

BY-LAWS OF DOUGLAS COUNTY

LOCAL EMERGENCY PLANNING COMMITTEE

Article I – Name

This organization shall be known as the Douglas County Local Emergency Planning Committee

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 Re-authorization Act of 1986 (SARA), NRS Chapter 459.
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 may be assigned to the LEPC by acts of the United States Congress, the Nevada State Legislature, and the Governor of the State of Nevada through the Nevada State Emergency Response Commission (SERC) and the Douglas County Board of Commissioners.
4. Facilitate the development of an **all risk** community emergency preparedness and planning program for hazardous materials, other technological emergencies/disasters, and natural disasters, emergencies such as earthquakes and floods.
5. Make available upon request 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, but is not limited to, representatives from the following categories as required by SARA Title III: elected state and local officials, fire, law enforcement, emergency management, public health, environment, first aid, transportation, media, community service organizations, hospital, owners and operators of facilities subject to the requirements of EPCRA.

LEPC membership shall consist of voting and associate members. Voting members are those who participate by attending or sending their designees to LEPC meetings. Associate members are individuals who wish to contribute and participate on a limited basis such as faith based, Tribal Government and community volunteers. Voting members will be designated by category such as law enforcement, emergency management, fire service, emergency medical services, community development, and private facility owners/operators. A change in status of voting or associate membership may be made by a member, and will be approved by the majority vote of members.

New members will be accepted as members in the LEPC by a majority vote of the active members present. The membership list shall be submitted to the SERC through the Douglas County Board of Commissioners or their designee for approval and confirmation.

A current membership list shall be kept by the administrative office (Douglas County Emergency Management) of the LEPC.

Upon majority vote of the LEPC, a member may be recommended to the Board of Commissioners or designee, for removal from membership.

Section 2 – Chairperson

The duties of Chairperson shall be designated to the director of the Douglas County Office of Emergency Management.

Section 3 – Terms of Membership

Members may serve until they give notice to the LEPC that they no longer wish to be a part of the membership, their representation changes, or they are replaced by a person of equal or greater responsibility. The duties and responsibilities of officers shall be to establish and oversee the policies and procedures listed in these by-laws.

Article IV – Staff

Section 1 – Establishment of Committees

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

Section 2 – Rules of Order

The deliberation of all meetings of the LEPC, or their designees, shall be governed by the Nevada State open meeting laws.

ARTICLE V

Meetings

Refer to the Nevada Department of Justice, Office of the Attorney Generals' website, <http://ag.state.nv.us/oml/oml.htm>, for direction on how to conduct meetings in conformation with the Nevada Open Meeting Law. Meetings are open to the public.

ARTICLE VI

Public Availability

The Douglas County LEPC shall annually publish a notice in the Record Courier, 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 review these documents at the Douglas County Office of Emergency Management, located at 1694 County Road in Minden during normal office hours.

ARTICLE VII

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 Douglas County LEPC located at 1694 County Road. 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 VIII

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 IX

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 Douglas County Office of Emergency Management, located at 1694 County Road in Minden during normal office hours.

ARTICLE X

Dissolution of LEPC

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

Article XI – Voting

Only voting members or their official designee may vote on matters of the LEPC or subcommittee deliberation. Each member may have one vote per item presented for action. Action will be determined on the basis of having a majority of the members present.

Article XII – Amendments

These by-laws may be amended or replaced upon the affirmative vote of a majority of the LEPC membership in the form of a quorum, or their official designee 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. The Douglas County LEPC shall review the by-laws once every calendar year.

Approved:

Steve L. Tognoli
LEPC Chair

01/28/11