

Introduced by: Mayor
Date: 4/20/93
Hearing: 5/18/93
Action: Enacted as Amended
Vote: 8 yes, 1 no

**KENAI PENINSULA BOROUGH
ORDINANCE 93-21**

**AN ORDINANCE AUTHORIZING THE FORMATION AND OPERATION OF A
BOROUGH HAZARDOUS MATERIAL SPILL RESPONSE TEAM ON
A NONAREAWIDE BASIS**

WHEREAS, the Kenai Peninsula Borough, as any modern community, is faced with the potential for an accidental uncontrolled release or spill of a hazardous material, which could threaten the lives and property of its citizens; and

WHEREAS, in order to safely and legally respond into an area contaminated by a hazardous material spill for the purpose of containment or rescue, the response personnel must have specialized training and equipment which is not within the inventory of a basic fire and EMS response agency; and

WHEREAS, the cost of equipment and training required for a haz mat response team, particularly when the potential need in any single response district is considered, are beyond the financial capabilities of any single response agency; and

WHEREAS, AS 29.35.210 provides authority for a second class borough to provide for a borough response to a haz mat release, to be exercised on a nonareawide basis;

NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. That a new KPB Chapter 2.65 is enacted to read as follows:

Chapter 2.65. Hazardous Materials Response Team

2.65.010. Established.

The Mayor is authorized to established a Kenai Peninsula Borough Hazardous Materials Response Team, utilizing personnel from the various Borough emergency service areas, to provide a Borough capability to respond to a hazardous materials spill at the "Hazardous Materials Technician" level or higher, as defined in the Alaska Department of Labor's "Occupational Safety and Health Standards -- Hazardous Waste Operations and Emergency Response."

2.65.020. Budget.

Funding for Team training and equipment shall be budgeted from Borough nonareawide fund sources. Each service area shall bear its own personnel costs arising from team training requirements in exchange for the value received from the enhanced training and capabilities of its personnel, which benefit normal emergency service operations.

2.65.030. Management Board.

A management board shall be formed, made up of the chiefs (or their designee) of each department which contributes personnel to the team and one member of the Local Emergency Planning Committee, to report to the Mayor and provide oversight of the Team's operational planning, training and procurement of equipment. The board shall prepare the Team's annual budget, and coordinate training and record keeping with the assistance of the Borough Emergency Management Office in accordance with KPB 2.45.030.

SECTION 2. The Mayor is requested to seek cooperative agreements with the Cities in the Borough to provide personnel from their various emergency service departments to the team and thus develop a single unified hazardous materials response capability to serve the entire Borough.

SECTION 3. That a new KPB Section 2.45.030 is enacted to read as follows:


2.45.030. Hazardous Materials Response Team administration.

The Borough Emergency Management Office shall coordinate and assist in the administration of the KPB Hazardous Materials Response Team, including:


- A. Preparation, presentation and administration of the budget.
- B. Assistance in coordination of training, record keeping and other administrative matters as requested.

SECTION 4. That this ordinance shall take effect immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON THIS 18th DAY OF MAY, 1993.


Betty J. Glick, Assembly President

ATTEST:


Gaye J. Vaughan, Borough Clerk