

**BYLAWS
OF THE
SOUTHEAST REGIONAL LOCAL EMERGENCY PLANNING COMMITTEE**

Article I - Name

The name of this organization shall be the “Southeast Regional Local Emergency Planning Committee,” hereinafter referred to as “SERLEPC.”

Article II - Purpose

- A. To carry out for the jurisdictional and certain extra territorial jurisdictional areas listed in Article II.D (the Emergency Planning District) those responsibilities required of the SERLEPC pursuant to Public Law 99-499, Superfund Amendments and Reauthorization Act of 1986 (SARA), Title III, hereinafter referred to as “The Act”, and related regulations including but not limited to:
1. Promote the development, testing, and communication of hazardous substances emergency response plans affecting the SERLEPC Emergency Planning District.
 2. Development of procedures for regulated facilities to notify the SERLEPC in accordance with The Act.
 3. Development of procedures for receiving and processing requests from the public under the Community Right-To-Know provisions of The Act or other applicable requirements that maintain or enhance the security of all persons in the SERLEPC territory.
 4. Provide for public notification of SERLEPC activities (i.e. newsletter, General Membership meetings, website, etc.).
 5. Insist on compliance with the notification and reporting requirements of “The Act” or other applicable requirements.
- 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), or the County Judge.
- C. The SERLEPC is operated exclusively for charitable, educational, and scientific purposes, including, for such purposes the making of distributions to organizations that qualify as exempt organizations under section 501 (c) (3) of the Internal Revenue Code or any future tax code.
- D. The territory of the SERLEPC is defined by the contiguous areas within the jurisdictions of the Cities of El Lago, Nassau Bay, Pasadena, Seabrook, Taylor Lake Village, Webster, and the Pasadena Industrial District as defined by the La Porte LEPC and former Bay Area LEPC boundary descriptions.
- E. Provide for community outreach and public education of SERLEPC activities.

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Article III - Membership

A. Qualifications

The organization shall consist of Governmental Members appointed by the executive branch of each of the cities listed in Article II.D, and county, state, and federal jurisdictions and Industrial Members of regulated entities located within the territory of the SERLEPC, of Community Representatives of residents living within the territory of the SERLEPC, and of Affiliate Members of other groups as defined by The Act and conducting business from establishments within the territory of the SERLEPC.

B. Classes of Membership

1. Governmental Members

Such Members shall consist of duly elected or appointed officials of local, county, state, and federal governments with jurisdiction over any part of the area served by the SERLEPC and assigned responsibilities by The Act. Each governmental entity shall appoint one primary and one alternate representative.

2. Industrial Members

Such Members shall consist of employees of owners/operators of regulated facilities located within any part of the area served by the SERLEPC and subject to the provisions of The Act. Each regulated facility shall appoint one primary and one alternate representative.

3. Affiliate Members

Such Members shall consist of representatives from communications media, health professionals, environmental groups, homeowners associations, and citizens groups with responsibility and/or interest in matters for the areas served by the SERLEPC. Each Affiliate shall appoint one primary and one alternate representative.

C. Officers

Officers shall be elected to conduct meetings, appoint Ad-hoc Committees, maintain financial records, keep documentation of meetings, and to otherwise manage the business of the SERLEPC.

D. Meetings

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There are eight (8) regular General Membership Meetings of the SERLEPC per year. The General Membership Meetings are held in the months of January, February, April, May, June, September, October, and November, and are held the 3rd Monday of the month, unless rescheduled by the Executive Board due to a holiday or other conflict. The January Meeting is designated as the Annual Meeting.

Special Meetings of the SERLEPC may be called by the President at such time and place as determined by the President. The President must call a Special Meeting of the SERLEPC within fourteen (14) days of receiving a written request from at least five (5) voting Members.

E. Meeting Agenda

The Executive Committee shall develop and publish and distribute an agenda at least three (3) business days 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 SERLEPC shall so inform the Executive Committee. The President shall allocate a timeslot for this activity.

F. Quorum

A quorum for the General Meeting and any Special Meeting shall be twenty-four (24) eligible voters. A quorum for the Executive Committee Meeting shall be half (rounded down) of the current executive board membership total. No meeting shall be official unless a quorum is present.

G. Voting

Voting Membership shall be comprised of governmental, industrial, and affiliate members. Each of these organizations shall have one (1) vote for each organization. Except as noted in Article VI and for matters brought before the SERLEPC, a simple majority of those Members present shall be used to decide all matters brought before the Executive Committee, Standing Committees, and any Ad-hoc Committees. The President shall not vote in any meeting except where any voting results in a split decision, in which case the President shall cast the deciding vote.

Article IV – Officers

A. Enumeration of Officers

The Officers of the SERLEPC shall be the President, Vice-President, Treasurer, Past President, and, at the Executive Committee's option, the position of Secretary. Officers shall be elected by the SERLEPC as a whole in a manner herein provided by a majority of the SERLEPC Members. Additional Officers of the organization include the Emergency Coordinator and the Plant Manager Liaison. Where the

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position of Secretary is filled by an appointed or hired person, the Secretary shall not be a voting Member.

B. Nomination and Election of Officers and Standing Committee Chairs

Nominations for President, Vice-President, Treasurer, Secretary, and Standing Committee Chairs shall be solicited from the General Membership prior to the Annual Meeting. Where insufficient candidates are presented, the President shall appoint an Ad-hoc Committee to identify candidates for Officers and Standing Committee Chairs.

The election shall be held at the Annual Meeting. The election shall be by ballot, except when there is only one nomination for any Officer and/or Standing Committee Chair. Selection of Officers and Standing Committee Chairs shall be by a simple majority of the quorum of voting Members of the SERLEPC present at the Annual Meeting.

Members may call for a special election of one or more new Officers and/or Standing Committee Chair(s) where at least thirteen (13) Members submit a written request to the Executive Committee. The Executive Committee shall place the request for a special election on the agenda of the next General Meeting. Members at that General Meeting shall determine if and when to hold the special election.

C. Terms of Office

1. President

The term of office for the President shall be not more than two (2) years, beginning at the date of appointment. The President shall not serve for more than two consecutive terms.

2. Vice-President

The term of office for the Vice President shall be not more than two (2) years, beginning at the date of appointment. The Vice-President shall not serve for more than two consecutive terms.

3. Treasurer

The term of office for the Treasurer shall be not more than two (2) years, beginning at the date of appointment. The Treasurer shall not serve for more than two consecutive terms.

4. Secretary

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The term of office for the Secretary shall be not more than one year and shall expire at the conclusion of the Annual Meeting. Where this position is appointed or is filled by a contractor, the Executive Committee shall inform the General Membership, at the General Meeting prior to the Annual Meeting, whether this position will remain in that capacity. The Secretary shall not serve for more than two consecutive terms where the Secretary is elected to office.

5. Past President

The immediate past president will serve a two-year term on the Executive Committee, unless the person is elected to an alternate position as an officer of the organization or standing committee chair.

6. Standing Committee Chairs

The term of office for each Standing Committee Chair shall be no more than one year and expire at the conclusion of the Annual Meeting. There is no limit on the number of consecutive terms to which a committee chair may be elected.

D. Duties and Responsibilities of Officers and Executive Committee Members

1. President

The President shall preside at all meetings of the SERLEPC; shall serve as ex-officio Member of all Standing and Ad-hoc Committees; and shall perform such duties and act as necessary to accomplish the goals of the SERLEPC. The President shall be empowered to create such other Ad-hoc Committees, with approval of the Executive Committee, as necessary to accomplish the goals of the SERLEPC.

2. Vice President

In the absence of the President, the Vice-President shall perform the duties of the President. Should the position of President become vacant due to resignation or death, the Vice-President shall fill the position of President and the position of Vice President shall be filled by nomination and election of the General Membership at the next regular meeting. Notice of the election to fill the position of Vice President shall be included in the distributed meeting agenda. The Vice-President shall perform such other duties as may be assigned by the President.

3. Treasurer

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The Treasurer shall be the custodian of all financial records for the SERLEPC. Maintain a true and accurate record of all monetary transactions of the SERLEPC; act as custodian of all legal documents pertaining to the monies and finances of the SERLEPC; maintain and balance the SERLEPC checkbook; provide for collection of working funds for the SERLEPC by invoicing Members when collections are authorized; ensure checks are endorsed with approved signatures of the Treasurer and one of the other signatories listed in Article VI.B.2; coordinate the annual review and biennial formal audit of the SERLEPC's records; coordinate filing and recording of legal transactions such as taxes or fees mandated by the government; prepare and present a report of accounting at each General Membership meeting; prepare a fiscal year budget in coordination with the Executive Committee for approval at the Annual Meeting.

4. Secretary

This position may be filled by an election of a Member, appointment of a municipal employee, or through hire of a contract person. This position is a non-voting member of the Executive Committee where the position is filled by appointment or hire. The position shall be responsible for carrying out the day-to-day administration and other tasks to support the business of the SERLEPC; maintenance of agendas, minutes of General or Executive Committee meetings, SERLEPC Member and visitor rosters, informational releases, and meeting arrangements; Preparation and circulation of advanced agendas, various notifications to Members and other correspondence; act as custodian of all legal documents and coordinate filing and recording of all legal transactions and correspondence on behalf of the SERLEPC, except those pertaining to monies and finances otherwise managed by the Treasurer; implement document filing and retention procedures approved by the Executive Committee and inform the General Membership of these procedures; coordinate the activities of the Standing and Ad-hoc Committees to ensure up-to-date information is disseminated; present a monthly invoice of services to the Executive Committee for review and approval where this position is filled by a contract person.

5. Standing Committee Chairs

Standing Committee Chairs shall be the lead liaison between the Executive Committee and the Standing Committee. Chairs shall ensure performance of the activities outlined under Article V.B.

6. Emergency (Information) Coordinator

The Emergency Management Coordinator for the City of Pasadena, or their designee, shall serve as the Emergency Coordinator. The Emergency

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Coordinator shall process requests from the public for information under Section 324, including Tier Two information under Section 312. Additionally, the Emergency Coordinator shall assist the Secretary and Treasurer in records management and financial matters. The Emergency Coordinator shall be a voting member of the Executive Committee and an ex-officio member of all committees.

7. Plant Manager Liaison

The Plant Manager Liaison shall be the plant manager (or equivalent) from an active member facility, and is filled by appointment of the President. The term of appointment shall be not more than one (1) year, commencing upon appointment and concluding upon appointment of a replacement. The Plant Manager Liaison shall not serve for more than two consecutive terms.

The Plant Manager Liaison will be responsible for coordination of information, reporting of activities, and ensuring SERLEPC legal and organizational objectives are represented at Citizen Advisory Committee/Panel meetings, East Harris County Manufacturer's Association, Association of Bayport Companies, and other meetings as appropriate. The Plant Manager Liaison will provide a report at each regular General Membership meeting of the SERLEPC that includes summary information obtained or disseminated at the above-mentioned meetings.

E. Eligibility

Officers shall be Governmental, Industrial, or Affiliate Members of the SERLEPC. Members shall serve at least one year on the Executive Committee in order to be eligible for the position of President.

F. Vacancies

The Executive Committee shall fill any Standing or Ad-hoc Committee Chair position that becomes vacant. Where any Officer position becomes vacant, the Executive Committee shall initiate the election process at the next General Membership meeting, except as outlined in Article IV.D.2.

Article V – Committees

A. Executive Committee

The Executive Committee will consist of the President, Vice-President, Past President, Treasurer, Secretary, Chairpersons of the four (4) Standing Committees, the Emergency Coordinator, and the Plant Manager Liaison. The duties of the

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Executive Committee shall be to oversee the activities of the SERLEPC as well as the Standing and any Ad-hoc Committees.

The Executive Committee shall govern all matters relating to the SERLEPC, including, but not limited to: establishment of reporting procedures and formats for each Committee, membership applications and their approval, invoicing of members, and presentation of budgets and periodic reports for the consideration and information of the members.

B. Standing Committees

The Standing Committees outlined below shall be established.

1. Emergency Preparedness Committee

This committee shall:

- a. Conduct hazard assessments at fixed and mobile sources within the SERLEPC boundaries;
- b. Review Municipal and Industrial Members' Emergency Response Plans;
- c. Plan and coordinate drills;
- d. Evaluate response capabilities and resource needs;
- e. Review Federal, State, and local plans for the purpose of coordination with the SERLEPC planning process; and
- f. Evaluate municipal resources and procedures for public notification of a hazardous materials emergency;
- g. Promote the development and implementation of an effective emergency notification system that would provide adequate communications during a hazardous materials emergency;
- h. Develop procedures for interfacing with neighboring jurisdictions; and
- i. Recommend avenues to fund improved Emergency Warning Systems that impact SERLEPC Members and territory

2. Compliance Committee

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This committee shall:

- a. Develop procedures to identify any regulated entity required by The Act to submit reports and participate in the activities of the SERLEPC;
- b. Establish procedures for processing information from regulated entities;
- c. Compile available information on hazardous substance storage and transportation;
- d. Facilitate the communication of risk related information;
- e. Develop procedures for responding to release reports;
- f. Communicate changes in regulations, policies, and procedures concerning local, county, state and/or federal regulations that impact the SERLEPC; and
- g. Implement procedures to evaluate and address requests for information.

3. Membership Committee

This committee shall:

- a. Recruit and solicit active participation of community organizations not otherwise required to participate in the SERLEPC;
- b. Document attendance and participation of members at General Membership and Committee Meetings;
- c. Develop a program and schedule relevant topics for presentations at each General Membership meeting;
- d. Establish an awards program to acknowledge members in “good standing” and other special recognitions; and
- e. Welcome and introduce guests and new members.

4. Public Education & Community Awareness Committee

This committee shall be responsible for:

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- a. Promote community awareness about the potential for, and the nature and handling of hazardous materials emergencies
- b. Advise the public on appropriate actions to take in advance of, during, and after emergencies; and
- c. Inform the public of SERLEPC meetings and arrange publicity for the SERLEPC.

C. Committee Meetings

The Executive Committee, Standing Committees, and any Ad-hoc Committees shall meet as the President or the Committee Chair deems necessary.

D. Standing Committee Chairs

The Chair of each Standing Committee shall be determined by vote of the General Membership at the Annual Meeting. Each Standing Committee shall appoint a Vice-Chair to fulfill the responsibilities of the Chair in his/her absence.

Each Committee Chair is responsible for ensuring that all reports requested by the Executive Committee are submitted in a timely and accurate manner. The Committee Chair or Vice-Chair should be prepared to provide a verbal report of Committee activities to the membership at each General Membership meeting.

E. Ad-hoc Committees

The President, with the approval of the Executive Committee, shall formulate Ad-hoc Committees as necessary to conduct business outside of the jurisdiction of the Standing Committees. The General Membership shall be informed of the purpose of the Ad-hoc Committees and the President shall solicit the General Membership for participants on the Ad-hoc Committees. The President shall appoint a Chair to each Ad-hoc Committee and shall inform the Executive Committee and General Membership as to the make-up of each Ad-hoc Committee. Each Ad-hoc Committee shall not serve for more than a one-year term. The term of each Ad-hoc Committee may be renewed at the request of the President and with approval of the Executive Committee. Each Ad-hoc Committee shall appoint a Vice-Chair to fulfill the responsibilities of the Chair in his/her absence.

F. Committee Membership and Participation

All members must volunteer to serve on at least one Standing Committee and shall not serve on more than two Standing Committees.

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Final membership of the Standing Committees shall be determined by the President after consultation with the Executive Committee to ensure that all committees have sufficient manpower to carry out their assigned tasks.

Article VI – Miscellaneous Provisions

A. Fiscal Year

The Fiscal Year of the SERLEPC shall begin on January 1 and end on December 31 of each year.

B. Financial Accountability

1. Purchases and Remunerations

No Member shall commit any funds of the SERLEPC without prior approval of the Executive Committee. Such requests shall only be made by Committee Members. The request shall outline the goods and/or services requested, its purpose, and the duration of the commitment. This provision does not apply to Committee Meetings provided that meeting schedule is approved by the President and/or Executive Committee.

Members seeking remuneration for Committee activities shall submit a written request along with some proof of the expense to the President for review and approval. If approved, the President shall direct the Treasurer to process the request. If not approved, the President shall communicate to the Member and the Executive Committee the rationale rejecting the request.

Committee Members approved to commit SERLEPC funds shall oversee the third-party activity. The Committee Chair shall manage all activities of the third-party and report on the progress of the effort at within that Committee and at each Executive Committee meeting. The Committee Chair shall also submit any request from the third party for funds to the Executive Committee along with this progress report. If approved, the President shall direct the Treasurer to process the request. If not approved, the President shall direct the Chair to address the deficiency with the third-party.

2. Bank Accounts

The SERLEPC Operating Account shall carry five (5) approved signatories. Those authorized to sign shall be the Treasurer, and 4 other Executive Committee members, as assigned by the President. Two (2) signatures are required on all checks presented for payment. Signatories may be authorized for a debit card in order to expedite the procurement of authorized and

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approved expenditures. These expenses shall be specifically included in the Treasurer's reports to the membership.

3. Financial Review

An annual review of all financial records shall be performed by the Executive Committee. A biennial audit of all financial records shall be performed by an independent Certified Public Accountant. The President shall recommend the auditor to the Executive Committee for approval. All financial reviews and/or audits shall be completed before the end of any fiscal year.

4. Use of Funds

No part of SERLEPC funding shall insure to the benefit of, or be distributable to its Members, trustees, officers, or other private persons, except that the SERLEPC shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article II.

5. Fundraising

The Executive Committee shall develop fundraising activities to effect the responsibilities of the SERLEPC. Such activities shall include donations from Municipal and Industrial Members, governmental grants, and receiving funds from Supplemental Environmental Projects.

6. Restriction of Activities

Notwithstanding any other provision of these articles, the organization shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from federal income tax under section 501 (c) (3) of the Internal Revenue Code or the corresponding provision of any future federal tax code, or (b) by an association, contributions to which are deductible under section 170 (c) (2) of the Internal Revenue Code or the corresponding provision of any future federal tax code.

7. Distribution of Assets upon Dissolution

Upon dissolution of the association, assets shall be distributed for one or more exempt purposes within the meaning of section 501 (c) (3) of the Internal revenue Code or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by a court of competent jurisdiction of the county in which the principal office of the association is then located, exclusively for such

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purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

8. Remuneration of Members

Committee Members, elected or volunteer, are not eligible for remuneration, except as outlined in Art IV.C.4. Committee Members are eligible for reimbursement of expenses incurred on behalf of the SERLEPC. Requests for reimbursement of expenses must be in accordance with these Bylaws.

C. Approval of Bylaws

These Bylaws shall become effective upon approval at the time of the vote by a quorum of the SERLEPC Members.

D. Amendment of Bylaws

These Bylaws may be amended by a two-thirds vote of the SERLEPC Members present at any meeting of the SERLEPC, provided all proposed amendments to the Bylaws are submitted to the Members at least thirty (30) days in advance of the meeting. This submission shall be by posting on the official SERLEPC website and by e-mail distribution.

E. Rulemaking

The SERLEPC Members may, as necessary and proper, adopt rules of general application governing the execution of its responsibilities under SARA Title III and applicable regulations. Any such rules must first be published in proposed form not less than thirty (30) days prior to final adoption by the SERLEPC Members. Publication shall be effected through posting of the proposed rule and a statement of basis and purpose on the SERLEPC web site, and by e-mail distribution. (The proposed rule together with the statement of basis and purpose are hereafter referred to as "notice of proposed rulemaking"). Such notice of proposed rulemaking shall invite written public comment on any aspect of the proposed rule during the above thirty (30) day period.

F. Method of Initiating Proposed Rule Making

Any Member of the SERLEPC may recommend the initiation of proposed rulemaking. Any proposed rules shall be initially considered by the Executive Committee, unless otherwise decided by the SERLEPC Members. If the Executive Committee, by majority vote, approves a proposed rule, it shall thereafter proceed to publication as provided in these Bylaws.

G. Method of Adopting Final Rules

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Following the expiration of the thirty (30) 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 all appropriate changes to the proposed rules. The Executive Committee shall present such statement to the SERLEPC Members. If the SERLEPC Members act favorably, the rule shall take effect immediately upon the time and date the notice of adoption is first published unless the SERLEPC Members determine otherwise.

H. Notice of Adoption

Upon adoption of any rule by the SERLEPC Members, the Secretary shall publish the SERLEPC Members' response to comments received and any changes to the proposed rule made in response to such comments. Publication of the final rule shall be in the manner as that for proposed rules outlined in these Bylaws. A specific response to each comment received shall not be required.

I. Emergency Rules

In emergency circumstances, as determined by the SERLEPC Members, emergency rules may be adopted without prior public notice and comment. Emergency rules shall not remain in effect for more than ninety (90) days.

J. Disqualification

Any member who falls delinquent on their invoice payments by more than 6 months, or who misses 5 meetings (General Membership, Committee, or a combination of both) in a 12-month period is subject to being disqualified from membership. The Executive Committee will make attempts to avoid a member falling into this circumstance through communication with the member organization's leadership. If unavoidable, the Executive Committee will submit a request to the County Judge and SERC to have the member disqualified.

Article VII - Parliamentary Authority

The rules contained in Roberts Rules of Order, Newly Revised, shall govern this committee in all cases to which they are applicable.

This document, the revised Bylaws of the SERLEPC, was adopted at the General Membership Meeting of the SERLEPC on the 16th day of April, 2015.

Bylaws Review Committee:

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President

Robert Eldridge

Vice-President

Joe Ferro

Secretary & Membership

Josephine Espinosa

Treasurer

Kelli Gregory

Compliance

Azell Carter

Public Education & Community Awareness

Ben Reese

Emergency Preparedness

TBA

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FINAL RULES

The following Rules have been adopted in accordance with Article VI. E. Rulemaking of the Southeast Regional Local Emergency Planning Committee (SERLEPC).

Rule I. Annual Public Notice

- A.** In accordance with Section 324 (b) of the Superfund Authorization and Reauthorization Act (SARA), Title III, the SERLEPC shall annually publish notice in local newspapers that the emergency response plan, Material Safety Data Sheets (MSDS), and inventory forms have been submitted to the SERLEPC. This annual notice shall also include a statement of the following elements:
1. Written public comment is invited during a thirty (30) day period on any aspect of the SERLEPC such as organization, membership, functions, planning process, or purpose.
 2. A brief explanation of the SERLEPC's statutory purpose.
 3. The location of the SERLEPC minutes and other records.
 4. The name and address of the person designated by the Chairman to receive written comments.
- B.** The SERLEPC shall review all comments received and publish on its website, responses to issues raised in such public comments. Nothing herein shall require the SERLEPC to respond to each and every comment received.

Rule II. Public Access to Information

A. SERLEPC Information

The SERLEPC maintains records and administrative documents in accordance with Federal regulations for 501(c) (3) organizations. Information may be made available to the public through written request to the SERLEPC Secretary.

B. Technical Information

1. Under state and federal open records laws, any person may submit a request to receive or view a copy of any Tier Two Report or other document submitted to the SERLEPC in accordance with Section 324 of the Superfund Authorization and Reauthorization Act (SARA), Title III. Any information in the requested documents that is determined to be confidential must be withheld from release to the public.
2. Requests for open records must be submitted in writing and must specify the scope of the records search (ranging from very specific requests for a single

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facility's current documents to very broad requests based on geographic areas, industry classifications, reporting years, etc.).

3. Federal, state, or local government officials or agents acting in their official capacity may access technical information for planning, mitigation, response, or recovery activities associated with public safety activities. The SERLEPC Emergency Coordinator will monitor these requests.
4. Information requests may be restricted or denied in accordance with other applicable federal, state, or local law. Such restrictions may include:

- a. **Risk Management Plans**

Information release is restricted according to criteria in the Chemical Safety Information, Site Security and Fuels Regulatory Relief Act 42 USC 7412(r), 1999.

- b. **Proprietary and Trade Information**

Except as provided in Sections 312 and 324 of SARA Title III, all information submitted to the SERLEPC by facilities pursuant to Title III shall be public information. Other than a claim designated in this section, the SERLEPC will not honor any other claims of business or trade secret confidentiality. The claim of confidentiality must be included with the information at the time of submission to the SERLEPC. Such claimed information shall be exempt from disclosure by the SERLEPC permanently or until such time as the SERLEPC is advised in writing by an authorized governmental agency, and/or if applicable, a court of competent jurisdiction which makes a final determination following any appeals that such information is not subject to a valid claim of business confidentiality or trade secret.

- c. **Security Information**

Information pertaining to security, safety, and terrorism mitigation is restricted in accordance with federal, state, and local regulations, and in accordance with the provisions of the Freedom of Information Act (FOIA) which delineates nine exemptions contained in the law or by one of three special law enforcement record exclusions.

C. Notice to Facility Owner or Operator

The SERLEPC will provide written notice to the facility owner or operator that a written request by the public for information regarding their facility has been received and processed by the SERLEPC. All persons submitting a request for information will be informed in writing that the facility owner or operator shall receive such written notice.

D. Administrative Costs

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The SERLEPC may charge reasonable fees for reproduction and shipping of SERLEPC documents. The Executive Board has adopted the fee schedule set forth by the state of Texas, which enables the SERLEPC to recover all reasonable expenses associated with processing a written request. SERLEPC By Laws, proposed Rules, or other administrative documents used in the course of regular meetings may be provided at no charge to the public.

Rule III. Submission of Technical Information to the SERLEPC

A. Annual Tier Two Reports

Under Texas Community Right-To-Know regulations, facilities which are subject to the federal EPCRA regulation are required to submit original annual Tier Two Reports to the Texas Department of Health. This State agency is the official archive. Copies are required to be submitted to local fire departments and to local emergency planning committees. Since the SERLEPC represents multiple political jurisdictions, it will provide a listing of appropriate addresses and contacts for report submission to all regulated facilities.

B. Designated Archive

As part of these duties, the POEM is the archive point for all current SER LEPC Tier II records and coordinates collection, analysis, and FOIA requests on behalf of the SER LEPC.

C. Late Reports

The SERLEPC Compliance Subcommittee is responsible for identifying, tracking, and obtaining late Tier Two Reports and other technical documents required to be submitted to the SERLEPC. This Subcommittee will assist facilities in resolving compliance issues.

Rule IV. Municipal Member Authorizations

A. Release Reporting

The City of Pasadena shall be the designated reporting point for all notifications to the SER LEPC of chemical release reports.

B. Report and Record Coordination

The Pasadena Office of Emergency Management will function as the coordinator for collection, analysis, and reporting of all release reports. The POEM will submit a written report summary on a quarterly basis to the General Membership and will maintain these logs as an archive for the SER LEPC.

Approved as part of the revised SERLEPC Bylaws.

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**Resolution to improve emergency notifications and public safety adopted at
general meeting held September 17, 2007.**

Be it resolved that the Southeast Regional Local Emergency Planning Committee, hereinafter referred to as (SERLEPC), hereby agrees to adopt the following rules in order to improve emergency notifications and public safety within our areas of concern:

1. *Facilities within the SERLEPC will employ the East Harris County Manufacturers Association (EHCMA) procedures and forms established by the Community Emergency Communication Committee (CECC) and adopted by participating facilities, jurisdictions and agencies on April 13, 2006. This provision identifies the Initial Event Form (IEF) as the standard template for immediate notification to response agencies, respective LEPC's and dispatch centers responsible for communicating information to a Local Warning Point. Subsequent forms and procedures are identified in the CECC Handbook.*
2. *Facilities within the SERLEPC may use an electronic IEF as a means to notify the LWP, via e-mail. CECC guidelines require following-up primary fax and/or e-mail messages with a phone call to impacted, or potentially impacted jurisdictions, to ensure receipt of the notification.*
3. *Facilities within the SERLEPC will use the CECC procedures and forms during routine tests, drills, and training of the emergency notification process.*