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*Susanne R. Young, Secretary*

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

**Monday, May 10, 2021, 2:00 p.m.**

**Microsoft Teams Meeting**

**For public comment, please email [ADM.Secretary@vermont.gov](mailto:ADM.Secretary@vermont.gov)  
or call (802) 828-3322 to request call-in information.**

- Welcome
- Review and approval of the minutes from the [April 12, 2021](#) meeting
- Note any additions or deletions from the agenda
- Note: The following Emergency Rules were supported by ICAR Chair Clouser:
  - ‘PUC Emergency Rule 2.500 COVID-19 Emergency Procedures’ by the Public Utility Commission on 4/13/21.
  - ‘Reportable and Communicable Diseases Emergency Rule’ by the Agency of Human Services, Department of Health on 4/19/21.
- Public comment
- Presentation of the following proposed rules:
  - 1) VOSHA Rule: 29 CFR 1910.1024, Updates and Revisions of the Beryllium Standard for General Industry, Department of Labor
    - a) VOSHA had engaged in rulemaking in 2018 to provide an extensive update of the former standard for occupational exposure to beryllium and beryllium compounds. Occupational exposure to respirable beryllium is highly toxic and has long been known to cause berylliosis, also known as chronic beryllium disease (CBD) and lung cancer. This rulemaking was prompted by Federal OSHA and incorporated standards were adopted as such. This current rulemaking is intended to address areas of the previous standard that are somewhat ambiguous and confusing to employers. OSHA is amending the existing general industry standard for occupational exposure to beryllium and beryllium compounds to clarify certain provisions and simplify or improve compliance. The revisions in this final rule are designed to maintain or enhance worker protections overall by ensuring that the rule is well understood, and compliance is more straightforward.



- 2) Biomass Renewable Energy Standard, Agency of Natural Resources, Department of Forests, Parks and Recreation
    - a) This rule establishes biomass renewability standards by setting minimum efficiency standards for Tier III Energy Transformation projects and sets forester certified standards based on the forest land category of the Use Value Appraisal (UVA) program for material used in Tier II Distributed Renewable Energy projects.
  - 3) Rule on Rulemaking, Office of the Secretary of State
    - a) In 2020, the Secretary of State (SOS) adopted emergency rules allowing administrative rules to be submitted electronically with a "conformed signature" to reduce the risk of exposure to COVID-19 associated with in-person contact. This filing will make the change permanent. The SOS will continue to accept administrative rule submissions electronically with a conformed signature, requiring the agency to maintain the original signed version. This amendment will also remove a requirement to notify ICAR and LCAR 30 days before the SOS makes changes to the filing forms. The need to react quickly during the pandemic demonstrated the need to remove barriers to updating filing forms. Minor formatting changes were also made for consistency.
- Equity Impact on ICAR Rules: Executive Director of Racial Equity Xusana Davis
  - Next meeting date: Monday, June 14, 2021 at 2:00 p.m.
  - Adjournment

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