

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Environment to which was referred House Bill No. 86  
3 entitled “An act relating to establishing the Chloride Contamination Reduction  
4 Program at the Agency of Natural Resources” respectfully reports that it has  
5 considered the same and recommends that the bill be amended by striking out  
6 all after the enacting clause and inserting in lieu thereof the following:

7 Sec. 1. PURPOSE

8 The purpose of this act is to create a voluntary Chloride Contamination  
9 Reduction Program at the Agency of Natural Resources for the purpose of  
10 training commercial salt applicators in best management practices for the  
11 application of salt and salt alternatives so that the water quality impact of the  
12 application of salt and salt alternatives is reduced while maintaining safe  
13 conditions for pedestrians and motor vehicles on traveled surfaces.

14 Sec. 2. 10 V.S.A. chapter 47, subchapter 3A is added to read:

15 Subchapter 3A. Chloride Contamination Reduction Program

16 § 1351. DEFINITIONS

17 As used in this subchapter:

18 (1) “Apply salt” or “application of salt” means to apply salt or a salt  
19 alternative to roadways, parking lots, or sidewalks for the purpose of winter  
20 maintenance or for summer dust control. “Apply salt” or “application of salt”

1 does not mean the application of salt to a transportation infrastructure  
2 construction project.

3 (2) “Commercial salt applicator” means any individual who for  
4 compensation applies salt but does not include municipal or State employees.

5 (3) “Master commercial salt applicator” means any individual who  
6 employs and is responsible for individuals who for compensation apply salt but  
7 does not include municipal or State employees.

8 (4) “Salt” means sodium chloride, calcium chloride, magnesium  
9 chloride, or any other substance containing chloride used for the purpose of  
10 deicing, anti-icing, or dust control.

11 (5) “Salt alternative” means any substance not containing chloride used  
12 for the purpose of deicing, anti-icing, or dust control.

13 (6) “Secretary” means the Secretary of Natural Resources.

14 (7) “Transportation infrastructure construction project” means a project  
15 that involves the construction of roadways, parking lots, sidewalks, or other  
16 construction activities at transportation facilities or within transportation  
17 rights-of-way.

18 § 1352. CHLORIDE CONTAMINATION REDUCTION PROGRAM

19 (a) The Secretary of Natural Resources, after consultation with the  
20 Secretary of Transportation and other states with similar chloride reduction  
21 programs, shall establish the Chloride Contamination Reduction Program for

1 the voluntary education, training, and certification of commercial salt  
2 applicators, including requirements for certification of a master commercial  
3 salt applicator. The Secretary may elect to implement the Program with State  
4 agency staff or through a third-party vendor, or some combination. The  
5 Program shall specifically exclude salt applications related to transportation  
6 infrastructure construction projects.

7 (b) The Secretary of Natural Resources shall adopt best management  
8 practices for application of salt or salt alternatives by commercial salt  
9 applicators. The best management practices may be based on practices  
10 currently implemented by the Agency of Transportation or other entities. The  
11 best management practices shall:

12 (1) establish measures or techniques to increase efficiency in the  
13 application of salt or salt alternatives so that the least amount of salt or salt  
14 alternatives are used while maintaining safe conditions for pedestrians and  
15 motor vehicles on traveled surfaces;

16 (2) establish standards for when and how salt and salt alternatives are  
17 applied in order to prevent salt or salt alternatives from entering waters of the  
18 State, including:

19 (A) salt alternatives that are cost-effective and less harmful to water  
20 quality while maintaining safe conditions for pedestrians and motor vehicles  
21 on traveled surfaces;

1           (B) whether and how to implement equipment to calibrate, monitor,  
2           or meter application of salt or salt alternatives; and

3           (C) when sand is an appropriate alternative to salt or salt alternatives  
4           for deicing or dust control, particularly in regard to when application of sand  
5           will be less harmful to water quality;

6           (3) establish record-keeping requirements for commercial salt  
7           applicators, including records of training and records describing the type and  
8           rate of application of salt or salt alternatives, the dates of use, weather  
9           conditions requiring use of salt or salt alternatives, and any other factors that  
10          the Secretary of Natural Resources deems necessary for the purposes of the  
11          Program;

12          (4) create and circulate a model form for record-keeping information  
13          required under this section;

14          (5) establish requirements for certification under this subchapter,  
15          including frequency of training and manner of training;

16          (6) establish a testing requirement for applicators to complete prior to  
17          receiving an initial certification under the Program; and

18          (7) establish other requirements deemed necessary by the Secretary to  
19          achieve the purposes of the Program.

20          (c) A business that employs multiple commercial salt applicators may  
21          apply to the Secretary for certification of the business owner or other

1 designated employee as a master commercial salt applicator. A certified  
2 master commercial salt applicator shall ensure that all persons employed by the  
3 business to apply salt or salt alternatives are trained to comply with the best  
4 management practices established under subsection (b) of this section.

5 (3) A certified commercial salt applicator shall submit an annual  
6 summary of total winter salt usage to the Secretary of Natural Resources.

7 (d) The Secretary of Natural Resources shall establish methods to estimate  
8 and track the amount of salt applied by those certified through the Chloride  
9 Contamination Reduction Program.

10 (e) The Secretary, through the staff of the Chloride Contamination  
11 Reduction Program, shall conduct education and outreach to inform:

12 (1) commercial salt applicators of the existence of the Chloride  
13 Contamination Reduction Program and the training offered under the Program;  
14 and

15 (2) members of the public who purchase salt or salt alternatives for use  
16 on driveways, sidewalks, private roads, and other paved surfaces of the  
17 potential harm to water quality and wildlife from excessive application of salt  
18 and salt alternatives and how to decrease the potential harm.

19 Sec. 3. MUNICIPAL SALT APPLICATION; VERMONT LOCAL ROADS

20 CURRICULUM

1        (a) On or before November 1, 2026, the Secretary of Natural Resources, in  
2        collaboration with the Secretary of Transportation, shall identify and make  
3        changes to the Vermont Local Roads curriculum needed to support municipal  
4        salt applicators in meeting the purpose of this act, including training for best  
5        management practices for spreading salt on roads, parking lots, and sidewalks.

6        (b) As used in this section, “municipal salt applicator” means any  
7        individual who applies or supervises others who apply salt or salt alternatives  
8        in the applicator’s capacity as an employee or agent of a town or a  
9        municipality but does not include State employees.

10       Sec. 4. ANR REPORT ON MANAGEMENT OF SALT AND SAND

11                STORAGE FACILITIES

12        On or before January 15, 2026, the Secretary of Natural Resources shall  
13        submit to the Senate Committees on Natural Resources and Energy and on  
14        Transportation and the House Committees on Environment and on  
15        Transportation a report regarding the management of State-, municipal-, and  
16        privately owned facilities for the storage of salt, salt and sand mixtures, and  
17        sand that is not mixed with salt. The report shall include:

18                (1) an inventory of facilities in the State used for the storage of salt, salt  
19        and sand mixtures, or sand that is not mixed with salt;

20                (2) an estimated number of facilities that are currently covered;

1           (3) an estimate of the number of facilities that are not covered and are  
2           within 100 yards of surface water or drinking water source;

3           (4) an estimate of the number of facilities that are not covered and are  
4           more than 100 yards from a surface water or drinking water source; and

5           (5) an estimate of the total cost to cover or move facilities for the  
6           storage of salt, salt and sand mixtures, or sand that is not mixed with salt,  
7           including a proposed annual amount of funding that would be required to meet  
8           the timelines for cover or management.

9           Sec. 5. IMPLEMENTATION; RECOMMENDATION OF LIABILITY

10           PROTECTION; FEE REPORT

11           (a) The Secretary of Natural Resources shall adopt by procedure the best  
12           management practices for commercial application of salt or salt alternatives  
13           required under 10 V.S.A. § 1352 on or before November 1, 2026 for initial use  
14           beginning on January 1, 2027.

15           (b) On or before January 15, 2026, the Secretary of Natural Resources shall  
16           solicit interest from third-party vendors for training and certifying commercial  
17           salt applicators under 10 V.S.A. chapter 47, subchapter 3A. If there is  
18           insufficient interest from vendors, the Secretary shall submit to the Senate  
19           Committees on Natural Resources and Energy and on Finance and the House  
20           Committees on Environment and on Ways and Means a recommended fee to

1 charge for certification of commercial applicators under 10 V.S.A. chapter 47,  
2 subchapter 3A.

3 (c) On or before January 15, 2028, the Secretary of Natural Resources shall  
4 submit to the House Committees on Environment and on Judiciary and the  
5 Senate Committees on Natural Resources and Energy and on Judiciary a  
6 recommendation of whether the State should extend limited liability protection  
7 to commercial salt applicators and municipal salt applicators who are trained in  
8 the best management practices for application of salt or salt alternatives for  
9 winter road maintenance and summer dust control suppression. The  
10 recommendation shall include: the scope of liability protection; to whom  
11 liability protection would apply; the requirements to receive liability  
12 protection, including the term of protection and when certification would be  
13 revoked; and when or if the liability protection would not apply in certain  
14 specified circumstances.

15 Sec. 6. AUTHORIZED POSITION; APPROPRIATIONS

16 (a) In addition to other positions authorized at the Agency of Natural  
17 Resources in fiscal year 2026, a permanent classified position is authorized for  
18 the purpose of administering the Chloride Contamination Reduction Program  
19 in 10 V.S.A. chapter 47, subchapter 3A.

20 (b) In addition to any other funds appropriated to the Agency of Natural  
21 Resources in fiscal year 2026, \$150,000.00 is appropriated from the General



1 Fund to the Agency of Natural Resources for the permanent classified position  
2 authorized under subsection (a) of this section.

3 (c) It is the intention of the General Assembly that the appropriation in  
4 subsection (b) of this section shall be made annually for the identified  
5 purposes.

6 (d) In addition to any other funds appropriated to the Agency of Natural  
7 Resources in fiscal year 2026, up to \$250,000.00 is appropriated from the  
8 General Fund to the Agency of Natural Resources for the purpose of  
9 contracting with an external organization to establish a certification training  
10 program. This certification program will be funded on an ongoing basis by  
11 certification fees charged to commercial salt applicators and attendees.

12 Sec. 7. EFFECTIVE DATE

13 This act shall take effect on passage.

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20 (Committee vote: \_\_\_\_\_)

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Representative \_\_\_\_\_

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FOR THE COMMITTEE