

TITLE 29: EMERGENCY SERVICES, DISASTERS, AND CIVIL DEFENSE  
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SUBCHAPTER c: ADMINISTRATION AND ORGANIZATION OF  
POLITICAL SUBDIVISION EMERGENCY SERVICES AND DISASTER AGENCIES

PART 301  
POLITICAL SUBDIVISION EMERGENCY SERVICES AND DISASTER AGENCIES

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AUTHORITY: Implements the Illinois Emergency Management Agency Act [20 ILCS 3305] and authorized by Sections 5(f)(4), (5), (5.5) and (5.10) and 10(i) of the Illinois Emergency Management Agency Act [20 ILCS 3305/5(f)(4), (5), (5.5) and (5.10) and 10(i)].

SOURCE: Adopted at 26 Ill. Reg. 3036, effective February 26, 2002; amended at 31 Ill. Reg. 11565, effective July 26, 2007.

SUBPART A: GENERAL PROVISIONS

**Section 301.110 Purpose, Scope, Applicability**

- a) In serving the IEMA mandate to prepare the State of Illinois to deal with disasters, to preserve the lives and property of the people of this State and to protect the public peace, health and safety in the event of a disaster, the purposes of this Part are:
  - 1) To encourage local policy makers and emergency responders to plan and coordinate their emergency management strategy to improve emergency

management capabilities at the local level; and

- 2) To establish requirements for:
  - A) Emergency operations plans;
  - B) Exercises of emergency operations plans;
  - C) Accreditation and Certification of ESDAs;
  - D) Workers' compensation coverage and workers' occupational diseases coverage for volunteers; and
  - E) The emergency management assistance grant program.
- b) The provisions of this Part apply to all emergency services and disaster agencies established pursuant to the Illinois Emergency Management Agency Act [20 ILCS 3305].

### **Section 301.120 Definitions**

All definitions set forth in this Section have the following meanings throughout this Part, unless specifically provided otherwise. Words and terms not defined have the meanings set forth in the Illinois Emergency Management Agency Act.

"Act" means the Illinois Emergency Management Agency Act [20 ILCS 3305].

"Accreditation" means recognition of an emergency services and disaster agency by the Illinois Emergency Management Agency, in accordance with the requirements of Section 301.510 of this Part.

"Assumptions" means the information, facts and data treated as true for development of the emergency operations plan.

"Certification" means recognition of a non-mandated emergency services and disaster agency by an accredited county or multiple county emergency services and disaster agency in conjunction with the Illinois Emergency Management Agency, or by the Illinois Emergency Management Agency in the event that no accredited county or multiple county emergency services and disaster agency serves the county in which the non-mandated emergency services and disaster agency is located, in accordance with Section 301.520 of this Part.

"Concept of Operations" means the overall approach of the political subdivision

to the management of a disaster, such as who directs response efforts, what should happen, and when it should happen, including, but not limited to, how the political subdivision will implement the concepts and procedures of a recognized incident command system.

"Coordinator" means the staff assistant to, or the person appointed in accordance with Section 10(i) of the Act by, the principal executive officer of a political subdivision with the duty of coordinating the emergency management programs of that political subdivision.

"Damage Assessment" means an appraisal or determination of the effects of the disaster on physical, economic and natural resources and on human life.

"Disaster" means *an occurrence or threat of widespread or severe damage, injury or loss of life or property resulting from any natural or technological cause, including but not limited to fire, flood, earthquake, wind, storm, hazardous materials spill or other water contamination requiring emergency action to avert danger or damage, epidemic, air contamination, blight, extended periods of severe and inclement weather, drought, infestation, critical shortages of essential fuels and energy, explosion, riot, hostile military or paramilitary action, or acts of domestic terrorism.* [20 ILCS 3305/4]

"Emergency Management" means the efforts of the political subdivisions to develop, plan, analyze, conduct, provide, implement and maintain programs for disaster mitigation, preparedness, response and recovery.

"Emergency Operations Center" or "EOC" means a location where policy and strategic management decisions are made during a disaster or disaster exercise.

"Emergency Operations Plan" or "EOP" means the written plan of a political subdivision describing the organization, mission, and functions of the political subdivision government and supporting services for responding to and recovering from disasters.

"Emergency Planning and Community Right to Know Act" or "EPCRA" means the federal Act (42 USC 11001).

"Emergency Services and Disaster Agency" or "ESDA" means *the agency by this name, by the name emergency management agency or by any other name that is established by ordinance within a political subdivision to coordinate the emergency management program within that political subdivision and with private organizations, other political subdivisions, the State and federal governments.* [20 ILCS 3305/4]

"Exercise" means *a planned event realistically simulating a disaster, conducted for the purpose of evaluating the political subdivision's Coordinated emergency management capabilities, including, but not limited to, testing emergency operations plans.* [20 ILCS 3305/4]

"Exercise Design Team" means the people selected in accordance with Section 301.420(a) of this Part to develop and coordinate the exercise and the team from which a team member is designated to be the design team leader.

"Federal Fiscal Year" or "FFY" means the federal budget period that begins annually on October 1 and ends the following September 30. The federal fiscal year is divided into four quarters. The first quarter is October 1-December 31; the second quarter is January 1-March 31; the third quarter is April 1-June 30; and the fourth quarter is July 1-September 30.

"FEMA" means the Federal Emergency Management Agency.

"Full-Scale Exercise" means a time-pressured exercise of a minimum of six functions of the emergency operations plan, involving strategic and tactical decision making, including the direction and control function, activating the emergency operations center and incident command post and deploying responders, equipment, and resources to the field.

"Functional Exercise" means a time-pressured exercise of a minimum of four functions of the emergency operations plan, involving strategic and tactical decision making, including the direction and control function, activating the emergency operations center or the incident command post, or both.

"Goals" mean concepts adopted by strategic decision makers to give overall direction to disaster response and recovery, derived from one or more emergency management functions of the emergency operations plan and accomplished through decision makers of the emergency operations center and incident command system.

"Hazardous Materials Annex" means the annex to the emergency operations plan that is prepared in accordance with the requirements of Section 301.250 of this Part by the emergency services and disaster agency to address chemical hazards of the political subdivision and that includes all applicable portions of a State Emergency Response Commission approved Local Emergency Planning Committee chemical emergency response plan as applicable to the political subdivision preparing the emergency operations plan.

"IEMA" means the Illinois Emergency Management Agency.

"Illinois Emergency Planning and Community Right to Know Act" or "Illinois EPCRA" means 430 ILCS 100.

"Incident Command" means a system that combines facilities, equipment, personnel, procedures, and communications to operate within a common organizational structure and that designates responsibility for the management of assigned resources to effectively accomplish stated goals and objectives.

"Incident Commander" means the individual responsible for the management of all incident command operations.

"Incident Command Post" means the location at which the primary command functions are executed.

"Local Emergency Planning Committee" or "LEPC" means the committee appointed in each emergency planning district by the State Emergency Response Commission pursuant to the Emergency Planning and Community Right to Know Act and the Illinois Emergency Planning and Community Right to Know Act.

"Mandated Emergency Services and Disaster Agency" or "Mandated ESDA" means each emergency services and disaster agency required to be established pursuant to Section 10 of the Illinois Emergency Management Agency Act [20 ILCS 3305/10]:

Each county emergency services and disaster agency, unless multiple county emergency services and disaster agency consolidation is authorized by the Illinois Emergency Management Agency with the consent of the respective counties in accordance with Section 301.140 of this Part;

Each multiple county emergency services and disaster agency authorized in accordance with Section 301.140 of this Part;

Each emergency services and disaster agency in a municipality with a population of over 500,000; and

Each emergency services and disaster agency determined by the Governor to be required for a municipal corporation pursuant to Section 10(d) of the Act.

"Mitigation" means actions taken to eliminate or reduce the degree of risk to life and property from hazards, either prior to or following a disaster.

"Non-Mandated Emergency Services and Disaster Agency" or "Non-Mandated ESDA" means an emergency services and disaster agency not required to be established pursuant to the Illinois Emergency Management Agency Act, but established by ordinance of the political subdivision it serves.

"Objectives" mean definable and measurable concepts adopted by tactical decision makers to accomplish the goals of disaster response and recovery, usually derived from one or more emergency management functions of the emergency operations plan.

"Political Subdivision" means *any county, city, village, or incorporated town or township if the township is in a county having a population of more than 2,000,000.* [20 ILCS 3305/4]

"Preparedness" means actions taken and programs and systems developed prior to a disaster to support and enhance response to and recovery from a disaster.

"Principal Executive Officer" means *chair of the county Board, supervisor of a township if the township is in a county having a population of more than 2,000,000, mayor of a city or incorporated town, president of a village, or in their absence or disability, the interim successor as established under Section 7 of the Emergency Interim Executive Succession Act.* [20 ILCS 3305/4]

"Recovery" means restoration actions and programs.

"Response" means the actions taken to address the immediate and short-term effects of a disaster.

"State Emergency Response Commission" or "SERC" means the Illinois Emergency Management Agency as appointed by the Governor in accordance with the Emergency Planning and Community Right to Know Act to carry out all State responsibilities required by the Emergency Planning and Community Right to Know Act.

"Strategic Decisions" means policy decisions that determine the goals of disaster response and recovery, usually made by elected officials or by designees appointed by ordinance, law, or emergency operations plan to act on behalf of elected officials during a disaster.

"Table Top Exercise" means a low stress, non-time-pressured, discussion based exercise of a minimum of four functions of the emergency operations plan, including the direction and control function, held in the Emergency Operations

Center, the Incident Command Post, or other suitable facility.

"Tactical Decisions" means decisions that determine the objectives to satisfy the goals set by strategic decision makers, usually made by designees of the strategic decision makers, including command or general staff within the incident command system.

"Work Plan" means a narrative description of the emergency services and disaster agency's specific actions to be accomplished during the next federal fiscal year.

### **Section 301.130 Severability**

If any Section, subsection, sentence or clause of this Part is adjudged unconstitutional, invalid or otherwise not effective for any reason, such adjudication shall not affect the validity of this Part as a whole or of any Section, subsection, sentence or clause thereof not adjudged unconstitutional, invalid or otherwise not effective for any reason.

### **Section 301.140 Multiple County ESDA Consolidation**

IEMA may authorize a multiple county ESDA consolidation, if all of the following requirements are met:

- a) At least one of the counties to be consolidated has been determined by IEMA to have an inability to comply with the ESDA requirements of the IEMA Act and of this Part, including, but not limited to, the EOP and exercise requirements, that can be remedied by consolidation;
- b) The counties to be consolidated are geographically connected; and
- c) The counties seeking to consolidate present to IEMA a signed intergovernmental agreement between the counties seeking to consolidate ESDAs that provides at a minimum:
  - 1) Evidence of consolidation approval and authorization by each of the county boards involved;
  - 2) A beginning and ending date to the term of the consolidation agreement;
  - 3) A description of how the county boards will divide or distribute authority for the consolidated ESDA in a way that will ensure that the emergency management interests of the affected counties are adequately addressed and of how issues will be addressed by the counties, such as funding and budget issues and legal representation for ESDA issues, including tort and

workers' compensation issues;

- 4) A description of how the consolidated ESDA will operate in a situation of concurrent disasters in each of the consolidated counties; and
- 5) Evidence of how the unified command system will be implemented by the consolidated ESDA.

## SUBPART B: EMERGENCY OPERATIONS PLAN REQUIREMENTS

### **Section 301.210 Authority**

In accordance with requirements of Section 10(g) of the Act, each ESDA established pursuant to the Act shall prepare an emergency operations plan for its geographic boundaries that complies with the planning, review and approval standards set forth in this Part.

### **Section 301.220 Initial Analysis and Assessment**

To begin the planning process and in conjunction with biennial EOP updates, representatives of the political subdivision organizations involved with emergency response shall jointly conduct all of the following tasks:

- a) Conduct a hazard analysis for the political subdivision:
  - 1) Identify hazards, including natural and technological;
  - 2) Profile hazards, considering frequency, magnitude, intensity, location, spatial extent, duration, seasonal pattern, speed of onset and availability of warning, using historical data, scientific methods or other sources; and
  - 3) Compare and prioritize risks of the hazards identified.
- b) Assess vulnerabilities within the political subdivision:
  - 1) Collect demographic data (such as daily population patterns, traffic patterns, seasonal population changes, special needs populations) from public and private sources to determine potential consequences of identified hazards on people and community functions.
  - 2) Collect structural inventory data (including data on critical facilities, residential, commercial, and industrial structures, lifelines, and transportation) to determine potential consequences of identified hazards on community functions, property and sites of potential secondary

hazards.

- c) Assess response capabilities of the political subdivision, identify shortfalls in response capabilities and develop strategies to alleviate shortfalls, such as memorandums of understanding, mutual aid agreements or good Samaritan agreements.

### **Section 301.230 Basic Plan Requirements**

- a) The EOP shall have a foreword that includes:
  - 1) A document signed and dated by the principal executive officer of the political subdivision approving the plan.
  - 2) A register for recording changes and entering change dates.
  - 3) A signature page providing signatory evidence that the highest ranking officials of all governmental departments, including, but not limited to, fire and police, and private sector organizations with assigned emergency responsibilities, concur with the portions of the plan applicable to the entity they represent.
  - 4) For non-mandated ESDAs, except those accredited pursuant to Section 301.510 of this Part, a signature page providing signatory evidence that each county or multiple county ESDA coordinator serving the county in which the non-mandated ESDA is located, other than the county or multiple county ESDA reviewing the EOP for acceptance pursuant to Section 301.320 of this Part, concurs with the portions of the plan applicable to the ESDA they represent.
  - 5) A distribution list of the plan recipients, indicating whether complete plans or specific portions were distributed.
  - 6) A table of contents listing all sections of the plan.
- b) The EOP shall have a Basic Plan Overview detailing the political subdivision's approach to emergency operations, including:
  - 1) A general purpose statement of the EOP.
  - 2) A list of assumptions used in developing the plan.
  - 3) A concept of operations section, including, but not limited to, how the

political subdivision will implement the concepts and procedures of a recognized incident command system.

- 4) Identification of the line of succession, by title and position, (with up to two alternates) of who will implement the plan, direct emergency response and recovery, and provide continuous leadership, authority and responsibility.
- 5) A description of the functions and responsibilities assigned to each organization, including private and volunteer organizations or groups, in support of emergency response and recovery operations in the political subdivision. This information may also be exhibited in a chart or matrix designating who has primary and support responsibilities.
- 6) Maps, or references to maps or to a Geographic Information System available in the EOC, pertinent to emergency operations planning for the political subdivision and including, but not limited to, locating fixed hazards.
- 7) An attachment containing written mutual aid agreements, memorandums of understanding (MOUs), and other written agreements affecting the emergency response and recovery functions of the political subdivision.
- 8) Procedures detailing how the political subdivision will request outside assistance in a disaster, such as assistance from other ESDAs or IEMA, or both.
- 9) Citations to the legal authorities for emergency operations, including, but not limited to, ordinances.
- 10) Assignment of responsibility for plan maintenance, review, evaluation and updating.

#### **Section 301.240 Functional Annex Requirements**

- a) The EOP shall include an annex addressing how the political subdivision will perform each of the following functions:
  - 1) Direction and Control – What means the political subdivision will use to direct and control activities during and following emergency situations.
  - 2) Communications – How information will be exchanged among responders in an emergency situation.

- 3) Warning/Emergency Information – How the public will be warned and instructed regarding actual or threatened hazards through the public media or other means.
  - 4) Public Information – The means, organization and process by which a political subdivision will provide timely, accurate, and useful information and instructions to area residents throughout an emergency. It includes information disseminated to the public through the media and other information sources on what is happening, what the response organization is doing, and what the public should do for its safety.
  - 5) Disaster Intelligence/Damage Assessment – The means the political subdivision will use to identify, collect, analyze and disseminate information on the extent and impact of the disaster.
  - 6) Evacuation – The movement of people to a safe area from an area believed to be at risk, when emergency situations necessitate such action.
  - 7) Mass Care – Actions taken to ensure appropriate services are provided at a mass care facility, including, but not limited to, providing temporary shelter, food, medical care, clothing and other essential life support needs to people displaced from their homes because of a disaster situation.
  - 8) Health and Medical – The activities associated with providing health and medical services in emergencies and disasters, including emergency medical, hospital, public health, environmental health, mental health services.
  - 9) Mortuary Services – Activities including the collection, identification, and care of human remains; determining the cause of death; inventorying and protecting deceased's personal effects; and locating and notifying the next of kin.
  - 10) Resource Management – The process of managing people, equipment, facilities, supplies and other resources to satisfy the needs generated by a disaster.
- b) Each functional annex required by subsection (a) shall individually address:
- 1) The purpose of the function.
  - 2) A description of situations that trigger implementation of the function.

- 3) A description of assumptions that apply to the function.
  - 4) The concept of operations for the function.
  - 5) Assignment of responsibility for annex maintenance, review and updating.
- c) In addition to addressing the requirements of subsection (b), the Direction and Control annex shall also:
- 1) Describe the direction and control relationship of tasked organizations, including:
    - A) The command structure – specifically who will be in charge during emergency response operations.
    - B) The authorities of, and limitations on, key response personnel such as the on-scene Incident Commander.
    - C) How emergency response organizations will be notified when it is necessary to respond.
    - D) The means that will be used to obtain, analyze, and disseminate information (for decision making, requesting assistance, reporting, etc.).
    - E) The relationship between the EOC and the Incident Command Post.
  - 2) List the organizations that are tasked with specific direction and control responsibilities and describe those responsibilities. Include the assignment of responsibility for:
    - A) Reporting to the EOC when activated.
    - B) Coordinating press releases among response organizations.
    - C) Managing the primary and alternate EOCs.
    - D) Maintaining a significant events log.
    - E) Removing debris.

- d) In addition to addressing the requirements of subsection (b), the Communications annex shall also:
- 1) Describe the total emergency communications system used for communication among all groups and individuals involved in the political subdivision's response to an emergency.
  - 2) Describe the primary and backup communication methods and personnel.
  - 3) Identify the organization assigned to coordinate all communication activities.
  - 4) List the organizations that are tasked with specific communications responsibilities and describe those responsibilities.
  - 5) Identify the representative from each tasked organization who will report to the EOC when activated.
- e) In addition to addressing the requirements of subsection (b), the Warning/Emergency Information annex shall also:
- 1) Identify the methods used to provide warning/emergency information for the public and special populations.
  - 2) Identify the locations of outdoor warning/emergency information devices and define the geographical areas covered.
  - 3) Describe the specific warning/emergency information responsibilities assigned to the tasked organizations.
  - 4) Identify the department or agency responsible for activating public warning/emergency information systems.
- f) In addition to addressing the requirements of subsection (b), the Public Information annex shall also:
- 1) Assign a person to be the public information officer (PIO) responsible for coordinating information gathering and production, rumor control, public inquiries, and media relations.
  - 2) Designate a facility as the public information center.
  - 3) List the organizations that are tasked with specific public information

- responsibilities and describe those responsibilities.
- 4) Assign a public information representative to report to the EOC when activated.
- g) In addition to addressing the requirements of subsection (b), the Disaster Intelligence/Damage Assessment annex shall also:
- 1) List the organizations that are tasked with specific disaster intelligence/damage assessment responsibilities and describe those responsibilities.
  - 2) Assign a disaster intelligence/damage assessment representative to report to the EOC when activated.
- h) In addition to addressing the requirements of subsection (b), the Evacuation annex shall also:
- 1) List the organizations that are tasked with specific evacuation responsibilities and describe those responsibilities.
  - 2) Identify the department, agency or organization responsible for coordinating all transportation resources planned for use in an evacuation.
- i) In addition to addressing the requirements of subsection (b), the Mass Care annex shall also:
- 1) List the organizations that are tasked with specific mass care responsibilities and describe those responsibilities, including:
    - A) Identification of the department, agency, or organization responsible for determining the need to open shelter.
    - B) Identification of the department, agency, or organization responsible for emergency mass feeding operations.
    - C) Identification of the department, agency, or organization responsible for providing health and/or medical care at shelter and/or congregate care facilities.
  - 2) Assign a mass care representative to report to the EOC when activated.
  - 3) Identify the mass care representative who will coordinate press releases

with the public information officer.

- j) In addition to addressing the requirements of subsection (b), the Health and Medical Services annex shall also:
  - 1) List the organizations and individuals that are tasked with responsibilities for providing emergency health and medical services and describe those responsibilities, including:
    - A) Identification of the department, agency, or organization responsible for arranging crisis counseling for emergency workers.
    - B) Identification of the department, agency, or organization responsible for sanitation services.
  - 2) Assign a health and medical services representative to report to the EOC when activated.
- k) In addition to addressing the requirements of subsection (b), the Mortuary Services annex shall also:
  - 1) List the organizations and individuals that are tasked with mortuary services responsibilities and describe those responsibilities.
  - 2) Describe how mortuary services will be expanded during a mass casualty incident, if necessary.
- l) In addition to addressing the requirements of subsection (b), the Resource Management annex shall also:
  - 1) List the organizations and individuals that are tasked with resource management responsibilities and describe those responsibilities. Include identification of who will organize, manage, coordinate, and distribute the donations of money, goods, and labor received from individual citizens and volunteer groups during an emergency.
  - 2) Assign a resource management representative to report to the EOC when activated.
- m) The ESDA may include additional functional annexes in the EOP as determined by the ESDA to be necessary for the emergency management efforts of the political subdivision in the event of a disaster, including, but not limited to, the following functions: search and rescue, law enforcement, public works,

transportation, energy management, animal welfare, legislative relations, aviation operations and/or others. IEMA may require the ESDA to include an additional functional annex in the EOP, if IEMA determines that such annex is necessary preparation for protection of the public peace, health and safety in the event of a disaster.

### **Section 301.250 Hazard Specific Annexes**

- a) Each hazard specific annex of the EOP shall individually address:
  - 1) The purpose of the annex.
  - 2) A description of situations that trigger implementation of the hazard specific annex.
  - 3) A description of assumptions that apply to the hazard specific annex.
  - 4) The concept of operations for the hazard specific annex.
  - 5) Assignment of responsibility for annex maintenance, review and updating.
- b) Beginning January 1, 2003, the EOP shall include, as a Hazardous Materials annex, all applicable portions of a SERC approved LEPC chemical emergency response plan for the political subdivision, developed in accordance with the requirements of the Illinois EPCRA. The SERC shall appoint an ESDA coordinator from within the LEPC's emergency planning district to serve as a member of the LEPC in the development of the LEPC chemical emergency response plan.
- c) Based upon United States Geological Survey calculations of probable areas subject to earthquake damage, IEMA has determined that the EOPs of the following county ESDAs and of political subdivision ESDAs located within the following counties shall include an Earthquake annex: Alexander, Calhoun, Crawford, Edwards, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jefferson, Jersey, Johnson, Lawrence, Madison, Massac, Monroe, Perry, Pope, Pulaski, Randolph, Richland, Saline, St. Clair, Union, Wabash, Washington, Wayne, White, and Williamson. In addition to addressing the requirements of subsection (a), the Earthquake annex shall address, at a minimum:
  - 1) For Direction and Control purposes:
    - A) The use of ground or aerial surveys, or both, to determine the scope of the damage, casualties, and the status of critical facilities.

- B) The use of damage assessment information to identify the facilities and areas where urban search and rescue operations are to be conducted and to establish priorities for search and rescue operations.
  - i) Provisions to control access into and out of damaged areas.
  - ii) The inspection of buildings and other structures to determine habitability or the need for condemnation or demolition and how such determinations will be marked.
- 2) For Public Information purposes:
  - A) The development and distribution of survival tips on what to do during and immediately after an earthquake.
  - B) The distribution of warnings and advice on the continuing threats of fire, unsafe areas, building collapse, aftershocks, and other hazards.
  - C) Public notification of emergency assistance locations, such as shelter, medical services, and food and water.
- 3) For Evacuation purposes:
  - A) Provisions for moving residents of custodial facilities, including, but not limited to, hospitals and jails, following an earthquake due to structural damage from the earthquake or projected aftershocks.
- 4) For Mass Care purposes:
  - A) Identification of mass care facilities in low seismic risk areas that are away from secondary effect threats.
  - B) Identification of mass care facilities that are structurally sound, well retrofitted, or built to code, based on the knowledge of a structural engineer.
  - C) A ranking of the mass care facilities based on the amount of earthquake resistance protection offered.
- d) An ESDA may include additional Hazard Specific annexes in the EOP as

determined by the ESDA to be necessary for the emergency management efforts of the political subdivision in the event of a disaster, including, but not limited to annexes on flooding and dam failures, nuclear power plant accidents, terrorism, weapons of mass destruction, tornadoes, or airport accidents. IEMA may require the ESDA to include an additional Hazard Specific annex in the EOP, if IEMA determines that such annex is necessary preparation for protection of the public peace, health and safety in the event of a disaster.

### **Section 301.260 Other Annexes**

Mandated ESDAs shall include, as an annex, the EOP, or a cross-reference to the EOP, of a non-mandated ESDA that the mandated ESDA has reviewed and accepted in accordance with the provisions of Section 301.320 of this Part.

## **SUBPART C: EMERGENCY OPERATIONS PLAN SUBMISSION AND REVIEW REQUIREMENTS**

### **Section 301.310 EOP Submission and Review Requirements for Mandated ESDAs and Accredited ESDAs**

- a) Each mandated ESDA and each ESDA eligible for and seeking accreditation pursuant to Section 301.510 of this Part shall biennially submit to IEMA for review and approval an emergency operations plan for their geographic boundaries that complies with the planning standards of this Part.
- b) The principal executive officer of the political subdivision and the ESDA coordinator shall review and approve the EOP submission not more than 60 days prior to the submission to IEMA. The EOP submission shall include a statement, signed by the principal executive officer and the ESDA coordinator, that the plan has been reviewed and approved by all departments or organizations with assigned emergency responsibilities.
- c) Each ESDA shall review and update its EOP biennially, except the ESDA shall annually review and update the Hazardous Materials annex to the EOP based on the LEPC annual review of the LEPC chemical emergency response plan.
- d) Each ESDA shall submit a copy of its EOP, either personally with proof of submittal or by certified or registered mail, to IEMA in accordance with the review schedule established by IEMA.
- e) Within 30 days after submittal, IEMA shall review the plan and give written notification to the ESDA, either personally with proof of notification or by certified or registered mail, of IEMA approval or disapproval of the EOP in

accordance with the planning standards set forth in this Part.

- f) If the EOP is disapproved, IEMA shall provide a written list of deficiencies and suggested means of remediation to the ESDA. The ESDA has 60 days after receipt of the disapproval to remediate the plan and resubmit it to IEMA, either personally with proof of submission or by certified or registered mail. IEMA may arrange for technical assistance in remediating the plan.
- g) Within 30 days after receipt of the resubmitted plan, IEMA shall notify the ESDA and the principal executive officer of the political subdivision, either personally with proof of notification or by certified or registered mail, of its final determination of approval or disapproval.
- h) In the event that the ESDA fails to obtain IEMA approval of an EOP within the time frames established in this Section, IEMA may arrange for an EOP that complies with the planning standards of this Part to be written for the political subdivision in order to fulfill the IEMA mandate of ensuring statewide disaster preparedness.
- i) Upon approval of the EOP, IEMA will make and retain a copy of the approved plan in the IEMA regional office and return the original copy of the approved plan to the ESDA for retention. In addition, IEMA shall forward a copy of the approved plans of those ESDAs eligible for and seeking accreditation pursuant to Section 301.510 of this Part to the county or multiple county ESDA serving the county in which the ESDA eligible for and seeking accreditation is located.
- j) IEMA shall send a letter of approval to each mandated ESDA or accredited ESDA that has completed an EOP that complies with the planning standards of this Part.

### **Section 301.320 EOP Submission and Review Requirements for Non-Mandated ESDAs**

- a) Except for those non-mandated ESDAs eligible for and seeking accreditation pursuant to Section 301.510 of this Part, each non-mandated ESDA shall biennially submit to the county or multiple county ESDA serving the county in which the non-mandated ESDA is located, for acceptance by the county or multiple county ESDA, an EOP for its geographic boundaries that complies with the planning standards of this Part. The county or multiple county ESDA shall send a letter of acceptance or non-acceptance to the non-mandated ESDA. If the EOP is not accepted by the county or multiple county ESDA and if the non-mandated ESDA so requests, IEMA shall provide professional and technical EOP assistance through the county or multiple county ESDA serving the county in which the non-mandated ESDA is located.

- b) IEMA shall annually review a random sample of at least one EOP but not less than 10 percent of county or multiple county ESDA accepted EOPs in each county that has accepted an EOP in accordance with subsection (a) to ensure consistency of planning review statewide.
- c) For non-mandated ESDAs eligible for and seeking accreditation pursuant to Section 301.510 of this Part, the EOP submission and review requirements of Section 301.310 of this Part shall apply.

#### SUBPART D: EXERCISE REQUIREMENTS

##### **Section 301.410 Exercise Requirements for the Emergency Operations Plan**

The ESDA shall coordinate a biennial, evaluated exercise of the EOP in the following manner:

- a) Table top or functional exercise, except for the year of the full-scale exercise.
- b) Full-scale exercise every fourth biennial exercise.

##### **Section 301.420 Exercise Planning**

- a) The ESDA coordinator shall select an exercise design team and exercise design team leader for each exercise.
- b) The ESDA coordinator shall submit to IEMA for design approval, at least 30 days in advance of the exercise, a description of:
  - 1) The type of exercise and exercise date;
  - 2) The exercise scenario;
  - 3) The scope of participation;
  - 4) The exercise objectives, meaning the ends toward which exercise efforts are directed; and
  - 5) The EOP functional areas being tested.

##### **Section 301.430 Exercise Evaluation and Approval for Mandated ESDAs and Accredited ESDAs**

- a) IEMA shall coordinate the evaluation of the exercise for mandated ESDAs and

for accredited ESDAs.

- b) IEMA shall determine if the exercise is approved in accordance with the IEMA Exercise Evaluation Guide and issue written notice of the determination, personally with proof of notice or by certified or registered mail, to the ESDA.
- c) If the exercise is not approved, the ESDA shall, within 30 days after receipt of the IEMA determination of disapproval:
  - 1) Plan a suitable corrective exercise to correct the deficiencies identified by the evaluation;
  - 2) Notify IEMA no less than 10 days in advance of the corrective exercise; and
  - 3) Have IEMA coordinate the evaluation of the corrective exercise.
- d) IEMA shall determine if the corrective exercise is approved in accordance with the IEMA Exercise Evaluation Guide and issue the final IEMA determination by written notice, personally with proof of notice or by certified or registered mail, within 30 days after completion of the corrective exercise documentation, to the ESDA and to the principal executive officer of the political subdivision.
- e) In the event that the ESDA fails to obtain IEMA approval of an exercise within the time frames established in this Subpart, IEMA may coordinate the planning and conducting of an exercise that complies with the exercise requirements of this Part in order to fulfill the IEMA mission of ensuring statewide disaster preparedness.

#### **Section 301.440 Exercise Evaluation and Acceptance for Non-Mandated ESDAs**

- a) Except for those non-mandated ESDAs eligible for and seeking accreditation pursuant to Section 301.510 of this Part, each non-mandated ESDA shall:
  - 1) Coordinate the evaluation of the exercise using the IEMA Exercise Evaluation Guide; and
  - 2) Submit documentation, within 30 days, of the exercise and evaluation to the county or multiple county ESDA serving the county in which the non-mandated ESDA is located, for acceptance by the county or multiple county ESDA. The county or multiple county ESDA shall send a letter of acceptance or non-acceptance to the non-mandated ESDA. If the exercise and evaluation is not accepted by the county or multiple county ESDA,

and upon request of the non-mandated ESDA, IEMA shall provide professional and technical exercise assistance, through the county or multiple county ESDA serving the county in which the non-mandated ESDA is located.

- b) IEMA shall annually review a random sample of at least one accepted exercise and evaluation submittal but not less than 10 percent of county or multiple county ESDA accepted exercise and evaluation submittals in each county that has accepted an exercise and evaluation in accordance with subsection (a) to ensure consistency of exercise and evaluation acceptance statewide.
- c) For non-mandated ESDAs eligible for and seeking accreditation pursuant to Section 301.510 of this Part, the exercise evaluation and approval requirements of Section 301.430 of this Part shall apply.

#### **Section 301.450 Waiver of Exercise Requirement**

IEMA has the discretion to waive the requirements of Sections 301.410 and 301.420 of this Part, for the ESDA's current exercise year, if the ESDA satisfies all of the following conditions:

- a) The ESDA submits documentation to IEMA that it was involved in an actual response to a disaster during the year in which the exercise is required. Such documentation shall include details about the response, including, but not limited to, the date, type of disaster, and type of response.
- b) For mandated ESDAs and for accredited ESDAs, IEMA shall coordinate the evaluation of the actual response as an exercise using the IEMA Exercise Evaluation Guide. Except for those non-mandated ESDAs accredited pursuant to Section 301.510 of this Part, non-mandated ESDAs shall coordinate the evaluation of the actual response as an exercise using the IEMA Exercise Evaluation Guide and shall submit documentation of the actual response and evaluation to IEMA within 30 days after the actual response.
- c) The actual response as an exercise shall be approved or accepted in the same manner as an exercise is approved or accepted pursuant to Sections 301.430 and 301.440 of this Part.

#### **SUBPART E: ACCREDITATION AND CERTIFICATION OF ESDAS**

#### **Section 301.510 Accreditation of ESDAs**

- a) The following ESDAs are eligible to apply for IEMA accreditation:

- 1) Mandated ESDAs; and
  - 2) Non-mandated ESDAs determined biennially by the IEMA Director, or his/her designee, to have demonstrated justification to IEMA for accreditation eligibility based on the following political subdivision criteria:
    - A) Heightened, greater than average disaster vulnerability;
    - B) An increased need for ESDA services in the political subdivision due to all of the following:
      - i) Population size and concentration;
      - ii) Insufficiency of county ESDA resources to meet the emergency management needs of the political subdivision; and
      - iii) A high concentration of emergency management resources in the political subdivision existing prior to the accreditation eligibility review;
    - C) Evidence that the ESDA coordinator provides to the political subdivision a paid emergency management work effort as coordinator of at least 50% of the political subdivision's standard full-time work week, not including exercise hours; and
    - D) Documentation of the emergency management services provided to the political subdivision by the ESDA, including, but not limited to, documentation of emergency operations plans, training, exercises, and actual responses, during a minimum of the past 5 years.
- b) For IEMA accreditation, eligible applicants, determined in accordance with subsection (a) of this Section, shall satisfy all of the following requirements:
- 1) Submit a copy of the political subdivision ordinance creating the ESDA affixed with the official seal by the clerk of the political subdivision.
  - 2) Submit documentation of the ESDA coordinator's Notice of Appointment card.
  - 3) Submit evidence that the political subdivision supports a paid emergency

management work effort of at least 50% of the political subdivision's standard full-time work week, not including exercise hours.

- 4) Submit the following:
  - A) For ESDA coordinators appointed prior to January 1, 2002, documentation that the ESDA Coordinator has biennially completed 48 hours of professional development training, of which a minimum of 24 hours is IEMA-sponsored professional development training. However, for the first accreditation review pursuant to this rulemaking, eligible applicants may submit documentation that the ESDA coordinator has, at any time prior to the first accreditation review pursuant to this rulemaking, completed the equivalent of 48 hours of professional development training. The IEMA-sponsored professional development training program shall, at a minimum, be consistent with and at least as stringent as the FEMA professional development series. Coordinators may receive credit for up to 24 hours of non-IEMA-sponsored professional development training, including, but not limited to, emergency management conferences, independent study courses, college courses or internet courses, but only if such training is consistent with or at least as stringent as training in the IEMA-sponsored professional development training program and is pre-approved for a specific number of credit hours in writing by IEMA prior to the training.
  - B) For ESDA coordinators appointed after January 1, 2002, documentation that:
    - i) Within six months after the date of appointment, unless this time is extended by IEMA up to one year from the date of appointment, the ESDA coordinator has completed the IEMA New Coordinators Workshop Course and the Principles of Emergency Management Course or courses determined by IEMA to be consistent with or at least as stringent as these courses; and
    - ii) After the first year of appointment, the ESDA coordinator has biennially completed 48 hours of professional development training, of which a minimum of 24 hours is IEMA-sponsored professional development training. The IEMA-sponsored professional development training program shall, at a minimum, be consistent with and at

least as stringent as the FEMA professional development series. Coordinators may receive credit for up to 24 hours of non-IEMA-sponsored professional development training, including, but not limited to, emergency management conferences, independent study courses, college courses or internet courses, but only if such training is consistent with or at least as stringent as training in the IEMA-sponsored professional development training program and is pre-approved for a specific number of credit hours in writing by IEMA prior to the training.

- 5) Complete an EOP that meets the requirements of Subpart B of this Part no later than July 1, 2002, except ESDAs that have an EOP approved by IEMA within the 18 month period immediately preceding January 1, 2002 shall complete an EOP that meets the requirements of Subpart B of this Part no later than the date of the next IEMA scheduled biennial EOP review.
- 6) Submit documentation that IEMA has approved the EOP in accordance with the review and approval provisions of Subpart C of this Part, except ESDAs that have an EOP approved by IEMA within the 18 month period immediately preceding January 1, 2002 shall submit documentation of such prior IEMA EOP approval.
- 7) Conduct an exercise in accordance with the requirements of Subpart D of this Part.
- 8) Submit documentation of final IEMA approval of the exercise conducted in accordance with the requirements of Subpart D of this Part.
- 9) Submit a list of non-mandated ESDA EOPs, if any, reviewed by the county or multiple county ESDA in accordance with Section 301.320 of this Part.
- 10) Submit a list of non-mandated ESDAs, if any, whose exercises and evaluations have been submitted to the county or multiple county ESDA in accordance with the requirements of Section 301.440 of this Part.
- 11) Submit a list of non-mandated ESDAs, if any, certified by the county or multiple county ESDA in accordance with the requirements of Section 301.520 of this Part.
- 12) Complete and submit all current National Incident Management System

(NIMS) compliance documents as established by IEMA.

- c) The term of accreditation is two years, with beginning and ending dates indicated on the accreditation document issued by IEMA. Eligible ESDA applicants may seek accreditation renewal by satisfying the requirements of subsection (b) of this Section.
- d) IEMA shall issue an accreditation document under signature of the IEMA Director.

(Source: Amended at 31 Ill. Reg. 11565, effective July 26, 2007)

### **Section 301.520 Certification of Non-Mandated ESDAs**

- a) Except for those non-mandated ESDAs accredited in accordance with Section 301.510 of this Part, non-mandated ESDAs may apply to an accredited county or multiple county ESDA serving the county in which the non-mandated ESDA is located, for certification, or to IEMA in the event that no accredited county or multiple county ESDA serves the county in which the non-mandated ESDA is located. Each accredited county or multiple county ESDA, or IEMA in the event that no accredited county or multiple county ESDA serves the county in which the non-mandated ESDA is located, may issue certification to non-mandated ESDAs located within its geographic boundaries, if the non-mandated ESDAs satisfy the following requirements:
  - 1) Submit a copy of the political subdivision ordinance creating the ESDA affixed with the official seal by the clerk of the political subdivision.
  - 2) Submit documentation of the ESDA coordinator's Notice of Appointment card.
  - 3) Submit the following:
    - A) For ESDA coordinators appointed prior to January 1, 2002, documentation that the ESDA coordinator has biennially completed 48 hours of professional development training, of which a minimum of 24 hours is IEMA-sponsored professional development training. However, for the first certification review under this Part, eligible applicants may submit documentation that the ESDA coordinator has, at any time prior to the first certification review under this Part, completed the equivalent of 48 hours of professional development training. The IEMA-sponsored professional development training program shall, at a minimum, be

consistent with and at least as stringent as the FEMA professional development series. Coordinators may receive credit for up to 24 hours of non-IEMA-sponsored professional development training, including, but not limited to, emergency management conferences, independent study courses, college courses or internet courses, but only if such training is consistent with or at least as stringent as training in the IEMA-sponsored professional development training program and is pre-approved for a specific number of credit hours in writing by IEMA prior to the training.

- B) For ESDA coordinators appointed after January 1, 2002, documentation that:
- i) Within six months after the date of appointment, unless this time is extended by IEMA up to one year from the date of appointment, the ESDA coordinator has completed the IEMA New Coordinators Workshop Course and the Principles of Emergency Management Course or courses determined by IEMA to be consistent with or at least as stringent as these courses; and
  - ii) After the first year of appointment, the ESDA coordinator has biennially completed 48 hours of professional development training, of which a minimum of 24 hours is IEMA-sponsored professional development training. The IEMA-sponsored professional development training program shall, at a minimum, be consistent with and at least as stringent as the FEMA professional development series. Coordinators may receive credit for up to 24 hours of non-IEMA-sponsored professional development training, including, but not limited to, emergency management conferences, independent study courses, college courses or internet courses, but only if such training is consistent with or at least as stringent as training in the IEMA-sponsored professional development training program and is pre-approved for a specific number of credit hours in writing by IEMA prior to the training.
- 4) Complete an EOP that meets the requirements of Subpart B of this Part that is reviewed and accepted by the county or multiple county ESDA in accordance with Section 301.320 of this Part.
  - 5) Conduct an exercise and evaluation that meets the requirements of Subpart

D of this Part that is accepted by the county or multiple county ESDA in accordance with Section 301.440 of this Part.

- b) IEMA shall annually review a random sample of at least one certification but no less than 10 percent of certifications issued by accredited county or multiple county ESDAs in each county that has certified a non-mandated ESDA pursuant to subsection (a) for compliance with the requirements stated and to ensure consistency of certification reviews statewide.
- c) The certification term is two years with beginning and ending dates indicated on the certificate issued by the accredited county or multiple county ESDA under signature of the accredited county or multiple county ESDA and IEMA. The non-mandated ESDA may seek renewal of its certification.

#### SUBPART F: WORKERS' COMPENSATION ACT AND WORKERS' OCCUPATIONAL DISEASES ACT COVERAGE FOR VOLUNTEERS

##### **Section 301.610 Authority**

Pursuant to Section 10(k) of the Act, benefits under the Workers' Compensation Act [820 ILCS 305] and Workers' Occupational Diseases Act [820 ILCS 310] are available to volunteers suffering disease, injury or death in specific circumstances for the purpose of encouraging volunteerism during disaster response, disaster exercises, training related to the EOP or specific search-and-rescue team responses, subject to the requirements or conditions set forth in this Subpart.

##### **Section 301.620 Eligibility**

Only a volunteer meeting all of the following requirements is eligible for coverage under the Workers' Compensation Act or Workers' Occupational Diseases Act:

- a) Volunteer, age 18 and above, of IEMA or of an ESDA accredited pursuant to Section 301.510 of this Part;
- b) Volunteer not compensated by IEMA or the ESDA for which he/she is volunteering;
- c) Duly qualified through appointment by IEMA or the ESDA to perform disaster response functions consistent with the IEMA Act and the political subdivision's ESDA ordinance;
- d) Enrolled (sworn in) in accordance with Section 20 of the Act; and

- e) Suffering disease, injury or death while participating in a disaster response, disaster exercise, training related to the EOP of the political subdivision, or a search-and-rescue team response to an occurrence or threat of injury or loss of life that is beyond local response capabilities, if:
- 1) For disaster response:
    - A) IEMA is notified at the time of disaster response by contacting the IEMA Communications Center at 1-800-782-7860; and
    - B) The coverage request, on a form prescribed by IEMA, is received by IEMA within 10 calendar days after the disaster response.
  - 2) For a disaster exercise or training related to the EOP of the political subdivision, the event is planned and:
    - A) The event is specifically and expressly pre-approved in writing by IEMA for a specific date; and
    - B) The coverage request, on a form prescribed by IEMA, is received by IEMA at least 5 days, but not more than 30 days, in advance of the planned event.
  - 3) For a search-and-rescue team response:
    - A) The search-and-rescue team response is to an occurrence or threat of injury or loss of life that is beyond local response capabilities;
    - B) The search-and-rescue team response is specifically and expressly requested by IEMA or by the ESDA that appointed and enrolled the search-and-rescue team volunteer and is specifically and expressly approved by IEMA prior to the search-and-rescue team response. The Director of IEMA shall determine the termination of the approval period. IEMA shall document its approval and termination on a form prescribed by IEMA; and
    - C) Each search-and-rescue team volunteer used in the response has completed training appropriate to the function he or she performs during the search-and-rescue team response.

### **Section 301.630 Procedures for Filing A Claim**

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- a) To request coverage for a volunteer under the Workers' Compensation Act or the Workers' Occupational Diseases Act, the accredited ESDA that appointed and enrolled the volunteer shall submit to the IEMA Workers' Compensation Coordinator, in a timely manner, all of the following:
- 1) Evidence that the notification or pre-approval requirements of Section 301.620(e) of this Part have been satisfied for the disaster response, disaster exercise, training, or search-and-rescue team response;
  - 2) Information provided by the volunteer including:
    - A) Evidence of immediate notification to the volunteer's supervisor of the disease or injury;
    - B) Evidence that the volunteer, or a supervisor in the event the volunteer is seriously injured or incapacitated, contacted the early intervention partner prescribed by the Illinois Department of Central Management Services (CMS) at 800-773-3221 immediately after suffering the disease or injury;
    - C) Completed documentation on the forms prescribed by CMS of:
      - i) The Employee's Notice of Injury;
      - ii) The Initial Workers' Compensation Medical Report;
      - iii) An Information Release Authorization; and
      - iv) The Demands of the Job.
  - 3) A Workers Compensation Coverage Request, on a form prescribed by IEMA, signed by the ESDA coordinator;
  - 4) A written copy of the sworn oath taken by the volunteer in accordance with Section 20 of the Act, signed and dated by the volunteer;
  - 5) A Supervisor's Report of Injury or Illness, on a form prescribed by CMS; and
  - 6) The Workers' Compensation Witness Report, on a form prescribed by CMS.
- b) Completed claims shall be forwarded from IEMA to the Illinois Department of

Central Management Services for compensation determinations in accordance with requirements of the Workers' Compensation Act and the Workers' Occupational Diseases Act.

**SUBPART G: REQUIREMENTS FOR THE EMERGENCY  
MANAGEMENT ASSISTANCE GRANT PROGRAM**

**Section 301.710 Purpose**

IEMA administers the Emergency Management Assistance (EMA) grant program using federal funds to aid in the administration of effective emergency management in the political subdivisions. Through the program grantees may receive contributions of up to 50 percent of the political subdivision's necessary and essential emergency preparedness ESDA personnel and administrative expenses.

**Section 301.720 Eligible Applicants**

ESDAs accredited by IEMA pursuant to Section 301.510 of this Part are eligible to apply for EMA grant funds.

**Section 301.730 Application Procedures**

- a) Applicants seeking EMA grant funds shall annually, by August 31, submit to IEMA a completed EMA application packet, in the format prescribed by IEMA, which includes the following:
  - 1) Documentation of current IEMA accreditation to satisfy the eligibility requirement stated in Section 301.720;
  - 2) A completed application form, as prescribed by IEMA, that includes the budget of the applicant's EMA eligible personnel and administrative expenses for the federal fiscal year beginning October 1 and an annual work plan; and
  - 3) The requested grant amount.
- b) IEMA shall notify applicants of their EMA grant program acceptance or rejection by September 30. Accepted applicants are grantees.
- c) Grantees for the EMA grant program shall enter into a Grant Agreement with IEMA setting forth the terms of the grant, including the grantee's agreement to satisfy all grant related assurances and certifications required by the State of

Illinois and by the United States Government.

### **Section 301.740 Allocation Determination**

- a) The Director of IEMA shall annually determine the amount of funding available for the EMA grant program prior to the award of any grants, based on the level of funding provided by FEMA. Such amount shall be allocated annually to EMA grantees by IEMA, on a federal fiscal year basis, up to 50 percent of the grantee's political subdivision's eligible EMA expenses, in accordance with the requirements of this Section.
- b) To assist ESDAs in accomplishing the basic preparedness requirements of the Act (ESDA coordinators' organization, administration, training, and operation of the ESDA and ESDA development and exercise of the EOP, exclusive of contractor fees), the following EMA fund allocations shall be made:
  - 1) **Basic Amount.** A basic amount of funding, as established annually by the Director of IEMA not to exceed 40 percent of the total annual amount available for the EMA grant program determined pursuant to subsection (a) of this Section, shall annually be allocated equally among all EMA grantees who have met the requirements of Section 301.720 and 301.730 of this Part on or before October 1. However, if a grantee's Basic Amount allocation exceeds the amount requested in the grantee's EMA application, the EMA application amount shall be used as the Basic Amount allocation for such grantee.
  - 2) **Population Share.** 50 percent of the total EMA grant amount remaining, after the final allocations in subsection (b)(1) of this Section have been made, shall annually be allocated among all EMA grantees who have met the requirements of Section 301.720 and 301.730 of this Part on or before October 1 and who have requested an eligible grant amount in excess of the Basic Amount allocation, on a per capita basis according to the most recent census data available through the Illinois Secretary of State's office or, if unavailable, through the U.S. Department of Commerce, Bureau of the Census. EMA grantees whose geographic borders encompass another EMA grantee's jurisdiction shall have their per capita figures reduced accordingly. If a grantee's Basic Amount allocation plus Population allocation exceeds the total amount requested in the grantee's EMA application, the EMA application amount shall be used as the final allocation for that grantee.
- c) **Additional Program Needs** – The total EMA grant amount remaining, after the allocations in subsection (b) of this Section have been made, shall annually be

allocated for ESDA Additional Program Needs. This amount shall be completely allocated among all EMA grantees who have met the requirements of Section 301.720 and 301.730 of this Part on or before October 1 and have requested an eligible grant amount in excess of the Base Amount plus Population allocation, on a per capita basis according to the most recent census data available through the Illinois Secretary of State's office or, if unavailable, through the U.S. Department of Commerce, Bureau of the Census. EMA grantees whose geographic borders encompass another EMA grantee's jurisdiction shall have their per capita figures reduced accordingly. However, for an Additional Program Needs allocation, the EMA grantee shall, on or before October 1, present documentation justifying the additional needs request for necessary and essential local emergency preparedness ESDA personnel and administrative purposes including, but not limited to:

- 1) Additional exercises beyond the biennial EOP exercise;
  - 2) Personnel costs beyond those required for basic preparedness;
  - 3) Mitigation planning and awareness; and
  - 4) Emergency management public awareness efforts.
- d) If the grantee's allocation amount calculated under this Section exceeds the amount requested in the EMA application, the EMA application amount shall be used as the final EMA grant amount.
- e) IEMA shall monitor the expenditure of allocated EMA funds throughout the FFY and may, prior to the end of the FFY, reallocate unobligated funds, among all EMA grantees who have met the requirements of Section 301.720 and 301.730 of this Part and who have requested an eligible grant amount in excess of the allocation determined in accordance with subsections (b) and (c) of this Section, on a per capita basis according to the most recent census data available through the Illinois Secretary of State's office or, if unavailable, through the U.S. Department of Commerce, Bureau of the Census. EMA grantees whose geographic borders encompass another EMA grantee's jurisdiction shall have their per capita figures reduced accordingly.

### **Section 301.750 Reimbursement Procedures**

- a) Reimbursement for eligible expenses is available to grantees up to the amount of the grantee's annual EMA grant amount determined in accordance with Section 301.740 of this Part. However, reimbursements under the EMA grant program shall not exceed 50 percent of the dollar amount spent on the requested reimbursement by the grantee's political subdivision. Prior approval from IEMA

is required for requested reimbursement expenses not included in the political subdivision budget submitted in the grantee's original EMA application pursuant to Section 301.730.

- b) Eligible expenses for reimbursement are reasonable expenses in the categories listed on the Eligible Expenses form prescribed by IEMA as eligible expenses and any other reasonable expenses approved by IEMA through the application and allocation process of this Subpart. However, none of the ineligible expenses on the Ineligible Expense form prescribed by IEMA are reimbursable.
- c) Grantees who have a signed EMA grant agreement with IEMA may apply to IEMA for reimbursement of eligible expenses on a quarterly basis by submitting to IEMA, no later than 30 calendar days after the last day of the preceding quarter, the following:
  - 1) A list and documentation of incurred expenses for which reimbursement is being requested in a format prescribed or authorized by IEMA. IEMA may request additional documentation to validate the claim.
  - 2) A narrative quarterly report describing the ESDA's specific actions accomplished during the quarter for which reimbursement is being requested.
- d) IEMA may deny a reimbursement request if the grantee fails to comply with any of the requirements of this Subpart. If denying a reimbursement request, IEMA shall issue a denial letter within 15 days after receipt of the reimbursement request.

### **Section 301.760 Reconsideration of Reimbursement Denial**

- a) A grantee may request reconsideration of a reimbursement denial by sending a written reconsideration request to the IEMA manager of the EMA grant program within 15 days after receipt of written notice of the reimbursement denial. The reconsideration request shall include:
  - 1) Specific identification of the item or submission for which reimbursement was denied;
  - 2) The basis for the requested reconsideration; and
  - 3) Documentation or exhibits to support the requested reconsideration.
- b) Upon receipt of the reconsideration request, the manager of the EMA grant

program shall review the original decision, the reconsideration request and all relevant documentation or exhibits. The manager of the EMA grant program shall notify the grantee in writing of his or her reconsideration decision and rationale within 10 days after receipt of the reconsideration request.

- c) If the grantee seeks further review of the reimbursement decision, the grantee may request a final reconsideration by the Director of IEMA by sending a written reconsideration request to the Director of IEMA within 15 days after receipt of the EMA manager's decision in subsection (b). The Director shall issue a final reimbursement decision within 10 days after receipt of the final reconsideration request.
- d) Notwithstanding the time frames set forth in this Section, if a reconsideration request received by IEMA in accordance with the time frames established in this Section has not reached final resolution by December 15 following the end of the federal fiscal year, the reimbursement shall be granted.