

TITLE 29: EMERGENCY SERVICES, DISASTERS, AND CIVIL DEFENSE
CHAPTER I: EMERGENCY MANAGEMENT AGENCY
SUBCHAPTER f: CHEMICAL SAFETY

PART 610
DEVELOPMENT, ANNUAL REVIEW, COORDINATION
OF CHEMICAL SAFETY CONTINGENCY PLANS

Section	
610.10	Purpose
610.20	Definitions
610.30	Categories and jurisdictions of local response agencies
610.40	Communications and coordination
610.50	Notice to the Emergency Services and Disaster Agency

AUTHORITY: Implementing the Illinois Chemical Safety Act (ILL. Rev. Stat. 1985, ch. 111½, pars. 951 et. seq.) and the authorized by Section 7(c)(1) of the Illinois Emergency Services and Disaster Agency Act of 1975 [Ill. Rev. Stat. 1985, ch. 127, par. 1107 (c)(1)].

SOURCE: Adopted at 10121, effective May 22, 1986.

Section 610.10 Purpose

- a) These rules establish the specific coordination activities which shall take place between business and a local geographical jurisdiction's emergency preparedness planning and emergency response agencies as they relate to the initial development and annual review of chemical safety contingency plans and procedures. They are designed to ensure that a local geographical jurisdiction's planning and response personnel and business representatives are fully knowledgeable of each organization's capabilities and are prepared to respond to the release of chemical substances into the environment. Although these rules promote the development of local governmental chemical safety planning and response capabilities, they are in no way designed to inhibit or in any way discourage the use of local intergovernmental mutual aid pacts or agreements.
- b) In addition, these rules prescribe the method and procedures for providing notice to the Illinois Emergency Services and Disaster Agency required under Section 4 of the Illinois Chemical Safety Act (ILL. Rev. Stat. 1985, ch. 111½, pars. 951 et. seq.).

Section 610.20 Definitions

"Act" means the Illinois Chemical Safety Act (P.A. 84-852 effective September

23, 1985).

"Agency" means the Illinois Environmental Protection Agency.

"Business" means any individual, partnership, corporation, or association in the State engaged in a business operation which has five or more full-time employees, or 20 or more part-time employees, and which is properly assigned or included within one of the following standard industrial classifications (SIC), as designated in the standard industrial classification manual prepared by the Federal Office of Management and Budget (The Act, Section 2(b)).

2295	COATED FABRICS, NOT RUBBERIZED;
2491	WOOD PRESERVING;
2641	PAPER COATING AND GLAZING;
2812	ALKALIES AND CHLORINE;
2813	INDUSTRIAL GASES;
2819	INDUSTRIAL INORGANIC CHEMICALS, NOT ELSEWHERE CLASSIFIED;
2821	PLASTIC MATERIALS, SYNTHETIC RESINS, AND NON-VULCANIZABLE ELASTOMERS;
2834	PHARMACEUTICAL PREPARATIONS;
2842	SPECIALTY CLEANING, POLISHING AND SANITATION PREPARATIONS;
2851	PAINTS, VARNISHES, LACQUERS, ENAMELS, AND ALLIED PRODUCTS;
2865	CYCLIC (COAL TAR) CRUDES, AND CYCLIC INTERMEDIARIES, DYES AND ORGANIC PIGMENTS (LAKES AND TONERS);
2869	INDUSTRIAL ORGANIC CHEMICALS, NOT ELSEWHERE CLASSIFIED;
2873	NITROGENOUS FERTILIZER;
2874	PHOSPHATIC FERTILIZERS;
2879	PESTICIDES AND AGRICULTURAL CHEMICALS, NOT ELSEWHERE CLASSIFIED;
2891	ADHESIVES AND SEALANTS;
2892	EXPLOSIVES;
2911	PETROLEUM REFINING;
2952	ASPHALT FELTS AND COATINGS;
2999	PRODUCTS OF PETROLEUM AND COAL, NOT ELSEWHERE CLASSIFIED;
3079	MISC. PLASTICS PRODUCTS;
3111	LEATHER TANNING AND FINISHING;
3333	PRIMARY SMELTING AND REFINING OF ZINC;

3471	ELECTROPLATING, PLATING, POLISHING, ANODIZING AND COLORING;
4953	REFUSE SYSTEMS;
5085	INDUSTRIAL SUPPLIES;
5161	CHEMICALS AND ALLIED PRODUCTS;
5171	PETROLEUM BULK STATIONS AND TERMINALS (The Act, Section 2(b)).

For purposes of these regulations the SIC Code which a business uses for determining its coverage under the Illinois Unemployment Insurance Act (Ill. Rev. Stat. 1985, ch. 48, pars. 570, et. seq.) shall be the SIC Code for determining the applicability of the Act.

"Authorized Official" means the mayor of a city or municipality, chairman of the county board, president of a village, or their designee as identified in local disaster preparedness plans prepared pursuant to Part 205 of 29 Illinois Administrative Code.

"Chemical substance" means any "toxic substance" as defined by the Toxic Substances Disclosure to Employees Act, (Ill. Rev. Stat. 1985 ch. 48, pars. 1401, et. seq.) and any "hazardous substance" as defined by the Environmental Protection Act (Ill. Rev. Stat. 1985 ch. 111½ pars. 1004, et. seq.) (The Act, Section 2(b)).

"ESDA" means the Illinois Emergency Services and Disaster Agency.

"Evacuation" means the withdrawal of any member of the general public from an area threatened by exposure to chemical substances, as recommended by an authorized official of a local geographic jurisdiction.

"Facility" means the buildings and all real property contiguous thereto, and the equipment at a single location used for the conduct of business (The Act, Section 2(b)).

"Local emergency preparedness planning agency (LEPPA)" means any local agency or department designated either verbally or in writing by the principal executive officer, to discharge the responsibility of developing local emergency preparedness plans and procedures.

"Local geographical jurisdiction" means city, village or incorporated town or alternatively the county for unincorporated areas.

"Local emergency response agency (LERA)" means any local agency or

department designated either verbally or in writing by the principal executive officer, to discharge the responsibility of responding to an accident involving chemical substances.

"Principal executive officer" means the chairman of the county board in the county, mayor of a city or incorporated town, president of a village, or in their absence or disability, the interim successor as established pursuant to the "Emergency Interim Executive Succession Act (Ill. Rev. Stat. 1985, ch. 102, pars. 102, et. seq.) as amended.

"Public" means any individual not employed by, or authorized to be within the area under the control of, the person responsible for the chemical substance; the exclusion of employees from this definition applies only during actual hours of employment.

"Release" means any sudden spilling, leaking, pumping, pouring, emitting, escaping, emptying, discharging, injecting, leaching, dumping, or disposing beyond the boundaries of a facility (The Act, Section 2(b)).

"Significant release" means any release which is so designated by the Agency or the ESDA based upon an inspection at the site of an emergency incident, or any release which results in any evacuation, hospitalization, or fatalities of the public (The Act, Section 2(b)).

Section 610.30 Categories and jurisdictions of local response agencies

- a) Numerous local geographical jurisdictional agencies and departments may be directly involved in hazardous material planning and response activities. Volunteer and paid fire departments, emergency medical services, police, county sheriff's departments, emergency services, and public health departments are local organizations most commonly involved in planning for, and responding to chemical emergencies. At the county or municipal governmental level, it is not uncommon for one organization to be designated as the lead local emergency preparedness planning agency, while another may be designated as the lead local emergency response agency. Authority for assigning job duties and responsibilities as they relate to emergency preparedness planning and response ultimately lies with the principal executive officer of a local geographical jurisdiction.
- b) Representative of businesses subject to the provisions of the Act should contact the principal executive officer of the local geographical jurisdiction in which the facility is located to obtain the names of the appropriate local emergency preparedness planning and emergency response agencies. Businesses may

formally request in writing that the principal executive officer provide such information. If the principal executive officer has not provided businesses with the names of the appropriate local emergency response and planning agencies within 15 working days following receipt of the written request for such information, then businesses shall prior to July 1, 1986, submit a copy of the Chemical Safety Contingency Plan to the principal executive officer of the local geographical jurisdiction in which the facility is located and shall notify the local fire department, hospital, police department and emergency services agency of such action. Also prior to July 15, 1986 and, in addition to the notice required under Section (d) of the Act, businesses shall notify the Illinois Emergency Services and Disaster Agency of the principal executive officer's failure to respond to this request for information. The Illinois Emergency Services and Disaster Agency will contact those Principal Executive Officers who have failed to respond, and will attempt to determine if the local geographic jurisdiction is experiencing problems in the chemical emergency preparedness planning or emergency response area. If so the Agency will offer technical assistance to the local geographic jurisdiction.

Section 610.40 Communications and coordination

- a) Representatives of business subject to the provisions of the Act shall annually review their chemical safety contingency plan and, upon completion of this review process, request in writing a meeting with representatives of the appropriate local emergency preparedness planning and emergency response agencies in local geographical jurisdictions where the facility is located.
- b) These meetings are designed to bring representatives from the public and private sectors together to discuss current emergency response functions, and update all affected entities on the chemical emergency preparedness activities undertaken by both the public and private sectors over the course of the previous year. At a minimum, the meeting shall address:
 - 1) Any changes in the facility's chemical safety contingency plan;
 - 2) the rationale for listing and non-listing of chemical substances contained in the plan, including a review of why any substance is expected to be innocuous under the circumstances of its release;
 - 3) changes in the facility emergency system operations or response capabilities;
 - 4) a review of any incidents of the previous year which resulted in a significant release;

- 5) a discussion of any on-going, joint chemical education or emergency response programs; and
 - 6) a discussion of the local geographical jurisdiction's chemical safety emergency planning and response activities, and how the industry and the community may assist each other in their chemical safety preparedness efforts.
- c) If no authorized official of the appropriate emergency preparedness planning or emergency response agency responds within 20 working days following receipt of the business's written request for the annual meeting, the annual meeting need not occur and the business has fulfilled its responsibility under this section.

Section 610.50 Notice to the Emergency Services and Disaster Agency

- a) Representatives of business subject to the provisions of the Act shall provide written notice to the Illinois Emergency Services and Disaster Agency no later than July 15, 1986. This written notice shall certify that business has prepared a chemical safety contingency plan, and also provided copies of this plan to the appropriate local geographical jurisdictions emergency preparedness planning and emergency response agencies. Forms for this purpose shall be provided by the Illinois Emergency Services and Disaster Agency.
- b) Whenever the chemical safety contingency plan undergoes revision, each business shall provide that amended portion of the plan to the appropriate local emergency preparedness planning and emergency response agencies, and shall within 20 working days of this revision notify the Illinois Emergency Services and Disaster Agency of this change. Forms for this purpose shall be provided by the Illinois Emergency Services and Disaster Agency.
- c) After submission to the appropriate local geographical jurisdictions emergency preparedness planning and emergency response agencies, any member of the public wishing to review a business's chemical safety contingency plan may review such a plan and it *shall be made available for inspection during the normal operating hours* (Ill. Rev. Stat. 1985, ch. 111 1/2, pars. 951 et. seq.) of such agencies. The appropriate local emergency preparedness planning or emergency response agencies may at their option provide a copy of the chemical safety contingency plan to the local public library.
- d) Notices required under this section and requests for necessary forms shall be forwarded to:

The Hazardous Materials Section

Illinois Emergency Services and Disaster Agency

110 East Adams

Springfield, IL 62706