

STATE OF NEVADA

STATE EMERGENCY RESPONSE COMMISSION

ORIGINATED BY: Karen J. Kennard	ORIGINATED DATE: 05/01/03	APPROVED BY:
REVISED BY: Stephanie Parker	REVISED DATE: 01/14/16	SERC
DATE ISSUED: 05/01/03	DATE EFFECTIVE: 05/01/03	SUBJECT: Hazardous Materials Response Plan and Exercise
PROCESSED BY:	SPECIAL INSTRUCTIONS:	POLICY NO: SERC 8.1

Reference: NAC 459.99133

PRINCIPLE:

The State Emergency Response Commission (SERC) and the Local Emergency Planning Committees (LEPCs) are established by the federal Superfund Amendment Reauthorization Act, Title III (SARA Title III), and Emergency Planning and Community Right-to-Know Act (EPCRA). Pursuant to these laws, the SERC shall supervise and coordinate the activities of the LEPCs. The SERC ~~will review~~**reviews** the LEPCs/state agencies~~local~~ hazardous materials emergency response plans and makes recommendations for revisions to ensure compliance with the National Response Team Guidelines (NRT-1). LEPCs/state agencies are required to exercise the hazardous materials emergency response plan annually.

The SERC provides grant funds to LEPCs/grant allocations to state agencies who meet eligibility requirements. ~~The SERC also provides grant allocations to state agencies who meet eligibility requirements.~~ To be eligible for funds from the SERC other than United We Stand funds, LEPCs/state agencies must operate under a hazardous materials emergency response plan that must be implemented or exercised annually. ~~All key elements of the NRT-1A must be addressed through implementation or exercise every 3 years. The SERC reviews the emergency response plans and makes recommendations for revisions.~~

~~Among the SERC's working committees is a Planning and Training Subcommittee which has been designated to review the LEPC and state agency hazardous materials emergency response plans and the Exercise Report Forms (Appendix A-2) and report to the SERC.~~

POLICY:

A. The ~~SERC State Emergency Response Commission~~ has appointed a Funding Committee. The Funding Committee has appointed a Planning and Training Subcommittee. ~~The~~This Planning and Training Subcommittee is ~~designated to~~charged ~~with~~ review ~~the of~~ LEPCs/ ~~and~~ state ~~agencies~~agency hazardous materials response plans and exercise report forms. The hazardous materials response plan and exercise report form must be submitted to the SERC by January 31st of each year. The Planning and Training Subcommittee will verify the plan is appropriate, ~~and~~ has been exercised and report their findings to the SERC.

1. Each LEPC/state agency must have a Hazardous Materials Response Plan in compliance with NRT-1 on file with the SERC ~~office~~. The LEPCs/state agencies must annually review and update the plan. ~~Written notice of plan review results and plan updates along with minutes of the LEPC meeting indicating review and acceptance of updates to the plan must be submitted to the SERC by January 31st of each year. Detailed meeting minutes may be submitted in lieu of written notice.~~ Failure to submit the required documentation ~~meeting minutes and updates~~ will designate the plan as non-compliant and subject to the procedures outlined herein.

Non-compliance with these procedures will result in the LEPC/state agency being ineligible for any funding from the SERC other than grant funds, ~~from the operations category and/or the planning category~~ until the Planning and Training Subcommittee reviews required updates and ensures that all ~~other~~ forms of non-compliance or deficiencies ~~with hazardous materials plans~~ are met. The LEPCs may be eligible for grant funds from the operations and/or planning category if not in compliance or deficient. Upon satisfactory completion LEPCs may apply for funding opportunities available. Operation funds may be awarded to LEPCs pursuant to Policy 8.2 provided the LEPC submits a compliance work plan demonstrating progress towards full compliance. Operation funds grant approval for LEPCs is subject to review and approval by the SERC Co-Chairs. Planning funds may be awarded to appropriately review, develop, revise and/or update the plan.

- a. Annual updates to the hazardous materials response plan must include, but are not limited to:
 - contact information
 - equipment lists
 - letter of promulgation
 - Tier II facility list, printed no later than October
 - training and exercise schedules identified by type and in which calendar quarter to be held.

- b. In conjunction with the review and update of the hazardous materials response plan, the LEPC/state agency must submit an updated National Response Team form (NRT-1A). This form must indicate the page numbers where each of the nine required elements can be found in the plan.

c. In conjunction with review of the hazardous materials response plan, the LEPC/state agency must ~~submit~~ annually review its Level of Response Questionnaire. ~~Updates or written notice of no changes must be submitted to the SERC by January 31st of each year.~~

e.d. The SERC will notify the LEPC/state agency of any non-compliance. Non-compliance will result in suspension of the current unencumbered grant funds and being ineligible for future grant funds until the program is deemed compliant.

~~Each LEPC/state agency must report to the SERC on a~~ At least one real event and/or tabletop, functional or full scale exercise, or drill which utilizes and implements the hazardous materials response plan ~~must be submitted to the SERC by January 31st of each year.~~ The exercising or implementation of all key elements of the plan as listed in the NRT-1A is required at least once within the past ~~three~~ 3 consecutive years. The Planning and Training Subcommittee will review all exercise report forms submitted to verify the hazardous materials emergency response plan has been properly exercised.

a. The SERC will notify the LEPC/ ~~of~~ state agency of any non-compliance. Non-compliance will result in suspension of the current unencumbered grant funds and being ineligible for future grant funds until the program is deemed compliant.

PROCEDURES:

A. Hazardous Materials Response Plan

1. During February of each year the Planning and Training Subcommittee will review plans/plan updates submitted by LEPCs/state agencies and approve the plan or identify deficiencies. ~~As applicable, staff will notify each LEPC Chair/Head of the state agency of any identified deficiencies.~~
2. Within ~~forty-five~~ 45 days of notification, the LEPC/ ~~of~~ state agency must respond to the notice of deficiencies. If an updated plan was submitted and found to be deficient, the LEPC/ ~~of~~ state agency must bring the plan into compliance and resubmit the corrected plan to the SERC for review by the assigned member(s) of the Planning and Training Subcommittee.
3. After ~~forty-five~~ 45 days, the Planning and Training Subcommittee will submit to the Funding Committee a list of LEPCs/state agencies

that have complied with this policy. Only LEPCs/state agencies compliant with this policy will be eligible for funds as available.

B. Exercise Report Form

1. Each LEPC/state agency will report to the SERC on at least one real event and/or tabletop, functional or full scale exercise or drill which utilizes and implements the hazardous materials emergency response plan, ~~by January 31st of each year.~~ An exercise is required at least once every third year. A proper report will include:
 - a. ~~a~~ narrative scenario of the incident or exercise;
 - b. ~~the~~ one-page SERC exercise form;
 - c. ~~four page FEMA form, or HSEEP (Homeland Security Exercise and Evaluation Program) report~~
 - d. ~~and a~~ narrative of any corrective actions necessary.
Narratives may be achieved by attaching the actual incident report and evaluation of the hazardous materials plan.
2. During February of each year, the Planning and Training Subcommittee will review the exercise report to verify the LEPC/state agency has properly exercised the hazardous materials emergency response plan. Staff will notify each LEPC/state agency of any identified deficiencies.
23. Within ~~forty-five~~45 days of notification, the LEPC/state agency must respond to the notice of deficiencies. The SERC will notify the LEPC/state agency of any non-compliance. Non-compliance will result in suspension of the current unencumbered grant funds and the LEPC/state agency being ineligible for future grant funds until the program is deemed compliant.
34. After ~~forty-five~~45 days, the Planning and Training Subcommittee will submit to the Funding Committee a list of LEPCs/state agencies that have complied with this policy. Only LEPCs/state agencies compliant with this policy will be eligible for funds during the year.

ADDITIONAL INFORMATION:

Below is the list of all items due to the SERC by January 31st of each year:

- Updated Hazardous Materials Emergency Response Plan, to include:
- Contact Information
- Equipment List
- Training and Exercise Schedules, identified by type and in which calendar quarter to be held
- NRT-1A Form
- Letter of Promulgation
- Tier II Facility list, printed no later than October

LEPC meeting minutes accepting the Plan updates

Exercise/Incident Report, from an event within the last calendar year

Affidavit of Publication of Emergency, Planning and Community Right-to-Know Act
in local newspaper

Level of Response Form

Membership List

LEPC Bylaws

STATE OF NEVADA

STATE EMERGENCY RESPONSE COMMISSION

ORIGINATED BY: Mary Lynne Evans	ORIGINATED DATE: 04/20/00	APPROVED BY: SERC
REVISED BY: Stephanie Parker	REVISED DATE: 01/14/16	
DATE ISSUED: 04/20/00	DATE EFFECTIVE: 04/20/000	SUBJECT: Certified Assurances and Compliance Certification
PROCESSED BY:	SPECIAL INSTRUCTIONS:	POLICY NO: SERC 8.3

Reference: NAC 459.99149 and 459.99171

PRINCIPLE:

The State Emergency Response Commission (SERC) will invoke all federal and state rules and regulations which are pertinent to establishing, supervising and coordinating the Local Emergency Planning Committees (LEPCs) and grant management. To enforce the laws, regulations and rules, the SERC must be able to demonstrate the LEPCs and grantees/sub grantees are aware of the rules and regulations.

POLICY:

Certified Assurances state various requirements of the grantee/sub-grantee in managing grants received from the SERC. ~~Each grantee/sub-grantee is required to submit signed Certified Assurances prior to preparation of the grant award.~~

LEPC Compliance Certification states the various requirements of LEPCs to show accountability of federal and state laws and regulations. A LEPC Compliance Certification will be submitted with each grant application. In the event a LEPC does not submit a SERC Operations, Planning, Training and Equipment (OPTE) grant application, the LEPC is required to submit a signed LEPC Compliance Certification by March 31st of each year.

A State Agency Compliance Certification states the various requirements of the agency to show accountability of federal and state laws and regulations. A State Agency Compliance Certification will be submitted with each application for funding allocation.

PROCEDURES:

- A. The following requirements must be complied with prior to the start of a grant. The Funding Committee will be notified if an applicant is or is not in compliance of the following:

1. **CERTIFIED ASSURANCES:** The grantee/sub-grantee must sign and submit the Certified Assurances agreeing to abide by the rules and regulations governing grant funds awarded. This agreement requires the signatures of the Governmental Unit (County Commission, County Manager, head of State agency) and the chairman of the Local Emergency Planning Committee or the State agency project manager. A grant award will not be prepared until the Certified Assurances are properly signed and submitted. ~~Reference the Program and Grant Management Handbook;~~ Policies 8.5 – Funding of Grants; 8.6 – Reporting; Policy 8.7 - Grant Change Request; and Policy 8.8 – Subrecipient Program Monitoring and Financial Audits.

2. **LEPC COMPLIANCE CERTIFICATION:** The LEPC Chair must sign the LEPC Compliance Certification indicating compliance with administrative requirements annually, by March 31st. Staff will verify each requirement. The following must be met by the LEPCs to comply with all applicable federal, local, and state regulations and reported timely to the SERC, even if not currently receiving grant funds:
 - a. Bylaws and the current membership list form identifying representation from the 13 EPCRA categories must be submitted by January 31st. (policy 8.9).
 - i. LEPC membership lists may include designated alternate members if alternate members are approved in the LEPC Bylaws. (Enabling statute: The SERC is created in NRS 459.738 to carry out the provisions of 42 U.S.C. § 11001 et seq. These codes require the SERC to appoint the LEPC and give the SERC authority to revise the appointments. The SERC finds these codes are the legal authority creating the LEPCs and therefore the SERC has the authority to allow designated alternate members. The SERC asserts this process complies with NRS 241.025.)

 - b. LEPC meetings must be held at least quarterly. All meetings must be conducted in compliance with the Nevada Open Meeting Law (OML), ref: http://ethics.nv.gov/COE_website_files/coe_publications_and_media/OML%20Manual.pdf. Agendas and minutes of all meetings, including special meetings, must be forwarded to the SERC at the same time they are available to the public.

- i EPCRA requires LEPCs to hold “regularly scheduled meetings”. The SERC has defined regularly scheduled meetings as quarterly meetings.
 - i ~~A meeting,~~ ~~†~~To qualify as a quarterly meeting, the LEPC must have a posted agenda, meeting held and minutes taken, whether or not there was a quorum present. (Refer to Nevada Open Meeting Law).
 - ii ~~The~~A LEPC may apply to the SERC for a waiver of the quarterly meeting requirement due to extenuating circumstances. Upon cancellation of a timely noticed quarterly meeting for reasons beyond the control of the LEPC, the meeting may be rescheduled to the following quarter with approval of the SERC Co-chairs.
 - iv. ~~The~~A LEPC may apply to the SERC for an exemption of one meeting per fiscal year (July to June), if it is impossible to conduct four meetings for reasons beyond the control of the LEPC. Approval for an exemption of one meeting may be approved by the SERC Co-chairs.
- c. If a recipient of grant funds, all required reports which summarize the financial management of these grants must be submitted by the required due dates to the SERC (policies 8.5 and 8.6).
 - d. The County Hazardous Materials Emergency Plan (or hazmat portion of the jurisdiction’s “all hazards” plan) must be reviewed and updated annually. Plan updates must be submitted by January 31st each year (SERC policy 8.1).
 - e. Each LEPC must report on at least one real event and/or tabletop, functional or full scale exercise or drill which tests the hazardous materials response plan by January 31st of each year. An exercise is required at least once every third year (SERC policies 8.1, and 8.6).

- f. The Emergency Planning and Community Right-to-Know Act "information availability" must be published in the local newspaper annually (EPCRA Section 312). A copy of the standard Affidavit of Publication must be sent to the SERC, by January 31st of each year. The notice must be published at least once annually to inform the public of the availability of the Material Safety Data Sheets (MSDS) reports, Tier II reports and hazardous material response plans and provide the location and hours for public view.
3. STATE AGENCY COMPLIANCE CERTIFICATION: The head of the State agency must sign the State Agency Compliance Certification indicating compliance with administrative requirements along with any application. The SERC will verify each requirement. The following must be met by the State agency to comply with all applicable federal and state regulations and reported timely to the SERC:
 - a. If a recipient of grant allocations, all required reports which summarize the financial management of these grants must be submitted by the required due dates (SERC policies 8.5 and 8.6).
 - b. If recipient of funds from the SERC other than United We Stand funds, the agency must operate under a Hazardous Materials Emergency Plan and that plan must be reviewed and updated annually. Updates must be submitted by January 31st (SERC policy 8.1).
 - c. If recipient of funds from the SERC other than United We Stand funds, the agency must report on at least one real event and/or tabletop, functional or full scale exercise or drill which tests the hazardous materials response plan by January 31st of each year. An exercise is required at least once every third year (SERC policies 8.1, and 8.6).
4. Failure to accomplish all eligibility and compliance requirements could result in denial of a grant award by the SERC. Failure to maintain all eligibility and compliance requirements could result in the suspension or deobligation of the current grant awards by the SERC. (SERC policy. 8.1)

STATE OF NEVADA

STATE EMERGENCY RESPONSE COMMISSION

ORIGINATED BY: Karen J. Kennard	ORIGINATED DATE: 01/09/03	APPROVED BY:
REVISED BY: Stephanie Parker	REVISED DATE: 01/14/16	SERC
DATE ISSUED: 07/01/03	DATE EFFECTIVE: 07/01/03	SUBJECT: Funding of Grants
PROCESSED BY:	SPECIAL INSTRUCTIONS:	POLICY NO: SERC 8.5

Reference: NAC 459.99151 through 459.99153 and 459.99172 through 459.99174, inclusive

PRINCIPLE:

The State Emergency Response Commission (SERC) distributes grant funds to the Local Emergency Planning Committees (LEPCs) within each of the seventeen counties and eligible State agencies. For proper grant management, the SERC will provide funds on a reimbursement basis.

POLICY:

The SERC provides funding to grantees/sub-grantees on a reimbursement basis. Upon request by the grantees/sub-grantees, advanced funding for expenses over \$2,000 may be made.

PROCEDURES:

- A. During open grant cycles, applications will be submitted by LEPCs/State agencies. Applications may be reviewed by the Planning & Training Subcommittee, Funding Committee and approved as appropriate by the SERC.
- B. Grant awards will be prepared and sent to the grantee/sub grantee. Signature of the LEPC Chair or head of the State agency on the grant award finalizes the agreement between the grantee/sub-grantee and the SERC for the grant funding amount and purpose.

C. For the purpose of these procedures, the SERC designates quarters based on a fiscal year, July to June, as follows:

1 st quarter	July – September
2 nd quarter	October – December
3 rd quarter	January – March
4 th quarter	April – June

D. The following procedures will be implemented to provide the funds to the grantee/sub-grantee:

1. Reimbursement:

a. The grantee/sub-grantee will request reimbursement by completing and submitting a Financial Report form with the appropriate box(es) checked. The submission must include the description of expenditures claimed, dated invoices and proof of payment. Proof of payment can be:

1. Copy of the front/back of the cancelled check
2. Printout/screen shot of accounting system with payment obviously noted a cleared (prove the funds left the bank account
3. Signed statement from the LEPC Chair, noting payments on provided printout/screen shot have cleared the bank account

If a credit card was used – need proof the credit card statement on which the charge is included was paid and that payment cleared the account. Can be the statement in which the charge was made and then the following months statement showing that a payment was made.

If the report includes request for reimbursement for contractual training, class sign-in sheets must be submitted.

Reimbursement will not be made for training that was not attended.

Reimbursement will only be made for training that is related to hazardous materials or combating terrorism as appropriate to the grant award.

Supporting documentation in requesting reimbursement for LEPC clerical assistance includes time sheets, LEPC log

showing the time spent on LEPC business and mileage claims in compliance with travel procedures below.

Requests for reimbursement shall be submitted not later than 30 days after the last day of the quarter.

- b. If no expenditures have been made, a statement to that effect and the plan for future expenditure is due no later than 30 days after the last day of the quarter.

- c. Within ~~five~~⁵ working days of receipt, SERC staff will conduct a desk audit of the report and information submitted. Expenses are examined to ensure compliance with federal and/or SERC terms and conditions. Discrepancies or questions will be immediately addressed with the submitting ~~grantee/sub-grantee~~^{agency}. Upon approval of the request, staff will process the report for payment.
 - d. A final Financial Report is due ~~forty-five~~⁴⁵ days after the end of the grant period or after completion of grants purpose. All remaining expenditures and supporting documentation must be submitted for reimbursement. After processing of the final Financial Report, all unexpended funds will be deobligated.
 - e. Failure to comply with these procedures ~~could~~^{may} jeopardize future funding from the SERC.
2. Reimbursement of travel related expenses:
- a. Grantee/sub-grantees may be reimbursed for lodging, per diem, incidentals and mode of travel at amounts defined in the following procedures; in conjunction with the terms of a grant award received from the SERC; upon submission of a copy of a completed, signed and dated travel claim expense form, conference or course agenda; and upon proof of payment by the grantee/sub-grantee agency. A completed travel expense claim form must include the purpose of the travel; date of travel; time in and out of travel status; and mode of travel.
 - b. Per diem and lodging rates will be reimbursed in accordance with the amounts paid by the local entities, not to exceed the General Services Administration (GSA) rates found at www.gsa.gov; as adopted by the State of Nevada found in the State Administrative Manual, <http://budget.nv.gov/uploadedFiles/budgetnvgov/content/Documents/State%20Administrative%20Manual.pdf> and further defined by the SERC as follows:
 - i. Receipts are required for all expenses except meals including, but not limited to, lodging (~~unless the standard continental United States (CONUS) rate as defined by GSA is approved by the SERC~~), transportation, parking, tolls, telephone/internet connection, etc. and are subject to appropriate written

explanation and SERC approval.

i Grant funds will not be used to reimburse employees for commuting to and from work. Grant funds may be used to reimburse for additional mileage when an employee leaves the normal commuting route less the mileage that would have been used to travel to the duty station. Work-related mileage will be reimbursed at the local rate, not to exceed the State approved rate per mile when a privately owned vehicle is used. When an agency vehicle is used, fuel charges may be reimbursed upon presentation of receipts or agency fuel logs.

ii ~~For single or partial day travel, p~~Per diem will be paid at:

<u>Travel Hours = % of Per Diem</u>
<u>0 – 3.99 hours of travel = 0%</u>
<u>4 – 11.99 hours of travel = 50%</u>
<u>12 – 13.99 hours of travel = 75%</u>
<u>14 or more hours of travel = 100%</u>

~~the rate of no more than 50% of the standard rate for the traveler's destination if the traveler is in travel status for at least 4 hours but less than 12 hours; 75% of the standard rate for the traveler's destination if the traveler is in travel status for 12 hours, but less than 14 hours; and 100% of the standard rate for the traveler's destination if the traveler is in travel status for 14 or more hours within a single day. For travel less than 12 hours, reimbursement will be made for the appropriate meals based on time of travel as described below, not to exceed the prevailing percentage. NOTE:-~~

The travel day is deemed to end at midnight. At no time will reimbursement be based on the traveler's duty station or be more than GSA standards. For single day travel status, the applicable per diem rate will be determined by the city/county where a majority of the work was performed.

iv. The per diem calculation for multiple days of travel shall use the single day of travel calculation explained above ~~for the first and last day of travel~~, using midnight as the stop time for the first day of travel and the start time for the last day of travel. All intervening days should be paid at 100% of the prevailing per diem rate, as defined by GSA.

v. For intervening days, there will be no need to

separate breakfast, lunch or dinner unless the travel is to a formal event (conference, seminar, training, etc.), which provides a specific meal. If this is the case, the traveler must deduct the per diem allowed for that meal from their reimbursement.

NOTE: A continental breakfast is not considered a meal.

- vi. Personnel must be at least ~~fifty~~50 miles from their duty station or home, whichever is closer to the destination (or airport as applicable), to receive per diem for meals and lodging. Per diem will be reimbursed based on the total hours in travel status ~~and miles traveled~~, less the time ~~and mileage~~ that would have been used to travel to the duty station (i.e. normal work day commute).

~~If the above percentage schedule does not apply, meals are allowable if travel status:~~

	<u>Starts at or before</u>	<u>Ends at or after</u>
Breakfast	6:30 a.m.	6:30 a.m.
Lunch	11:30 a.m.	1:00 p.m.
Dinner	6:30 p.m.	6:30 p.m.

Lodging will be reimbursed as designated by GSA at the area specific rate plus taxes, fees and surcharges.

3. Advanced Funding:

- a. The grantee/sub-grantee may make a request for advanced funding for purchases totaling more than \$2,000. The Financial Report with the appropriate box checked must be submitted with a copy of the purchase order showing the processing date and costs of purchase.
- b. Within ~~five~~5 working days of receipt, staff will verify the purchase is appropriate to the grant award and process the request for payment ~~through the state Integrated Financial System~~.
- c. The grantee/sub-grantee will report on expenditure of advanced funds by completing and submitting a Financial Report form with the appropriate box checked. The submission must include invoices and proof of payment. Funding will not be allowed for training which was not attended. Report of expenditure of advanced funds must be filed within ~~thirty~~30 days of the date of the check.
- d. If the purchase is not completed by the expiration of the quote or the advanced amount was more than the actual purchase price, the unspent funds must be returned to the SERC within ~~forty-five~~45 days of the date of the receipt of the advanced funds.

- e. Failure to comply with these procedures will result in no further advance funding until the grantee/sub-grantee is in compliance with reimbursement procedures for one year.
- f. Failure to comply with these procedures could ~~may~~ jeopardize all future funding from the SERC.

STATE OF NEVADA

STATE EMERGENCY RESPONSE COMMISSION

ORIGINATED BY: Karen J. Kennard	ORIGINATED DATE: 07/10/03	APPROVED BY:
REVISED BY: Karen J. Pabón	REVISED DATE: 01/13/11	SERC
DATE ISSUED: 07/10/03	DATE EFFECTIVE:	SUBJECT: Grant Change Request
PROCESSED BY:	SPECIAL INSTRUCTIONS:	POLICY NO: SERC 8.7

Reference: NAC 459.99156 and 459.99177

PRINCIPLE:

The State Emergency Response Commission (SERC) awards grants with funds from the Federal Government, fees collected from facilities and fees collected from the United we Stand license plate purchases~~other sources of revenue within the State of Nevada~~. It may become necessary for the grantee and/or sub-grantee to request a grant change due to change in circumstances.

POLICY:

Grants are awarded consistent with the SERC approved amounts and conditions. Expenditures must be made in accordance with the grant award. In the event of changed circumstances, the grantee~~/-or-~~ sub-grantee may submit a grant change request. The request must be submitted to the SERC under signature of the grantee~~/-or-~~ sub-grantee and include the justification or documentation for the proposed change.

The Administrator~~Executive Director~~ will review grant change requests for completeness and may approve changes involving personnel. Revisions considered to be 10% or greater and/or significant changes to the scope of the intent of the original grant requires approval by the Chair of the Funding Committee and may require review by the Funding Committee at direction of the Chair. Approvals will be made, or Committee review will be scheduled within five~~5~~ business days. The grantee~~/-or-~~ sub-grantee will be notified of the resulting action within the next five~~5~~ business days. A report of action by the Administrator~~Executive Director~~ or the Chair of the Funding Committee will be made at the next regularly scheduled Funding Committee meeting.

Implementation of any changes may be made only after approval in writing or on~~-the~~ record at a SERC or Funding Committee meeting.

Actions by the Administrator~~Executive Director~~, Funding Committee Chair or the Funding Committee may be appealed to the SERC.

PROCEDURES:

These guidelines will be followed to properly request and justify a grant change:

- Change in grant personnel must be made on the Grant Change Request form, at the time the personnel change is facilitated.
- Change in funding categories must be requested on the Grant Change Request form, ~~and including supported by a~~ written justification as to why the change is needed.
- Change in the use of funds within the same category or change in goals and/or objectives must be requested on the Grant Change Request form ~~with~~ a written justification as to why the change is needed.

STATE OF NEVADA

STATE EMERGENCY RESPONSE COMMISSION

ORIGINATED BY: Karen J. Kennard	ORIGINATED DATE: 05/01/03	APPROVED BY:
REVISED BY: Karen J. Pabón	REVISED DATE: 01/12/12	SERC
DATE ISSUED: 05/01/03	DATE EFFECTIVE: 05/01/03	SUBJECT: LEPC Submission of Bylaws & Membership Lists
PROCESSED BY:	SPECIAL INSTRUCTIONS:	POLICY NO: SERC 8.9

Reference: NAC 459.99132

PRINCIPLE:

Pursuant to Federal law, the State Emergency Response Commission (SERC) shall supervise and coordinate the activities of the Local Emergency Planning Committees (LEPCs).

POLICY:

Each LEPC shall submit its current bylaws and membership list to the SERC for the Bylaws Committee to review for compliance with federal and state laws and regulations.

PROCEDURES:

By January 31 of each year, each LEPC shall submit its bylaws and membership list.

- A. Bylaws must be reviewed and, if necessary, updated annually by the LEPC. Membership lists must be updated and submitted annually. Current Bylaws and membership lists will be submitted by each LEPC to the SERC by January 31 each year.

Bylaws must include, at a minimum, the following articles:

Mission/Purpose

Duties

Members

Officers

Meetings (including reference to NV Open Meeting Law)

Public Availability

Public Request for Information

Public Comment

Distribution of the Hazardous Materials Response Plan

Dissolution of LEPC

- B. The SERC staff will review the LEPC bylaws and membership lists to ensure compliance with federal and state laws and regulations. If

exceptions are noted, the Bylaws Committee will review, and [SERC staff](#) [will](#) notify the LEPC of any deficiencies.

- C. The Bylaws Committee will report any deficiencies to the Commission.
- D. The Commission will take appropriate action based on the deficiency to resolve the problem.