

PERSHING COUNTY LOCAL EMERGENCY PLANNING COMMITTEE

BYLAWS

Article I – Name

This organization shall be known as the Pershing County Local Emergency Planning Committee (LEPC).

Article II – Purposes

The purposes of the Local Emergency Planning Committee are:

1. The management and oversight of all appropriate provisions of Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA) and NRS Chapter 459 as delegated to the LEPC.
2. The delegation of duties and responsibilities to staff and members for the purpose of carrying out the provisions of those laws.
3. Other such duties as may be assigned to the LEPC by acts of the United States Congress, the Nevada State Legislature, the Governor of the State of Nevada, and the Pershing County Commissioners.
4. To facilitate the development of a community emergency preparedness and planning program for hazardous materials, other technological emergencies/disasters, and natural disasters/emergencies such as earthquakes and floods.
5. To provide the public with the identification, quantity, location, and properties of hazardous materials, as well as data on the annual release of certain hazardous materials.

Article III – Membership

Section 1 – Members

The LEPC shall consist of voting members from the following categories suggested by SARA Title III: 1) elected state official, 2) elected local official, 3) fire, 4) law enforcement, 5) civil defense (emergency management), 6) first aid (EMT/EMS), 7) hospital, 8) public health, 9) environment, 10) transportation, 11) media (broadcast /print), 12) community service organizations, 13) owners/operators subject to Title III, and 14) school district. Other entities may be added by the LEPC as the need arises. The LEPC will determine if these additional categories are in a voting status.

If necessary, one person may represent more than one category, but no member may have more than one vote. Every effort shall be made to maintain a membership balance which represents the community.

The membership list shall be submitted to SERC through the Pershing County Commissioners or their designee for approval of category representation. (See attached membership list.)

New persons shall be accepted as LEPC members by a majority vote of the voting members present at an authorized LEPC meeting.

Section 2 – Chairperson and Alternate Chairperson

The Pershing County Director of Emergency Management shall normally be designated by the County Commissioners as the LEPC Chairperson. An alternate Chairperson shall be elected by the majority vote of the membership.

Section 3 – Terms of Appointment

The terms of appointment for the Chairperson shall be for the duration of their position as Director of Emergency Management. The Alternate Chairperson shall be for a two-year period beginning in each even numbered year.

Section 4 – Terms of Membership

LEPC members may serve until they give notice to the LEPC that they no longer wish to be a part of the membership.

Article IV – Staff

Staff may be hired by the LEPC as necessary for the implementation of LEPC responsibilities. Staff personnel will be under the supervision of the chairperson.

Article V – Subcommittees

Section 1 – Establishment of Subcommittees

The LEPC may establish subcommittees as necessary to assist with the completion of its work and objectives.

Section 2 – Appointments

Subcommittee appointments may be made by the LEPC or the chairperson. Appointments are to be distributed as equally as possible among community members.

Section 3 – Subcommittee Chairpersons

Subcommittee chairpersons shall be appointed by the LEPC chairperson.

Section 4 – Subcommittee Action

All subcommittee action is subject to approval by the LEPC.

Article VI – Meetings

Section 1 – Regular Meetings

The LEPC shall meet at least once quarterly at a date and time to be determined by the LEPC members. The Nevada Open Meeting Law shall be observed.

Section 2 – Special Meetings and Subcommittee Meetings

The LEPC and its subcommittees may call additional meetings beyond the regular schedule as necessary for the conduct of its business. Additional LEPC meetings may be called by either the chairperson or a quorum of the LEPC. Additional subcommittee meetings may be called by the subcommittee chairperson or a quorum of the subcommittee members. The Nevada Open Meeting Law rules shall be observed at all meetings except those exempted by the Nevada Open Meeting Law.

Section 3 – Quorums

A quorum will consist of a simple majority of the LEPC voting members or their designees.

Section 4 – Rules of Order

All meetings of the LEPC and its subcommittees shall use the Robert's Rules of Order, newly revised as a guideline for their deliberations. (Amended 1-24-2014)

Article VII – Voting

Only members of the LEPC, or their designees, may vote on matters of the LEPC (or subcommittee deliberation). Each member may have one vote. A quorum must be present before a vote can be taken.

Article VIII – Public Request for Information

Any person may submit a written request for information under Sections 311, 312, and 324 of EPCRA. Requests shall be addressed to the Pershing County LEPC, PO Drawer E, Lovelock, NV 89419. The LEPC shall respond to requests for information no later than 45 days from the receipt of request. The LEPC Chairman shall serve as the Coordinator of Information.

Article IX – Public Comment

Public Comments concerning the Hazardous Materials Response 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.

Article X – 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 in the County Commissioner's Office during normal office hours.

Article XI – Dissolution of LEPC

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

Article XII – Amendments

These bylaws may be amended or replaced upon the affirmative vote of a quorum of the LEPC members or their designees, at any regular or special meeting of the LEPC provided that any proposed changes have been distributed to all members at least 30 days prior to such action.

Date list of Amendments/Reviews:

1-24-2014 Amended, Reviewed and Approved
1-16-2015 Reviewed and Approved with no changes
1-7-2016 Reviewed and Approved with no changes
1-26-2017 Reviewed and Approved with no changes
4-6-2017 Format revised to save pages, no changes to content
1-4-2018 Reviewed and Approved with no changes
1-3-2019 Reviewed and Approved with no changes
1-9-2020 Reviewed and Approved with no changes
8-20-2020 Amended, Reviewed and Approved
1-13-2021 Reviewed and Approved with no changes
4-6-2022 Amended, Reviewed and Approved
1-4-2023 Reviewed and Approved with no changes
1-10-2024 Reviewed and Approved with no changes
1-7-2025 Reviewed and Approved with no changes
1-10-2026 Reviewed and Approved with no changes