



VERMONT LEGISLATIVE  
**Joint Fiscal Office**

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## Fiscal Note

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### **S.218 – An act relating to reducing chloride contamination of State waters**

**As passed by the Senate<sup>1,i</sup>**

#### **Bill Summary**

This bill aims to reduce chloride pollution caused by the use of road salt. Contingent on a General Fund appropriation, the bill would establish a Chloride Contamination Reduction Program in the Agency of Natural Resources (ANR), which would offer voluntary training and certification for commercial salt applicators in best practices to ensure pedestrian and motor safety while minimizing environmental impacts. The bill would also direct the Secretary of Natural Resources, in collaboration with the Secretary of Transportation, to incorporate corresponding training for municipal salt applicators into the voluntary Vermont Local Roads curriculum.

#### **Fiscal Impact**

Implementation of the Chloride Contamination Reduction Program would be contingent on a General Fund appropriation for this purpose. ANR and the Agency of Transportation (AOT) have both provided the Joint Fiscal Office (JFO) with estimated implementation costs within their respective agencies. Opportunities to share a subset of these implementation costs across AOT and ANR agencies may be possible.

ANR estimates \$350,000 would be necessary for program implementation, consisting of a one-time \$200,000 appropriation for contracted services and a recurring \$150,000 appropriation for one permanent classified position. AOT estimates that implementation of municipal salt applicator training through the Vermont Local Roads Program would require a recurring appropriation of \$350,000, consisting of \$200,000 for contracted services and \$150,000 for one permanent classified position.

If funded and implemented, the bill would direct the Secretary of Natural Resources to recommend to the General Assembly a certification fee for commercial salt applicators by January 15, 2027. Revenue from this fee could offset program costs, but the total amount raised would depend on the fee amount and program participation levels.

The bill would also direct the Secretary to report to the committees of jurisdiction on State and municipal practices for the storage of road de-icing materials. Implementation of this directive is not contingent on a General Fund appropriation and could incur additional staffing demands within ANR.

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<sup>1</sup> *The Joint Fiscal Office (JFO) is a nonpartisan legislative office dedicated to producing unbiased fiscal analysis – this fiscal note is meant to provide information for legislative consideration, not to provide policy recommendations.*

## Background and Details

The following sections of the bill could have a fiscal impact on the State.

### Sections 2 and 4: Chloride Contamination Reduction Program

Section 2 of the bill would direct the Secretary to establish the Chloride Contamination Reduction Program. The Program would offer voluntary training and certification for commercial salt applicators in best practices to ensure pedestrian and motor safety while minimizing environmental impacts. The Secretary would be required to adopt the Program's underlying best management practices through rulemaking before July 1, 2027. These best management practices would specify various standard practices to reduce the transport of chloride into waters of the State, as well as program administration and certification requirements.

This section would also require certified commercial salt applicators to submit an annual summary of winter salt usage and direct the Secretary to establish methods to estimate and track the amount of salt applied by certified commercial salt applicators.

Section 4 of the bill would direct the Secretary to incorporate similar training for municipal salt applicators into the voluntary Vermont Local Roads curriculum. Sections 2 and 4 would establish an affirmative defense for certified commercial salt applicators, trained municipal applicators, and their clients against claims for damages arising from a hazard caused by snow and ice. This affirmative defense would be applicable only if the claimed damages were caused solely by snow or ice, and if any failure or delay in removing or mitigating the hazard were the result of an applicator implementing best management practices established under the Program.

The Secretary would be authorized to implement the Chloride Contamination Reduction Program through agency staff, a third-party vendor, or a combination thereof.

### Section 3: ANR Report on Management of Salt and Sand Storage Facilities

Section 3 of the bill would require the Secretary to submit a report to the committees of jurisdiction by January 15, 2027 on the management of State and municipal storage facilities for salt, sand, sand-salt mixtures, and salt alternatives. This report would include an inventory of State storage facilities and estimates of:

- The number of storage facilities that are under cover, such as salt sheds.
- The number of uncovered facilities and their proximity to surface water or drinking water sources.
- The time and annual funding needed to cover or relocate uncovered storage facilities.

Implementation of this section could incur additional ANR staffing demands.

### Section 5: Fee Report

Section 5 of the bill would direct the Secretary to do the following by January 15, 2027:

- Solicit interest from third-party vendors in training and certifying commercial salt applicators under the Chloride Contamination Reduction Program.
- Recommend to the committees of jurisdiction a certification fee to be charged either by the State or by a third-party vendor for the certification of commercial and municipal salt applicators. Any fee charged to salt applicators under the Program would then have to be approved by the General Assembly.

### Section 6: Contingent Implementation

Section 6 of the bill would make implementation of Sections 2 (Chloride Contamination Reduction Program), 4 (municipal salt applicators; Vermont Local Roads curriculum; affirmative defense), and 5 (fee report) contingent on a General Fund appropriation.

ANR and AOT have provided JFO with estimated implementation costs for their respective programs. ANR estimates a total appropriation of \$350,000 would be required for program implementation. This consists of

a one-time \$200,000 appropriation to contract for curriculum and training development services and a recurring \$150,000 appropriation for one permanent classified position.

In addition, AOT estimates a recurring \$350,000 appropriation would be necessary for the delivery of municipal salt applicator training through the Vermont Local Roads curriculum, consisting of \$200,000 to contract for training delivery and \$150,000 for one permanent classified position to accommodate additional program administration demands.

A lower total appropriation may be possible based on opportunities to share staffing, program development, and implementation costs across AOT and ANR.

Section 3 (ANR report on management of salt and sand storage facilities) would be effective on passage.

## **Additional Fiscal Considerations**

If implemented, many of the costs and savings associated with the Chloride Contamination Reduction Program would be experienced by municipal or private entities. While the Joint Fiscal Office (JFO) cannot estimate fiscal impacts on municipalities or private actors, it offers the following considerations.

**Avoided pollution:** To the extent that the program successfully reduces or prevents water quality impairments from chloride pollution, this would represent avoided costs to the State, municipalities, private organizations, and individuals.

**Reduced road salt purchases:** If successful, the program could reduce road salt usage, reducing costs for municipalities and private entities. Savings would vary depending on factors such as winter severity, pavement area maintained, and the extent to which the program alters purchasing and operational behavior. It should be noted that cost savings may not be realized for some time after program implementation, given factors such as pre-implementation bulk purchases of salt and salt alternatives.

**Participation costs:** While reduced salt use could generate cost savings for program participants, this would be offset somewhat by program participation costs.

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<sup>i</sup> The full fiscal note history is available on the fiscal tab of the bill page on the General Assembly website and can be accessed through a bill number search on the JFO page.