

# State of North Carolina



**JAMES B. HUNT JR.**  
**GOVERNOR**

## EXECUTIVE ORDER NO. 125 NORTH CAROLINA EMERGENCY RESPONSE COMMISSION

By the authority vested in me as Governor by the Constitution and laws of the State of North Carolina, IT IS ORDERED:

### Section 1.     Creation

There is hereby created the North Carolina Emergency Response Commission, hereinafter referred to as the "Commission." The Commission shall consist of not less than twelve members and shall be composed of at least the following persons:

- a.     Director, Division of Emergency Management, Department of Crime Control and Public Safety, who shall serve as the Chairperson.
- b.     Coordinator, State Highway Patrol Hazardous Materials, Department of Crime Control and Public Safety.
- c.     Director, Division of Safety, Department of Agriculture.
- d.     Director, Division of Waste Management, Department of Environment and Natural Resources.
- e.     Director, Division of Water Quality, Department of Environment and Natural Resources.
- f.     Director, Division of Air Quality, Department of Environment and Natural Resources.
- g.     Director, Division of Radiation Protection, Department of Environment and Natural Resources.

- h. Director, Division of Pollution Prevention and Environmental Assistance, Department of Environment and Natural Resources.
- i. Director, Emergency Planning, Division of Highways, Department of Transportation.
- j. Chief, Transportation Inspection, Division of Motor Vehicles (Enforcement Section), Department of Transportation.
- k. Manager, Training/Standards Program, Fire and Rescue Services Division, Department of Insurance.
- l. Chief, Emergency Medical Services, Division of Facility Services, Department of Health and Human Services.
- m. Assistant Deputy Commission of Labor for Occupational Safety and Health, Department of Labor.

In addition to the foregoing, six at-large members from local government and private industry with technical expertise in the emergency response field may be appointed by the Governor and serve terms of two (2) years at the pleasure of the Governor.

## Section 2. Duties

The Commission is designated as the State Emergency Response Commission as described in the Emergency Planning and Community Right-to-Know Act of 1986 as enacted by the United States Congress (hereinafter, the "Act") and shall perform all duties required of it under the Act, including, but not limited to, the following:

- a. Appoint local emergency planning committees described under Section 301(c) of the Act and supervise and coordinate the activities of such committees.
- b. Establish procedures for reviewing and processing requests from the public for information under Section 324 of the Act.
- c. Designate emergency planning districts to facilitate preparation and implementation of emergency plans as required under Section 301(b) of the Act.
- d. Designate additional facilities, after public notice and opportunity for comment, that may be subject to the Act under Section 302 of the Act.

e. Notify the Administrator of the Environmental Protection Agency of facilities subject to the requirements of Section 302 of the Act.

f. Review the emergency plans submitted by local emergency planning committees and make recommendations to the committees on revisions of the plans that may be necessary to ensure coordination of such plans with emergency response plans of other emergency planning districts.

Section 3. Administration

a. The Department of Crime Control and Public Safety shall provide administrative support and staff as may be required.

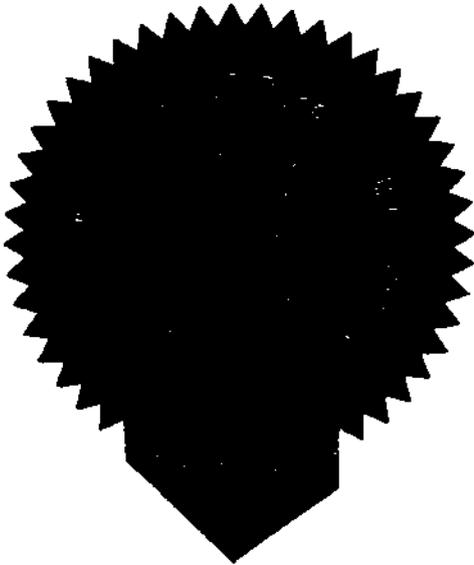
b. Members of the Commission shall serve without compensation but may receive reimbursement, contingent on the availability of funds, for travel and subsistence expenses in accordance with state guidelines and procedures.

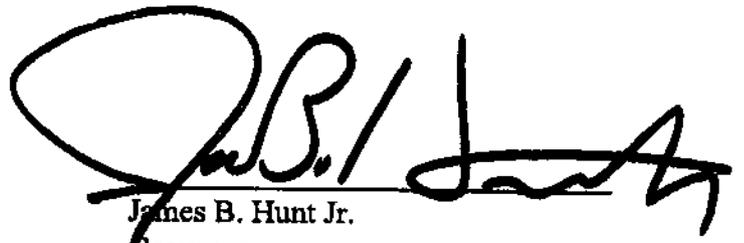
Section 4. Effect on other Executive Orders

Executive Orders 17 and 61 are hereby rescinded. All other portions of Executive Orders inconsistent herewith also are rescinded.

This Executive Order is effective immediately and shall remain in effect until rescinded by the Governor.

Done in Raleigh, North Carolina, the 17th day of December 1997.



  
James B. Hunt Jr.  
Governor

ATTEST:

  
Elaine F. Marshall  
Secretary of State