



MINNEAPOLIS FIRE DEPARTMENT COST RECOVERY RATE SHEET

Hazardous Materials Emergency Response Cost Recovery

Minneapolis Fire Department - Hazardous Material Response Rate Sheet

The Minneapolis Fire Department has created a cost recovery model for our responses to Hazardous Materials calls. It includes a schedule for *Hazardous Materials Response* as defined by this Department. These costs will help the fire department recover costs for all equipment and labor used in these emergencies. This is possible under the City of Minneapolis Chapter 48. Minneapolis Watershed Management Authority.

CHAPTER 48. MINNEAPOLIS WATERSHED MANAGEMENT AUTHORITY*

48.200. Authority to order abatement activities.

(a) The authority may order the abatement of environmental pollution when the authority determines that such pollution poses a significant and immediate threat to the environment, and/or public health and safety. Abatement may include, but is not limited to: immediate action to stop or contain the spill or discharge, sampling and testing; implementing technical controls or processes; or proper cleanup and disposal of all contaminated material.

(b) Facility operations or discharges may be interrupted when these are determined by the authority to be contributing sources of the pollution.

(c) Responsible parties and other individuals in a position to render assistance are required to take whatever actions are necessary under the circumstances as they exist to stop and contain any spill or discharge in the best way possible so as not to be detrimental to the environment.

(d) In cases where the responsible party or property owner fails to perform appropriate abatement measures or if the site conditions present a substantial and imminent threat to the environment, public health and safety and swift corrective action is deemed necessary by the city or authorized personnel, the city or authorized personnel may perform necessary abatement, with all costs billed back to the responsible party pursuant to section (48.210. (2002-Or-169, § 19, 11-8-02)

48.210. Billing of costs. Any costs of abatement and cleanup associated with emergency response actions taken by the city, including, but not limited to: sampling, analyses, abatement, emergency actions, legal expenses, cost of materials and equipment, and labor costs, shall be borne by the owner of the property at which the incident occurred, or by the owner of the device causing the incident. If such person fails to pay, costs will be assessed per section (48.220. (2002-Or-169, § 20, 11-8-02)

48.220. Assessing of costs. If all costs, as set out in section 48.210 are not paid by the responsible person(s) in accordance with the due date posted, such facts shall be reported to the city council. All costs, including an administrative fee, incurred by the city under section 48.210 shall be assessed, levied and collected as a special assessment payable in one sum or by up to ten (10) equal annual installments as the council may provide against the premises from which it was removed, in the manner provided for in this section. When the city takes a response action under this chapter, the authority shall mail to the property owner a notice of intent to assess the costs of said action.

Such notice shall state the amount and basis for the costs and the time, date and place of a hearing before a hearing officer appointed by the council to determine the validity and amount of the proposed assessment. The notice may require, as a prerequisite to an owner's challenge of an assessment, that the owner file written objections to the assessment no later than ten (10) days before the hearing. The notice shall state that the owner may appeal the assessment to the district court within thirty (30) days after the adoption of the assessment by the council at an annual meeting. The notice shall also inform the owner of the provisions of Minnesota Statutes, Sections 435.193 to 435.195 and of the existence of any deferment procedure. (2002-Or-169, § 21, 11-8-02)