



## STATE OF VERMONT

### Legislative Committee on Administrative Rules (LCAR)

ADMINISTRATIVE RULES

MINUTES

January 8, 2026

The Joint Legislative Committee on Administrative Rules met on Thursday, January 8, 2026, beginning at 8:00a.m. in room 10 of the State House in Montpelier, Vermont.

The following members were present:

Sen. Seth Bongartz, Vice Chair  
Sen. Scott Beck  
Sen. Robert Plunkett  
Sen. David Weeks

Rep. Trevor Squirrell, Chair  
Rep. Mark Higley  
Rep. Carol Ode  
Rep. Larry Satcowitz

Staff present:

Bradley Showman  
Damien Leonard  
Lindsey Schreier

Committee Counsel  
Committee Counsel  
Committee Assistant

#### Approval of Prior Minutes

On motion of Rep. Higley, the Committee approved the minutes of the December 3, 2026, LCAR meeting.

#### Review of Rules

The Committee reviewed the following rules:

#### **25-E02 - Department of Health - Manufactured Food Emergency Rule.**

Jessica Schifano, Public Health Policy Director, Department of Health, explained the rule and answered questions from the Committee.

This emergency rule provides requirements for the safe and sanitary manufacturing, packing, holding, and distributing of human food offered for sale in Vermont. This emergency rule is

meant to bridge a gap between the expiration date of the prior emergency rule on December 29 and the effective date of the permanent rule on January 15.

On motion of Sen. Bongartz, the Committee approved the rule.

**25-P020 - Agency of Transportation - Regulations Governing Use of State Highways with Limited Access Facilities.** Ian Degutis, Traffic Committee Coordinator, Agency of Transportation, explained the rule and answered questions from the Committee.

This amendment updates the existing rule regarding the use of State limited access highways to reflect changes to the underlying statute and makes updates to reflect current statutes, titles, references, language, organizational structure, and practice.

On motion of Sen. Bongartz, the Committee approved the rules with the proposed changes from the Agency's memos dated December 1, 2025, and December 22, 2025.

**25-P035 - Public Utility Commission - Rule 9.000 Rule Regarding the Installation, Construction, Operation, and Aggregation of Energy Storage Facilities.** Mary Jo Krolewski, Utilities Analyst, Public Utilities Commission, explained the rule and answered questions from the Committee. Jake Marren, Staff Attorney, Vermont Public Utility Commission, was available for questions but did not testify.

This new rule implements processes to apply for a certificate of public good for certain energy storage facilities. This rule also implements additional requirements for energy storage facilities relating to interconnection; safety; duties for utilities, owners, operators, and aggregators; participation in wholesale energy markets; and facility decommissioning.

Members of LCAR raised concerns and asked questions regarding fire safety at battery storage facilities. On motion of Sen. Weeks, the Committee approved postponing consideration of 25-P035 until LCAR's January 15, 2026, meeting to allow the Public Utility Commission time to provide additional information regarding fire safety.

**25-P037 - Department of Financial Regulation - Risk Retention Group Holding Company Systems.** Russ McCracken, Assistant General Counsel, Department of Financial Regulation, explained the rule and answered questions from the Committee.

This amended rule updates reporting, organizational, and operational requirements for risk retention groups (RRGs) organized as holding companies for consistency with changes made in 2024 Acts and Resolves, No. 110. This amendment also makes administrative and technical changes to the rule.

On motion of Sen. Weeks, the Committee approved the rule.

**25-P036 - Agency of Natural Resources - Groundwater Protection Rule and Strategy.** Matt Chapman, Director, Waste Management and Prevention Division, Department of Environmental Conservation, explained the rule and answered questions from the Committee.

This amended rule updates the existing rule to adopt the EPA's 2024 Maximum Contaminant Level for five PFAS compounds and to adopt a hazard index to address mixtures of two or more identified PFAS. This rule also makes minor changes to how compliance boundaries are established for cleanups.

On motion of Sen. Weeks, the Committee approved the rule.

**25-P031 - Agency of Agriculture, Food and Markets - Best Management Practices for the Use of Neonicotinoid Treated Article Seeds and Neonicotinoid Pesticides.** Michael O'Grady, Attorney with the Office of Legislative Counsel, provided an overview of the enabling act, 2024 Acts and Resolves, No. 182, and answered questions from the Committee.

This new rule implements the provisions of 2024 Acts and Resolves, No. 182 that prohibited the use of neonicotinoid treated article seeds and neonicotinoid pesticides unless subject to a written exemption. The rule establishes best management practices (BMPs) for use of neonicotinoid treated article seeds and neonicotinoid pesticides when their use is authorized by law.

LCAR will take further testimony on this rule at the January 15, 2026, meeting.

#### **Adjournment and Next Meeting**

The Committee adjourned at 9:05a.m.

The next meeting of the Committee is scheduled for January 15, 2026, beginning at 8:00a.m. in room 10 of the State House in Montpelier, Vermont.

Respectfully submitted,

Bradley Showman  
Committee Counsel

cc: APA Clerk, Secretary of State  
ICAR, Agency of Administration