

Charter for the Mining, Minerals, and Metals Subcommittee of the CCPS

ARTICLE I

NAME

The name of this subcommittee is Mining, Minerals, and Metals Subcommittee of the Center for Chemical Process Safety (CCPS), an Industrial Technology Alliance of the American Institute of Chemical Engineers (hereinafter called "Subcommittee").

ARTICLE II

PURPOSES

The purposes of the Subcommittee, a nonprofit scientific, educational and charitable organization, are:

- The furtherance of the aims and purposes of the American Institute of Chemical Engineers.
- Ensure that process safety in the mining, minerals, and metals industry is executed to the correct degree
- The advancement of the technology, engineering, and of related sciences through the education of members and nonmembers of the subcommittee,
- Encouragement of research in the area of process safety applicable to mining, minerals, and metals industry
- Sharing best practices – learn from each other – effective, legal and risk based
- Share how other companies instill the RBPS and PSM principles

ARTICLE III

POWERS

The Subcommittee shall have the power to do any lawful acts reasonably necessary or desirable to carry out the Subcommittee's purposes and to protect the lawful rights and interests of its membership in connection therewith.

ARTICLE IV

GENERAL

Section 1. All matters properly brought in question shall be decided by a majority of the votes cast, except where the Charter or Bylaws provide for a greater ratio of favorable votes.

Section 2. In the case of any question concerning the interpretation of any portion of the Charter or Bylaws, the decision of the Subcommittee shall be final unless it is superseded by a decision of the CCPS Planning Committee which is a subset of the CCPS Technical Steering Committee.

Section 3. The Section shall not be held responsible for unauthorized opinions of its members, no matter how or where expressed.

Section 4. The Section does not consent to the use of its name for any purpose other than the objects stated in the Charter.

ARTICLE VI

DISSOLUTION

Section 1. Upon the dissolution of the Subcommittee, any assets remaining thereafter shall be conveyed to CCPS.

Section 2. In the event that the CCPS as part of the American Institute of Chemical Engineers is not then in existence or is not then exempt under Section 501(c)(3) of the Internal Revenue Code of 1954, as amended, or under such successor provision of the Code as may be in effect at such time, the assets shall be conveyed to an organization dedicated to the perpetuation of objectives similar to those of the American Institute of Chemical Engineers and exempt under Section 501(c)(3) of the internal Revenue Code of 1954 as amended or under such successor provision of the Code as may be in effect at such time.

ORGANIZATION

This Subcommittee will follow Article IV Sections 1 through 3 of the Planning Committee Charter.

Section 3. The Technical Director of CCPS shall provide overall administration, management, and supervision of CCPS and shall be responsible for the activities of CCPS. The CCPS Technical Director shall have financial authority in Article II Section 4, authority to engage staff, as needed, for CCPS operations and establish procedures for the conduct of CCPS business. The Director of CCPS shall be appointed by and shall report to the Executive Director of AIChE. The Technical Director of CCPS shall be a full time member of the AIChE staff.

Section 4. The Subcommittee shall consist of one voting member from each dues-paying Sponsor organization to be nominated and appointed by the Sponsor. The Subcommittee membership will be selected primarily from the Technical Representatives of the Sponsor organizations. A limited number of members from academia, appropriate government agencies, and the AIChE, may also be appointed by the CCPS Technical Director.

An elected member from the Sponsor organizations will serve as the Chair of the Mining, Minerals, and Metals subcommittee. Voting rights on the Technical Steering Committee will be established by the Managing and Advisory Boards based upon recommendation from the CCPS Technical Director. The Subcommittee shall have the key functions of assisting the CCPS Director in:

1. Developing an overall multi-year program for CCPS;
2. Defining the priorities for project selection;
3. Selecting specific projects for CCPS and
4. Defining and reviewing the scope for these specific projects;
5. Suggesting membership for the Project Subcommittees; and
6. Reviewing the status of project programs and the budget performance,

The Mining, Minerals, and Metals subcommittee will meet at least every 3 months.

Section 5. The Subcommittee shall develop a list of project proposals each year for consideration by the Planning Subcommittee by collecting suggestions from the CCPS Director, the Technical Steering Committee, the active Project Subcommittees, Sponsors, and others involved with CCPS and Chemical Process Safety. Input shall also be sought from the AIChE Board of Directors, the Advisory Board and the Managing Board. Projects may be related to the preparation of Guidelines for Process Safety Practices, establishment of research projects, development of major specialized conferences on Process Safety issues, establishment of other

appropriate projects with the objectives of CCPS. The project proposals shall be organized in terms of priorities based on need in the industry, feasibility, relationship to existing projects, and initial approximate cost estimates. Plans for three to five years shall be considered.

The subcommittee shall issue appropriate reports to the Technical Steering Committee as guidance for the functions of the Technical Steering Committee as defined in Article IV, Section 5.

Section 6. A Project Subcommittee of the Technical Steering Committee shall be established for each approved Mining, Minerals, and Metals project or group of associated projects. Sponsors and members of the Technical Steering Committee will be requested to suggest members with the appropriate experience and expertise for the particular project in question.

Project management will follow the rules as set out by the Planning Committee Charter Section

ARTICLE V

AMENDMENTS

Section 1. All provisions of this Charter shall be subject to alteration or repeal, and new provisions not inconsistent with the Constitution of the American Institute of Chemical Engineers or any provision of law, may be made by the affirmative vote of a majority of the members entitled to vote in respect thereof, given at an annual meeting or at any special meeting, provided that notice of the proposed alteration or repeal of the proposed new provision is included in the notice of such meeting.

Section 2. All amendments to the provisions of this Charter shall be subject to approval by the CCPS Executive Director, CCPS Technical Director and the CCPS Planning Committee Chair.

ARTICLE VI AMENDMENTS TO THE BYLAWS

PROCEDURE FOR AMENDMENTS

Section 1. Proposals for amendments to the CCPS Bylaws from AIChE Board of Directors, the Technical Steering Committee, the Advisory Board, the Managing Board, Mining, Minerals, and Metals subcommittee or the CCPS staff shall be made in writing, along with the appropriate rationale, and sent to the CCPS Director. No later than three months after receipt, the CCPS Director shall submit the proposed amendments to the Advisory Board and to the Managing Board together with appropriate recommendations. After review and comment by the Advisory Board and the Managing Board, the Managing Board will vote on the proposed amendments at its following meeting. Adoption of any proposed amendment shall require a two-thirds affirmative vote of the Managing Board members.

ARTICLE VII GENERAL PROVISIONS

BYLAW INTERPRETATION

Section 1. The Managing Board is empowered to rule on any question concerning the interpretation of these Bylaws, subject to final jurisdiction of the AIChE Board of Directors.

SECTION 2 - MATTERS NOT COVERED

In all respects and issues not specifically covered in these Bylaws, the general rules and procedures of AIChE shall apply with equal force as if such had been included in these Bylaws.