

**Act No. 154, Sec. 10: ANR Working Group on Toxic Chemical Use in the State**

1                   \* \* \* Act 154 Working Group on Toxic Chemicals \* \* \*

2           Sec. 10. AGENCY OF NATURAL RESOURCES' WORKING GROUP ON  
3                   TOXIC CHEMICAL USE IN THE STATE

4           (a) Formation. On or before July 1, 2016, the Secretary of Natural  
5           Resources shall establish a working group of interested parties and parties with  
6           expertise in the field of toxic chemical use and regulation to develop  
7           recommendations for how to improve the ability of the State to:

8                   (1) prevent citizens and communities in the State from being exposed to  
9           toxic chemicals, hazardous materials, or hazardous wastes;

10                   (2) identify and regulate the use of toxic chemicals or hazardous  
11           materials that currently are unregulated by the State; and

12                   (3) inform communities and citizens in the State of potential exposure to  
13           toxic chemicals, including contamination of groundwater, public drinking  
14           water systems, and private potable water supplies.

15           (b) Duties. The Working Group shall:

16                   (1) Identify the existing State or federal programs that establish  
17           reporting or management requirements regarding the use or generation of a  
18           toxic substance, hazardous waste, or hazardous material. The Working Group  
19           shall identify how those programs identify the toxic substance, hazardous  
20           waste, or hazardous material for regulation and briefly describe the  
21           management of the waste or substance.

22                   (2) Evaluate the State or federal programs identified in subdivision (1)  
23           of this subsection to determine:

24                           (A) the program's effectiveness in preventing releases of toxic  
25           substances, hazardous wastes, or hazardous materials;

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1           (B) whether gaps or duplication exists between the programs  
2           that should be addressed to reduce threats to human health and the  
3           environment; and

4           (C) whether the programs are adequately funded and staffed to meet  
5           their statutory and regulatory purpose.

6           (3) Identify State or federal programs that require a response to the  
7           release of a toxic substance, hazardous waste, or hazardous material and assess  
8           their effectiveness in responding to releases in a manner that minimizes  
9           impacts to human health and the environment.

10          (4) Identify programs in place in other states that address the threat to  
11          human health and the environment from emerging contaminants and assess  
12          their effectiveness in accomplishing those objectives.

13          (5) Evaluate the State of Vermont's existing sources of publicly  
14          available information about toxic chemicals, including emerging contaminants,  
15          hazardous waste, and hazardous materials in Vermont.

16          (6) Evaluate whether civil remedies under Vermont law are sufficient to  
17          ensure that private individuals are adequately protected from releases of  
18          hazardous materials, hazardous wastes, and toxic chemicals and that persons  
19          responsible for such releases pay for any harm caused.

20          (7) Evaluate the obligations on the Environmental Contingency Fund  
21          established under 10 V.S.A. § 1283 and funding alternatives that would ensure  
22          the long-term solvency of the Fund.

23          (c) The Working Group shall submit a report to the Senate and House  
24          Committees on Natural Resources and Energy and to the House Committee on  
25          Fish, Wildlife and Water Resources with its findings and recommendations on  
26          or before January 15, 2017.