

	<b>HAZMAT INCIDENT BILLING</b>		<b>2012revA</b>
	<b>AUTHORED BY:</b> Lt. Cy Pollema, Lt. Jason Goodale	<b>FESSAM#</b> 4B.2	<b>EFFECTIVE DATE:</b> 8/9/2012
	<b>APPROVED BY:</b> Fire Chief Mark Miller <i>Mark Miller</i>		<b>REVISION DATE:</b> 8/9/2015

## Procedure:

The Application procedures are as follows:

- Application for reimbursement must be within one year of completing the incident.
- The application can be obtained at [www.epa.gov/superfund/programs/er/lgr](http://www.epa.gov/superfund/programs/er/lgr) or by calling 1-800-431-9209.
- The following criteria must be met in order to apply:
  - LFR responded to a release or threatened release of hazardous substances, pollutants or contaminants to the environment.
  - LFR does not have money in the budget for the response.
  - The City of Loveland is not responsible for the release.
  - The City of Loveland was unable to recover the costs from the responsible party for the release, from the State of Colorado or from the local government insurance company.
- According to the above, the Loveland Fire Rescue Department has the right to recover any costs incurred in response to a hazardous materials incident. Any expenses associated with hazardous materials response that are assessed by the Loveland Fire Rescue Department are separate and removed from any other costs or fines that may be ordered on the responsible party by Federal, State and/or Local government entities.

The following procedures will be followed during and after a hazardous materials incident:

- Making the Determination to bill the Responsible Party
  - Throughout the course of any given year, several minor hazardous materials incidents take place that do not require a cost recovery process. As such, two categories for cost recovery are hereby established:
    - Ordinary operation. This involves the day-to-day hazardous materials incidents where less than \$50 worth of equipment is either used or damaged. No attempts will be made to recover costs for ordinary operations.

- Extraordinary operation. This involves any hazardous materials incident where more than \$50 worth of equipment is either used, damaged or contaminated. The City of Loveland Fire Rescue Authority will make every attempt possible to recover costs under these conditions.
- Establishing Equipment Inventory Utilized
  - An inventory of all equipment and/or supplies used and/or expended at an incident will be documented on the *Inventory of Expended Equipment* (Table 1) form by personnel on scene of the incident. This documentation will be forwarded to the Special Operations Team hazmat coordinator. It will be the responsibility of the Hazardous Materials Rescue Group Supervisor to assure this documentation is complete.
- Billing Procedure
  - Upon completion of the NFIRS, the incident commander will forward a copy of the report and the *Inventory of Expended Equipment* form to the Special Operations Team hazmat coordinator or designee. This will take place no more than 48 hours after the incident has been terminated to ensure that a timely billing process is accomplished to replenish lost supplies and equipment.
- Responsibilities of the Special Operations Team Hazmat Coordinator or designee
  - Upon receipt of the proper paperwork, the coordinator will complete the *Haz Mat Billing and Cost Recovery* form (Table 2) to determine if the costs are either ordinary or extraordinary as defined above.
  - If the costs are ordinary, the *Haz Mat Billing and Cost Recovery* form will be filed for future reference and no further action will be taken.
  - If the costs are extraordinary, then all attempts will be made to recover lost, damaged or contaminated equipment.
  - Equipment costs will be based on replacement cost and not determined by the purchase price.
  - Costs for apparatus and personnel will be based on the *Fee Schedule* (Table 3).
  - Cost recovery for personnel will be based on whether the incident has a duration of two or more hours. This not only includes on-scene paid members, but also those who are back filling vacant stations.
  - Due to the constraints of the Fair Labor Standards Act (FLSA), the City of Loveland Fire Rescue Authority cannot recover personnel costs associated with Reserve Firefighters.
  - Upon the completion of the inventory sheet, Table 2 and Table 3, all information pertaining to the incident and the recipient of the bill needs to be filled out on *Hazmat Billing Information* (Table 4).
  - The completed package will be forwarded to the Division Chief of Operations for review within 48 hours to expedite the timely replacement of lost equipment and supplies.
  - Upon acceptance by the division chief of operations, the package will then be forwarded to the Loveland city clerk.
  - Should the need arise to make application to the Environmental Protection Agency's local Government Reimbursement Program, all required steps will be followed. Please refer to the EPA internet site or call the toll-free number listed above for assistance.
  - For incidents occurring while operating with mutual aid hazardous materials teams, the Special Operations Team hazmat coordinator or designee will submit the appropriate

paperwork described above to the Designated Emergency Response Authority (DERA) responsible for the incident.

### Table 1

## INVENTORY OF EXPENDED EQUIPMENT

**Incident Number:** \_\_\_\_\_

Date: \_\_\_\_\_

**Incident Location:** \_\_\_\_\_

[illegible]

**Table 2**

**Haz Mat Billing and Cost Recovery Form**

<b>Description</b>	<b>Quantity</b>	<b>Unit Cost</b>	<b>Total Cost</b>
<b>APPARATUS</b>	<b>QUANTITY AND HOURS</b>		
Squad			
Engine			
Truck			
Rescue			
Support Vehicle			
Other (Describe)			
<b>PERSONNEL</b>	<b>QUANTITY AND HOURS</b>		
Chief			
Division Chief			
Battalion Chief			
Captain			
Lieutenant			
Engineer			
Firefighter			
Other (Describe)			
<b>EQUIPMENT</b>			

**TOTAL AMOUNT TO BE REIMBURSED    \$ \_\_\_\_\_**

**Table 3**

**Fee Schedule**

**APPARATUS**

<b>Type of Apparatus</b>	<b>Cost / Hour*</b>
Squad	\$95
Engine	\$95
Truck	\$145
Rescue	\$75
Support Vehicles	\$25
Other Vehicles	

**PERSONNEL**

<b>Type</b>	<b>Cost / Hour**</b>
Chief	\$56
Division Chief	\$50
Battalion Chief	\$37
Captain	\$37
Lieutenant	\$37
Engineer	\$33
Firefighter	\$27
Other Personnel	

\* As determined by FEMA schedule of equipment rates 2008

\*\* As determined by City of Loveland 2009 Employee Pay Plan midpoint hourly rate

NOTE: Tools, equipment and supplies that are expended will be billed according to current replacement costs.

### Hazmat Billing Information

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[illegible]

This a bill claiming financial reimbursement for items and personnel utilized on the incident listed above. Loveland Fire and Rescue responded to a hazardous materials situation that was caused by the on-site personnel and/or property manager/owner. Loveland Fire and Rescue Authority is hereby authorized to recoup any and all costs associated with any hazardous materials incident, per state and federal regulations. Should you have any questions, please contact the agency that issued this bill.

## Revision History:

None

## References:

1. Colorado Revised Statutes (CRS), 42-20-112, *Reimbursement of Local Governments*
2. Environmental Protection Agency, 40 CFR Part 310, *Reimbursement to Local Governments for Emergency Responses to Hazardous Substances Releases*. Also known as the *Local Government Reimbursement program* (LGR).