

## Salt Applicator Training Programs

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### Issue

Summarize (1) New Hampshire's program that allows commercial salt applicators to become trained and certified in "green" practices and (2) legislative efforts in Connecticut to create a salt application training program.

### Summary

New Hampshire law and regulations implement a voluntary annual certification program for certain commercial salt applicators, with the goal of reducing the amount of salt used on roads, parking lots, and other surfaces ([N.H. Rev. Stat. Ann. § 489-C:1 et seq.](#)).

To be certified, an individual must complete a training program on, among other things, salt's chemical properties, effective use of salt brine and other liquids, plowing techniques, and related new technologies. Under the law, "salt" includes sodium chloride, calcium chloride, magnesium chloride, and other chloride substances.

Certified applicators and the owners, occupants, or lessees of land whose premises they maintain are exempt from damages arising from the failure or delay in removing or mitigating snow or ice on the premises when following state best management practices.

While [SB 97](#) (2020) would have required Connecticut's state departments of energy and environmental protection (DEEP) and transportation (DOT) to, among other things, work with UConn's Tech Transfer Center to conduct a salt application training program for state, municipal, and private roadside applicators, the bill did not become law.

# **New Hampshire Salt Applicator Certification Program**

## ***Program Purpose***

The purpose of New Hampshire's voluntary salt applicator certification program is to do the following:

1. improve salt use efficiency so that the least amount of salt is used to ensure safe surface conditions for vehicles and pedestrians in winter conditions,
2. reduce the amount of salt used by commercial applicators over time while maintaining safe surface conditions, and
3. track annual salt use by commercial salt applicators ([N.H. Code Admin. R. Ann. Env-Wq 2201.01](#)).

Additional information about the program is available on the New Hampshire Department of Environmental Services' [website](#).

## ***Certification Process***

Three certifications are available under New Hampshire's voluntary salt applicator program: a master certification, an individual certification, and a subordinate certification. A master certification is for an owner or chief supervisor of a business that employs or contracts with commercial applicators. Subordinate certification is for individuals who are or will be employed by a someone with a master certificate. The individual certification is for people who do not employ or supervise other applicators.

To be certified, individuals must successfully complete an approved training program to demonstrate knowledge in such things as salt's chemical properties, spreading equipment calibration, effective salt brine use and plow techniques, and new de-icing and anti-icing technologies ([N.H. Code Admin. R. Ann. Env-Wq 2203.01](#)).

Individuals seeking certification must submit an application that includes such things as their name, address, any affiliated salt application business, and information about the spreading equipment and de-icing materials the applicant uses ([N.H. Code Admin. R. Ann. Env-Wq 2203.03](#)).

Certifications must be annually renewed, and renewal is contingent upon successfully completing continuing education requirements and submitting annual reports ([N.H. Code Admin. R. Ann. Env-Wq 2203.04](#)).

The below table lists the application fees required for either an initial or renewal certification, by certification type.

**Table: Certification Application Fees (Initial or Renewal)**

<i><b>Certificate Type</b></i>	<i><b>Fee</b></i>
Master	\$250
Individual	150
Subordinate	25
Business (master certificate covering at least four subordinate certificates for individuals employed by the business)	350

Source: [N.H. Code Admin. R. Ann. Env-Wq 2203.08](#)

Master and individual certified applicators must report the following to the state salt accounting system: (1) total amount of salt used, (2) names of the towns in which salt was applied, (3) acreage of maintained paved surface, and (4) any salt alternatives used ([N.H. Code Admin. R. Ann. Env-Wq 2204](#)).

### ***Liability Protection***

New Hampshire provides liability protection to certified applicators and the owners, occupants, or lessees of land whose premises they maintain. The law exempts them from liability for damages arising from hazards on the premises caused by snow or ice, as long as their failure or delay in removing or mitigating the hazards is due to following state best management practices, and not because of gross negligence or reckless disregard of the hazard. It presumes that adopting the best management practices for winter road, parking lot, and sidewalk maintenance is evidence of acting according to them, unless there is contrary proof.

To be protected, the law requires the applicator, or the owner, occupant, or lessee, to maintain, for three years, written records describing its winter road, parking lot, and property maintenance practices. The records must include the type of de-icing materials used, their rate of application, treatment dates, and the weather conditions for each event needing treatment ([N.H. Rev. Stat. Ann. § 508:22](#)).

## **Connecticut Legislation**

During the 2020 legislative session, the Environment Committee considered legislation that would have required DEEP and DOT to jointly do the following:

1. establish a low/no-salt standard for road salt application in areas that drain into public drinking water reservoirs;
2. work with UConn's Tech Transfer Center to conduct a training program for state, municipal, and private roadside applicators; and
3. report to the Environment and Transportation committees on (a) how many applicators received the training, (b) goals for the program's future, and (c) legislative recommendations to reduce the effects of sodium-chloride on private wells and public drinking water supplies ([sSB 97](#) ([LCO 2310](#) as amended by [Amendment B](#))).

Under the bill, the training program would be based on the existing Connecticut Best Management Practices "Green Snow Pro: Sustainable Winter Operations" guide for municipalities, which covers such things as how salt works, the brine creation process, anti-icing strategies, calibrating equipment, and material storage. At least one training session would be conducted in each county and DEEP and DOT would provide information about the training to each regional council of governments.

The Environment Committee held a public hearing on the bill and voted it out of committee, but the bill did not move forward in the legislative process before the legislature's closure from COVID-19 concerns.

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