



CITY OF BOSTON • MASSACHUSETTS

OFFICE OF THE MAYOR  
THOMAS M. MENINO

August 30, 2009

**TO THE CITY COUNCIL**

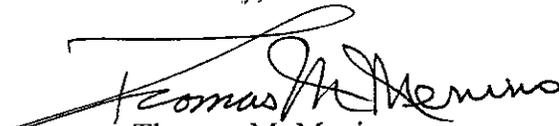
Dear Councilors:

I transmit herewith for your approval an Order authorizing the Boston Fire Department to continue a revolving fund to support the Boston Fire Department's Hazardous Response Program, which was established in conformance with Massachusetts General Laws Chapter 21E, the Massachusetts Oil and Hazardous Material Release Prevention and Response Act. Section 4 of Chapter 21E provides for the recovery of costs from liable parties. The Department will charge responsible parties an hourly rate for personnel and apparatus responding to a hazardous materials emergency response. The hourly fee is to be established by the Fire Commissioner.

The fees paid by responsible parties will be used to provide training services and materials, purchase equipment and supplies and provide administrative support and contractual services required for the Emergency Materials Response Program. Expenditures from the fund will be capped at One Hundred Fifty Thousand Dollars (\$150,000.00) for fiscal year 2010.

I urge your Honorable Body to pass this Order so that the Boston Fire Department may purchase the necessary equipment, supplies and services to respond to hazardous material emergency incidents with fees assessed against parties responsible for said incidents

Sincerely,

  
Thomas M. Menino  
Mayor of Boston

**CITY OF BOSTON**  
**IN CITY COUNCIL**

**AN ORDER REAUTHORIZING THE BOSTON FIRE DEPARTMENT TO ESTABLISH AND MAINTAIN A REVOLVING FUND WHICH SHALL BE CREDITED WITH ALL RECEIPTS RECEIVED PURSUANT TO COSTS ASSOCIATED WITH MASSACHUSETTS GENERAL LAW CHAPTER 21E, THE MASSACHUSETTS OIL AND HAZARDOUS MATERIAL RELEASE PREVENTION AND RESPONSE ACT**

**ORDERED:** That the Boston Fire Department, acting by and through its Fire Commissioner, be and hereby is authorized, pursuant to G.L. c. 44, s. 53E½, to establish and maintain a revolving fund which shall be credited with any and all receipts received in Fiscal Year 2010 pursuant to detection, cleanup and containment costs associated with the Massachusetts General Laws Chapter 21E, Massachusetts Oil and Hazardous Materials Release Prevention and Response Act. The Fire Department shall be authorized to credit and expend from the fund up to an amount not to exceed \$150,000.00 for the current fiscal year, 2010. In addition to the annual report required by General Laws Chapter 44, Section 53E½, the Fire Commissioner shall provide written quarterly reports to the City Council and City Auditor, which shall state the total amounts of receipts and expenditures for the revolving fund under its control for the prior quarter.

**I HEREBY CERTIFY THAT  
THE FOREGOING, IF PASSED IN  
THE ABOVE FORM, WILL BE IN  
ACCORDANCE WITH LAW.**

  
**WILLIAM F. SINNOTT**  
**CORPORATION COUNSEL SPN**