**Section 270.10 Definitions**

"Act" means the Hazardous Materials Emergency Response Reimbursement Act [430 ILCS 55].

*"Annual Budget" means the cost to operate an Emergency Response Agency, excluding personnel costs (which include salary, benefits and training expenses) and costs to acquire capital equipment (including,* but not limited to, *buildings, vehicles and other such major capital cost items).*

"Chairman" means the Chair of the Illinois Fire Advisory Commission created by Section 3 of the State Fire Marshal Act [20 ILCS 2905/3].

*"Emergency Action" means any action taken at or near the scene of a hazardous materials emergency incident to prevent or minimize harm to human health, to property, or to the environment from the unintentional release of a hazardous material.*

*"Emergency Response Agency" means a unit of local government, volunteer fire protection organization, or the American Red Cross that provides firefighting services, emergency rescue services, emergency medical services, hazardous materials response teams, technical rescue teams, mass care or assistance to displaced persons or civil defense.*

"Expended Materials" includes those replacement items, materials, or supplies that have been utilized, damaged or destroyed (such as foam, absorbents, protective clothing, hoses or other goods) in the mitigation of a hazardous materials incident.

*"Fund" means the Fire Prevention Fund created by* Section 13.1 of the Fire Investigation Act [425 ILCS 25].

*"Hazardous Material" means a substance or material in a quantity and form determined by the United States Department of Transportation to be capable of posing an unreasonable risk to health and safety or property when transported in commerce.* These materials are listed in 49 CFR 172 (2015); no later additions or amendments are included.

*"Person" means an individual, a corporation, a partnership, an unincorporated association, or any unit of federal, State, or local government.*

*"Responsible Party" means a person who:*

*owns or has custody of hazardous materials involved in an incident requiring emergency action by an emergency response agency; or*

*owns or has custody of bulk or non-bulk packaging or a transport vehicle that contains hazardous materials involved in an incident requiring emergency action by an emergency response agency; and*

*who causes or substantially contributes to the cause of the incident* requiring *emergency action.* (Section 3 of the Act) This term includes the plural.

"Office" or "OSFM" means the Office of the State Fire Marshal.

(Source: Amended at 40 Ill. Reg. 12790, effective August 18, 2016)