

26-345. Comprehensive emergency response plans

A. The local emergency planning committees shall comply with section 303 of title III.

B. Based on information from the commission and state and local emergency and disaster agencies and departments, as well as information obtained from facilities subject to this article and title III, each local committee shall prepare and annually review an emergency response plan for its emergency planning district in order to address emergencies due to releases from facilities and transportation vehicles in its emergency planning district.

After completing an emergency plan for an emergency planning district, the local emergency planning committee shall provide a copy of the plan to the district's governmental entity for incorporation into the entity's emergency operations plan and submit a copy of the plan to the commission. The commission shall review the plan and make recommendations to the committee on revisions that may be necessary to ensure that it meets the requirements of this article or any rules adopted under this article. The commission shall further ensure that the plan is coordinated with the emergency response plans of adjoining emergency planning districts as applicable. To prevent a delay in implementing any emergency plan, the commission shall endeavor to review each plan within a sixty day period and provide comments or recommendations for modifications within that period. The commission shall establish a period of time, not normally to exceed sixty days, for the committee to resubmit the emergency plan. **The commission, at its own initiative, may assign the highest priority to those plans which include the geographic areas which have the greatest number of facilities that pose the greatest risk of harm to the public health, safety or welfare or the environment.**

C. Each local emergency planning committee shall conduct at least a biennial exercise of its emergency plan and shall provide at least thirty days' notice of these exercises to the commission. The region IX United States environmental protection agency office of primary responsibility for title III, or its successor, or the commission may participate in exercise development and observe the exercise and may provide comments to the committee regarding the exercise.

D. Each local emergency planning committee shall evaluate the need for resources necessary to develop, implement and exercise the emergency plan in its district and shall make recommendations with respect to the need for additional resources that may be required and the means for providing such additional resources.

E. Each emergency plan shall include provisions listed in section 303C of title III and, in addition, shall include:

1. Identifying the heads of the emergency response organizations for designated areas or local governments in the district who shall make determinations necessary to implement the plan.
2. A description of specialized equipment, facilities, personnel and emergency response organizations available in the district to respond to releases subject to this section.
3. Mutual aid agreements with other districts, and the allocation of emergency response resources for responding to releases subject to this section, if applicable.