

February 25, 2025



To: Chair Anne Watson and Members of the Senate Comm. on Natural Resources & Energy

From: Jared Carpenter, Lake Champlain Committee

Re: Suggested Changes to S.29 v3.3

Shift of Municipal Road Applicators to Local Roads Program

If education for municipal road applicators is moved to the VTrans Local Roads Program, there would still be a need for training municipal non-road applicators, particularly for sidewalks, parking lots, and schools. This could be included as part of commercial applicator training.

V3.3, pg. 2 line 15 – pg. 3 line 5

§ 1352. CHLORIDE CONTAMINATION REDUCTION PROGRAM

(a) The Secretary of Natural Resources, after consultation with the Secretary of Transportation and other states with similar chloride reduction programs, shall establish the Chloride Contamination Reduction Program for the education, training, and certification of commercial salt applicators and municipal **non-road** salt applicators in the State, including requirements for certification of a master commercial salt applicator. **Education and training for municipal road application will be included in the Agency of Transportation Local Roads Program.** The Secretary may elect to implement the Program with State agency staff or through a competitively selected third-party vendor, or some combination. The Program shall include best management practices for application of salt or salt alternatives by commercial salt applicators and municipal salt applicators, but the Program shall specifically exclude salt applications related to transportation infrastructure construction projects.

V.3.3 pg. 3 lines 6 – 7

(b) The **Chloride Contamination Reduction** Program may be based on current best management practices **for use by ANR and the VTrans Local Roads Program.** The best management practices shall:

Record keeping

ANR should establish record keeping requirements for both commercial and municipal applicators (unless VTrans also wants to establish parallel record keeping requirements for their inclusion in the Local Roads Program). While the applicator is required to retain records for three years, records will not be submitted to either Agency.

V3.3 pg. 3 line 20 – pg. 4 line 3

(3) establish record-keeping requirements for commercial salt applicators and municipal salt applicators, including records of training and records describing the type and rate of application of salt or salt alternatives, the dates of use, **and** weather conditions

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requiring use of salt or salt alternatives ~~to be retained by applicators for three years and required submission to the Agency of Natural Resources;~~

Tracking of salt importation and application

A baseline of use needs to be established and reductions measured in order to determine program success. ANR would not be required to track importation and use of all salt, such as down to the retail level at the local hardware store, but only importation of bulk road salt. An estimate of annual application could be determined by annually requesting information from applicators regarding the amount purchased for that winter season. These changes may require a definition of “bulk salt.”

V3.3 pg. 5 lines 1 – 14

- (1) determine the amount of **bulk** salt annually imported into the State;
- (2) notwithstanding that the Program does not apply to State salt applicators, estimate the average amount of **bulk** salt applied annually for the years 2015 through 2025:
 - (A) by the State, municipalities, and private contractors each winter road management season between October and April **by requesting information from state, municipal, and certified commercial applicators on the total amount of bulk salt purchased after each winter season;** and
 - (B) from salt solutions applied by the State, municipalities, and private contractors for summer dust suppression;
- (3) determine the amount of **bulk** salt annually applied in the State using a public accounting method established by the Secretary to assess **bulk** salt purchases and applications within Vermont;
- (4) develop **bulk** salt reduction targets to guide the Agency of Natural Resources in measurably reducing chloride levels in surface waters and groundwater; and

Covering Salt Sheds

This is an important factor to reduce runoff into surface waters. Establish timelines for each step.

V.3.3 pg. 8 line 1 – pg. 9 line 4

§ 1354. STORAGE AND DISPOSAL OF SALT

The Secretary of Natural Resources shall:

- (1) **by July 1, 2026**, require that all salt storage facilities owned by private contractors, the State, municipalities, or other governmental entity be mapped on the Agency of Natural Resources' Natural Resources Atlas, and the types of materials stored and storage practices at each facility be identified;
- (2) **by July 1, 2026**, establish best management practices and an education program for the management of State-, town-, and privately owned salt storage facilities and snow disposal practices to prevent runoff to surface and groundwater;
- (3) require that all State-, municipal-, and privately owned facilities for the storage of salt or salt and sand mixtures that are within 100 yards of a surface water or drinking water source be under cover on or before 2030 and facilities for the storage that all other State-, municipal-, and privately owned of salt or salt and sand mixtures be under cover on or before 2035;
- (4) require that all State-, municipal-, and privately owned facilities for the storage of sand that is not mixed with salt that are within 100 yards of a surface water or drinking water source be managed to contain runoff on or before 2030 and all other State-, municipal-, and privately owned facilities for the storage of sand that is not mixed with salt be managed to contain runoff on or before 2035; and
- (5) **by January 15, 2026**, identify funds or funding sources that may be used to grant funds to facilities subject to the cover requirements of this section and that would allow priority for grant awards to be provided to salt shed projects in municipalities with fewer than 1,200 residents.

Enhanced monitoring from an identifiable source

V3.3 pg. 9 line 18 – pg. 10 line 8

Sec. 3. ANR ENHANCED MONITORING OF CHLORIDE LEVELS IN SURFACE WATERS
When a State water or water segment is identified as contaminated by chloride levels that exceed the chronic or acute standards established by the U.S. Environmental Protection Agency (EPA), the Secretary of Natural Resources shall begin regular monitoring of the chloride levels in that water or water segment and investigate potential acute ~~and diffuse~~ contamination sources, ~~such as including~~ impervious surfaces. ~~If the source that is causing chloride contamination levels that exceed EPA chronic or acute standards is found,~~ **In circumstances when a chloride discharge is occurring from a single identifiable source**, the Secretary of Natural Resources shall require monitoring at the physical discharge point into a water of the State or into a hydrological connection to a water of the State.