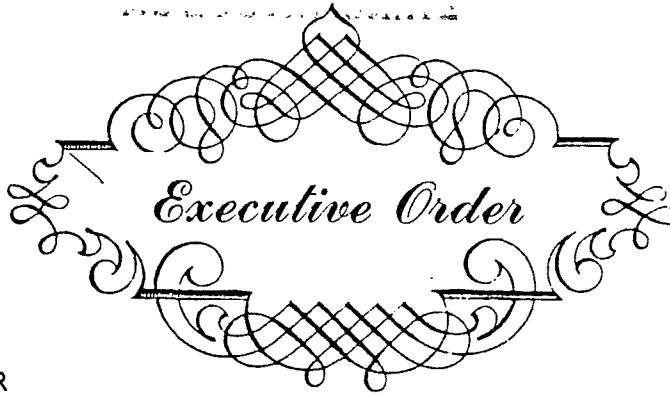


MAINE STATE LEGISLATURE

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OFFICE OF
THE GOVERNOR

NO. 15 FY 86/87
DATE April 13, 1987

AN ORDER TO CREATE THE
MAINE EMERGENCY RESPONSE COMMISSION

WHEREAS, the protection and overall well-being of the citizens of this State are of utmost importance to this administration, and the future of the State is dependent upon such protection and well-being; and

WHEREAS, the United States Congress has passed and the President of the United States has signed into law the Superfund Amendments and Reauthorization Act (SARA) of 1986, which extends the authorities established under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980 and establishes new authorities for chemical emergency planning and preparedness, community right-to-know reporting, and toxic chemical releases reporting; and

WHEREAS, Title III of SARA, also known as the "Emergency Planning and Community Right-to-Know Act of 1986", is intended to encourage and support chemical emergency planning efforts at the state and local level and to provide state and local governments and the general public with information about potential chemical hazards present in their communities; and

WHEREAS, under Title III of SARA the governor of each state is required to appoint a State Emergency Response Commission by April 17, 1987;

NOW, THEREFORE, I, JOHN R. MCKERNAN, JR., Governor of the State of Maine, do hereby create the MAINE EMERGENCY RESPONSE COMMISSION, the organization and function of which shall be as follows:

Purpose of the Commission

The purpose of the Emergency Response Commission for the State of Maine is to comply with Title III ("Emergency Planning and Community Right-to-Know Act") of the Superfund Amendments and Reauthorization Act (SARA) of 1986.

Organization

The Emergency Response Commission for the State of Maine is created within the Bureau of Civil Emergency Preparedness, Department of Defense and Veterans' Services.

Membership

The Commission shall be composed of nine members, including the Chairman. Except for the Chairman, each member will be selected by the parent organization of the person so selected. The following organizations shall be represented:

1. Bureau of Civil Emergency Preparedness, Department of Defense and Veterans' Services;
2. Bureau of Oil and Hazardous Materials Control, Department of Environmental Protection;
3. Division of Health Engineering, Department of Human Services;
4. Division of Disease Control, Department of Human Services;
5. Bureau of Maintenance and Operations, Department of Transportation;
6. Maine State Police, Department of Public Safety;
7. Maine Fire Chiefs Association;
8. Maine Chamber of Commerce and Industry;
9. Maine Municipal Association.

Officers

The Director of the Bureau of Civil Emergency Preparedness is appointed Chairman of the Commission. The Commission may elect such other officers as it deems necessary.

Informational Resources

The following organizations shall be available as informational resources to the Commission for the purpose of carrying out the general duties of this Order:

- a. Bureau of Transportation Services, Department of Transportation;
- b. Public Health Laboratory, Department of Human Services;
- c. Bureau of Labor Standards, Department of Labor;
- d. Attorney General's Office;
- e. State Planning Office;
- f. State Fire Marshal;
- g. Maine Fire Training and Education, Southern Maine Vocational Technical Institute;
- h. Professional Firefighters of Maine;
- i. Maine Motor Transport Association;
- j. Merrill Transport, Co., Inc., Augusta;
- k. LCP Chemicals and Plastics, Inc., Orrington;
- l. W. H. Shurtleff Co., South Portland;
- m. New England Chemical Co., Westbrook;
- n. Delta Chemicals, Inc., Searsport;
- o. Clean Harbors of Maine, South Portland;
- p. Seacoast Ocean Services, Portland.

Function and Duties of the Commission

The general duties of the Commission shall be as follows:

1. Designate emergency planning districts to facilitate implementation of emergency response plans;
2. Provide for the necessary appointment of local planning committees;
3. Supervise and coordinate local planning committee activities;
4. Review local committees' emergency response plans;

5. Receive chemical spill notifications;
6. Provide public with information upon request about emergency response plans, potential hazards, and safety;
7. Monitor, observe, participate in, and review certain emergency drills and exercises;
8. Review and monitor Hazardous Materials Training programs in the State;
9. Conduct joint emergency operations from the State Emergency Operations Center; and
10. Provide for any other duties necessary to carry out the purpose of this Order.

Powers and Procedures

The Commission will have the necessary authority to carry out the purpose of this Order.

The Commission may make use of such equipment, supplies and services of any public or private source that are necessary to implement the general duties of this Order.

Meetings of the Commission shall take place quarterly and at other times on call of the chairman. A majority of members shall constitute a quorum for the transaction of business.

Terms of Members

The term of each member of the Commission shall be for four years or until a successor is named. Any vacancy occurring on the Commission shall be filled in the manner of the original appointment.

Funding and Compensation

No funding shall be provided for the Commission.

Members shall serve without compensation, and no member shall receive per diem or reimbursement of personal expenses incurred during the performance of his duties on the Commission from public funds. All necessary expenditures incurred by members while in the performance of their duties on the Commission shall be borne by their respective parent organizations or agencies.

This order shall be in effect as of April 13, 1987.



JOHN R. MCKERNAN, JR.
Governor