



HAZMAT INCIDENT COST RECOVERY

Hazardous Materials Response can eat up large amounts of time, equipment and personnel resources. In fact, the response to a large HAZMAT incident could cost a department their entire year's budget. So what is the fire chief to do?

Vermont Statutes allow for the fire department to recover costs directly associated with the response to a HAZMAT incident. Specifically, VSA Title 20, Chapter 1, Section 39 Subsection (e) states:

(e) The State or any political subdivision, including any municipality, fire district, emergency medical service, or incorporated village, is authorized to recover any and all reasonable direct expenses incurred as a result of the response to and recovery of a hazardous chemical or substance incident from the person or persons responsible for the incident.

There are some important steps to take before you have an incident. Your department should decide that it will bill the 'responsible party' (RP) when you have a HAZMAT incident. The department should also decide what costs it will be recovering. The simple part is the replacement of supplies used; for these you simply pass on the cost to restock to the RP.

It should be noted that the statute allows for municipalities to recover costs as well. This could apply to those towns that contract to another fire department for services.

Some departments have a fee schedule for personnel costs as well as hourly apparatus rates. These rates should be determined ahead of time and should have a rationale as to how they were derived. For instance, personnel costs should reflect actual costs.

Additionally, I would encourage departments who respond together often to develop a standard billing rate for apparatus in their mutual aid area. It is in the best interest of the departments if the departments in an area are consistent.

One last and important note. You should be reporting all HAZMAT spills to the HAZMAT hotline **1-800-641-5005**. This is critical if your department responds to a HAZMAT incident where either the RP is unknown or unwilling to reimburse. The Agency of Natural Resources can greatly assist the departments in the cost recovery effort...**but only if the call was reported immediately and to the HAZMAT Hotline 1-800-641-5005.**

Please contact me if you have any questions regarding this or anything HAZMAT!

VT, Stat Hazmat Chief
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