

SPONSOR: ROBERT J. GOLEC

ORDINANCE NO. 6008

AN ORDINANCE ESTABLISHING REQUIREMENTS FOR PERSONS AND/OR LOCATIONS USING, STORING, HANDLING, OR DISPOSING OF DANGEROUS, HAZARDOUS, OR TOXIC SUBSTANCES WITHIN THE CIVIL CITY OF HAMMOND, INDIANA

WHEREAS, there has been an increase in the number of spills and/or leaks of dangerous, hazardous, and toxic substances within the City of Hammond, and

WHEREAS, these substances can endanger the health, safety and general welfare of the citizens of Hammond when they are discharged into air, water, or onto the land, and

WHEREAS, it is necessary to require that special information be furnished by persons that use, store, handle, or dispose of dangerous, hazardous or toxic substances within the City of Hammond, Indiana.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hammond, Indiana as follows:

1. Person shall mean individual, partnership, co-operative, firm, company, corporation, association, trust, estate, government entity, or any other legal entity or their legal representatives, agents, or assigns.

2. Substances considered as dangerous, hazardous, or toxic are those which are:

a. Listed in the latest edition of the U.S. Department of Transportation "Guidebook for Hazardous Material Incidents", or

b. Listed in the latest edition "Dangerous Properties of Industrial materials" by N. Irving Sax and contain the terms - dangerous, hazardous or toxic in the THR (Summary Toxicity Statement), the Disaster Hazard Statement, the Fire Hazard Statement, the Explosion Hazard Statement, or the Acute Toxicity Statement, or,

c. Listed in the latest edition of the "Condensed Chemical Dictionary" by Gessner G. Hauley and the words dangerous, hazardous, or toxic are used in the "Hazard" explanation used to categorize the substance.

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ARTICLE II

1. Any person that uses, stores, handles, or disposes of substances defined as dangerous, hazardous, or toxic by this Ordinance, on property zoned I-1 Light Industrial and/or I-2 Manufacturing under Ordinance 4683, shall be required to furnish the following at their location(s) within the City of Hammond;

a. A weather proof lock box of sufficient size to hold a binder(s) that shall contain all the Material Data Sheets or other similar substance information sheets for each dangerous, hazardous, or toxic substance used, stored, handled, or disposed of, and

b. A facility plot plan made to the scale of 1" equals 20 feet. The lock box shall be bright yellow in color on all sides including the top and bottom and meet the ANSI (American National Standards Institute) Specification Z53.1.

1. The location and identification of each structure.

2. The location and size of all fire hydrants located on the premises and with 500 feet of the boundary line of the premises.

3. The location and quantity of any other fire fighting, spill response or safety related equipment such as, but not limited to: (a) water sprinkler system, (b) foam suppressants (by type and quantity), (c) dry powder suppressants (by weight or size), (d) protective clothing (specify fire/acid suits or other special suits), (e) self contained breathing apparatus (list amount of breathing time in minutes), (f) resuscitator, (g) natural gas shutoff valves, (h) electrical shutoff points, (i) municipal water shutoff, (j) drains to the Hammond Sanitary District, (k) inplant telephones, and (l) telephones, (m) other items the Hammond Fire Chief or designee may require.

c. Such lock box shall be located within 100 feet of the entrance to the plant or facility, at a height of between 36" - 48" above the ground. The placement of the lock box into the plant or facility shall be approved by the Chief of the Hammond Fire Department or his designee. Such lock box shall be installed and operational within 120 days of the effective date of this ordinance.

Four keys to the lock box shall be provided to the Chief of the Hammond Fire Department for use solely by the Hammond Fire Department in the event of a spill, leak, discharge, or release.

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d. An Emergency Action Plan (E.A.P.) that shall outline the responsible persons and their actions in the event of a fire, spill, leak, discharge, release of a dangerous, hazardous, or toxic substance regulated by this Ordinance. Such plan shall be submitted to the Chief of

the Hammond Fire Department within ninety (90) days of the effective date of this Ordinance.

2. This Ordinance shall be enforced by the Chief of the Hammond Fire Department or his designee.

3. Whoever violates any provision of this Ordinance shall be fined not more than \$2,500.00. Every day a violation occurs shall constitute a separate offense.

4. This ordinance shall be in full force and effect immediately after its passage, signing by the President of the Common Council, approved by the Mayor and publication according to law.

/s/ JON DeGUILIO, President
Hammond Common Council

ATTEST:

/s/ STANLEY KULIK, City Clerk

VETO by the Mayor on the 28th day of December 1986.

/s/ THOMAS M. McDERMOTT, Mayor
City of Hammond, Indiana

PASSED by the Common Council of the City of Hammond, Indiana, on the 15th day of December, 1986, presented to the Mayor for his approval or rejection and VETOED by the Mayor on the 23rd day of December, 1986. (Returned to Clerk 1:30 p.m. 12-23-86) d.k.

/s/ STANLEY KULIK, City Clerk

Mayor's veto of Ordinance Number 6008 OVERRIDDEN by
the Hammond Common Council on the 12th day of January,
1987.

/s/ REV. JOHN H. PARRISH, President
Hammond Common Council

ATTEST:

/s/ STANLEY KULIK, City Clerk