

1 TO THE HONORABLE SENATE:

2 The Committee on Natural Resources and Energy to which was referred  
3 Senate Bill No. 103 entitled “An act relating to the regulation of toxic  
4 substances and hazardous materials” respectfully reports that it has considered  
5 the same and recommends that the bill be amended by striking out all after the  
6 enacting clause and inserting in lieu thereof the following:

7 Sec. 1. 10 V.S.A. § 6633 is added to read:

8 § 6633. INTERAGENCY COMMITTEE ON CHEMICAL MANAGEMENT

9 (a) Creation. There is created the Interagency Committee on Chemical  
10 Management in the State to:

11 (1) evaluate chemical inventories in the State on an annual basis;

12 (2) identify potential risks to human health and the environment from  
13 chemical inventories in the State; and

14 (3) propose measures or mechanisms to address the identified risks from  
15 chemical inventories in the State.

16 (b) Membership. The Interagency Committee on Chemical Management  
17 shall be composed of the following five members:

18 (1) the Secretary of Agriculture, Food and Markets or designee;

19 (2) the Secretary of Natural Resources or designee;

20 (3) the Commissioner of Health or designee;

21 (4) the Commissioner of Labor or designee; and

1           (5) the Commissioner of Public Safety or designee.

2           (c) Powers and duties. The Interagency Committee on Chemical

3           Management shall:

4           (1) Convene a citizen advisory panel to provide input and expertise to

5           the Committee. The citizen advisory panel shall consist of persons with

6           expertise in:

7           (A) toxicology;

8           (B) environmental law;

9           (C) manufacturing products;

10          (D) environmental health;

11          (E) public health;

12          (F) risk analysis;

13          (G) maternal and child health care;

14          (H) occupational health;

15          (I) industrial hygiene; and

16          (J) public policy.

17          (2) Monitor actions taken by the U.S. Environmental Protection Agency

18          (EPA) to regulate chemicals under the Toxic Substances Control Act,

19          15 U.S.C. chapter 53, and notify relevant State agencies of any EPA action

20          relevant to the jurisdiction of the agency.

1           (3) Annually review chemical inventories in the State in relation to  
2           emerging scientific evidence in order to identify chemicals of high concern not  
3           regulated by the State.

4           (d) Assistance. The Interagency Committee on Chemical Management  
5           shall have the administrative, technical, and legal assistance of the Agency of  
6           Natural Resources; the Agency of Agriculture, Food and Markets; the  
7           Department of Health; the Department of Public Safety; and the Department  
8           of Labor.

9           (e) Report. On or before January 15, and annually thereafter, the  
10           Interagency Committee on Chemical Management shall report to the Senate  
11           Committees on Natural Resources and Energy, on Health and Welfare, and on  
12           Economic Development, Housing and General Affairs, and the House  
13           Committees on Natural Resources, Fish and Wildlife, on Health Care, and on  
14           Commerce and Economic Development, regarding the actions of the  
15           Committee. The provisions of 2 V.S.A. § 20(d) regarding expiration of  
16           required reports shall not apply to the report to be made under this section.

17           The report shall include:

18           (1) an estimate or summary of the known chemical inventories in the  
19           State;

20           (2) a summary of any change under federal statute or rule affecting the  
21           regulation of chemicals in the State;

1           (3) recommended legislative or regulatory action to address the risks  
2           posed by new or emerging chemicals of high concern; and

3           (4) recommend legislative or regulatory action to reduce health risks  
4           from exposure to chemicals of high concern and reduce risks of harm to the  
5           natural environment.

6           (f) Meetings.

7           (1) The Secretary of Natural Resources shall be the chair of the  
8           Interagency Committee on Chemical Management.

9           (2) The Secretary of Natural Resources call the first meeting of the  
10          Interagency Committee on Chemical Management to occur on or before July 1,  
11          2017.

12          (3) A majority of the membership of the Interagency Committee on  
13          Chemical Management shall constitute a quorum.

14          (g) Authority of agencies. The establishment of the Interagency  
15          Committee on Chemical Management shall not limit the independent authority  
16          of a State agency to regulate chemical use or management under existing State  
17          or applicable federal law.

18          Sec. 2. INTERAGENCY COMMITTEE ON CHEMICAL MANAGEMENT;

19                 REPORT ON TOXIC USE REDUCTION AND REPORTING

1        On or before January 15, 2018, after consultation with the citizen advisory  
2        panel and as part of the first report required under 10 V.S.A. § 6633(e), the  
3        Interagency Committee on Chemical Management shall:

4            (1) Recommend how the State should establish a centralized or unified  
5        electronic reporting system to facilitate compliance by businesses and other  
6        entities with chemical reporting and other regulatory requirements in the State.

7        The recommendation shall:

8            (A) identify a State agency or department to establish and administer  
9        the reporting system;

10          (B) estimate the staff and funding necessary to administer the  
11        reporting system;

12          (C) propose how businesses and the public can access information  
13        submitted to or maintained as part of the reporting systems, including whether  
14        access to certain information or categories of information should be limited due  
15        to statutory requirements, regulatory requirements, trade secret protection, or  
16        other considerations;

17          (D) propose how information maintained as part of the reporting  
18        system can be accessed, including whether the information should be  
19        searchable by: chemical name; common name; brand name; product model;  
20        Global Product Classification (GPC) product brick description; standard

1 industrial classification; chemical facility; geographic area; zip code; or  
2 address;

3 (E) propose a method for displaying information or filtering or  
4 refining search results so that information maintained on the reporting system  
5 can be accessed or identified in serviceable or functional manner; and

6 (F) estimate a time line for establishment of the reporting system.

7 (2) Recommend amendments to the requirements for Toxic Use  
8 Reduction and Hazardous Waste Reduction under 10 V.S.A. chapter 159,  
9 subchapter 2 that shall include:

10 (A) a list of chemicals or materials subject to the reporting and  
11 planning requirements;

12 (B) the thresholds or amounts of chemicals used or hazardous waste  
13 generated by a person that require reporting and planning;

14 (C) the persons or entities using chemicals or generating hazardous  
15 waste that are subject to reporting and planning;

16 (D) proposed revisions to the toxic chemical or hazardous waste  
17 reduction planning requirements, including conditions or criteria that qualify a  
18 person to complete a plan;

19 (E) any changes to streamline and modernize the program to improve  
20 its effectiveness.

1           (3) Draft legislation to implement the Committee’s recommendations  
2           under subdivision (1) and (2) of this section.

3           Sec. 3. EFFECTIVE DATE

4           This act shall take effect on passage.

5           (Committee vote: \_\_\_\_\_)

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Senator \_\_\_\_\_

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FOR THE COMMITTEE