

**§794. Local emergency response plans**

**1. Plan development.** The local emergency planning committee of each emergency planning district shall prepare and submit to the commission a local emergency response plan for the district. The district's plan shall contain all of the following in compliance with federal law:

- A. An identification of each facility within the district that:
    - (1) Has any extremely hazardous substance present at the facility in an amount that exceeds the threshold planning quantity for the substance; and
    - (2) Annually manufactures, processes or otherwise uses an amount of a toxic chemical that exceeds the threshold planning quantity for the substance; [PL 1989, c. 464, §3 (NEW).]
  - B. An identification of facilities contributing or subjected to additional risk due to their proximity to facilities identified under paragraph A, subparagraph (1); [PL 1989, c. 464, §3 (NEW).]
  - C. A copy of the facility emergency response plan as defined in section 795; [PL 1989, c. 464, §3 (NEW).]
  - D. A composite statement of specialized equipment, facilities, personnel and emergency response organizations available within the district to respond to releases of hazardous materials; [PL 1989, c. 464, §3 (NEW).]
  - E. An evaluation of the need for resources to develop, implement, and exercise the emergency plan, including recommendations for additional resources and mechanisms for providing those resources; [PL 1989, c. 464, §3 (NEW).]
  - F. An identification of procedures for reliable, effective and timely notification and communication among emergency responders within the district and to the public in the event of a release of an extremely hazardous substance or CERCLA hazardous substance from a facility identified under paragraph A, subparagraph (1); [PL 1989, c. 464, §3 (NEW).]
  - G. Designations of community emergency coordinators; [PL 1989, c. 464, §3 (NEW).]
  - H. The methods for determining the occurrence of a release of an extremely hazardous substance from each facility identified under paragraph A and for identification of the geographic area or population likely to be affected by such a release; [PL 1989, c. 464, §3 (NEW).]
  - I. Evacuation plans including, but not limited to, provisions for precautionary evacuation and alternative traffic routes in the event of a release of an extremely hazardous substance from a facility identified in paragraph A; [PL 1989, c. 464, §3 (NEW).]
  - J. An identification of routes likely to be used for the transportation of extremely hazardous substances identified under paragraph A; [PL 1989, c. 464, §3 (NEW).]
  - K. The development of training programs, seminars and other forms of educational programs for personnel of facilities identified under paragraph A, emergency response personnel of political subdivisions within the district and medical personnel; and [PL 1989, c. 464, §3 (NEW).]
  - L. The development of methods and schedules for exercising the plan. [PL 1989, c. 464, §3 (NEW).]
- [PL 1989, c. 464, §3 (NEW).]

**2. Plan adoption.** After completion of a local emergency response plan for the district, the committee shall submit the plan to the commission for review and recommendations.

- A. Prior to the adoption of the local emergency response plan for the district by the commission, the plan shall be subject to a 30-day public comment period. Copies of the plan shall be placed in the town hall of each community included in the plan within the emergency planning district and

any other location designated by the committee. Members of the general public shall have free access to the plan for review. [PL 1989, c. 464, §3 (NEW).]

B. At least annually, each committee shall conduct an exercise of its local emergency response plan. The committee shall notify the commission at least 30 days before each exercise. [PL 1989, c. 464, §3 (NEW).]  
[PL 1989, c. 464, §3 (NEW).]

**3. Plan review.** Each committee shall annually, or more frequently as changed circumstances in the emergency planning district or at any facility in the district may require, review the local emergency response plan of the district. The review shall include, without limitation:

A. An evaluation of the need for funds, personnel, equipment and facilities to develop, revise, implement and exercise the plan; and [PL 1989, c. 464, §3 (NEW).]

B. Recommendations and requests to the commission regarding the additional funds that may be required for those purposes and the means for providing them. [PL 1989, c. 464, §3 (NEW).]  
[PL 1989, c. 464, §3 (NEW).]

#### SECTION HISTORY

PL 1989, c. 464, §3 (NEW).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Maine Legislature and is current through January 1, 2025. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.