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Susanne R. Young, Secretary

INTERAGENCY COMMITTEE ON ADMINISTRATIVE RULES (ICAR)
AGENDA

Monday, September 9, 2019, 2:00 p.m.
Pavilion 5th Floor Conference Room

- Welcome
- Review and approval of the minutes from the August 9, 2019 meeting
- Note any additions or deletions from the agenda
- Public comment
- Presentation of the following proposed rules:
 1. 2019 Vermont Fire Service Training Council Rules and Policies, Vermont Fire Service Training Council
 - a. The focus of this rule is to update the Vermont Adoption of the Rules and Policies of the Vermont Fire Service Training Council to reflect current methods and practices for training, certifications and the revocation of firefighter certifications.
 2. Substance Use Disorder Treatment Certification Rule, Agency of Human Services, Department of Health
 - a. This rule provides substance use disorder treatment certification requirements for Preferred Providers. Certification is a requirement to be able to accept state or federal funding. This rulemaking simplifies the rule, streamlining the application and review process. It also provides greater flexibility for who can provide substance use treatment service supervision at a preferred provider.
 3. Insurance Regulatory Sandbox; Innovation Waiver Regulation; Department of Financial Regulation
 - a. The rule establishes uniform procedures for the submission, granting, denying, monitoring, and revocation of petitions for a waiver from Vermont's insurance laws and regulations under 8 V.S.A. § 15a. It also sets forth requirements for the ongoing monitoring, examination, and supervision of, and reporting by, each person granted a waiver under § 15a, and gives the Commissioner discretion to attach reasonable conditions or limitations on the conduct permitted pursuant to a waiver. The rule also provides an expedited application process for a product or service that is substantially similar to one for which a waiver has previously been granted by the Commissioner. Finally, the rule includes an opportunity for public comment on draft waivers under consideration by the Commissioner.



4. Rule 3.700 Pole Attachments, Vermont Public Utility Commission
 - a. The amended rule adds "one-touch make-ready" ("OTMR") and self-help options to Rule 3.700. OTMR and self-help allow attaching entities to do simple utility pole preparation work using qualified contractors and to take over the pole-preparation process for some complex pole preparation work from the pole-owning utility if certain deadlines are not met. Act 79 of 2019 requires the Commission to incorporate OTMR and self-help provisions into Rule 3.700. The provisions are similar to recent revisions to the Federal Communications Commission's ("FCC") rule on pole attachments, which applies in states that have elected not to regulate pole attachments.
5. Vital Records Rule, Agency of Human Services, Department of Health
 - a. This rulemaking will: Facilitate DOC offenders to apply for a certified birth certificate; expand the types of identification that can be used to obtain a vital record; establish a process through which a homeless person can more easily obtain a certified birth certificate; and formalizes a process for requesting a delayed birth certificate.
6. Water Supply Rule, Agency of Natural Resources
 - a. This rule amendment proposes a cumulative maximum contaminant level (MCL) of 20 parts per trillion for five per- and polyfluorinated alkyl substances (PFAS) for drinking water, including bottled water, from public water systems. The five PFAS are: perfluorooctanoic acid (PFOA), perfluoro-octane sulfonic acid (PFOS), perfluorohexane sulfonic acid (PFHxS), perfluoroheptanoic acid (PFHpA), and perfluorononanoic acid (PFNA). The rule amendment establishes requirements for how public water systems must sample for the five substances, how the samples are analyzed, and how compliance with the MCL is determined. The rule amendment establishes requirements for granular carbon filtration, one method of removing these substances from drinking water. It also clarifies the requirements for bottled water sold in Vermont and clarifies the requirements for monitoring for contaminants with secondary drinking water standards.

- Next meeting date: Monday, October 14, 2019 at 2:00 p.m.
- Adjournment