

Act 154 Chemical Use Working Group

Meeting Minutes: Nov. 1, 2016

Vermont State House, Room 11, Montpelier, Vermont

Facilitated by Jen Duggan, ANR General Counsel

1. The meeting convened at 12:30pm with introductions and a summary of work to date by ANR General Counsel Jen Duggan.
2. Minutes from the October 19, 2016 meeting were unanimously approved.
3. Working group members presented their recommendations in the following order:
 - a. *Ian Balcolm, Lyndon State College*
 - Formation of an Office of Chemical Hazards Assessments.
 - b. *Sarah Vose, Dept. of Health.*
 - Testing of private water for manmade chemicals.
 - c. *Falko Schilling, VNRC*
 - Institute a Certified Planner Requirement Under Act 100, and Improve Technical Assistance Available to Companies in Vermont.
 - Expand the List of Substances that Trigger Reporting Under Act 100. Falko will provide a copy of Act 188 and the relevant Massachusetts lists to the Working Group.
 - d. *Falko Schilling and Jon Groveman, VNRC*
 - Improve Citizen Right to Know, Assess & Address Risks of Contamination
 - Provide Greater Information to the Public About Use of Toxic Chemicals and Hazardous Materials in Their Communities
 - e. *Lauren Heirl, Vermont Conservation Voters*
 - Make it Easier to Restrict and Label Chemicals of High Concern in Children's Products
 - Expand Act 188 to Cover all consumer products, and require reporting of product name and universal product code (UPC)
 - f. *Falko Schilling, VNRC*
 - Ban the Use of Poly and Pefluoroalkyl Substances (PFASs) From Food Contact Substances and Dental Floss
 - g. *Martin Wolf, Seventh Generation*
 - Expanding Act 100 Reporting to all chemicals entering Vermont
 - h. *Jen Duggan, Agency of Natural Resources*
 - Expansion of Reporting Requirements and Creation of a Comprehensive Chemical Database
 - i. *Josh Cox, Department of Public Safety*
 - EPCRA Policy Recommendations
 - j. *Carey Giguere, Agency of Agriculture*

- Homeowner pesticide usage
Nat Shambaugh (LCBP) commented that a recommendation such as this should include prescription drugs purchase and geographical usage attained from zip code collection at time of purchase.
- k. *Ken Rumelt, Vermont Law School*
 - Citizen Suit Enforcement
 - Medical Monitoring
 - Strict Joint and Several Liability with a Right to Seek Contribution

Presentation of each policy recommendations were followed by questions and discussion from Working Group members and Interested Parties in attendance.

4. Jen Duggan asked all parties to continue discussions regarding edits to policy recommendations. ANR will provide a list of contact information for each policy recommendation and a deadline by which all edits must be submitted. The next meeting will cover the policy selection process and steps for drafting the selected policy recommendations.
5. The meeting adjourned at 4:10 p.m.

Working Group members in attendance

Dr. Ian Balcom, *Lyndon State College*
 Paul Burns, *Vermont Public Interest Research Group (VPIRG)*
 Josh Cox, *VT Department of Emergency Management and Homeland Security*
 Bill Driscoll, *Associated Industries of Vermont*
 Jen Duggan, *VT Agency of Natural Resources*
 James Ehlers, *Lake Champlain International (LCI)*
 Cary Giguere, *VT Agency of Agriculture Food & Markets*
 Jon Groveman, *Vermont Natural Resources Council (VNRC)*
 Lauren Heirl, *Vermont Conservation Voters*
 Dr. Deborah Hirtz, *University of Vermont School of Medicine*
 Shaina Kasper, *Toxics Action Center (TAC)*
 Mitch Krauss, *Burton Snowboards*
 Scott Meyer, *VT Occupational Safety and Health Administration (VOSHA)*
 Ken Rumelt, *Vermont Law School*
 Sarah Vose, *VT Department of Health*
 Martin Wolf, *Seventh Generation*

Interested Parties in attendance:

Joe Choquette, *Down Rachlan Martin*
 Allison Crowley DeMag, *Morris & DeMag, Inc., American Chemistry Association*
 Morgan Fray, *Vermont Law School*
 Rinku Kapoor, *Vermont Law School*
 Matt McMann, *MMR*
 Jonas Reagan, *Vermont Law School*

Nicole Sala, *Seventh Generation*
Falko Schilling, *VPIRG*
Nat Shambaugh, *Lake Champlain Basin Program*
Jack Spicer, *Vermont Law School*
Lizzie Tisher, *Vermont Law School*
Daniel Tukey, *Global Foundries*

ANR staff in attendance:

Marcella Dent
Marjorie Gale
Joanne Garton
Jordan Gonda
Ernie Kelley
Lynn Metcalf
Chuck Schwer
Tami Wuestenberg
John Zaikowski