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Office of the Secretary

INTERAGENCY COMMITTEE ON ADMINISTRATIVE RULES (ICAR) MINUTES

Meeting Date/Location: Monday, December 10, 2018, Pavilion Building, 5th floor conference room, 109 State Street, Montpelier, VT 05609

Members Present: Chair Brad Ferland, Dirk Anderson, Diane Bothfeld, Jen Mojo, John Kessler, Matt Langham and Steve Knudson

Members Absent: Clare O'Shaughnessy and Ashley Berliner

Minutes By: Melissa Mazza-Paquette

- 2:00 p.m. meeting called to order, welcome and introductions.
- Review and approval of minutes from the November 19, 2018 meeting.
- No additions/deletions to agenda. Agenda approved as drafted.
- No public comments made.
- Note made: The Office of the Secretary of State will be closing at 11:00 a.m. on December 21, 2018 for an all staff meeting. Regular business hours will resume on Monday, December 24th. Louise Corliss will be out of the office on December 24th and 31st as well, so please plan filings accordingly.
- Presentation of Proposed Rules on pages to follow.
 1. Chemicals of High Concern in Children's Products Rule, Agency of Human Services, Department of Health, page 2
 2. The Board of Health Hearing Rule, Agency of Human Services, Department of Health, page 3
 3. Groundwater Protection Rule and Strategy, Agency of Natural Resources, page 4
- Next scheduled meeting is January 14, 2019 at 2:00 p.m.
- 2:56 p.m. meeting adjourned.

Proposed Rule: Chemicals of High Concern in Children’s Products Rule, Agency of Human Services, Department of Health

Presented by: David Englander

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

1. Proposed Rule Filing, #3: Change Web URL to web address.
2. Proposed Rule Filing, #7: Clarify last paragraph.
3. Proposed Rule Filing, #8, first sentence: Remove the word ‘a’ prior to ‘children’s products’.
4. Proposed Rule Filing, #9, second sentence: ‘children of chemicals with high concern’ appears to be the title of the list however is not clear – needs clarification.
5. Proposed Rule Filing, #12: Correct the word ‘diminis’.
6. Proposed Rule Filing, #12, last sentence: remove the ‘s’ from ‘chemicals’.
7. Proposed Rule Filing, #16: Add ‘Chemicals of high concern’.
8. Economic Impact Analysis, #3: Add language that refers to the original amendment.
9. Economic Impact Analysis, #9: Consider adding an additional example such as chemicals of high concern.
10. Environmental Impact Analysis, #8: Add the word ‘to’ between ‘is’ and ‘require’ in the first sentence. Correct the misspelling of ‘environemnt’ in the last sentence.
11. Scientific Information, #3: Clarify the statue referenced.
12. Scientific Information, #5: Add phone number.
13. Text, page 1 of 9, #2.0 Purpose: Define ‘PQL’.
14. Annotated text, page 6 of 9, #8.2: Remove ‘any time’.

Proposed Rule: The Board of Health Hearing Rule, Agency of Human Services, Department of Health

Presented by: David Englander

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

1. Proposed Rule Coversheet, #11: Consider adding in language that includes those who participated in a final decision as well.
2. Proposed Rule Coversheet, #16: Add 'Hearings' and 'Contested Cases'.
3. Economic Impact Analysis, #5 and #7: Spell out the acronym 'N/A'.
4. Text, #3.3 Definitions: Expand upon.
5. Text, #7.1.2: Clarify.
6. Text, #8.2.2: Consider adding a comma between 'case' and 'the'.

Proposed Rule: Groundwater Protection Rule and Strategy, Agency of Natural Resources

Presented by: Diane Sherman and Scott Stewart

Motion made to accept the rule by Dirk Anderson, seconded by Matt Langham, and passed unanimously except for Jen Mojo who abstained, with the following recommendations:

1. Incorporate the typos in the clean version of the text as noted by Diane Sherman.
2. Economic Impact Analysis, #8: Clarify or reference what the options are.
3. Public Input, #3, last sentence: Change 'two' to 'three'.
4. Public Input, #5: Consider including Ski Vermont.
5. Text, page 21, § 12-503 (1) and (1) (A): Review the Statue and clarify the 'Secretary'.