

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

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

Section

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AUTHORITY: Implementing Section 5 of the Illinois Chemical Safety Act [430 ILCS 45/5] and authorized by Section 5 of the Illinois Emergency Management Agency Act [20 ILCS 3305/5].

SOURCE: Adopted at 10 Ill. Reg. 10121, effective May 22, 1986; amended at 43 Ill. Reg. 13420, effective November 6, 2019.

Section 610.10 Purpose

- a) This Part establishes the coordination activities that should take place between business and a local jurisdiction's emergency preparedness and 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 jurisdiction's emergency preparedness 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 this Part promotes the development of local governmental chemical safety planning and response capabilities, it is in no way designed to inhibit or in any way discourage the use of local intergovernmental mutual aid agreements.
- b) In addition, this Part prescribes the method for providing notice to the Illinois Emergency Management Agency required under Section 4 of the Illinois Chemical Safety Act [430 ILCS 45/4].

(Source: Amended at 43 Ill. Reg. 13420, effective November 6, 2019)

Section 610.20 Definitions

"Act" means the Illinois Chemical Safety Act [430 ILCS 45].

"Business" means any individual, partnership, corporation or association in the State engaged in a business operation that has 5 or more full-time employees, or 20 or more part-time employees, and that is properly assigned or included in the Standard Industrial Classifications (SIC) identified in Section 3 of the Act or any facility not covered by the above SIC codes that is subject to the provisions of section 302 of the federal Emergency Planning and Community Right-to-Know Act of 1986 and that is found by the Illinois Environmental Protection Agency to use, store or manufacture a chemical substance in a quantity that poses a threat to the environment or public health.

"Authorized official" means the emergency services and disaster agency coordinator or the chairperson of the local emergency planning committee.

"IEMA" means the Illinois Emergency Management Agency.

"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, and the State and federal governments.

"Facility" means the buildings and all real property contiguous thereto, and the equipment at a single location used for the conduct of business [430 ILCS 45/3].

"Local emergency planning committee" or "LEPC" means the committee that is appointed for an emergency planning district under section 301 of the federal Emergency Planning and Community Right-to-Know Act of 1986.

(Source: Amended at 43 Ill. Reg. 13420, effective November 6, 2019)

Section 610.30 Categories and Jurisdictions of Local Response Agencies

- a) Numerous local agencies and departments may be directly involved in hazardous material planning and response activities. ESDAs, LEPCs, fire departments, emergency medical services, law enforcement and public health departments are local organizations most commonly involved in planning for, and responding to, chemical emergencies.
- b) Representative of businesses subject to the provisions of the Act should contact the ESDA and LEPC of the county in which the facility is located to coordinate emergency planning and response for their facility. Businesses shall submit a

copy of their chemical safety contingency plan to the ESDA and LEPC and other appropriate local agencies and departments that are included in the plan or needed for response. Contact information for ESDAs and LEPCs can be found on IEMA's website at <https://www2.illinois.gov/iema/pages/default.aspx>.

AGENCY NOTE: Businesses located in the City of Chicago should contact the City of Chicago LEPC.

(Source: Amended at 43 Ill. Reg. 13420, effective November 6, 2019)

Section 610.40 Communications and Coordination

- a) Representatives of businesses 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 ESDA and LEPC 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) Changes in the facility's chemical safety contingency plan and its emergency system operations or response capabilities;
 - 2) 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) Any incidents of the previous year that resulted in a significant release as defined by the Act;
 - 4) Any on-going and future joint chemical education or emergency response programs; and
 - 5) The local jurisdictions' chemical safety emergency planning and response activities.
- c) If no authorized officials of the ESDA or LEPC respond within 20 working days following receipt of the business' written request for the annual meeting, the annual meeting need not occur and the business has fulfilled its responsibility under this Section.

(Source: Amended at 43 Ill. Reg. 13420, effective November 6, 2019)

Section 610.50 Required Notifications

- a) Whenever a business creates a chemical safety contingency plan or its chemical safety contingency plan undergoes revision, the business shall provide the plan or the amended portion of the plan to the ESDA and LEPC and any other appropriate local agencies and departments that are included in the plan or needed for response.
- b) Notifications to IEMA required by the Act or questions regarding requirements should be directed to ema.tier2@illinois.gov or to IEMA, ATTN: Hazardous Materials Section, 2200 S. Dirksen Parkway, Springfield, IL 62703.

(Source: Amended at 43 Ill. Reg. 13420, effective November 6, 2019)