

**BY-LAWS FOR THE  
EUREKA COUNTY  
LOCAL EMERGENCY PLANNING COMMITTEE  
(LEPC)**

**Mission/Purpose**

To serve as the Eureka County Local Emergency Planning Committee to facilitate all hazards emergency preparedness issues including Superfund Amendments and Reauthorization Act of 1986 (SARA) Title 3, Hazardous Materials and related public safety matters as determined appropriate by LEPC membership.

**Duties**

The activities of the Committee are as follows:

- ◆ Facilitates hazardous materials and related public safety preparedness efforts, including planning, training exercises and mitigation (preventative measures).
- ◆ Apply for and administer grants supportive of the LEPC mission.
- ◆ Prepare, implement, and maintain the Eureka County Local Emergency Planning Committee Hazardous Materials Emergency Response Plan and Guidelines. The plan will be reviewed annually.
- ◆ Provide local residents with access to information concerning hazardous materials under the "Community Right-To-Know" portion of the Emergency Planning and Community Right-To-Know (EPCRA) law.
- ◆ Assessment of resources necessary to implement the plan, and making recommendations to appropriate people, agencies and organizations regarding additional resources needed to implement the plan, as well as obtaining input from agencies/departments/organizations of resources needed.
- ◆ Coordinate meetings, training and record keeping for all meetings.
- ◆ Improve public safety capabilities to respond to and deal with the impact of hazardous material incidents, accidents, or releases on our activities and the environment.
- ◆ Plan, execute, and prepare post incident reports on training exercises at least annually.
- ◆ Review and make recommendations on all grant requests.
- ◆ Develop, review and revise bylaws as needed and report annually to SERC.
- ◆ Submit membership list to SERC annually for approval.
- ◆ Hold meetings as determined by need but shall occur at least once per calendar quarter.

**Membership**

The LEPC shall consist of voting members from the following categories, as provided in 42 USC 11001:

- |                          |  |
|--------------------------|--|
| ◆ Elected State Official | ◆ Local Environmental  |
| ◆ Elected Local Official | ◆ Hospital   |
| ◆ Law Enforcement        | ◆ Transportation   |
| ◆ Civil Defense          | ◆ Broadcast and Print Media  |
| ◆ Firefighting           | ◆ Community Groups   |
| ◆ Health                 | ◆ Owner/Operators of Facilities subject to the requirements of EPCRA |

However, not all categories have a representative available in Eureka County. The LEPC, at its discretion, may establish additional categories of representation as the need arises. One member may represent more than one category.

The department/agency supervisor shall be the member of the LEPC unless that person designates another member from his/her department/agency to represent their respective agency. Each designated

department/agency within a category may specify a maximum of two alternate members. Each agency/department is entitled to no more than one vote per category.

In the event of a vacancy, the LEPC shall appoint a replacement to the Committee. The designated replacement member must be a representative from the same category as the member being replaced. The LEPC may consult with the affected agency in the category where the vacancy occurred.

The LEPC may declare the existence of a vacancy and request the affected category recommend a replacement member whenever a member agency resigns or the actions of a member or alternate, as determined by the LEPC are consistently unproductive or contrary to the goals of the LEPC.

### **Officers**

The LEPC will elect a Chairperson and Vice-Chairperson during the first meeting of each calendar year. The elected officers will serve for a period of one year. The Chairperson and Vice-Chair positions are individually specific, not agency held.

#### **Chairperson**

- ◆ Set dates and times of the LEPC meetings.
- ◆ Establish the LEPC agendas.
- ◆ Be responsible for conducting meetings.
- ◆ Appoint sub-committee(s).
- ◆ Report LEPC activities to the Board of County Commissioners, the Nevada Commission on Homeland Security, the State Emergency Response Commission (SERC), and the Nevada Division of Emergency Management.

#### **Vice-Chairperson**

- ◆ A Vice-Chair, who shall have the authority to act on behalf of the Chairperson in the event the Chairperson absence.
- ◆ If the Chairperson cannot fulfill their term, the Vice-Chair will immediately assume the role of Chairperson and continue for the remainder of the term.
- ◆ If the Vice-Chair cannot fulfill their term, a special election may be held at the next meeting to elect a Vice-Chair to serve the remainder of the term.

#### **Secretary/Treasurer**

The Secretary/Treasurer position shall be a non-voting position. The duties shall include:

- ◆ Monitoring and tracking the distribution of all equipment.
- ◆ Processing and approving grant expenditures and providing quarterly or monthly reports to granting agencies.
- ◆ Keeping or causing to be kept all minutes of meetings, including subcommittee meetings.
- ◆ Keeping an attendance roster of each meeting and past meeting notices.
- ◆ Noticing each meeting in compliance with the Open Meeting Law.
- ◆ Keep a current listing of all committee members.
- ◆ The Secretary/Treasurer is a non-elected position, and may be from the same County Department as the Chairman, or as designated by the Eureka County Board of Commissioners.

### **Financial**

The LEPC activities will primarily be funded by grants obtained from SERC. Although some training and equipment may be funded through other grants, such as Homeland Security. When necessary, Eureka County will cover expenditures and costs that do not fall under grants that have been awarded.

**Meetings**

Meetings of the Eureka County LEPC are open to the public and shall be held on a regularly scheduled basis, at a minimum of one meeting per quarter of each grant period. Meetings will be posted no later than three (3) working days prior to the scheduled meeting. Agendas will be posted in three (3) separate, prominent places within the jurisdiction of the Eureka County LEPC, as well as posted on the Eureka County and State of Nevada Public Notice websites. The Public may request an emailed or mailed copy of the agenda.

**By-Laws**

By-laws may be amended through a process by which the proposed changes are distributed in writing to LEPC members prior to the next meeting and then adopted at the meeting by a majority vote of the voting members present.

**Public Availability**

The Eureka County LEPC shall annually publish a notice in the Eureka Sentinel, advising the Hazardous Material Safety Data Sheets (MSDS) or chemical inventory lists, and follow-up emergency notices are available for public review; consistent with Section 322 of the Emergency Planning and Community Right-To-Know Act (EPCRA). The public notice shall also state that follow-up emergency notices may be issued. The public may view these documents at the location noted in the contact information for the Eureka County LEPC on the most current agenda, Monday – Friday, 8:00 a.m. to 5:00 p.m.

**Public Request for Information**

Any person may submit a written request for information under Section 311, 312, and 324 of EPCRA. Requests shall be addressed to the Eureka County LEPC. The LEPC shall respond to requests for information no later than 45 days from the receipt of the request. The LEPC Chairman shall serve as the Coordinator of Information. Refer to the most current agenda for contact information for the Eureka County LEPC.

**Public Comment**

Public comments concerning the Hazardous Materials Plan Annex, or LEPC activities in general are welcome. The Hazardous Materials Response Plan Annex will be open for discussion at every LEPC meeting. Comments or questions directed to the LEPC will be answered in writing within 14 working days, after appropriate coordination.

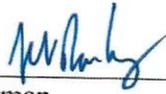
**Distribution of the Hazardous Materials Response Plan Annex**

Routine distribution of the Response Plan will be in accordance with operational needs. Copies of the most recent published plan will be available for public review at the location noted in the contact information for the Eureka County LEPC on the most current agenda, Monday – Friday, 8:00 a.m. to 4:00 p.m.

**Dissolution of LEPC**

In the event the Eureka County LEPC is dissolved or becomes inactive as determined by the Eureka County Board of Commissioners; all equipment and LEPC responsibilities shall revert to the Eureka County Board of Commissioners.

Approved and Adopted by the Eureka County Local Emergency Planning Committee

  
Chairman

01/06/2026

Date