

26-347. Facilities subject to emergency planning: facility emergency response plans

A. A facility is subject to emergency planning requirements if a substance identified under section 26-346 is present at the facility in an amount at or in excess of the threshold planning quantity for that substance.

B. For purposes of emergency planning, the commission may designate additional facilities which are subject to this section. The designation shall be accomplished after providing at least thirty days' prior public notice in a newspaper of general circulation in the county where the facility is located, after allowing public comment to the commission for thirty days and after notification to the facility of the proposed designation.

C. The owner or operator of a facility subject to this section shall provide to the committee the identity of a facility representative who will provide a facility emergency response plan and who will participate in the emergency planning process as the facility emergency coordinator.

D. Each facility subject to this section shall prepare a facility emergency response plan and submit copies of that plan to the commission, the local emergency planning committee for the district in which the facility is located and the fire department with jurisdiction over the facility. A facility that is required to prepare a contingency plan under title 49, chapter 5, article 2 or the resource conservation and recovery act of 1976 (P.L. 94-580; 90 Stat. 2795) may submit that contingency plan in lieu of the emergency response plan required by this section if the information in paragraphs 1 through 7 of this subsection is included in the plan. In preparing the plan required by this section, the facility emergency coordinator shall consult with the local emergency planning committee and other emergency and health professionals to assure maximum coordination with those whose cooperation or services may be required in the event of a reportable release. The facility emergency response plan shall include specific actions to be taken in the event of an imminent or accidental reportable release to safeguard the public health, safety and welfare and the environment to the maximum extent practicable. The facility emergency response plan shall include:

1. Names, addresses and emergency telephone numbers of a facility emergency coordinator and alternate.
2. A description of emergency warning systems and a list of emergency units, emergency personnel and health professionals in close proximity to the facility.
3. A description of employee emergency response training and emergency preparedness programs.
4. A description of appropriate emergency equipment necessary to respond to a release.
5. A description of emergency response procedures including notification procedures and evacuation plans in the event of a release.
6. Identification of transport routes and transportation methods used to transport extremely hazardous substances to and from the facility, if known.
7. Provisions for at least an annual review of the plan and provisions to demonstrate the capability to execute the plan on the request of the commission.