

AN ACT in relation to environmental safety.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Hazardous Material Emergency Response Reimbursement Act is amended by changing Section 5 as follows:

(430 ILCS 55/5) (from Ch. 127 1/2, par. 1005)

Sec. 5. Reimbursement to agencies.

(a) It shall be the duty of the responsible party to reimburse, within 60 days after the receipt of a bill for the hazardous material emergency incident ~~in a timely and reasonable manner~~, the emergency response agencies responding to a hazardous material emergency incident, and any private contractor responding to the incident at the request of an emergency response agency, for the costs incurred in the course of providing emergency action.

(b) In the event that the emergency response agencies are not reimbursed by a responsible party as required under subsection (a), monies in the Fund shall be used to reimburse the emergency response agencies providing emergency action at or near the scene of a hazardous materials emergency incident subject to the following limitations:

(1) Cost recovery from the Fund is limited to replacement of expended materials including, but not limited to, specialized firefighting foam, damaged hose or other reasonable and necessary supplies.

(2) The applicable cost of supplies must exceed 2% of the emergency response agency's annual budget.

(3) A minimum of \$500 must have been expended.

(4) A maximum of \$10,000 may be requested per incident.

(5) The response was made to an incident involving hazardous materials facilities such as rolling stock which are not in a terminal and which are not included on the

property tax roles for the jurisdiction where the incident occurred.

(c) Application for reimbursement from the Fund shall be made to the State Fire Marshal or his designee. The State Fire Marshal shall, through rulemaking, promulgate a standard form for such application. The State Fire Marshal shall adopt rules for the administration of this Act.

(Source: P.A. 90-467, eff. 8-17-97.)