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Senate Committee on Government Operations  
State House  
Montpelier, Vermont

Subject H.907, legislative review of reporting requirements, as passed by the House  
Sec. 14 (pp. 15 and 16) report on the weatherization assistance program of the Office of Economic Opportunity

Dear Committee:

H.907 proposes to change the requirement for the report on the weatherization assistance program from session law to statute. Unfortunately, the existing report misses a few highly significant data points and concerns, which, once identified and updated, would lend itself to wider distribution than only the appropriations committees.

### **Report**

The Office of Economic Opportunity is required to submit annually a report that provides performance data available on households weatherized in the past year. The Office of Economic Opportunity is within the Department of Children and Families. The report is required by Act 192 (2008) sec. 5.221(b), which is that year's appropriations bill. Sec. 12(3) of H.907 proposes to repeal that section 5.221(b). Sec. 14 of H.907 then places the content of the report into statute as an item in the budget request from the Office of Economic Opportunity, not as an identifiable report.

The report is required to go to both Appropriations Committees because they fund the program. To be most effective, *i.e.* is the money being well-spent, the report needs additional information to accurately assess the effects of vermiculite insulation on the program.

An improved report with more detailed assessments would also be sent to Senate Natural Resources and Energy and House Energy and Digital Infrastructure for review and potential program improvements.

### **Identifying a significant gap in the weatherization program**

There is an inequity in how the weatherization assistance program handles the remediation of vermiculite between owner-occupied housing and rental housing. Vermiculite is a form of insulation, some of which *might* contain asbestos. Because testing of vermiculite for asbestos is unreliable, the program considers that all vermiculite does contain asbestos.

The weatherization assistance program is authorized to fund vermiculite remediation in owner-occupied housing units.

The weatherization assistance program will not fund vermiculite remediation in rental properties where the owner does not live in the same building. The program requires the owner of a rental property to remediate vermiculite before the weatherization can proceed. This issue is most acute when an apartment rented by an eligible tenant paying for heat is owned by an income-eligible owner who cannot afford the remediation of the vermiculite.

Having a work crew start a weatherization process — light bulbs, heat pump water heater, water conservation fixtures, etc. — and then close shop and depart if they find vermiculite in the attic is an ineffective protocol, both economically for the program and for the resident(s) of the housing unit, and for cutting carbon emissions and

fuel costs. Currently the weatherization assistance program requires removal although EPA recommends enclosure.

The jargon in the weatherization assistance program is "deferral". Vermiculite in a building with rental units where the landlord does not live is an "automatic deferral". This means that the program will not weatherize until the landlord remediates the vermiculite. ("Vermont's Weatherization Program, Technical Policies & Procedures Manual (2020 Edition)", Department for Children and Families, Office of Economic Opportunity.)

**Recommendation**

The weatherization report should be continued and sent also to the Senate Natural Resources and Energy Committee and to the House Energy and Digital Affairs Committee with the following additions:

- The total number of all units which had weatherization deferred, and the reasons why.
- The number of rental units which had weatherization deferred, and the reasons why.
- The number of rental units deferred specifically because of vermiculite.
- The backlog of deferred rental units deferred specifically because of vermiculite.
- The potential energy savings for all deferred weatherization that do not require disturbing the vermiculite.

This enhanced reporting will identify inefficiencies and obstacles to timely weatherization for our low income residents.

**Intention:** To clearly document systemic problems in the weatherization assistance program that affect eligible renters and rental units in 10 - 20% of weatherization-eligible housing in Vermont by providing additional information to committees relevant to Vermont's weatherization assistance program.

Sincerely,  
Thomas Weiss