**Section 620.90 Substances and Facilities Covered and Notification**

a) Substances

A substance is subject to the requirements of the USEPA's list of extremely hazardous substances as covered in Section 302(a) of the Act. For the purpose of this Section, Section 302(a) of the Act establishes the requirements by which threshold planning quantities of a substance shall be determined.

b) Facilities

1) Any facility is subject to the requirements of this Section if that facility has present a substance referred to in Section 302(a) of the Act and specifically listed in 40 CFR 355, Appendix A, in an amount in excess of the threshold planning quantity established for such substance in 40 CFR 355, Appendix A. This shall be in compliance with Section 302(b)(1) of the Act.

2) The Governor or SERC may designate additional facilities in accordance with Section 302(b)(2) of the Act as follows: For purposes of emergency planning, the Governor or SERC may designate facilities which shall be subject to the requirements of the Act if such a designation is made after public notice and opportunity for comment. The Governor or SERC shall notify the facility concerned of any facility designation under this subsection (b)(2). Public notice will be made through trade associations and newspapers and there will be a 30-day comment period before a facility is subject to the emergency planning and notification requirements. The Agency will notify facilities so designated by mail.

c) Emergency Planning Notification

1) No later than May 17, 1987, the owner or operator of a facility subject to the requirements of subsection(b)(1) of this Section and Section 302(c) of the Act (42 USCA 11002(c)) shall notify the SERC that their facility is subject to those requirements. The notification shall be in writing. The notification shall include the name of the business and the address and the county of the facility where the substance is located. The letter shall be addressed to: Manager, Hazardous Materials Compliance and Enforcement, Illinois Emergency Management Agency, 110 East Adams, Springfield, Illinois 62701-1109.

2) After May 17, 1987, if a substance on the list of extremely hazardous substances first becomes present at such facility in excess of the threshold planning quantity established for such substance, or if there is a revision of such list and the facility has present a substance on the revised list in excess of the threshold planning quantity established for such substance, the owner or operator of the facility shall notify the SERC and the local emergency planning committee in the planning district where the facility is located within 60 days after such acquisition or revision that such facility is subject to the requirements of this Part. The notification shall be in writing.

d) The local emergency planning committee shall ensure that the local emergency preparedness plan is amended to include any facility in their district that sends notification pursuant to subsection (c) of this Section.

e) The SERC shall mail emergency planning notification data to the USEPA in accordance with Section 302(d) of the Act.

(Source: Amended at 22 Ill. Reg. 1294, effective January 1, 1998)