, state, and federal laws which impact the hazardous materials planning process; developing long-term goals for the LEPC; attending to LEPC member needs; reviewing terms of current LEPC members and soliciting volunteers to fill vacancies; development of LEPC timetables for Standing and Ad Hoc Subcommittees; management of the LEPC budget; establishment of trade secret protection procedures; and examining sources of and recommending uses of LEPC funds.

**Section 2. Standing Subcommittees.**

The Executive Committee may, upon approval of the members, designate one or more Standing Subcommittees (in addition to the Executive Committee) as are deemed necessary and which are not in conflict with other provisions of these bylaws. The duties of any such Standing



Subcommittees shall be prescribed by the Executive Committee upon their designation. Each such Standing Subcommittee shall consist of three or more LEPC members but is not exclusively limited to the members of the LEPC. Appointments of persons to such Standing Subcommittees shall be for terms prescribed by the Executive Committee upon such persons' appointments.

The following Standing Subcommittees shall be established:

**A. Finance Subcommittee.**

This subcommittee shall develop an annual budget for the LEPC and examine potential funding sources. Maintain balanced budget ledger and report to the Committee on financial matters. The Secretary/Treasurer shall act as the Chairperson for this subcommittee, unless otherwise specified by the LEPC Chairperson.

- 1) Fair Share Contribution. This subcommittee is also responsible for ensuring the fair share contribution formula is equitably implemented and ensuring that facility tier rankings are correct.
- 2) Budget. Upon the recommendation of the Executive Committee, a motion may be placed before the LEPC to assess member cities and companies for contributions to a working fund. This fund shall be used to promote the working of the LEPC to meet its objectives as outlined in these Articles of Organization.

The Chairperson of each Standing Subcommittee shall submit a written budget proposal to the Finance Subcommittee. These proposed budgets would be itemized so the Finance Subcommittee will understand the expenditures. The Finance Subcommittee will then propose a final budget, with a proposed funding method, for final approval of the membership. The final budget and funding must be approved by a majority vote of the voting membership. The request for funds will then be mailed to all members and facilities within the LEPC.

**B. Risk Awareness Subcommittee.**

This subcommittee shall promote community awareness of the nature and potential for hazardous material emergencies, and appropriate actions to take upon discovery or notification of a hazardous material release. Inform the public of LEPC meetings and availability of information on area facilities.

- 1) Promoting public awareness of EPCRA.
- 2) Training and outreach concerning the public alert and notification program. Public relations with affected communities and public at large.
- 3) All publicity of the LEPC.
- 4) Development of public education and information program(s) including appropriate actions to take in advance of, during, and after emergencies that is expected from the public.

**C. Pipeline Damage Prevention Subcommittee.**

This subcommittee shall promote identification of pipelines in Nueces County, as well as promote the Texas One-Call System (call before you dig laws). This subcommittee shall also:

- 1) Facilitate communication between local government and industry responders regarding potential and actual pipeline emergency incidents.
- 2) Review proposed rule changes that affect the pipeline industry including local ordinances.
- 3) Meet jointly with the 811 Damage Prevention Committee to enhance unified efforts to prevent pipeline damage and to decrease response times.

**D. Emergency Response and Communication Subcommittee.**

This subcommittee shall establish and maintain an emergency response and communication system between federal, state, and local government response personnel and industry response personnel that is consistent with the National Incident Management System (NIMS) and Homeland Security Presidential Directive (HSPD-5). Provide joint training opportunities for first responder personnel and assist in chemical emergency drill planning. Evaluate plan performance during exercise or past incidents and upgrade as needed.

This Committee will work with the existing emergency response organizations in jurisdictions within the planning district. This committee shall be responsible for:

- 1) Conducting training and needs assessments in conjunction with local industry.
- 2) Requesting grant funding to provide for identified training needs.
- 3) Establishing an exercise/drill schedule and the planning and coordination of drills.
- 4) Evaluating response capabilities and resource needs.
- 5) Assisting with security and emergency response issues when providing information regarding the LEPC
- 6) Procedures concerning the identification of and communication with fixed facilities manufacturing, transporting (including pipelines, distribution facilities, railroads, etc.), or storing hazardous materials.
- 7) Working with affected facilities to ensure response plans are submitted to LEPC and help the local emergency management office(s) test hazardous material emergency response plans as required by law.
- 8) Encourage participation by community commercial businesses and industrial facilities.
- 9) Development, implementation, and review of a program establishing an effective public alert and notification system for the communities that would provide adequate communications during a hazardous materials emergency.
- 10) Sharing available information on hazardous materials storage and transportation.
- 11) Assisting emergency management with hazard assessments from fixed and mobile sources and reviewing Emergency Response Plans.

**Section 3. Meetings.**

Meetings of the Standing and Ad Hoc Subcommittees may be called by the Chairperson of the LEPC or the Chairperson of those subcommittees as deemed necessary.

**Section 4. Chairperson of the Standing Subcommittees.**

Unless otherwise specified or provided for in these By-Laws, the subcommittee members shall elect its own subcommittee chairperson with approval of the General Membership. The Chairperson of the Standing Subcommittees will be elected to serve 2-year terms, expiring on July 31 on even numbered years. The Chairperson will submit a copy of the subcommittees' minutes and attendance record to the LEPC Coordinator or Secretary/Treasurer. Additional officers may be elected for each Subcommittee with approval from the Chairperson of the LEPC.

**Section 5. Membership of Standing Subcommittees.**

Each member must volunteer to serve on at least one Standing Subcommittee unless otherwise participating in a special assignment approved by the Executive Committee (Article II, Section 5). Each member shall not serve on more than two Standing Subcommittees without the approval of the LEPC Chairperson. Final membership of the Standing Subcommittees shall be determined by the Chairperson after consultation with the Executive Committee to ensure that all Subcommittees have sufficient personnel to carry out their assigned tasks.

**Section 6. Ad Hoc Subcommittees.**

The LEPC Chairperson may create Ad Hoc Subcommittees as necessary and appoint its chairperson. Ad Hoc Subcommittees shall limit their activities to the accomplishment of the tasks for which it is designated and shall have no power to act except as specifically conferred by action of the LEPC Chairperson or the Chairperson of the appropriate Standing Committee. Upon the completion of the task for which designated, such special committee shall stand dissolved.

**Section 7. Resignations and Removals.**

Any member of a particular Standing Subcommittee may resign from that committee at any time by giving notice to the LEPC Chairperson or to the chair of the Standing Subcommittee. Unless otherwise specified in the notice, such resignation shall take effect upon receipt thereof, and the acceptance of such resignation shall not be necessary to make it effective. The member must apply for membership on another Standing Subcommittee as required by Article II - Section 4.

**ARTICLE V**

**MISCELLANEOUS PROVISIONS**

**Section 1. Fiscal Year.**

The fiscal year shall be considered to run from October 1, through 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. Disqualification.**

Any member is subject to being disqualified at the request of the LEPC and approval of the County Judge.

**Section 4. City/County LEPC Emergency Communication Notification.**

Each LEPC member (Service Business, Manufacturer of Articles, and/or Chemical Manufacturer) is required to provide rapid communication to the LEPC during an emergency/event (a potential to impact the community or impact to the community). Protocols have been established by the LEPC that standardize the reporting process.

The LEPC member is required to notify Crisis Management Dispatch (CMD) to deliver relevant information to the city/county and LEPC as quickly and accurately as possible. In addition, the member will also use CMD to deliver information directly to the public in accordance with the approved CMD Manual.

The CMD is responsible for relaying information to all effected jurisdictions within the LEPC. This does not relieve the responsibility of other reporting requirements that may apply.

Failure to comply with this section during an emergency/event subjects the member to comply with a review by the LEPC Chairperson for corrective action to ensure the robustness of the communication system.

**Section 5. Employer Provided Vehicle.**

The vehicle provided to the LEPC coordinator will be considered a take home vehicle.

**ARTICLE VI**

**AMENDMENTS**

**Section 1. Approval of By-Laws.**

These by-laws shall become effective upon approval by a majority of those in attendance at the time of the vote. (FROM ARTICLE V)

**Section 2. Amendments.**

These by-laws 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 by-laws be submitted to members in writing at least one week in advance of the meeting.

**ARTICLE VII**

**RULES**

**Section 1. Adoption of Rules: Publication of Proposals.**

The LEPC may, as deemed necessary and proper, adopt rules of general application governing the execution of its responsibilities under EPCRA and related applicable regulations. Any such rules must first be published in proposed form not less than 10 days prior to final adoption of the LEPC. Publication shall be effected through posting of the proposed rule and a statement of basis and purpose on the public bulletin board located on the first floor of the Nueces County Courthouse, 901 Leopard, Corpus Christi, Texas, and distributed to each member of the LEPC.

**Section 2. Method of Initiating Proposed Rulemaking.**

Any member of the LEPC may recommend the initiation of proposed rulemaking. Any proposed rules shall be initially considered by the Executive Committee, unless otherwise decided by the LEPC. If the Executive Committee, by majority vote, approves a proposed rule, it shall thereafter proceed to publication as provided in the preceding section.

**Section 3. Method of Adopting Final Rules.**

Following the expiration of the 10-day comment period, the Executive Committee 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 Committee shall present such statement to the LEPC. If the LEPC acts favorably, the rule shall take effect immediately upon the time and date the notice of adoption is first published unless the LEPC determines otherwise.

**Section 4. Notice of Adoption.**

Upon adoption of any rules by the LEPC, the Secretary shall publish the LEPC's response to comments received and any changes to the proposal made in response to such comments. Publication of the final rule shall be in the same manner as that for proposed rules. Nothing herein shall require a specific response to each and every comment received.

**Section 5. Emergency Rules.**

In emergency circumstances, to be determined by the LEPC, 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.

**ARTICLE VII**

**PARLIAMENTARY AUTHORITY**

**Section 1. Parliamentary Authority.**

The rules contained in Robert's Rules of Order, Newly Revised, shall govern this committee in all cases to which they are applicable and in which they are not inconsistent with these by-laws.

**Attachments:**

Exhibit I - Fair-Share Formula

Exhibit II - LEPC Membership Application

**Exhibit I - Fair-Share Contribution Formula**

*The fair share contribution formula is not considered part of the bylaws and will be added as a reference at a later date once approved.*

## **Exhibit II – Membership Application**

*The membership application is not considered part of the bylaws and will be added as a reference at a later date once approved.*