

ASK THE LEAGUE, NOVEMBER 2012

Can a municipal fire department bill for services incurred in response to a hazardous substance spill?

Yes. A self-executing provision of Vermont law (20 V.S.A. § 39(e)) provides that “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.” If the entity responsible for the spill refuses to pay the bill, the municipality “shall be awarded costs and reasonable attorney fees that are incurred as a result” of pursuing payment.

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