

LEPC By-Laws Basics

WHAT ARE BY-LAWS?

By-laws are the formal rules and procedures by which a Local Emergency Planning Committee (LEPC) operates and functions. Under EPCRA Section 303(c), LEPCs are required to establish rules governing committee operations. By-laws provide the organizational framework, define roles and responsibilities, establish meeting procedures, and ensure compliance with federal regulations.

FEDERAL REQUIREMENTS

EPCRA Mandated Elements:

- Appoint a chairperson for the committee.
- Establish rules by which the committee shall function.
- Announce provisions for public notification of committee activities.
- Plan public meetings to discuss the emergency plan.
- Record public comments and committee responses.
- Distribute the emergency plan.

By-laws must be approved by a majority vote of the LEPC.

BEST PRACTICES FOR BY-LAWS

1. **Keep them current:** Review and update by-laws annually or when organizational changes occur.
2. **Ensure SERC approval:** Some states require SERC review and approval of LEPC by-laws.
3. **Align with state requirements:** Check state-specific LEPC regulations and incorporate them.
4. **Make them accessible:** Publish by-laws on LEPC website or make available to the public.
5. **Use sample templates:** EPA provides sample LEPC by-laws as a starting point.
6. **Define clear processes:** Establish specific procedures for all major functions.
7. **Plan for succession:** Include provisions for officer transitions and membership continuity.

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COMMON BY-LAW TOPICS

Topic	Typical Provision
Effective Date	Upon majority approval at organizational meeting.
Voting	Simple majority for routine business; 2/3 for by-law amendments.
Agenda Items	Members can add items with written request and support signatures.
Record Retention	Minutes and official records maintained by Secretary.
Conflict of Interest	Disclosure requirements for members with facility affiliations.
Annual Report	Submission to SERC and public availability requirements.

Table 1: Common by-law provisions and standards.

RESOURCES

- 🔗 **EPA Sample LEPC By-Laws:** Available in Appendix E of EPA's LEPC guidance documents.
- 🔗 **State SERC:** See the [SERC website](#) for state-specific requirements and templates.
- 🔗 **Peer LEPCs:** Review by-laws from other LEPCs in your state or region for ideas.

Note: *By-laws are a living document. As your LEPC evolves and regulations change, ensure your by-laws remain current and compliant. Well-written by-laws provide clarity, ensure transparency, and strengthen your LEPC's effectiveness in protecting the community.*