



LRB102 03558 CPF 36777 a

1 AMENDMENT TO HOUSE BILL 1542

2 AMENDMENT NO. _____. Amend House Bill 1542 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Emergency Planning and Community
5 Right to Know Act is amended by adding Section 20 as follows:

6 (430 ILCS 100/20 new)

7 Sec. 20. Release or explosion of hazardous substances;
8 schools.

9 (a) Local Emergency Planning Committees, in consultation
10 with the SERC, shall partner with schools and school districts
11 in their respective regions to:

12 (1) disseminate to faculty, staff, and parents of
13 students information concerning safety threats posed by
14 the storage and transport of hazardous substances near
15 schools, including, but not limited to, threats posed by
16 hazardous substances that are transported near schools by

1 high-hazard flammable trains; and

2 (2) develop and implement comprehensive emergency
3 response plans for incidents involving the storage and
4 transport of hazardous substances near schools, including,
5 but not limited to, hazardous substances transported by
6 high-hazard flammable trains.

7 (b) Before any comprehensive emergency response plan may
8 go into effect, teachers and administrators of schools and
9 school districts within a Local Emergency Planning Committee's
10 region must be given the opportunity to provide input on the
11 comprehensive emergency response plan, and the Local Emergency
12 Planning Committee shall take that input into consideration. A
13 comprehensive emergency response plan may vary based on the
14 potential impact of the release or explosion of different
15 hazardous substances. Each Local Emergency Planning Committee
16 must have a team with certified and trained personnel who can
17 integrate the Incident Command System required under paragraph
18 (12) of subsection (c) into the comprehensive emergency
19 response plan. These teams may include, but are not limited
20 to, persons employed by public works departments,
21 transportation departments, hospitals, heavy equipment
22 contractors, food distributors, and other such organizations.

23 (c) The SERC, in consultation with Local Emergency
24 Planning Committees and schools, shall:

25 (1) identify worst-case scenarios that are to be
26 communicated to both administrators and teachers of any

1 school district that is within the region of a Local
2 Emergency Planning Committee;

3 (2) identify routes and safety zones, which shall be
4 visibly marked and communicated to administrators,
5 teachers, and school personnel with information on routes
6 to take and locations where students can seek shelter;

7 (3) identify and communicate to both administrators
8 and teachers specific types of hazardous substances that
9 can negatively impact a school;

10 (4) include drills as a component of comprehensive
11 emergency response plans that administrators, teachers,
12 and students must be given opportunities to practice and
13 that shall be reviewed by the SERC within 3 years after the
14 effective date of this amendatory Act of the 102nd General
15 Assembly to find opportunities for improvement to better
16 protect students, teachers, administrators, and any other
17 school personnel;

18 (5) develop comprehensive emergency response plans for
19 students with special needs or who have an Individualized
20 Education Program;

21 (6) communicate evacuation locations and procedures to
22 parents of students;

23 (7) create a hierarchy for communication to ensure
24 that administrators, teachers, parents, and students know
25 where and how to access relevant information during the
26 implementation of a comprehensive emergency response plan;

1 (8) identify and visibly mark, by means that may
2 include, but are not limited to, signs, stickers on doors,
3 or the like, (i) potential areas that may be impacted by
4 the release or explosion of a hazardous substance and (ii)
5 safety zones;

6 (9) provide information to school districts for the
7 communication to students and their parents, during
8 student registration, of potential areas that may be
9 impacted by the release or explosion of a hazardous
10 substance, updated as necessary for each new school year;

11 (10) create model rules requiring disclosure, prior to
12 the sale of a home, that the home is located within a
13 potential area that may be impacted by the release or
14 explosion of a hazardous substance, based upon or similar
15 to requirements that water damage must be communicated
16 prior to the sale of a home;

17 (11) work in collaboration with the Illinois Commerce
18 Commission to create a reduced speed zone for high-hazard
19 flammable trains that shall impose a speed limit of 20
20 miles per hour for high-hazard flammable trains, and
21 require the posting of signage representing the reduced
22 speed zone, in an area (i) beginning within a one-mile
23 radius of a school during a high-hazard flammable train's
24 approach and (ii) extending within a 2 mile-radius of a
25 school during a high-hazard flammable train's movement
26 away from it; and

1 (12) implement an Incident Command System as a
2 mandatory process to channel communication during the
3 release or explosion of a hazardous substance and that
4 shall govern the command, control, and coordination of a
5 comprehensive emergency response plan's implementation
6 during the release or explosion of a hazardous substance,
7 specific to the needs of each school within the Local
8 Emergency Planning Committee's region.

9 (d) IEMA shall adopt any rules necessary to implement the
10 provisions of this Section, but only after IEMA consults with
11 the Illinois State Board of Education on the rules to be
12 adopted.

13 (e) In this Section:

14 "Comprehensive emergency response plan" means a set of
15 strategic and operational documents that define principles and
16 priorities, assign roles and responsibilities, and direct
17 action in all phases of emergency management. The purpose of a
18 comprehensive emergency response plan is to document emergency
19 planning specifically related to schools, school personnel,
20 and students that may potentially be impacted by the release
21 or explosion of a hazardous substance resulting from its
22 storage or transport. The comprehensive emergency response
23 plan may include, but shall not be limited to:

24 (1) a regularly updated list of schools located within
25 each Local Emergency Planning Committee region that may
26 potentially be impacted from a release or explosion

1 resulting from the storage or transport of a hazardous
2 substance;

3 (2) methods and procedures to be followed by school
4 personnel and local emergency and medical personnel in
5 response to the release or explosion of a hazardous
6 substance;

7 (3) the designation of roles needed within the
8 region's Incident Command System;

9 (4) the identification of procedures that provide
10 reliable, effective, and timely notification to persons
11 designated in the comprehensive emergency response plan
12 and to the public that the release or explosion of a
13 hazardous substance has occurred;

14 (5) the methods used for determining whether the
15 release or explosion of a hazardous substance has occurred
16 and any school that will likely be negatively impacted by
17 the release or explosion;

18 (6) descriptions of emergency equipment in the region,
19 each school and relevant emergency facility in the region,
20 and emergency equipment located at each school and
21 relevant emergency facility in the region and the
22 identification of persons responsible for the equipment
23 and each school and relevant emergency facility;

24 (7) evacuation plans, including provisions for a
25 precautionary evacuation and alternative traffic routes;

26 (8) training programs, including schedules for

1 emergency response and medical personnel; and

2 (9) methods and schedules for drills to exercise the
3 comprehensive emergency response plan.

4 "Drill" means an exercise for students and school
5 personnel to routinely review and practice emergency
6 organization and procedures and to identify necessary
7 facilities, equipment, routes, and safety zones in the event
8 of the release or explosion of a hazardous substance.

9 "Hazardous substance" means a substance considered
10 severely harmful to human health and the environment, as
11 defined by the United States Environmental Protection Agency
12 under the federal Comprehensive Environmental Response,
13 Compensation, and Liability Act. "Hazardous substance" may
14 include, but is not limited to, any product's, substance's, or
15 waste's presence, use, manufacture, disposal, transportation,
16 or release, either by itself or in combination with other
17 materials, that is:

18 (1) potentially injurious to the public health,
19 safety, or welfare, the environment, or a school;

20 (2) regulated or monitored by any governmental
21 authority; or

22 (3) a basis for potential liability of a school to any
23 governmental agency or third party under any applicable
24 statute or common law theory.

25 "Hazardous substance" includes, but is not limited to,
26 radioactive materials, hydrocarbons, petroleum, gasoline, and

1 crude oil or any products, by-products, or fractions thereof.

2 "High-hazard flammable train" means any single train
3 transporting 20 or more loaded tank cars of a Class 3 flammable
4 liquid in a continuous block or any single train carrying 35 or
5 more loaded tank cars of a Class 3 flammable liquid throughout
6 the train.

7 "Route" means an established, plainly marked, and visible,
8 at all times, transition area for students, school personnel,
9 and other persons to move either on foot or by means of
10 appropriate transportation from an area contaminated by the
11 release or explosion of a hazardous substance to a safety
12 zone.

13 "Safety zone" means an established, plainly marked, and
14 visible, at all times, area that is free from actual or
15 potential contamination resulting from the release or
16 explosion of a hazardous substance and that may be safely used
17 as a planning and staging area.

18 "School" means any school or daycare facility, either
19 public or private, that is located within a potential area
20 impacted by the release or explosion of a hazardous substance.

21 "Worst-case scenario" means an assessment of the greatest
22 extent of harm, including, but not limited to, personal harm,
23 environmental harm, and harm to property, caused by a release
24 or explosion, including both the largest quantity and the most
25 likely quantity, of a hazardous substance that may negatively
26 impact a school."