

Regional Hazardous Materials Emergency Response Plan
Washoe County Emergency Management and Homeland Security Program

ANNEX I: 2023 LEPC BYLAWS

The name of this organization shall be the "Reno, Sparks, and Washoe County Local Emergency Planning Committee," and shall be referred to as "LEPC."

Article I. Purpose

Background: The SARA Title III, Emergency Planning and Community Right-to-Know Act (EPCRA) was passed in 1986 and was intended to improve state and local planning and response capabilities to react to hazardous materials emergencies and to provide access to information about hazardous materials to the public. EPCRA established the State Emergency Response Commission (SERC), which supervises and coordinates the activities of the Local Emergency Planning Committees (LEPC) in each of Nevada's counties.

The primary purpose of the LEPC is to ensure that all acts required by the Emergency Planning and Community Right-to-Know Act of 1986 are complied with, and that all necessary work is accomplished to develop a comprehensive hazardous materials emergency response plan for Washoe County.

Article II. LEPC Duties

- A. Conduct regularly scheduled public meetings at a minimum of one general membership 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, LEPC members and other interested parties.
- D. Update the Regional Hazardous Material Emergency Response Plan annually and submit it to the SERC for review.
- E. Plan, execute and prepare post incident reports on training exercises at least annually.
- F. Review and make recommendations on all grant requests.
- G. Maintain an inventory of equipment items purchased with grant dollars as required.
- H. Monitor grant expenditures and provide quarterly reports to the granting agencies.
- I. Approve grant amendment requests and forward to the appropriate granting agencies for approval.
- J. Submit bylaws annually to the SERC.
- K. Submit membership list to SERC annually for approval.
- L. 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 Emergency Planning and Community Right-to-know Act (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. Enact procedures as necessary to carry out the purpose set forth in Article I and duties listed in Article II.

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Article III. Membership

- A. The Local Emergency Planning Committee shall consist of voting members from the following categories as provided in 42 U.S.C. Section 11001:
- i. Elected state and local officials
 - ii. Law enforcement
 - iii. Civil defense/Emergency management
 - iv. Firefighting
 - v. District Health Department
 - vi. First Aid/ Emergency Medical Services
 - vii. Hospitals
 - viii. Environmental
 - ix. Transportation personnel
 - x. Broadcast and/or print media
 - xi. Community groups
 - xii. Owners and operators of facilities subject to the requirements of Emergency Planning and Community Right-to-know Act (EPCRA)
 - xiii. State/local/tribal governments
1. The committee shall consist of a minimum of one voting member from each of the designated categories.
 2. The Executive Committee may, in its discretion, establish additional categories of representation.
 3. Each agency/entity may specify a primary and a maximum of two alternative representatives.
 4. If the primary representative is unable to attend, one alternate representative may attend and vote on the behalf of the primary member.
 5. An individual may represent only one agency/entity.
- B. A quorum is defined a simple majority of the voting membership.
- C. The total membership of the LEPC shall not exceed fifty (50) members.
- D. Members will receive no personal compensation for their service on the LEPC, including the Executive Committee and all subcommittees.

Article IV. Officers

- A. The officers are elected annually by a simple majority of a quorum of the members of the LEPC, except for the Chairperson, who is elected as set forth in subsection (1) below, and the Secretary/Treasurer. The elected officers will serve for a period of one year commencing October 1st of each year.
1. Chairperson. - the Chairperson shall serve a one-year term commencing on October 1st of each calendar year, having assumed the position after having been duly elected and serving one year as the vice chairperson.
The Chairperson shall:
 - a. Conduct all regularly scheduled meetings, any special meetings and all executive committee meetings.
 - b. Authorize the expenditure of discretionary, operational funds granted by the SERC, within established guidelines.

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- c. Arrange for the annual review of the LEPC hazardous materials emergency plan.
 - d. Appoint subcommittee chairpersons.
 - e. Submit program reports to the LEPC and SERC regarding grant money allocations and expenditures.
 - f. Attend SERC meetings or appoint a designee to attend.
 - g. Act as liaison between the LEPC and the SERC Chairpersons and Executive Boards.
 - h. Serve as a coordinator of information to respond to public requests as stated by Emergency Planning and Community Right-to-know Act (EPCRA).
 2. Vice Chairperson. - the vice chairperson shall serve a one-year term commencing on October 1st of each calendar year and then assume the position and duties of Chairperson for an additional one-year term.
The Vice Chairperson shall:
 - a. Perform all the duties of the Chairperson in his/her absence.
 - b. Succeed to the chairmanship of the LEPC upon the expiration of the chairperson's term. In the event the chair becomes vacant during the Vice Chair's one year term, the vice chairperson shall assume the duties for the remainder of the chairperson's term before succeeding to his/her own term as chairperson.
 3. At-Large - The At-Large member shall serve a one-year term commencing on October 1st of each calendar year. The At-Large member shall perform all the duties in the absence of the Vice Chair.
 4. Secretary-Treasurer - the Secretary-Treasurer position shall be a non-voting position appointed by the Executive Committee .
The Treasurer shall:
 - a. Prepare and present financial reports at all meetings.
 - b. Monitor and track the distribution of all equipment.
 - c. Process and approve grant expenditures and
 - d. Provide quarterly reports to granting agencies.The Secretary shall:
 - a. Keep or cause to be kept all minutes of meetings, including subcommittee meetings.
 - b. Keep an attendance roster of each meeting and past meeting notices.
 - c. Notice each meeting in compliance with the Open Meeting Law.
 - d. Keep a current listing of all committee members.
 - e. Hold nominations for, and election of, officers occur during the annual election process of the calendar year, as designated by the executive committee.
- B. Chairperson, Vice Chairperson, and At – Large positions will receive no personal compensation for the performance of their duties or services.

Article V. Executive Committee

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- 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 statutory mandate and the state and federal laws establishing the local emergency planning committee.
- C. Executive Committee meetings are open to the general membership and the public and members will be notified. Only Executive Committee members shall vote at Executive Committee Meetings.
- D. The Chairperson may convene Executive Committee meetings as needed.
- E. The Executive Committee shall review all applications for membership with the intent to maintain balanced representation of the categories, as provided in 42 U.S.C. Section 1001 as well as considering whether the applicant helps to fulfill the purpose of the LEPC as set forth in Article I.
 - 1. A simple majority vote of the Executive Committee is required to grant membership in the LEPC.
 - 2. There is no appeal of a denial of membership; however, a party may reapply for membership.
- F. If a designated representative from an agency/entity does not attend a minimum of two consecutive general meetings, the Executive Committee may review its membership and take any action deemed appropriate, including but not limited to, sending a letter requesting action or terminating membership.
- G. If a member agency/entity is terminated for non-attendance, the Executive Committee may solicit another member from the terminated member's category.
- H. The Executive Committee shall submit annually to the general membership a membership list for approval. This approved list is to be provided to the SERC.
- I. The Executive Committee shall review and revise LEPC Bylaws as needed and annually submit to the general membership Bylaws for approval. These Bylaws shall be provided to the SERC.

Article VI. Subcommittees

- A. The Chair of the Executive Committee may establish subcommittees in its discretion as it deems necessary to assist with any function of the LEPC. The Chair shall appoint chairs of subcommittees.
- B. Subcommittee Chairpersons will submit reports to the LEPC Chairperson and membership as requested by the Chairperson of the Executive Committee.

Article VII. Meetings

All meetings of the LEPC, Executive Committee and/or any subcommittees shall be held in accordance with NRS Chapter 241 (Nevada Open Meeting Law). Meetings are open to the public.

Article VIII. Public Availability

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The LEPC shall annually publish a notice in the local newspaper, advising that 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 review these documents upon request during normal business hours at 5195 Spectrum Blvd., Reno, NV 89512, by making an appointment with Washoe County Emergency Management.

Article IX. Public Comment

Public comments concerning the Hazardous Materials Response Plan, or LEPC activities in general are welcome. Public comment periods will be provided for during all LEPC meetings. Comments or questions directed to the LEPC will be answered in writing within 14 working days, after appropriate coordination.

Article X. 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 Washoe County LEPC (5195 Spectrum Blvd, Reno, NV 89512). The LEPC shall respond to requests for information no later than 45 days from the receipt of request. The LEPC Chair shall serve as the Coordinator of Information.

Article XI. Distribution of the Hazardous Materials Response Plan

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 Washoe County Emergency Management office at 5195 Spectrum Blvd., Reno, NV 89512 by appointment during normal office hours.

Article XII. Dissolution

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

Article XIII. Amendment of the Bylaws

These Bylaws may be amended during any meeting of the Executive Committee by an affirmative vote of a majority of its members when a quorum is present, provided notice of any such proposed changes has been in compliance with the Nevada Open Meeting Law.

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These Bylaws were approved by a vote of the membership of the LEPC present at a meeting held on the 14th day of December, 2023.



LEPC Chair