

DENALI LOCAL EMERGENCY PLANNING COMMITTEE  
P.O. Box 480, Healy AK. 99743  
PHONE (907) 683-1330 FAX (907) 683-1351

## BYLAWS

### INTRODUCTION

The superfund Amendments and Authorization Act (SARA) was enacted by Congress into law on October 17, 1986, and contains Title III, the Emergency Planning and Community Right-to-Know Act.

SARA Title II establishes requirements that federal, state, and local governments and industry must implement regarding emergency planning and community right-to-know reporting on hazardous and toxic chemicals.

As required by SARA Title III, the Alaska State Emergency Response Commission (SERC) was established in Alaska state law (as 46.13). The SERC has designated Denali Borough as a Local Emergency Planning District (LEPD) and appointed a Local Emergency Planning Committee (LEPC) for this District.

This LEPC has been named the Denali LEPC.

### ARTICLE I

#### ORGANIZATION

1. This committee shall be called the "Denali LEPC".
2. The official mailing address and telephone number of the Committee will be:

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3. The Committee, or local government acting on behalf of the committee, may receive and disburse public and private funds for the purpose of implementing the Emergency Planning and Community Right-to-Know Act in the Denali Borough LEPC.
4. Accurate minutes of all meetings of the Committee shall be kept and recorded electronically or physically. Accurate minutes shall include, but are not limited to, a record of all votes of the committee, a record of the attendance at meetings and a summary of meeting discussions.

### ARTICLE II

#### MEMBERSHIP

1. The Membership of the Denali LEPC will contain representatives of the following groups/organizations, as mandated by SARA Title III, Alaska Statute and SERC Policy:
  - a. Elected Local Officials
  - b. Law Enforcement, civil defense, fire fighting, first aid, health, local environmental, hospital, and transportation personnel
  - c. Broadcast or Print Media
  - d. Community Groups
  - e. Owners and Operators of Facilities under the requirements of 42 U.S.C. 11001-11005
  - f. Members of the public that are not described in a-e of this section.
2. Members will be submitted to the SERC for appointment in accordance with SERC policies. The Committee will publicly advertise all membership vacancies. If advertisement and the commission's own initiative do not result in the acceptance of appointment to a committee by at least one person from categories a-e of this section, the requirements as outlined in AS 26.23.073 (d) is suspended until sufficient willing appointees become available. Less than 7 categories (a-3) may be approved by the SERC, provided the LEPC justifies in writing why the 7 categories cannot participate on the LEPC.
3. LEPC members should be residents of the LEPD, or at a minimum, employed at a company that regularly conducts activities in the LEPD.
4. Terms should be staggered and last no less than two years. Members may serve an unlimited number of terms.
5. All members of the Committee are required to attend all meetings unless excused. A committee member will be excused from a meeting for good cause and upon notification to the Chair or Vice Chair.

If a committee member has two unexcused absences in a 12-month period, the Chair shall recommend the individual's membership be reviewed by the Committee. A new member name may be submitted to the SERC for approval in accordance with replacement procedures outlined in SERC Policy.
6. Alternates may be chosen for each category (a-e). These members will also be submitted to the SERC for appointment. If a committee member is unable to attend a Committee meeting, an approved alternate for that category may attend as a regular voting member in place of the absent member. Alternates may also replace members who might resign or otherwise be unable to continue their duties.
7. Vacancies which occur on the Committee do not have to be filled, unless, because of the vacancy, the Committee will no longer meet membership representation as outlined in Article III, Section 1. The Committee shall recommend a replacement to the SERC within 60 days of a vacancy. If a replacement is not recommended within 60 days, the Committee shall explain why in writing to the LEPC Liaison Committee and the SERC.

8. Article II Sections 1-6 are in alignment with the membership terms and definitions as adopted by the SERC. Should the SERC make changes to membership definitions and terms, the LEPC bylaws will be amended to reflect SERC Policy.

### ARTICLE III OFFICERS

1. The officers of the Committee shall be a Chair, Vice Chair, Secretary, Treasurer, Community Emergency Coordinator and Coordinator of Information. Officers shall be elected or removed by majority vote of the Committee. Terms of Officers shall be 1 year. Any member of the LEPC including officers can serve in one or both of the above coordinator positions.
  - a. Chair: The chair shall supervise the committee in accordance with SARA Title III (303) and AS 43.13; coordinate and submit to the SERC the annual review of the local emergency plan; preside at all meetings of the Committee; preserving order and decorum; submit recommendations and information considered important and proper concerning the business, affairs and policies of the Committee; provide an agenda for approval at all meetings; schedule meetings; sign all minutes and documents related to the Committee; represent the Committee to the SERC; initiate requests for grant funding to support and promote Committee functions; and oversee the other officers. Any of these duties may be delegated to the Vice Chair.
  - b. Vice Chair: The Vice Chair shall perform the duties of the Chair in the absence or incapacity of the Chair. The Vice Chair shall perform all duties as designated to the Chair listed under Article III, Section 1.a.
  - c. Secretary: The secretary does not have to be an appointed or voting member of the Committee. The secretary may be personnel supplied by the community's government or emergency services or hired by the Committee. The secretaries duties shall be: to keep and maintain files of accurate minutes of the LEPC meetings and functions; to provide minutes of the previous meeting to committee members and the state office of the SERC program; to maintain a membership and attendance list; to coordinate with the Chair and Vice Chair on written responses to public comments; provide public notice of Committee meetings in accordance with Alaska Statute.
  - d. Treasurer: The treasurer does not have to be an appointed or voting member of the Committee. The treasurer may be personnel supplied by the community's government or emergency services or hired by the Committee. The treasurers duties shall be: to prepare budget documents; to prepare grants submissions to secure funding in support of Committee functions at the direction of the Chair; to keep accurate and detailed records of monies received from grant sources, donations, and/or fees collected for services; and to keep accurate and detailed records of monies spent.
  - e. Coordinator of Information. In accordance with SARA Title III, the Coordinator of Information's duties shall be: To gather and receive Safety Data Sheets (SDS), Tier II inventory forms, and hazardous chemical release forms from facilities; to develop

a procedure for receiving and processing requests for information; and to prepare a report for the Chair to present to the Committee at least annually regarding hazardous substance information.

- f. Community Emergency Coordinator. In accordance with SARA Title III, the duties of the Community Emergency Coordinator shall be to receive all emergency notifications of releases of hazardous substances.

#### **ARTICLE IV MEETINGS**

1. Meetings shall be held at a minimum of once per year. The designated dates for these meetings shall be: determined at the end of the previous meeting.
2. Public notice of at least 7 days shall be given for all meetings via local government channels and public postings. At least 7 days' notice of meeting shall also be provided to all Committee members.
3. Special meetings may be called by the Chair upon written request of two Committee members. A special meeting shall be held within two weeks of such a request, and at least seven days' notice shall be given to the Public and all Committee members.
4. Fifty percent (50%) of the total current voting membership of the Committee shall constitute a quorum for the purpose of opening a meeting. Action may be taken at a meeting pursuant to an affirmative vote of a majority of all those voting members present, but in no case will an action be passed with less than forty percent (40%) affirmative votes of the total current membership.
5. The meetings will be conducted according to Roberts Rules of Order unless otherwise dictated by the Committee.
6. The voting on all questions coming before the committee shall be a verbal yea or nay, unless action is taken for a roll call vote. If a roll call vote is approved, the yeas and nays shall be recorded in the minutes of the meetings. Potential conflict of interests should be communicated to the Chair. Members may have their vote reflected in the minutes or may abstain when voting might be considered a conflict of interest.
7. Members of the public are encouraged to attend all regular and special meetings of the Committee. Public comment periods of three minutes per person shall be permitted. Longer statements are encouraged to be submitted in writing. Written opinions and information may be submitted to the Committee through the local government office, or to any officer of the committee. Members of the public may be recognized by the Chair at any time during the meeting at the discretion of the Chair. Members of the public include, but are not limited to, citizens, industry representatives, experts, expert witnesses and governmental entity representatives.

**ARTICLE V**  
**SUBCOMMITTEES**

1. Subcommittees may be created at the direction of the Chair, to include the purpose and duration of the committee, as well as the number and type of subcommittee members. Any fiscal allocation for a subcommittee shall be approved by a vote of the LEPC.

**ARTICLE VI**  
**AMENDMENTS**

1. The bylaws of the Committee may be amended by an affirmative vote of fifty-one percent (51%) of the total voting membership of the Committee. No vote shall be taken to amend the bylaws until the proposed amendment has been produced in writing and submitted to the membership at least thirty days prior and read at the meeting at which the proposed amendment is to be voted upon.
2. Amendments or additions of SERC Policies to the Committee bylaws will be added following procedures outlined in Article VII.

Hereby adopted by the Local Emergency Planning Committee for the Denali Borough LEPC,

this date of \_\_\_\_\_.

Chair: 

Date: 4/7/26

Vice-Chair: 

Date: 4/7/26