



Rep. Rita Mayfield

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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."