



**Nye County
Local Emergency Planning Committee
(LEPC)**

1510 E. Siri Lane, Ste # 1
Pahrump, NV 89060
Main # 775-751-4279

Bylaws of the Local Emergency Planning Committee (LEPC)

Article I. Purpose

The State Emergency Response Commission (SERC) has established Local Emergency Planning Committees (LEPC) in each of Nevada's counties to support all hazards preparedness. The purpose of the LEPC is to:

- A. Facilitate and accomplish comprehensive emergency response planning for "All Hazards" including hazardous material incidents, accidents, or releases.
- B. Involve state and local government and private industry in developing and exercising emergency plans.
- C. Provide local residents with access to information concerning hazardous materials under the "community right to know" portion of the law.
- D. 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.
- E. Work with the State of Nevada SERC and the State Fire Marshal's Office to maintain current data on the State of Nevada Online HazMat Reporting System:
<https://nevada.hazconnect.com/>
- F. Comply with all current and future applicable state and federal legislation, codes, and regulations especially those relating to Homeland Security concerns.

Article II. Membership and Attendance

- A. The Local Emergency Planning Committee should consist of voting members from the following categories, as provided in 42 USC 1101:
 - Elected state officials
 - Elected local officials
 - Law enforcement
 - Civil Defense/ Emergency Management
 - Fire Fighting
 - Health
 - First Aid/Emergency Medical Services
 - Hospitals

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- Environmental
- Transportation personnel
- Broadcast and print media
- Community groups and other public agencies
- Owners and operators of facilities subject to the requirements of (EPCRA)
- Public Health
- Utilities

The committee may consist of a minimum of one voting member from each of the designated categories. The Executive Committee may, in its discretion, establish additional categories of representation as the need arises. Each designated agency entity within a category will be asked to specify a primary and a maximum of two alternative representatives only one of the representatives alternates may vote on behalf of the agency. If the primary representative is unable to attend, one alternative representative will be permitted to vote. If all designated representatives alternates of an agency entity are unable to attend in person, they may be present via telephone, or via videoconference. (If applicable)

- B. The total membership of the LEPC shall not exceed 50 membership agencies.
- C. A Quorum is defined as a simple majority of the primary voting membership.
- D. Members will receive no personal compensation for their service on the LEPC, including the Executive Committee and all subcommittees.
- E. Any voting member of the LEPC that fails to attend 2 (two) consecutive, regularly scheduled LEPC meetings, either physically or by telephone, may be dismissed upon approval of the Executive Committee.

Article III. Officers

- A. Officers are elected biannually (Vice Chair is elected during odd numbered years and At Large member is elected during even numbered years) by a quorum of the members of the LEPC, except for the Chairperson. The Vice Chair and At Large Member will serve for a period of 2 (two) years, commencing immediately after their respective election.

I. Chairperson

The Chairperson (Nye County Emergency Management Director) shall:

- Be responsible for conducting the regularly scheduled meetings, special meetings as required and the executive committee meetings.
- Authorize the expenditure of discretionary, operational funds granted by the SERC, within established guidelines.
- Be responsible for conducting the annual review of the LEPC hazardous materials emergency response plan.
- Appoint the subcommittee chairpersons.
- Submit program reports to the LEPC, SERC, and the Nevada Commission on Homeland Security (NCHS) regarding grant money allocations and expenditures.

- Attend SERC and Nevada Commission on Homeland Security meetings or provide a designated replacement to attend.
- Act as liaison between the LEPC and the SERC and NCHS chairpersons and executive boards.
- Serve as a coordinator of information to respond to public requests as stated by EPCRA.

2. Vice Chairperson

The Vice Chairperson (elected two-year term) shall:

- Perform the duties of the chairperson in his/her absence.
- In the event of the chair becoming vacant during the two-year term, the vice chairperson shall assume the duties for the remainder of the chairperson's term or until another Director of Nye County Emergency Management has been chosen.
- Vice Chairperson elections will be held on odd numbered years.

3. At Large

- The at-large member shall serve a two year term commencing immediately after being elected.
- The at-large member shall perform all the duties of the Vice Chairperson in his/her absence.
- At Large member elections will be held on even numbered years.

4. Treasurer

- The Treasurer position shall be permanently filled by the Nye County Emergency Management Staff.

Treasurer responsibilities shall include:

1. Prepare presentation of financial reports at all meetings.
2. Monitor and track the distribution of all equipment.
3. Process and approve grant expenditures and provide quarterly reports to granting agencies.
4. The fiscal year for Nye County LEPC shall be July 1st to June 30th of the following year.
5. The Treasurer position shall be a non-voting position

5. Secretary

- The Secretary position shall be permanently filled by the Nye County Emergency Management Staff.

Secretary responsibilities shall include:

1. Posting or causing to be posted agendas for all meetings, including subcommittee meetings, in accordance with the Nevada Open Meeting Law.
 2. Keep or cause to be kept all minutes of meetings, including subcommittee meetings.
 3. Keep an attendance roster of each meeting and past meeting notices.
 4. Notice each meeting in compliance with the Open Meeting Law.
 5. Keep a current listing of all committee members and alternate representatives.
 6. The Secretary position should be a non-voting position.
- At the discretion of the LEPC Executive Committee, the positions of Secretary and Treasurer may be combined into a singular office or maintained as separate offices as membership conditions warrant.

Article IV. Executive Committee Responsibilities and Duties

- A. The Executive Committee shall consist of the LEPC Officers and Chairpersons of the subcommittees.
- B. The Executive Committee is responsible for directing the LEPC in its activities to assure compliance with its mandate and the state law establishing the local emergency planning committee.
- C. Executive Committee meetings are open to the general membership and the public and members will be notified.
- D. The Chairperson may convene meetings as needed.
- E. The Executive Committee shall approve, by a simple majority vote, all agencies entities granted membership in the LEPC with the intent to maintain balanced representation. Membership that is denied by the Executive Committee may be appealed to the general membership.
- F. The Executive Committee has the authority to terminate voting membership of any agency entity for whom a designated representative does not attend a minimum of two consecutive quarterly meetings. If a member agency entity is terminated for non-attendance, the Executive Committee shall solicit another member from the terminated member's category, if possible.

Article V. Subcommittees

- I. Approve grant amendment requests and forward to the appropriate granting agencies for approval.
- J. Develop and revise bylaws as needed and report annually to the SERC.
- K. Submit membership list to SERC annually for approval.
- L. The local emergency planning committee shall annually publish a notice in local newspapers that the emergency response plan, material safety data sheets, and inventory forms have been submitted according to the EPCRA. The notice shall state that follow-up emergency notices may subsequently be issued. Such notice shall announce that members of the public who wish to review any such plan; sheet, form or follow-up notice may do so at the location designated.
- M. All LEPC General Membership meetings, Executive Committee meetings, Special Committee meetings, Emergency meetings, and Sub-Committee meetings shall be conducted in compliance with the most current edition of Robert's Rules of Order.
- N. Presentations that are on the agenda shall be limited to 10 minutes during the meeting. Informal presentations will be done directly after the adjournment of the meeting. It is the presenters' responsibility to inform the LEPC secretary well in advance regarding the length and subject of the presentation and electronically submit any hand-outs to the secretary at least 10 days prior to the meeting.
- O. LEPC shall respond to appropriate written requests for information no later than 5 working days from the receipt of such requests. The LEPC Chairperson or the Chairperson's delegate shall serve as the Coordinator of Information. Replies to written requests shall be evaluated by the Chairperson for compliance with current and future Homeland Security directives, rules, and regulations. Appropriate notification of State or Federal Homeland Security Officials of such information requests shall be the responsibility of the LEPC Chairperson.
- P. Public comments concerning the Hazardous Materials Response Plan or LEPC activities in general will be considered by the committee as a whole or by a Special Committee appointed by the Chairperson to evaluate specific public comments. Comments or questions directed to LEPC will be answered in writing within 5 business days after appropriate research, evaluation, consultation, and coordination relating to Homeland Security directives, rules, or regulations.
- Q. Make recommendations to the Nye County Board of Commissioners concerning pre-emptive actions and policies relating to community pandemic health threats.

Article VII. Distribution of the Hazardous Materials Response Plan

- A. Routine distribution of the Hazardous Materials Response Plan will be in accordance with operational and Homeland Security needs.
- B. Copies of the most recently published plan will be available for public review in the Office of the Director of Emergency Management during normal working hours within 45 working days of receiving a written request for such review. All review requests will be evaluated by and coordinated with appropriate law enforcement and or Homeland Security Agencies.

- A. The LEPC Standing Subcommittees are:
- HAZMAT Plan Review Committee
 - Planning and Training Subcommittee
 - Grants and Finance Subcommittee
 - Bylaws Review Committee
 - Membership Committee
- B. A New committee is voted upon at the first meeting each year.
- C. The LEPC Chairperson will appoint subcommittee Chairpersons, at that time.
- D. Subcommittee Chairpersons will submit written quarterly reports to the LEPC Chairperson and membership as necessary.
- E. The LEPC may establish additional subcommittees as needed.
- F. Individuals appointed to a committee will be given an opportunity to accept/decline the position.
- G. Membership Committee shall review membership applications, summarize the results, and report a recommendation for consideration by the LEPC based on the following criteria:
- *Pertinent knowledge
 - *Represents an organization listed in Article II of the bylaws
 - *Can commit to attendance
 - *The membership request complements the current LEPC membership category

Article VI. LEPC Responsibilities and Duties

- A. Conduct regular meetings, monthly as needed, but in any event, no less than one meeting per quarter.
- B. Post meeting agendas and conduct meetings, including subcommittee meetings, in accordance with the Nevada Open Meeting Law.
- C. Maintain minutes approved by the membership of the LEPC and provide copies as needed to the SERC, Nevada Commission on Homeland Security (NCHS), LEPC members and other interested parties.
- D. Update the LEPC Hazardous Material Emergency Response Plan annually and submit it to the SERC.
- E. Plan, execute and prepare post incident reports on training exercises at least annually.
- F. Review and make recommendations on all grant requests.
- G. As required, maintain an inventory of equipment items purchased with grant dollars.
- H. Monitor grant expenditures and provide quarterly reports to the granting agencies.