

RESOLUTION 09-21

RECOGNIZING THE TWENTY-FIFTH ANNIVERSARY OF THE BHOPAL DISASTER AND CALLING FOR A REPORT ON EXTREMELY HAZARDOUS SUBSTANCES PREVIOUSLY RELEASED INTO THE LOCAL ENVIRONMENT

- WHEREAS, twenty five years ago this week, on December 3, 1984, the most lethal industrial accident in history occurred at the Union Carbide India, Limited pesticide factory in Bhopal, Madhya Pradesh, India; and
- WHEREAS, the accident began when, sometime during the evening of December 2, 1984, the reaction of a large quantity of water with 42 tons of methyl isocyanate (MIC) in Tank 610 of the factory led to an emergency venting of MIC gas; and
- WHEREAS, as a result of this release, over 500,000 people were exposed to the MIC gas and 3,787 people were confirmed to have died, with other estimates placing the immediate and long-term deaths due to the gas at between 8,000 and 25,000 people; and
- WHEREAS, in 1986, in response to this disaster, the U.S. Congress enacted the Emergency Planning and Community Right to Know Act (EPCRA);
- WHEREAS, among other things, EPCRA requires local governments to prepare and annually review chemical emergency response plans in coordination with the State and requires facilities to:
- immediately notify State and local governments in the event of accidental releases of Extremely Hazardous Substances (EHS) over certain thresholds set forth in the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA);
  - make Material Safety Data Sheets (MSDS), which describe the properties and health effects of these chemicals, available to state and local officials along with information about where they are located; and
  - complete and submit a Toxic Chemical Release Inventory Form annually for any of more than 600 Toxic Release Inventory (TRI) chemicals manufactured or used above certain threshold quantities; and
- WHEREAS, since Bloomington has a history of release of extremely hazardous substances into the local environment, it would be beneficial for the public and policy-makers to have access to a summary of where they are located, what risks they pose to human life and health, and the state of their remediation; and
- WHEREAS, such a summary should begin with those extremely hazardous substances appearing on the Environmental Protection Agency's "List of Lists - Consolidated List of Chemicals Subject to the Emergency Planning and Community Right-to-Know Act (EPCRA) and Section 112 (r) of the Clear Air Act";

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION 1. December 3, 2009 shall be declared Bhopal Day.

SECTION 2. The Common Council requests that by the next anniversary of the Bhopal Disaster, the Environmental Commission compile and present an inventory of those places where extremely hazardous substances have been released into and remain in the local environment as determined by federal, State, or local agencies and describe what risk they pose to human life and health as well as options for, and the state of, their remediation.

SECTION 3. If any sections, sentence or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 4. This resolution shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_\_, 2009

\_\_\_\_\_  
ANDY RUFF, President  
Bloomington Common Council

ATTEST:

\_\_\_\_\_  
REGINA MOORE, Clerk  
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_\_, 2009

\_\_\_\_\_  
REGINA MOORE, Clerk  
City of Bloomington

SIGNED and APPROVED by me upon this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
MARK KRUZAN, Mayor

SYNOPSIS

This resolution is sponsored by Councilmembers Volan and Rollo, declares December 3, 2009 as Bhopal Day, and calls for the preparation of a report for the benefit of policy-makers and the public on where extremely hazardous substances have been released into the local environment, what risk they pose to human life and health, as well as options for, and the state of, their remediation.