

## HAZARDOUS MATERIALS PROGRAM ENVIRONMENTAL FACT SHEET

## Hazardous Material Spill Response

This fact sheet applies to any Vermont business or municipality that handles hazardous material (including hazardous waste, petroleum products, or CERCLA hazardous substances), and consequently may need to respond to and report a release of hazardous material (spill) to the environment. It summarizes the spill response and notification requirements included under **Section 7-105** in the [Vermont Hazardous Waste Management Regulations \(VHWMR\)](#) and **Section 35-102** in the [Investigation and Remediation of Contaminated Properties Rule](#) and describes response procedures for releases of hazardous materials.

### How do I respond to a spill?

#### 1. Assess the Hazard and Perform Initial Response (if appropriate)

For spills that can be safely managed without assistance:

- Stop the release at its source.
- Prevent spilled material from entering storm drains, waterways, drainage ditches, etc.; and
- Contain spilled material using a barrier (absorbent pads or socks), temporary dike or trench.

For all other spills, a cleanup contractor will likely need to be hired since they have the training and equipment necessary to safely respond to dangerous hazardous material spills. A list of spill cleanup contractors that operate in Vermont is maintained online at:

<http://dec.vermont.gov/waste-management/spills>

#### 2. Report the Spill

Any hazardous material spill to the land or water that meets the criteria listed below must be immediately reported to the Department of Environmental Conservation (DEC) Spill Response Team (spill team) by calling the **24-hour Hazardous Materials Spills Hotline at 1-800-641-5005 or (802) 828-1138 during regular business hours (M-F 7:45 am - 4:30 pm EST)**. *If there is any question about whether a spill is reportable, call.*

- A spill of 2 gallons or more.
- A spill that is less than 2 gallons, but poses an actual threat to human health or the environment (for example, a gallon of gasoline spilled to a wetland); or
- A spill that exceeds a CERCLA reportable quantity. CERCLA reportable quantities of hazardous substances are listed in 40 CFR Section 302.4:

<https://www.ecfr.gov/current/title-40/chapter-I/subchapter-J/part-302/section-302.4>

Any person who has knowledge of a spill and who may be subject to liability for that spill is responsible for reporting the spill. In addition to reporting to the DEC, any spill of hazardous material that impacts (or threatens) surface water (e.g., lakes, streams, wetlands) must also be reported to the U.S. Coast Guard via the National Response Center at **1-800-424-8802**.

### *3. Clean up and follow up*

Any business or municipality who may be responsible for a spill must:

- Ensure that the spill is cleaned up to the extent that it no longer presents a threat to human health or the environment.
- Make a hazardous waste determination for all spill cleanup materials.
- Ensure that contaminated soil/water/debris is collected and managed appropriately; and
- **For any reportable spill, a written follow-up report must be submitted within 10 days detailing how the spill was cleaned up and how associated waste was managed.**

#### **What happens when a spill is reported to the DEC?**

When a spill is reported to the DEC, a spill team member will determine if on-site assistance is needed to assess environmental impact and/or oversee cleanup efforts. The spill team member can provide assistance related to spill containment and cleanup, and the proper management of cleanup materials. The DEC's spill team can also assist with obtaining information about the hazards associated with the spilled materials, contacting other individuals with potential cleanup obligations, and, if needed, hiring a cleanup contractor.

It is important to report spills immediately so that the DEC can quickly assess the potential for environmental impact and coordinate outside assistance as necessary. Any details that can be provided about the estimated amount of material spilled material, or the location of the release can be helpful to complete that assessment. Delays in reporting can result in greater environmental impacts and a more complicated and costly cleanups.

#### **What happens when a hazardous material spill occurs during transportation?**

The owner or operator of the vehicle from which the material has been released has the primary obligation of reporting and cleaning-up a hazardous materials spill that occurs during transportation. This person should stop the vehicle, report the incident, and try to contain the spill. They should remain at the scene of the release, and not drive away. Although the responsibility lies with the vehicle owner or operator, transportation related spills typically are reported to the DEC by the emergency responder (fire chief or police officer) who first arrives at the spill scene.

While transportation-related spills are subject to the same reporting requirements as those that occur at fixed facilities, any transportation-related spill that meets the criteria of a "Reportable Incident" specified in Section 171.15 of 49 CFR (the federal Department of Transportation regulations) must also be reported to the National Response Center at 1-800-424-8802. Examples of Reportable Incidents include a death or injury requiring hospitalization; closure of a major transportation artery or facility for more than one hour; and evacuation of the public for more than one hour.

An incident commander (in most cases, the local fire chief) is usually designated to oversee the spill response effort in consultation with the DEC spill team. The responsible party(ies) may also be involved in the cleanup depending on their willingness and/or ability. Any follow-up to the initial spill response

shall be coordinated with the DEC's spill team.

**What are some best management practices for spill prevention and emergency preparedness?**

- Develop a spill prevention plan; involve employees so they know how and why spills occur.
- When transferring liquids, use drip trays, funnels, or other means to avoid spills.
- Use spring-loaded drum covers, valves or other positive shut-off devices.
- Ensure that all containers are closed when not adding or removing material and protected from precipitation and freezing (if subject to freezing).
- Store all containers on an impervious surface (such as concrete) that is protected from weather.
- Instruct employees in spill response procedures. Include basic safety precautions like:
  - Minimize contact with or walking in spilled material
  - Minimize inhalation of any gases, vapors or smoke that result from a spill
  - Promptly wash any skin that comes in contact with spilled material
- Post a list of emergency numbers near phones or in vehicles.
- Maintain spill control and containment equipment in designated areas.

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***For more information regarding hazardous material spill response, or if you have other hazardous waste management questions, please contact:***

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802-828-1138  
<https://dec.vermont.gov/waste-management/hazardous>