House Engrossed Senate Bill

FILED

JANICE K. BREWER
SECRETARY OF STATE

State of Arizona
Senate
Forty-eighth Legislature
First Regular Session
2007

CHAPTER 153

SENATE BILL 1112

AN ACT

AMENDING SECTION 26-343, ARIZONA REVISED STATUTES; AMENDING TITLE 26, CHAPTER 2, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTION 26-343.01; AMENDING SECTIONS 36-104, 36-1162, 49-108 AND 49-422, ARIZONA REVISED STATUTES; PROVIDING FOR THE DELAYED REPEAL OF SECTION 26-343.01, ARIZONA REVISED STATUTES; RELATING TO CHEMICAL OR OTHER TOXIC FIRE RESPONSE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 26-343, Arizona Revised Statutes, is amended to read:

26-343. Arizona emergency response commission; advisory committee; powers and duties

A. The Arizona emergency response commission is established consisting of the director of the division, who shall serve as ~~chairman~~ CHAIRPERSON, and the directors, or their respective designees, of the department of environmental quality, the department of health services, the department of public safety and the department of transportation.

B. An advisory committee to the commission is established consisting of:

1. The state fire marshal.

2. The chief administrative officer, or the officer's designee, of the following agencies:

(a) Arizona department of agriculture.

(b) Corporation commission.

(c) Industrial commission.

(d) Radiation regulatory agency.

(e) State mine inspector.

3. Two representatives nominated by the Arizona fire chiefs association incorporated or its successor agency. One nominee shall represent a fire department serving a population of two hundred fifty thousand or more persons. One nominee shall represent a fire department or fire district serving a population of less than two hundred fifty thousand persons. The term of appointment is for two years.

C. The governor shall appoint four private sector representatives to the advisory committee to the commission after reviewing the recommendations provided by the commission. The governor shall appoint, or reappoint, two of the members each year from the private sector, to serve terms of two years. These members, to the extent practicable, shall have technical expertise in the emergency response field.

D. The members of the commission shall serve without compensation but are eligible for reimbursement for travel and other expenses as provided by law. The division and the department of environmental quality shall provide such professional, technical or administrative staff support as necessary to implement and perform the commission duties.

E. The commission shall meet as often as necessary and may organize itself into such support committees as necessary to implement this article and title III in this state. The full commission shall meet at least annually. The commission may adopt internal operating rules.

F. The commission shall administer this article and the rules adopted under this article. The commission shall administer title III in this state and may conduct whatever activities are necessary to implement this article and title III in this state. The commission is granted all the authority and

1 responsibilities of a state emergency response commission for purposes of
2 title III.
3 G. The commission may procure by contract the temporary or
4 intermittent services of experts or consultants if such services are to be
5 performed on a part-time or fee-for-services basis and do not involve the
6 performance of administrative duties. The commission may also enter into
7 agreements with the federal government, Indian tribes, other states and
8 political subdivisions of this state for the purposes of this article. The
9 commission may also accept on behalf of this state any reimbursement, grant
10 or gift that may become available for purposes of this chapter. The
11 commission shall deposit, pursuant to sections 35-146 and 35-147, any such
12 monies in the emergency response fund.
13 H. The commission shall establish a program of financial grants to
14 local governments funded through the division by appropriations to the
15 emergency response fund. The grants shall be dedicated to and used for local
16 compliance with this article. The commission shall include procedures for
17 applying for the grants and qualifying criteria for awarding the grants.
18 I. The commission shall adopt and may modify, suspend or repeal rules
19 pursuant to title 41, chapter 6. The rules may not be more stringent than
20 title III and the federal regulations adopted under title III, except as
21 specifically authorized in this article. These rules shall implement this
22 chapter and title III in this state. The authority to adopt rules includes
23 establishing:
24 1. Procedures for handling public information requests.
25 2. Procedures and implementing programs for chemical emergency
26 planning and preparedness.
27 3. Community right-to-know program reporting requirements.
28 4. Release reporting requirements.
29 J. COMMISSIONERS AND ADVISORY COMMITTEE MEMBERS SHALL ENSURE THAT
30 MANDATORY HAZARDOUS MATERIALS TRAINING PROGRAMS FOR ON-SCENE COMMAND
31 PERSONNEL THAT ARE DEVELOPED, DELIVERED OR MANAGED BY THEIR RESPECTIVE
32 AGENCIES, DEPARTMENTS OR DIVISIONS ADDRESS NOTIFICATION PROCEDURES,
33 COORDINATION OF SERVICES AND COMPREHENSIVE MANAGEMENT FOR PROTECTION OF THE
34 PUBLIC HEALTH DURING AND AFTER A CHEMICAL OR OTHER TOXIC FIRE EVENT. THE
35 TRAINING SHALL INCLUDE NOTIFICATION AND COORDINATION WITH THE EMERGENCY
36 RESPONSE UNIT OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY, THE DEPARTMENT OF
37 PUBLIC SAFETY, THE DEPARTMENT OF TRANSPORTATION, THE RADIATION REGULATORY
38 AGENCY, THE COMMISSION, LOCAL EMERGENCY PLANNING COMMITTEES, THE DEPARTMENT
39 OF HEALTH SERVICES, THE DIVISION OF EMERGENCY MANAGEMENT, THE NATIONAL
40 RESPONSE CENTER AND THE ARIZONA POISON CONTROL SYSTEM. TRAINING SHALL ALSO
41 INCLUDE ORIENTATION ON THE STATE EMERGENCY RESPONSE AND RECOVERY PLAN
42 CONCERNING HAZARDOUS MATERIALS. COMMISSIONERS AND ADVISORY COMMITTEE MEMBERS
43 SHALL ENCOURAGE PRIVATE COMPANIES THAT DELIVER SIMILAR TRAINING IN ARIZONA TO
44 INCLUDE THE SAME CURRICULUM IN THEIR PROGRAMS.

Sec. 2. Title 26, chapter 2, article 3, Arizona Revised Statutes, is amended by adding section 26-343.01, to read:

26-343.01. Arizona chemical fire response coordination task force; members; term; powers and duties; immunity

A. THE ARIZONA CHEMICAL FIRE RESPONSE COORDINATION TASK FORCE IS ESTABLISHED CONSISTING OF THE FIRE CHIEF FROM EACH MUNICIPALITY IN THE STATE WITH A POPULATION OF SEVENTY-FIVE THOUSAND PERSONS OR MORE OR THE FIRE CHIEF'S DESIGNEE.

B. THE COMMISSION SHALL APPOINT A CHAIRPERSON AND VICE-CHAIRPERSON FROM AMONG THE MEMBERS. THE TASK FORCE SHALL MEET AS OFTEN AS NECESSARY AND AT LEAST ANNUALLY.

C. ON OR BEFORE DECEMBER 31, 2009, THE TASK FORCE SHALL:

1. ESTABLISH A MUNICIPAL HAZARDOUS MATERIAL TRACKING PROCESS PROGRAM FOR MUNICIPALITIES WITH A POPULATION OF SEVENTY-FIVE THOUSAND PERSONS OR MORE THAT PROVIDES FOR THE IDENTIFICATION OF COMMERCIAL AND INDUSTRIAL BUILDINGS THAT USE OR HAVE HAZARDOUS MATERIALS ON SITE AND THE TYPE AND AMOUNT OF HAZARDOUS MATERIALS USED OR STORED ON SITE. THE PROCESS MAY BE ESTABLISHED AS A PART OF AN EXISTING MUNICIPAL TRACKING SYSTEM BUT SHALL BE CONSISTENT WITH OTHER TRACKING SYSTEMS FOR MUNICIPALITIES WITH A POPULATION OF SEVENTY-FIVE THOUSAND PERSONS OR MORE TO ENSURE THE TRANSFER OF KEY INFORMATION BETWEEN MUNICIPAL PROGRAMS IN AN EFFECTIVE AND EFFICIENT MANNER. THE PROCESS SHALL BE USED TO ENSURE THAT THE BUILDING USER COMPLIES WITH APPLICABLE FIRE CODES.

2. ESTABLISH A PROCEDURE FOR MUNICIPALITIES WITH A POPULATION OF SEVENTY-FIVE THOUSAND PERSONS OR MORE FOR MAINTAINING AN INVENTORY OF BUILDINGS THAT ARE REQUIRED TO BE TRACKED AND THE TYPE AND AMOUNT OF HAZARDOUS MATERIALS USED OR STORED IN THE BUILDINGS. THIS PROCEDURE SHALL PROVIDE FOR QUARTERLY UPDATES OF THE INVENTORY AND AN ANNUAL REPORT THAT INCLUDES AN AGGREGATE LISTING OF THE NUMBER OF BUILDINGS BEING TRACKED, THE TYPE AND AMOUNT OF HAZARDOUS MATERIALS BEING USED OR STORED IN THESE BUILDINGS, THE NUMBER OF INSPECTIONS THAT WERE CONDUCTED DURING THE YEAR AND THE NUMBER AND TYPE OF CITATIONS ISSUED.

3. DEVELOP RISK BASED INSPECTION PROCEDURES FOR BUILDINGS THAT ARE REQUIRED TO BE TRACKED.

D. THE TASK FORCE SHALL MAKE RECOMMENDATIONS TO THE COMMISSION REGARDING THE ISSUES PRESCRIBED BY SECTION 26-343, SUBSECTION J.

E. MEMBERS OF THE TASK FORCE ARE NOT ELIGIBLE TO RECEIVE COMPENSATION.

F. MEMBERS OF THE TASK FORCE AND THE MUNICIPALITY, TOWN OR FIRE DISTRICT REPRESENTED BY THE MEMBER ARE IMMUNE FROM CIVIL ACTIONS OR CLAIMS ARISING OUT OF THE MEMBERS' ACTIONS OR PARTICIPATION ON THE TASK FORCE.

Sec. 3. Section 36-104, Arizona Revised Statutes, is amended to read:

36-104. Powers and duties

This section is not to be construed as a statement of the department's organization. This section is intended to be a statement of powers and

duties in addition to the powers and duties granted by section 36-103. The director shall:

1. Administer the following services:

(a) Administrative services, which shall include, but not be limited to, the functions of accounting, personnel, standards certification, electronic data processing, vital statistics and the development, operation and maintenance of buildings and grounds utilized by the department.

(b) Public health support services, which shall include, but not be limited to:

(i) Consumer health protection programs, to include, but not be limited to, the functions of community water supplies, general sanitation, vector control and food and drugs.

(ii) Epidemiology and disease control programs, to include, but not be limited to, the functions of chronic disease, accident and injury control, communicable diseases, tuberculosis, venereal disease and others.

(iii) Laboratory services programs.

(iv) Health education and training programs.

(v) Disposition of human bodies programs.

(c) Community health services, which shall include, but not be limited to:

(i) Medical services programs, to include, but not be limited to, the functions of maternal and child health, preschool health screening, family planning, public health nursing, premature and newborn program, immunizations, nutrition, dental care prevention and migrant health.

(ii) Dependency health care services programs, to include, but not be limited to, the functions of need determination, availability of health resources to medically dependent, quality control, utilization control and industry monitoring.

(iii) Crippled children's services programs.

(iv) Programs for the prevention and early detection of mental retardation.

(d) Program planning, which shall include, but not be limited to:

(i) An organizational unit for comprehensive health planning programs.

(ii) Program coordination, evaluation and development.

(iii) Need determination programs.

(iv) Health information programs.

2. Include and administer, within the office of the director, staff services, which shall include, but not be limited to, budget preparation, public information, appeals, hearings, legislative and federal government liaison, grant development and management and departmental and interagency coordination.

3. Make rules and regulations for the organization and proper and efficient operation of the department.

4. Determine when a health care emergency or medical emergency situation exists or occurs within the state that cannot be satisfactorily

controlled, corrected or treated by the health care delivery systems and facilities available. When such situation is determined to exist, the director shall immediately report such situation to the legislature and the governor. Such report shall include information on the scope of the emergency, recommendations for solution of the emergency and estimates of costs involved.

5. Provide a system of unified and coordinated health services and programs between the state and county governmental health units at all levels of government.

6. Formulate policies, plans and programs to effectuate the missions and purposes of the department.

7. Make contracts and incur obligations within the general scope of its activities and operations subject to the availability of funds.

8. Be designated as the single state agency for the purposes of administering and in furtherance of each federally supported state plan.

9. Provide information and advice on request by local, state and federal agencies and by private citizens, business enterprises and community organizations on matters within the scope of its duties subject to the departmental rules and regulations on the confidentiality of information.

10. Establish and maintain separate financial accounts as required by federal law or regulations.

11. Advise with and make recommendations to the governor and the legislature on all matters concerning its objectives.

12. Take appropriate steps to reduce or contain costs in the field of health services.

13. Encourage and assist in the adoption of practical methods of improving systems of comprehensive planning, of program planning, of priority setting and of allocating resources.

14. Encourage an effective use of available federal resources in this state.

15. Research, recommend, advise and assist in the establishment of community or area health facilities, both public and private, and encourage the integration of planning, services and programs for the development of the state's health delivery capability.

16. Promote the effective utilization of health manpower and health facilities which provide health care for the citizens of this state.

17. Take appropriate steps to provide health care services to the medically dependent citizens of this state.

18. Certify training on the nature of sudden infant death syndrome for use by professional ~~fire fighters~~ FIREFIGHTERS and certified emergency medical technicians as part of their basic and continuing training requirement.

19. Certify training on the nature of sudden infant death syndrome which shall include information on the investigation and handling of cases

1 involving sudden and unexplained infant death for use by law enforcement
2 officers as part of their basic training requirement.
3 20. Adopt protocols on the manner in which an autopsy shall be
4 conducted under section 11-597, subsection B in cases of sudden and
5 unexplained infant death.
6 21. Cooperate with the Arizona-Mexico commission in the governor's
7 office and with researchers at universities in this state to collect data and
8 conduct projects in the United States and Mexico on issues that are within
9 the scope of the department's duties and that relate to quality of life,
10 trade and economic development in this state in a manner that will help the
11 Arizona-Mexico commission to assess and enhance the economic competitiveness
12 of this state and of the Arizona-Mexico region.
13 22. Administer the federal family violence prevention and services act
14 grants, and the department is designated as this state's recipient of federal
15 family violence prevention and services act grants.
16 23. Accept and spend private grants of monies, gifts and devises for
17 the purposes of methamphetamine education. The department shall disburse
18 these monies to local prosecutorial or law enforcement agencies with existing
19 programs, faith based organizations and nonprofit entities that are qualified
20 under section 501(c)(3) of the United States internal revenue code, including
21 nonprofit entities providing services to women with a history of dual
22 diagnosis disorders, that provide educational programs on the repercussions
23 of methamphetamine use. State general fund monies shall not be spent for the
24 purposes of this paragraph. If the director does not receive sufficient
25 monies from private sources to carry out the purposes of this paragraph, the
26 director shall not provide the educational programs prescribed in this
27 paragraph. Grant monies received pursuant to this paragraph are nonlapsing
28 and do not revert to the state general fund at the close of the fiscal year.
29 24. Identify successful methamphetamine prevention programs in other
30 states that may be implemented in this state.
31 25. PURSUANT TO SECTIONS 36-1691, 36-1692 AND 36-1693, COORDINATE ALL
32 PUBLIC HEALTH AND RISK ASSESSMENT ISSUES ASSOCIATED WITH A CHEMICAL OR OTHER
33 TOXIC FIRE EVENT IF A REQUEST FOR THE EVENT IS RECEIVED FROM THE INCIDENT
34 COMMANDER OR THE EMERGENCY RESPONSE COMMISSION OR THE DEPARTMENT OF PUBLIC
35 SAFETY AND IF FUNDING IS AVAILABLE. COORDINATION OF PUBLIC HEALTH ISSUES
36 SHALL INCLUDE GENERAL ENVIRONMENTAL HEALTH CONSULTATION AND RISK ASSESSMENT
37 SERVICES CONSISTENT WITH SECTIONS 36-1691, 36-1692 AND 36-1693 AND, IN
38 CONSULTATION WITH THE ARIZONA POISON CONTROL SYSTEM, INFORMING THE PUBLIC AS
39 TO POTENTIAL PUBLIC HEALTH RISKS FROM THE ENVIRONMENTAL EXPOSURE. PURSUANT
40 TO SECTIONS 36-1691, 36-1692 AND 36-1693, THE DEPARTMENT OF HEALTH SERVICES
41 SHALL ALSO PREPARE A REPORT, IN CONSULTATION WITH APPROPRIATE STATE, FEDERAL
42 AND LOCAL GOVERNMENTAL AGENCIES, THAT EVALUATES THE PUBLIC HEALTH RISKS FROM
43 THE ENVIRONMENTAL EXPOSURE. THE DEPARTMENT OF HEALTH SERVICES' REPORT SHALL
44 INCLUDE ANY DEPARTMENT OF ENVIRONMENTAL QUALITY REPORT AND MAP OF SMOKE
45 DISPERSION FROM THE FIRE, THE RESULTS OF ANY ENVIRONMENTAL SAMPLES TAKEN BY

THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND THE TOXICOLOGICAL IMPLICATIONS AND PUBLIC HEALTH RISKS OF THE ENVIRONMENTAL EXPOSURE. THE DEPARTMENT OF HEALTH SERVICES SHALL CONSULT WITH THE ARIZONA POISON CONTROL SYSTEM REGARDING TOXICOLOGY ISSUES AND SHALL PREPARE AND PRODUCE ITS REPORT FOR THE PUBLIC AS SOON AS PRACTICABLE AFTER THE EVENT. THE DEPARTMENT OF HEALTH SERVICES SHALL NOT USE ANY MONIES PURSUANT TO SECTION 49-282, SUBSECTION E, TO IMPLEMENT THIS PARAGRAPH. FOR THE PURPOSES OF THIS PARAGRAPH, "CHEMICAL OR OTHER TOXIC FIRE EVENT" MEANS A FIRE AT A BUILDING THAT IS REQUIRED TO BE TRACKED IN THE MUNICIPAL HAZARDOUS MATERIAL TRACKING PROCESS PROGRAM PURSUANT TO SECTION 26-343.01.

Sec. 4. Section 36-1162, Arizona Revised Statutes, is amended to read:

36-1162. Powers and functions of Arizona poison control system

The Arizona poison control system shall:

1. Maintain a comprehensive list of poison and drug information resources.

2. Furnish advisory services to health professionals on the toxicity of poisons, drugs and household chemical products and effective and safe treatment of poisoning.

3. Provide information to the public on the prevention of accidental poisonings and first aid treatment of poisoning.

4. Provide a toll free telephone service for all communities in this state, including all treatment facilities in this state.

5. Provide expert capability for the rapid identification of toxic agents.

6. Conduct and promote educational programs for professionals and the public on poisoning.

7. Establish, in consultation with the department of health services, physicians and hospitals, procedures for reporting the incidence of poisoning.

8. Procure grants to engage in research to enhance delivery of specialized emergency services in the treatment of poisoning.

9. Establish a teratogen information program. The program shall establish a statewide toll free telephone number to provide health care providers and the public with up-to-date information and referrals on possible teratogen exposure and shall develop educational programs and materials. The program established by this paragraph ends on July 1, 2009 pursuant to section 41-3102. For the purposes of this paragraph, "teratogen" means a physical, infectious or chemical agent that causes a change in the normal development of a human embryo or fetus.

10. ASSIST THE DEPARTMENT OF HEALTH SERVICES IN COORDINATING PUBLIC HEALTH INFORMATION REGARDING A CHEMICAL OR OTHER TOXIC FIRE EVENT, INCLUDING PROVIDING INFORMATION REGARDING POSSIBLE TOXIC EXPOSURES AND APPROPRIATE HEALTH CARE FACILITY REFERRALS FOR THOSE EXPOSURES.

Sec. 5. Section 49-108, Arizona Revised Statutes, is amended to read:

49-108. Hazardous materials emergency response operations

The director of environmental quality shall establish a hazardous materials emergency response and recovery organizational unit in the department to function as the scientific support, health, safety and environmental element of the hazardous materials emergency management program pursuant to section 26-305.02. ON REQUEST FROM THE DEPARTMENT OF HEALTH SERVICES AND AT THE DIRECTION OF THE DIRECTOR OF ENVIRONMENTAL QUALITY, THE UNIT SHALL PERFORM APPROPRIATE SOIL AND WATER SAMPLING FOR TOXIC AND OTHER HARMFUL EFFECTS ON THE PUBLIC HEALTH AND THE ENVIRONMENT IN AREAS THAT HAVE BEEN AFFECTED BY A CHEMICAL OR OTHER TOXIC FIRE.

Sec. 6. Section 49-422, Arizona Revised Statutes, is amended to read:

49-422. Powers

A. In addition to any other powers vested in it by law, the department may:

1. Accept, receive and administer grants or other funds or gifts from public and private agencies, including the federal government, to carry out any of the purposes of this chapter. All monies resulting therefrom shall be deposited, pursuant to sections 35-146 and 35-147, in the account of the department.

2. Secure necessary scientific, technical, administrative~~,~~ and operational services, including laboratory facilities, by contract or otherwise to carry out the purposes of this chapter.

3. Require, as specified in subsections B and C of this section, any source of air contaminants to monitor, sample or perform other studies to quantify emissions of air contaminants or levels of air pollution that may reasonably be attributable to that source, if the director either:

(a) Determines that monitoring, sampling or other studies are necessary to determine the effects of the source on levels of air pollution.

(b) Has reasonable cause to believe a violation of this chapter, rules adopted pursuant to this chapter or a permit issued pursuant to this chapter has been committed.

(c) Determines that those studies or data are necessary to accomplish the purposes of this chapter, and that the monitoring, sampling or other studies by the source are necessary in order to assess the impact of the source on the emission of air contaminants.

B. The director shall adopt rules requiring sources of air contaminants to monitor, sample or otherwise quantify their emissions of air pollution ~~which~~ THAT may reasonably be attributable to such sources for air contaminants for which ambient air quality standards or emission standards or design, equipment, work practice or operational standards have been adopted pursuant to section 49-424 or section 49-425, subsection A. In the development of the rules, the director shall consider the cost and effectiveness of the monitoring, sampling or other studies.

C. For those sources of air contaminants for which rules are not required to be adopted pursuant to subsection B of this section, the director may require a source of air contaminants, by permit or order, to perform monitoring, sampling or other quantification of its emissions or air pollution that may reasonably be attributed to such a source. Before requiring such monitoring, sampling or other quantification by permit or order, the director shall consider the relative cost and accuracy of any alternatives ~~which~~ THAT may be reasonable under the circumstances such as emission factors, modeling, mass balance analyses or emissions projections. The director may require such monitoring, sampling or other quantification by permit or order if the director determines in writing that all of the following conditions are met:

1. The actual or potential emissions or air pollution may adversely affect public health or the environment.

2. A monitoring, sampling or quantification method is technically feasible for the subject contaminant and the source.

3. An adequate scientific basis for the monitoring, sampling or quantification method exists.

4. The monitoring, sampling or quantification method is reasonably accurate.

5. The cost of the method is reasonable in light of the use to be made of the data.

D. Orders issued and permit conditions imposed pursuant to this section may be appealed as an appealable agency action pursuant to title 41, chapter 6, article 10.

E. ON REQUEST OF THE ON-SCENE COMMANDER OR THE DEPARTMENT OF HEALTH SERVICES, THE DEPARTMENT OF ENVIRONMENTAL QUALITY SHALL ASSIST AT A SIGNIFICANT CHEMICAL OR OTHER TOXIC FIRE EVENT, EXCLUDING CHEMICAL OR NUCLEAR WARFARE OR BIOLOGICAL AGENTS, AND SHALL PROVIDE THE FOLLOWING SERVICES IF FUNDING IS AVAILABLE AND IF THE DIRECTOR, IN THE DIRECTOR'S PROFESSIONAL CAPACITY, DETERMINES THE DEPARTMENT'S PROVISION OF SERVICES IS NECESSARY TO PROTECT HUMAN HEALTH AND THE ENVIRONMENT:

1. COLLECT AIR SAMPLES FOR LIKELY CONTAMINANTS RESULTING FROM THE FIRE. THE DEPARTMENT OF ENVIRONMENTAL QUALITY SHALL COORDINATE SAMPLING LOCATIONS, TIMES AND POLLUTANTS TO BE SAMPLED WITH THE DEPARTMENT OF HEALTH SERVICES AND OTHER APPROPRIATE HEALTH AND EMERGENCY RESPONSE OFFICIALS.

2. MAINTAIN AN HOURLY PLUME REPORT THAT INCLUDES METEOROLOGICAL CONDITIONS THAT AFFECT DISPERSAL OF SMOKE.

3. IN CONSULTATION WITH THE DEPARTMENT OF HEALTH SERVICES AND THE ON-SCENE COORDINATOR, PREPARE A REPORT THAT INCLUDES TEST RESULTS OF ANY SAMPLING, INCLUDING THE SAMPLING RATIONALE AND PROTOCOL AND CHAIN OF CUSTODY REPORT USING APPLICABLE ENVIRONMENTAL PROTECTION AGENCY STANDARDS. THE REPORT SHALL ALSO INCLUDE, TO THE EXTENT PRACTICABLE, A SMOKE DISPERSION MAP WITH DETAIL ADEQUATE TO DETERMINE POSSIBLE AREAS OF IMPACT AT THE LEVEL OF DETAIL PRACTICABLE AND A LISTING OF LIKELY RELEASES OF ANY CHEMICAL THAT IS

1 CATEGORIZED BY THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY AS A
2 HAZARDOUS AIR POLLUTANT AND THE CORRESPONDING ENVIRONMENTAL PROTECTION AGENCY
3 DESCRIPTION OF POSSIBLE HEALTH EFFECTS OF THE CHEMICAL BASED ON A RELIABLE
4 INVENTORY OF HAZARDOUS MATERIALS AT THE SITE OR FACILITY.
5 4. FOR THE PURPOSES OF THIS SECTION, "CHEMICAL OR OTHER TOXIC FIRE
6 EVENT" MEANS A FIRE AT A BUILDING THAT IS REQUIRED TO BE TRACKED IN THE
7 MUNICIPAL HAZARDOUS MATERIAL TRACKING PROCESS PROGRAM PURSUANT TO SECTION
8 26-343.01.
9 Sec. 7. Delayed repeal
10 Section 26-343.01, Arizona Revised Statutes, as added by this act, is
11 repealed on June 30, 2010.

APPROVED BY THE GOVERNOR MAY 1, 2007.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 1, 2007.