



**State of Vermont**  
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*Office of the Secretary*

## **INTERAGENCY COMMITTEE ON ADMINISTRATIVE RULES (ICAR) MINUTES**

**Meeting Date/Location:** January 13, 2020, Pavilion Building, 5<sup>th</sup> floor conference room, 109 State Street, Montpelier, VT 05609

**Members Present:** Chair Brad Ferland, Dirk Anderson, John Kessler, Steve Knudson, Clare O'Shaughnessy and via phone Diane Bothfeld and Matt Langham

**Members Absent:** Ashley Berliner, Jennifer Mojo, and Shayla Livingston

**Minutes By:** Melissa Mazza-Paquette

- 2:00 p.m. meeting called to order, welcome and introductions.
- Review and approval of minutes from the December 9, 2019 meeting.
- No additions/deletions to agenda. Agenda approved as drafted.
- No public comments made.
- Presentation of Proposed Rules on pages 2-5 to follow.
  1. Child Care Licensing Regulations: Center Based Child Care and Preschool Programs, Vermont Agency of Human Services, Department for Children & Families, page 2
  2. General Assistance / Emergency Assistance Rules, Vermont Agency of Human Services, Department for Children & Families, page 3
  3. Solid Waste Management Rules, Agency of Natural Resources, page 4
  4. Rule Governing Testing and Remediation of Lead in the Drinking Water of Schools and Child Care Facilities, Department of Health, page 5
- Next scheduled meeting is February 10, 2020 at 2:00 p.m.
- 3:20 p.m. meeting adjourned.

**Proposed Rule: Child Care Licensing Regulations: Center Based Child Care and Preschool Programs, Vermont Agency of Human Services, Department for Children & Families  
Presented by Melissa Riegel-Garrett**

Motion made to accept the rule by John Kessler, seconded by Dirk Anderson, and passed unanimously with the following recommendations:

1. Be consistent with capitalization of the word 'Department' throughout the rule.
2. Choose either "one" or "(1)" throughout the rule instead of using both (an example is found in the Economic Impact Analysis).
3. Proposed Rule Coversheet, page 3, #10: Expand upon as the word 'program' appears to be vague.
4. Proposed Rule Coversheet, page 4, #12: Change "are a" to "provide" in the first sentence. Correct 'o' after "The operation" in the second sentence. Quantify the word "minimal" in the third sentence – perhaps use the word 'negligible' if appropriate. Speak to the foundation of the economic impact.
5. Proposed Rule Coversheet, page 5, #14: Add the town/city and state in the street address line.
6. Economic Impact Analysis, page 1-2, #3: Use a lower-case 'p' in "Public" and "Program". Add a period to the end of the first sentence on page 1. Include grant funding if appropriate.
7. Economic Impact Analysis, page 3, #4: Change "to not have" to "not needing" in the third paragraph on the page. Explain reasoning to complete the training. Correct spelling of 'occurrence'. Spell out CDD.
8. Environmental Impact Analysis, page 1, #4: Include positive impacts if appropriate.
9. Public Input, page 1, #3: Complete.

**Proposed Rule: General Assistance / Emergency Assistance Rules, Vermont Agency of Human Services, Department for Children & Families**  
**Presented by Deanna (Dee) Jones and Geoffrey Pippenger**

Motion made to accept the rule by Diane Bothfeld, seconded by John Kessler, and passed unanimously with the following recommendations:

1. Economic Impact Analysis, pages 2-4, #3: Correct spelling to “Agency” in the third to last line of the first paragraph on page 2. Use a different term for “motel pools” in the third paragraph on page 3. Remove extra spaces before the “:” in the first sentence of the second paragraph on page 4.
2. Economic Impact Analysis, page 8, #9: Expand upon citing the extensive work done.
3. Environmental Impact Analysis, page 2, #9: Expand upon the last sentence to include the reasoning as there is no environmental impact from the rule or it’s proposed amendment.
4. Public Input, page 1, #3: Complete.

**Proposed Rule: Solid Waste Management Rules, Agency of Natural Resources  
Presented by Dennis Fekert, Eamon Twohig and Kasey Kathan**

Motion made to accept the rule by Diane Bothfeld, seconded by John Kessler, and passed unanimously with the following recommendations:

1. Be consistent with capitalization of the word “Rules” throughout the rule.
2. Proposed Rule Coversheet, page 2, #6: Clarify what this applies to, followed by the word “and” before the start of the current text on page 3.
3. Proposed Rule Coversheet, page 3, #8: Spell out the Department name for the wording of “Ag”.
4. Proposed Rule Coversheet, page 3, #9: Change “proposes” to “proposed”.
5. Proposed Rule Coversheet, page 4, #10: Define who developed the “standards and practices developed by”.
6. Proposed Rule Coversheet, page 4, #12: Reference statute to clarify the second sentence.
7. Proposed Rule Coversheet, page 5, #14-15: Complete.
8. Proposed Rule Coversheet, page 5, #16: Include ‘solid waste’, ‘landfill’, ‘compost’, composting’.
9. Final Proposed Rule Filing: Remove as it’s not needed for ICAR.
10. Adopted Rule Filing: Remove as it’s not needed for ICAR.
11. Economic Impact Analysis, page 1, #3: Include any estimated costs or benefits. Add farmers and their impact.
12. Economic Impact Analysis, page 2, #5-9: Complete.
13. Environmental Impact Analysis, page 2, #7: Correct spelling for ‘sequestration’.
14. Environmental Impact Analysis, page 2, #9: Complete.
15. Public Input, page 2, #5: Include the agriculture community such as the Vermont Farm Bureau and Rural Vermont.
16. Scientific Information, page 2, #5: Include a website link.
17. Public Input, page 1, #3: Complete.
18. Incorporation by Reference, page 1, #3: Use capitalization with the first words of “waste procedure”.
19. Incorporation by Reference, page 2, #10: Add website link.
20. Incorporation by Reference, page 2, #11: Change to “None” if appropriate.
21. Annotated Text: Be consistent with punctuation throughout the rule (some examples include page 166 (4) (ii) and 170 (a) (1) (A).

**Proposed Rule: Rule Governing Testing and Remediation of Lead in the Drinking Water of Schools and Child Care Facilities, Department of Health**  
**Presented by David Englander**

Motion made to accept the rule by John Kessler, seconded by Dirk Anderson, and passed unanimously with the following recommendations:

1. Economic Impact Analysis, page 2, #3: If state revenues are neutral, please state. Correct spelling for “entity” and “dependent” in the first two paragraphs. Pluralize either “cost” or “remain” in the first sentence of the third paragraph.
2. Economic Impact Analysis, page 4, #7: Clarify wording (i.e. “take seek”).
3. Economic Impact Analysis, page 4, #8: Reword “No continued sampling is not an alternative.” Perhaps consider “Ongoing sampling is required.”
4. Public Input, page 2, #5: Correct spelling of “Environmental” and “Research”.