



**NEW MEXICO  
STATE EMERGENCY RESPONSE COMMISSION**

**A RESOLUTION REGARDING LOCAL EMERGENCY PLANNING COMMITTEE (LEPC)  
APPOINTMENTS**

**WHEREAS**, under the Emergency Planning and Community Right-to-Know Act (EPCRA), Local Emergency Planning Committees (LEPCs) are established to develop emergency response plans, review hazardous chemical information, and serve as a forum for local collaboration among public safety partners, industry, and the community; and

**WHEREAS**, the State Emergency Response Commission (SERC) is responsible under EPCRA for the appointment of members to each LEPC; and

**WHEREAS**, the SERC recognizes that local governments possess the most direct understanding of their jurisdictions' needs, community dynamics, and relevant stakeholders, and therefore are best positioned to identify individuals who can effectively serve on their respective LEPCs; and

**WHEREAS**, requiring the SERC to directly appoint and confirm individual LEPC members for all thirty-three (33) counties in New Mexico presents a significant administrative burden on a volunteer commission and is not feasible given the diversity and geographic spread of the state; and

**WHEREAS**, the SERC further recognizes that it may not possess the local context or insight necessary to determine which individuals are best suited to represent the interests of each community;

**NOW, THEREFORE, BE IT RESOLVED BY THE NEW MEXICO STATE EMERGENCY  
RESPONSE COMMISSION THAT:**

**1. Delegation of Appointment Authority.**

The SERC hereby remands the authority for the appointment and reappointment of Local Emergency Planning Committee (LEPC) members to the LEPCs themselves, acting under the auspices of their respective local governing bodies.

2. **SERC Oversight and Retained Authority.**

The SERC expressly reserves the right to review, confirm, or revoke the appointment of any LEPC member, or to intervene in the membership or functioning of any LEPC, should circumstances arise that warrant Commission involvement to ensure compliance with applicable laws, regulations, or the public interest.

3. **Guidance for Membership Composition.**


LEPCs are strongly encouraged to follow the membership recommendations set forth by the U.S. Environmental Protection Agency (EPA), ensuring representation from local officials, emergency responders, industry, media, community groups, and the general public, in accordance with 40 CFR § 300.

4. **Reporting and Transparency.**

LEPCs shall provide the SERC with updated rosters of committee members annually, or upon any material change, for recordkeeping and compliance purposes.

**BE IT FURTHER RESOLVED**, that this resolution shall take effect immediately upon adoption and shall remain in force until amended or rescinded by the SERC.

**Adopted this 17<sup>th</sup> day of November, 2025 by the New Mexico State Emergency Response Commission.**



Jos A. Lesscher

Chair of the New Mexico SERC

11/25/25



Jess Lewis

Vice Chair of the New Mexico SERC

11/21/2025