

1 TO THE HONORABLE SENATE:

2 The Committee on Natural Resources and Energy to which was referred  
3 House Bill No. 319 entitled “An act relating to miscellaneous environmental  
4 subjects” respectfully reports that it has considered the same and recommends  
5 that the Senate propose to the House that the bill be amended by striking out all  
6 after the enacting clause and inserting in lieu thereof the following:

7 \* \* \* Battery Extended Producer Responsibility \* \* \*

8 Sec. 1. 2024 Acts and Resolves No. 152, Sec. 3 is amended to read:

9 Sec. 3. ANR BATTERY ASSESSMENT

10 (a) On or before July 1, ~~2026, the Secretary of Natural Resources~~ 2027, the  
11 stewardship organization formed pursuant to 10 V.S.A. chapter 168 shall  
12 complete an assessment of the opportunities, challenges, and feasibility of  
13 establishing mandatory end-of-life management programs for the following  
14 battery types:

15 (1) batteries used in hybrid and electric vehicles;

16 (2) battery energy storage systems; and

17 (3) batteries that are not easily removable from the products they power.

18 (b) The assessment required by this section shall include:

19 (1) a summary of the work and progress other states have made in  
20 establishing end-of-life management programs for the three battery types listed  
21 under subsection (a) of this section; and

1           (2) policy recommendations on whether mandatory end-of-life  
2           management programs are necessary for the battery types listed under  
3           subsection (a) of this section.

4           (c) The assessment required by this section shall be provided to the  
5           Secretary of Natural Resources, the House Committee on Environment and  
6           Energy, and the Senate Committee on Natural Resources and Energy.

7                               \* \* \* Fuel Storage Tanks \* \* \*

8           Sec. 2. 10 V.S.A. § 1927(d) is amended to read:

9           (d) No person shall deliver a regulated substance to a category one tank  
10          that is ~~visibly~~ designated by the Agency as not having a valid permit or not  
11          meeting standards adopted by the Secretary ~~related to corrosion protection,~~  
12          ~~spill prevention, leak detection, financial responsibility, or overfill protection~~  
13          that may result in the tank releasing a regulated substance to the environment.

14                           \* \* \* Household Hazardous Waste Extended Producer Responsibility \* \* \*

15          Sec. 3. 10 V.S.A. § 7181 is amended to read:

16          § 7181. DEFINITIONS

17               As used in this chapter:

18                               \* \* \*

19               (4)(A) “Covered household hazardous product” means a consumer  
20          product offered for retail sale that is contained in the receptacle in which the

product is offered for retail sale, if the product has any of the following characteristics:

(i) the product or a component of the product is a hazardous waste under subchapter 2 of the Vermont Hazardous Waste Management Regulations, regardless of the status of the generator of the hazardous waste; or

(ii) the product is a gas cylinder.

(B) “Covered household hazardous product” does not mean any of the following:

\* \* \*

(iv) architectural paint as that term is defined in section 6672 of this title;

\* \* \*

Sec. 4. 10 V.S.A. § 7182 is amended to read:

§ 7182. SALE OF COVERED HOUSEHOLD HAZARDOUS PRODUCTS;

STEWARDSHIP ORGANIZATION REGISTRATION;

MANUFACTURER REGISTRATION

(a) Sale prohibited.

(1) A manufacturer of a covered household hazardous product shall not sell, offer for sale, or deliver to a retailer for subsequent sale a covered household hazardous product without registering with the stewardship organization pursuant to subsection (c) of this section.

1           (2) Beginning six months after a final decision on the adequacy of a  
2           collection plan by the Secretary, a manufacturer of a covered household  
3           hazardous product shall not sell, offer for sale, or deliver to a retailer for  
4           subsequent sale a covered household hazardous product unless all the  
5           following have been met:

6                 ~~(4)~~(A) The manufacturer is participating in a stewardship  
7           organization implementing an approved collection plan.

8                 ~~(2)~~(B) The name of the manufacturer, the manufacturer's brand, and  
9           the name of the covered household hazardous product are submitted to the  
10          Agency of Natural Resources by a stewardship organization and listed on the  
11          stewardship organization's website as covered by an approved collection plan.

12                ~~(3)~~(C) The stewardship organization in which the manufacturer  
13          participates has submitted an annual report consistent with the requirements of  
14          section 7185 of this title.

15                ~~(4)~~(D) The stewardship organization in which the manufacturer  
16          participates has conducted a plan audit consistent with the requirements of  
17          subsection 7185(b) of this title.

18          (b) Stewardship organization registration requirements.

19                (1) On or before July 1, 2025 ~~and annually thereafter~~, a stewardship  
20          organization shall file a registration form with the Secretary. The Secretary

1 shall provide the registration form to the stewardship organization. The  
2 registration form shall include:

3 (A) ~~a list of the manufacturers participating in the stewardship~~  
4 ~~organization;~~

5 (B) ~~a list of the brands of each manufacturer participating in the~~  
6 ~~stewardship organization;~~

7 (C) ~~a list of the covered household hazardous products of each~~  
8 ~~manufacturer participating in the stewardship organization;~~

9 (D) ~~the name, address, and contact information of a person~~  
10 ~~responsible for ensuring compliance with this chapter;~~

11 (E) a description of how the stewardship organization meets the  
12 requirements of subsection 7184(b) of this title, including any reasonable  
13 requirements for participation in the stewardship organization; and

14 (F)(B) the name, address, and contact information of a person for a  
15 nonmember manufacturer to contact regarding how to participate in the  
16 stewardship organization to satisfy the requirements of this chapter.

17 (2) ~~A renewal of a registration without changes may be accomplished~~  
18 ~~through notifying the Agency of Natural Resources on a form provided by the~~  
19 ~~Agency~~ Beginning July 1, 2026 and annually thereafter, a stewardship  
20 organization shall renew its registration with the Secretary. A renewal  
21 registration shall include the following:

1           (A) a list of the manufacturers participating in the stewardship  
2           organization;

3           (B) a list of the brands of each manufacturer participating in the  
4           stewardship organization;

5           (C) a list of the covered household hazardous products of each  
6           manufacturer participating in the stewardship organization;

7           (D) the name, address, and contact information of a person  
8           responsible for ensuring compliance with this chapter;

9           (E) a description of how the stewardship organization meets the  
10          requirements of subsection 7184(b) of this title, including any reasonable  
11          requirements for participation in the stewardship organization; and

12          (F) the name, address, and contact information of a person for a  
13          nonmember manufacturer to contact regarding how to participate in the  
14          stewardship organization to satisfy the requirements of this chapter.

15          (c) Manufacturer registration. On or before November 1, 2025, a  
16          manufacturer of a covered household hazardous product shall register with the  
17          stewardship organization in a manner proscribed by the stewardship  
18          organization.

19          Sec. 5. 10 V.S.A. § 7183 is amended to read:

20          § 7183. COLLECTION PLANS

1 (a) Collection plan required. ~~Prior to July 1, 2025~~ On or before July 1,  
2 2026, any stewardship organization registered with the Secretary as  
3 representing manufacturers of covered household hazardous products shall  
4 coordinate and submit to the Secretary for review one collection plan for all  
5 manufacturers.

6 (b) Collection plan; minimum requirements. ~~Each collection plan shall~~  
7 ~~include, at a minimum, all of the following requirements:~~

8 (1) Initial plan. The initial plan shall last for a period not to exceed  
9 three years and contain, at a minimum, the following requirements:

10 (A) List of participants. A list of the manufacturers, brands, and  
11 products participating in the collection plan and a methodology for adding and  
12 removing manufacturers and notifying the Agency of new participants.

13 ~~(2)(B)~~ Free statewide collection of covered household hazardous  
14 products. The collection program shall ~~provide~~ reimburse municipalities when  
15 a municipality provides for free, convenient, and accessible ~~statewide~~  
16 opportunities for the collection from covered entities of covered household  
17 hazardous products, including orphan covered products. ~~A stewardship~~  
18 ~~organization shall accept all covered household hazardous products collected~~  
19 ~~from a covered entity and shall not refuse the collection of a covered~~  
20 ~~household hazardous product, including orphan covered household products,~~  
21 ~~based on the brand or manufacturer of the covered household hazardous~~

1 ~~product unless specifically exempt from this requirement.~~ The collection  
2 program shall also provide for the payment of collection, processing, and end-  
3 of-life management of the covered household hazardous products. Collection  
4 costs include facility costs, equipment costs, labor, supplies, maintenance,  
5 events costs, and event contractor costs, including collection event set-up fees,  
6 environmental service fees, insurance fees, and shipping containers and  
7 materials.

8 ~~(3) Convenient collection location. The stewardship organization shall~~  
9 ~~develop a collection program that allows all municipal household hazardous~~  
10 ~~waste collection programs to opt to be a part of the collection plan, including~~  
11 ~~collection events and facilities offered by solid waste planning entities. The~~  
12 ~~plan shall make efforts to site points of collection equitably across all regions~~  
13 ~~of the State to allow for convenient and reasonable access of all Vermonters to~~  
14 ~~collection facilities or collection events.~~

15 ~~(4) Public education and outreach. The collection plan shall include an~~  
16 ~~education and outreach program that shall include a website and may include~~  
17 ~~media advertising, retail displays, articles and publications, and other public~~  
18 ~~educational efforts. Outreach and education shall be suitable for the State's~~  
19 ~~diverse ethnic populations, through translated and culturally appropriate~~  
20 ~~materials, including in-language and targeted outreach. Public education and~~  
21 ~~outreach should include content to increase meaningful participation by~~



1 ~~environmental justice focus populations as required by 3 V.S.A. chapter 72.~~  
2 ~~During the first year of program implementation and two years after adoption~~  
3 ~~of the collection plan, each stewardship organization shall carry out a survey of~~  
4 ~~public awareness regarding the requirements of the program established under~~  
5 ~~this chapter that can identify communities that have disparities in awareness~~  
6 ~~and need more outreach. Each stewardship organization shall share the results~~  
7 ~~of the public awareness surveys with the Secretary. If multiple stewardship~~  
8 ~~organizations are implementing plans approved by the Secretary, the~~  
9 ~~stewardship organizations shall coordinate in carrying out their education and~~  
10 ~~outreach responsibilities under this subdivision and shall include in their~~  
11 ~~annual reports to the Secretary a summary of their coordinated education and~~  
12 ~~outreach efforts. The education and outreach program and website shall notify~~  
13 ~~the public of the following:~~

14 ~~(A) that there is a free collection program for covered household~~  
15 ~~hazardous products;~~

16 ~~(B) the location and hours of operation of collection points and how a~~  
17 ~~covered entity can access this collection program;~~

18 ~~(C) the special handling considerations associated with covered~~  
19 ~~household hazardous products; and~~

20 ~~(D) source reduction information for consumers to reduce leftover~~  
21 ~~covered household products.~~

1           ~~(5) Compliance with appropriate environmental standards. In~~  
2           ~~implementing a collection plan, a stewardship organization shall comply with~~  
3           ~~all applicable laws related to the collection, transportation, and disposal of~~  
4           ~~hazardous waste. A stewardship organization shall comply with any special~~  
5           ~~handling or disposal standards established by the Secretary for covered~~  
6           ~~household hazardous products or for the collection plan of the manufacturer.~~

7           ~~(6) Method of disposition. The collection plan shall describe how~~  
8           ~~covered household hazardous products will be managed in the most~~  
9           ~~environmentally and economically sound manner, including following the~~  
10          ~~waste management hierarchy. The management of covered household~~  
11          ~~hazardous products under the collection plan shall use management activities~~  
12          ~~in the following priority order: source reduction, reuse, recycling, energy~~  
13          ~~recovery, and disposal. Collected covered household hazardous products shall~~  
14          ~~be recycled when technically and economically feasible.~~

15          ~~(7) Performance goals. A collection plan shall include:~~

16                 ~~(A) A performance goal for covered household hazardous products~~  
17                 ~~determined by the number of total participants at collection events and~~  
18                 ~~facilities listed in the collection plan during a program year divided by the total~~  
19                 ~~number of households. The number of households shall include seasonal~~  
20                 ~~households. The calculation methodology for the number of households shall~~  
21                 ~~be included in the plan.~~

1           ~~(B) At a minimum, the collection performance goal for the first~~  
2           ~~approved plan shall be an annual participation rate of five percent of the~~  
3           ~~households for every collection program based on the number of households~~  
4           ~~the collection program serves. After the initial approved program plan, the~~  
5           ~~stewardship organization shall propose performance goals for subsequent~~  
6           ~~program plans. The Secretary shall approve the performance goals for the plan~~  
7           ~~at least every five years. The stewardship organization shall use the results of~~  
8           ~~the most recent waste composition study required under 6604 of this title and~~  
9           ~~other relevant factors to propose the performance goals of the collection plan.~~  
10          ~~If a stewardship organization does not meet its performance goals, the~~  
11          ~~Secretary may require the stewardship organization to revise the collection~~  
12          ~~plan to provide for one or more of the following: additional public education~~  
13          ~~and outreach, additional collection events, or additional hours of operation for~~  
14          ~~collection sites. A stewardship organization is not authorized to reduce or~~  
15          ~~cease collection, education and outreach, or other activities implemented under~~  
16          ~~an approved plan on the basis of achievement of program performance goals.~~

17          ~~(8)(C)~~ Collection plan funding. The collection plan shall describe how  
18          the stewardship organization will fund the implementation of ~~the collection~~  
19          ~~plan and collection activities under the plan, including the costs for education~~  
20          ~~and outreach, collection, processing, and end-of-life management of the~~  
21          ~~covered household hazardous product~~ all municipal collection offered to the

1 public in a base program year. A base program year shall be based on the  
2 services provided in calendar year 2024 and any other collection facilities or  
3 events approved by the Secretary. Collection costs include facility costs,  
4 equipment costs, labor, supplies, maintenance, events costs, and event  
5 contractor costs, including collection event set-up fees, environmental service  
6 fees, insurance fees, and shipping containers and materials. The collection  
7 plan shall include how municipalities will be compensated for all costs  
8 attributed to collection of covered household hazardous products. The  
9 Secretary shall resolve disputes relating to compensation.

10 (2) Subsequent plans. After the expiration of the initial plan approved  
11 by the Secretary, the collection plan shall include, at a minimum, the  
12 following:

13 (A) List of participants. A list of the manufacturers, brands, and  
14 products participating in the collection plan and a methodology for adding and  
15 removing manufacturers and notifying the Agency of new participants.

16 (B) Free statewide collection of covered household hazardous  
17 products. The collection program shall provide for free, convenient, and  
18 accessible statewide opportunities for the collection from covered entities of  
19 covered household hazardous products, including orphan covered products. A  
20 stewardship organization shall accept all covered household hazardous  
21 products collected from a covered entity and shall not refuse the collection of a

1 covered household hazardous product, including orphan covered household  
2 products, based on the brand or manufacturer of the covered household  
3 hazardous product unless specifically exempt from this requirement. The  
4 collection program shall also provide for the payment of collection, processing,  
5 and end-of-life management of the covered household hazardous products.  
6 Collection costs include facility costs, equipment costs, labor, supplies,  
7 maintenance, events costs, and event contractor costs, including collection  
8 event set-up fees, environmental service fees, insurance fees, and shipping  
9 containers and materials.

10 (C) Convenient collection location. The stewardship organization  
11 shall develop a collection program that allows all municipal household  
12 hazardous waste collection programs to opt to be a part of the collection plan,  
13 including collection events and facilities offered by solid waste planning  
14 entities. The plan shall make efforts to site points of collection equitably  
15 across all regions of the State to allow for convenient and reasonable access of  
16 all Vermonters to collection facilities or collection events.

17 (D) Public education and outreach. The collection plan shall include  
18 an education and outreach program that shall include a website and may  
19 include media advertising, retail displays, articles and publications, and other  
20 public educational efforts. Outreach and education shall be suitable for the  
21 State's diverse ethnic populations, through translated and culturally appropriate

1 materials, including in-language and targeted outreach. Public education and  
2 outreach should include content to increase meaningful participation by  
3 environmental justice focus populations as required by 3 V.S.A. chapter 72.  
4 During the second approved plan, each stewardship organization shall carry  
5 out a survey of public awareness regarding the requirements of the program  
6 established under this chapter that can identify communities that have  
7 disparities in awareness and need more outreach. Each stewardship  
8 organization shall share the results of the public awareness surveys with the  
9 Secretary. If multiple stewardship organizations are implementing plans  
10 approved by the Secretary, the stewardship organizations shall coordinate in  
11 carrying out their education and outreach responsibilities under this  
12 subdivision (D) and shall include in their annual reports to the Secretary a  
13 summary of their coordinated education and outreach efforts. The education  
14 and outreach program and website shall notify the public of the following:  
15 (i) that there is a free collection program for covered household  
16 hazardous products;  
17 (ii) the location and hours of operation of collection points and  
18 how a covered entity can access this collection program;  
19 (iii) the special handling considerations associated with covered  
20 household hazardous products; and

1                    (iv) source reduction information for consumers to reduce leftover  
2                    covered household products.

3                    (E) Compliance with appropriate environmental standards. In  
4                    implementing a collection plan, a stewardship organization shall comply with  
5                    all applicable laws related to the collection, transportation, and disposal of  
6                    hazardous waste. A stewardship organization shall comply with any special  
7                    handling or disposal standards established by the Secretary for covered  
8                    household hazardous products or for the collection plan of the manufacturer.

9                    (F) Method of management. The collection plan shall describe how  
10                   covered household hazardous products will be managed in the most  
11                   environmentally and economically sound manner, including following the  
12                   waste-management hierarchy. The management of covered household  
13                   hazardous products under the collection plan shall use management activities  
14                   in the following priority order: source reduction, reuse, recycling, energy  
15                   recovery, and disposal. Collected covered household hazardous products shall  
16                   be recycled when technically and economically feasible.

17                   (G) Performance goals. A collection plan shall include:

18                   (i) A performance goal for covered household hazardous products  
19                   determined by the number of total participants at collection events and  
20                   facilities listed in the collection plan during a program year divided by the total  
21                   number of households. The number of households shall include seasonal

1 households. The calculation methodology for the number of households shall  
2 be included in the plan.

3 (ii) At a minimum, the collection performance goal for the initial  
4 plan approved pursuant to subdivision (1) of this subsection (b) shall be an  
5 annual participation rate of seven percent of the households for every  
6 collection program based on the number of households the collection program  
7 serves. After the initial approved program plan, the stewardship organization  
8 shall propose performance goals for subsequent program plans. The Secretary  
9 shall approve the performance goals for the plan at least every five years. The  
10 stewardship organization shall use the results of the most recent waste  
11 composition study required under 6604 of this title and other relevant factors to  
12 propose the performance goals of the collection plan. If a stewardship  
13 organization does not meet its performance goals, the Secretary may require  
14 the stewardship organization to revise the collection plan to provide for one or  
15 more of the following: additional public education and outreach, additional  
16 collection events, or additional hours of operation for collection sites. A  
17 stewardship organization is not authorized to reduce or cease collection,  
18 education and outreach, or other activities implemented under an approved  
19 plan on the basis of achievement of program performance goals.

20 (H) Collection plan funding. The collection plan shall describe how the  
21 stewardship organization will fund the implementation of the collection plan



1 and collection activities under the plan, including the costs for education and  
2 outreach, collection, processing, and end-of-life management of the covered  
3 household hazardous product. Collection costs include facility costs,  
4 equipment costs, labor, supplies, maintenance, events costs, and event  
5 contractor costs, including collection event set-up fees, environmental service  
6 fees, insurance fees, and shipping containers and materials. The collection  
7 plan shall include how municipalities will be compensated for all costs  
8 attributed to collection of covered household hazardous products. The  
9 Secretary shall resolve disputes relating to compensation.

10 (c) Term of collection plan. A collection plan approved by the Secretary  
11 under section 7187 of this title shall have a term not to exceed five years,  
12 provided that the stewardship organization remains in compliance with the  
13 requirements of this chapter and the terms of the approved collection plan.

14 (d) Collection plan implementation. Stewardship organizations shall  
15 implement the collection plan on or before six months after the date of a final  
16 decision by the Secretary on the adequacy of the collection plan.

17 Sec. 6. 10 V.S.A. § 7184 is amended to read:

18 § 7184. STEWARDSHIP ORGANIZATIONS

19 (a) Participation in a stewardship organization. A manufacturer shall meet  
20 the requirements of this chapter by participating in a stewardship organization

1 that undertakes the responsibilities under sections 7182, 7183, and 7185 of this  
2 title.

3 (b) Qualifications for a stewardship organization. To qualify as a  
4 stewardship organization under this chapter, an organization shall:

5 (1) commit to assume the responsibilities, obligations, and liabilities of  
6 all manufacturers participating in the stewardship organization;

7 (2) not create unreasonable barriers for participation in the stewardship  
8 organization; and

9 (3) maintain a public website that lists all manufacturers and  
10 manufacturers' brands and products covered by the stewardship organization's  
11 approved collection plan.

12 (c) A stewardship organization is authorized to charge its members  
13 reasonable fees for the organization, administration, and implementation of the  
14 programs required by this chapter.

15 Sec. 7. 10 V.S.A. § 7187 is amended to read:

16 § 7187. AGENCY RESPONSIBILITIES

17 (a) Review and approve collection plans. The Secretary shall review and  
18 approve or deny collection plans submitted under section 7183 of this title  
19 according to the public notice and comment requirements of section 7714 of  
20 this title.

21 \* \* \*

(g) Agency collection plan. If no stewardship organization is formed on or before July 1, 2025 or the stewardship organization fails to submit a plan or submits a plan that does not meet the requirements of this chapter, the Secretary shall adopt and administer a plan that meets the requirements of section 7183 of this title. If the Secretary administers the plan adopted under section 7183, the Secretary shall charge each manufacturer the prorated costs of plan administration, the Agency's oversight costs, and an additional hazardous waste reduction assessment of 10 percent of the plan's total cost to be deposited in the Solid Waste Management Assistance Account of the Waste Management Assistance Fund, for the purpose of providing grants to municipalities and small businesses to prevent pollution and reduce the generation of hazardous waste in the State. When determining a manufacturer's assessment under this section, the Agency may allocate costs to a manufacturer of covered household hazardous products based on the sales of covered household hazardous products nationally prorated to the population of Vermont.

## § 6621a. LANDFILL DISPOSAL REQUIREMENTS

\* \* \*

1 (12) Covered household hazardous products after July 1, ~~2025~~ 2026.

2 \* \* \*

3 Sec. 9. SOLID WASTE PLAN; FLEXIBILITY

4 (a) Notwithstanding the municipal household hazardous waste (HHW)  
5 collection requirements under the State Solid Waste Plan adopted pursuant to  
6 10 V.S.A. § 6604, the Secretary of Natural Resources may grant a variance  
7 from the requirement to conduct at least two household hazardous waste  
8 collection events in that municipality. The variance shall allow a municipality  
9 to meet its obligations, as follows:

10 (1) the municipality has partnered with another municipality to allow its  
11 residents the ability to access a permanent HHW facility in the same manner as  
12 the municipality that operates the permanent HHW facility;

13 (2) the municipality has partnered with a nearby municipality to offer  
14 collection events to members in both municipalities; or

15 (3) the municipality has demonstrated that it has made reasonable efforts  
16 to provide alternate collection opportunities identified under subdivisions (1)  
17 and (2) of this subsection and was unable and that the cost of a collection event  
18 is unreasonable. In such circumstances the Secretary of Natural Resources  
19 may reduce the required collection events to one per year.

20 (b) This section shall be repealed on July 1, 2027.

21 \* \* \* Healthy Homes Initiative \* \* \*

1       Sec. 10. 2024 Acts and Resolves No. 78, Sec. B.1103 is amended to read:

2           Sec. B.1103 CLIMATE AND ENVIRONMENT – FISCAL YEAR 2024

3                       ONE-TIME APPROPRIATIONS

4                               \* \* \*

5           (j)(1) In fiscal year 2024, the amount of \$6,100,000 American Rescue Plan  
6       Act (ARPA) – Coronavirus State Fiscal Recovery Funds is appropriated to the  
7       Department of Environmental Conservation for the Healthy Homes Initiative.  
8       Funds shall be used to make repairs or improvements to drinking water,  
9       wastewater, or stormwater systems for Vermonters who have low to moderate  
10      income or who live in manufactured housing communities, or both.

11           (2) All information submitted to or compiled by the Department of  
12      Environmental Conservation related to the issuance of individual funding  
13      awards under the Healthy Homes Initiative shall be considered confidential  
14      unless the person providing the information designates that it is not  
15      confidential. This shall include all personal information of applicants that  
16      request or receive funding. Notwithstanding 1 V.S.A. § 214, this subdivision  
17      shall take effect on passage and shall apply retroactively to July 1, 2023.

18                               \* \* \*

19                       \* \* \* Flood Safety \* \* \*

20      Sec. 11. 2024 Act and Resolves No. 121, Sec. 3 is amended to read:

1       Sec. 3. DEPARTMENT OF ENVIRONMENTAL CONSERVATION;  
2               RIVER CORRIDOR BASE MAP; INFILL MAPPING;  
3               EDUCATION AND OUTREACH

4       (a) On or before January 1, ~~2026~~ 2027, the Department of Environmental  
5       Conservation, in consultation with the Agency of Commerce and Community  
6       Development and the regional planning commissions, shall amend by  
7       procedure the statewide River Corridor Base Map to identify areas suitable for  
8       development that are located within existing settlements and that will not cause  
9       or contribute to increases in fluvial erosion hazards.

10      (b) Beginning on January 1, 2025 and ending on January 1, ~~2027~~ 2028, the  
11      Department of Environmental Conservation shall conduct an education and  
12      outreach program to consult with and collect input from municipalities,  
13      environmental justice focus populations, the Environmental Justice Advisory  
14      Council, businesses, property owners, farmers, and other members of the  
15      public regarding how State permitting of development in mapped river  
16      corridors will be implemented, including potential restrictions on the use of  
17      land within mapped river corridors. The Department shall develop educational  
18      materials for the public as part of its charge under this section. The  
19      Department shall collect input from the public regarding the permitting of  
20      development in mapped river corridors as proposed by this act. On or before  
21      January 15, ~~2027~~ 2028 and until permitting of development in mapped river

1 corridors begins under 10 V.S.A. § 754, the Department shall submit to the  
2 Senate Committee on Natural Resources and Energy, the House Committee on  
3 Environment and Energy, and the Environmental Justice Advisory Council a  
4 report that shall include:

5 (1) a summary of the public input it received regarding State permitting  
6 of development in mapped river corridors during the public education and  
7 outreach required under this section;

8 (2) recommendations, based on the public input collected, for changes to  
9 the requirements for State permitting of development in mapped river  
10 corridors;

11 (3) an analysis and summary of State permitting of development in  
12 mapped river corridors on environmental justice populations; and

13 (4) a summary of the Department's progress in adopting the rules  
14 required under 10 V.S.A. § 754 for the regulation of development in mapped  
15 river corridors.

16 Sec. 12. 10 V.S.A. § 754 is amended to read:

17 § 754. MAPPED RIVER CORRIDOR RULES

18 (a) Rulemaking authority.

19 (1) On or before ~~July 1, 2027~~ July 15, 2028, the Secretary shall adopt  
20 rules pursuant to 3 V.S.A. chapter 25 that establish requirements for issuing  
21 and enforcing permits for:





1 is filed under this section, the Secretary or delegated State agency shall  
2 proceed in accordance with chapter 170 of this title.

3 \* \* \*

4 Sec. 13. 2024 Acts and Resolves 121, Sec. 10 is amended to read:

5 Sec. 10. STUDY COMMITTEE ON STATE ADMINISTRATION OF  
6 THE NATIONAL FLOOD INSURANCE PROGRAM

7 \* \* \*

8 (e) Report. On or before August 15, ~~2025~~ 2026, the Study Committee shall  
9 submit a written report to the General Assembly with its findings and any  
10 recommendations for legislative action. Any recommendation for legislative  
11 action shall be as draft legislation.

12 \* \* \*

13 Sec. 14. 2024 Acts and Resolves 121, Sec. 11(a) is amended to read:

14 (a) The Secretary of Natural Resources shall initiate rulemaking, including  
15 pre-rulemaking, for the rules required in Sec. 5 of this act, 10 V.S.A. § 754  
16 (river corridor development), not later than July 1, 2025. The rules shall be  
17 adopted on or before July 1, ~~2027~~ 2028.

18 Sec. 15. 2024 Acts and Resolves No. 121, Sec. 29(b) is amended to read:

19 (b) All other sections shall take effect July 1, 2024, except that:

20 (1) Secs. 6a, 7, 8, 8a, and 9 (conforming amendments to municipal river  
21 corridor planning) shall take effect on January 1, 2028, except that in Sec. 9,

24 V.S.A. § 4424(a)(2)(B)(i) (municipal compliance with the State Flood  
Hazard Area Standards) shall take effect on January 1, ~~2026~~ 2028;

\* \* \*

\* \* \* Wetlands \* \* \*

Sec. 16. 10 V.S.A. § 918 is amended to read:

§ 918. NET GAIN OF WETLANDS; STATE GOAL; RULEMAKING

(a) On or before ~~July 1~~ December 1, 2025, the Secretary of Natural  
Resources shall amend the Vermont Wetlands Rules pursuant to 3 V.S.A.  
chapter 25 to clarify that the goal of wetlands regulation and management in  
the State is the net gain of wetlands to be achieved through protection of  
existing wetlands and restoration of wetlands that were previously adversely  
affected. This condition shall not apply to wetland, river, and flood plain  
restoration projects, including dam removals.

\* \* \*

(c) At a minimum, the Wetlands Rules shall be revised to:

(1) Require an applicant for a wetland permit that authorizes adverse  
impacts to more than 5,000 square feet of wetlands to compensate for those  
impacts through restoration, enhancement, or creation of wetland resources.

(2) Incorporate the net gain rule into requirements for permits issued  
after ~~September 1~~ December 1, 2025.

\* \* \*

\* \* \* Dams \* \* \*

Sec. 17. 2024 Acts and Resolves No. 121, Sec. 22 is amended to read:

Sec. 22. STUDY COMMITTEE ON DAM EMERGENCY OPERATIONS  
PLANNING

(a) Creation. There is created the Study Committee on Dam Emergency Operations Planning to review and recommend how to improve regional emergency action planning for hazards caused by dam failure, including how to shift responsibility for emergency planning from individual municipalities to regional authorities, how to improve regional implementation of dam emergency response plans, and how to fund dam emergency action planning at the regional level.

\* \* \*

(e) Report. On or before December 15, ~~2024~~ 2025, the Study Committee shall submit a written report to the General Assembly with its findings and any recommendations for legislative action. Any recommendation for legislative action shall be submitted as draft legislation.

(f) Meetings.

(1) The Secretary of Natural Resources or designee shall call the first meeting of the Study Committee.

(2) The Committee shall select a chair from among its members at the first meeting.

(3) A majority of the membership of the Study Committee shall constitute a quorum.

(4) The Study Committee shall cease to exist on March 1, ~~2025~~ 2026.

\* \* \*

Sec. 18. 2024 Acts and Resolves No. 121, Sec. 24(f) is amended to read:

(f) On or before ~~January 15~~ September 1, 2025, the Agency of Natural Resources shall complete its analysis of the capital and ongoing operations and maintenance costs of the Green River Dam, as authorized in 2022 Acts and Resolves No. 83, Sec. 46, and shall submit the results of the analysis to the House Committees on Environment and Energy and on Appropriations and the Senate Committees on Natural Resources and Energy and on Appropriations.

\*\*\* Resilience Implementation Strategy; Climate Superfund Act \*\*\*

Sec. 19. 10 V.S.A. § 599a is amended to read:

## § 599a. REPORTS; RULEMAKING

(a) On or before January 15, 2025, the Agency, in consultation with the State Treasurer, shall submit a report to the General Assembly detailing the feasibility and progress of carrying out the requirements of this chapter, including any recommendations for improving the administration of the Program.

(b) The Agency shall adopt rules necessary to implement the requirements of this chapter, including:

1           (1) adopting methodologies using available science and publicly  
2           available data to identify responsible parties and determine their applicable  
3           share of covered greenhouse gas emissions; and

4           (2) requirements for registering entities that are responsible parties and  
5           issuing notices of cost recovery demands under the Program; ~~and~~

6           ~~(3) the Resilience Implementation Strategy, which shall include:~~

7                 ~~(A) practices utilizing nature-based solutions intended to stabilize~~  
8                 ~~floodplains, riparian zones, lake shoreland, wetlands, and similar lands;~~

9                 ~~(B) practices to adapt infrastructure to the impacts of climate change;~~

10                ~~(C) practices needed to build out early warning mechanisms and~~  
11                ~~support fast, effective response to climate-related threats;~~

12                ~~(D) practices that support economic and environmental sustainability~~  
13                ~~in the face of changing climate conditions; and~~

14                ~~(E) criteria and procedures for prioritizing climate change adaptation~~  
15                ~~projects eligible to receive monies from the Climate Superfund Cost Recovery~~  
16                ~~Program.~~

17           (c) On or before September 15, 2025, the Secretary shall submit to the  
18           House Committee on Environment and the Senate Committee on Natural  
19           Resources and Energy a report summarizing the Agency of Natural Resources'  
20           adoption of the Resilience Implementation Strategy. The Strategy shall  
21           include:

- (1) practices utilizing nature-based solutions intended to stabilize floodplains, riparian zones, lake shoreland, wetlands, and similar lands;
- (2) practices to adapt infrastructure to the impacts of climate change;
- (3) practices needed to build out early warning mechanisms and support fast, effective response to climate-related threats;
- (4) practices that support economic and environmental sustainability in the face of changing climate conditions; and
- (5) criteria and procedures for prioritizing climate change adaptation projects eligible to receive monies from the Climate Superfund Cost Recovery Program.

~~(e)~~(d) In adopting the Strategy, the Agency shall:

- (1) consult with the Environmental Justice Advisory Council;
- (2) in consultation with other State agencies and departments, including the Department of Public Safety's Division of Vermont Emergency Management, assess the adaptation needs and vulnerabilities of various areas vital to the State's economy, normal functioning, and the health and well-being of Vermonters;
- (3) identify major potential, proposed, and ongoing climate change adaptation projects throughout the State;
- (4) identify opportunities for alignment with existing federal, State, and local funding streams;

1 (5) consult with stakeholders, including local governments, businesses,  
2 environmental advocates, relevant subject area experts, and representatives of  
3 environmental justice focus populations;

4 (6) consider components of the Vermont Climate Action Plan required  
5 under section 592 of this title that are related to adaptation or resilience, as  
6 defined in section 590 of this title; and

7 (7) conduct public engagement in areas and communities that have the  
8 most significant exposure to the impacts of climate change, including  
9 disadvantaged, low-income, and rural communities and areas.

10 ~~(d)~~(e) Nothing in this section shall be construed to limit the existing  
11 authority of a State agency, department, or entity to regulate greenhouse gas  
12 emissions or establish strategies or adopt rules to mitigate climate risk and  
13 build resilience to climate change.

14 Sec. 20. 2024 Acts and Resolves No. 122, Sec. 3(a) is amended to read:

15 (a) ~~On or before July 1, 2025, the Agency of Natural Resources pursuant to~~  
16 ~~3 V.S.A. § 837 shall file with the Interagency Committee on Administrative~~  
17 ~~Rules the proposed rule for the adoption of the Resilience Implementation~~  
18 ~~Strategy required pursuant to 10 V.S.A. § 599a(b)(3). On or before January 1,~~  
19 ~~2026, the Agency of Natural Resources shall adopt the final rule establishing~~  
20 ~~the Resilience Implementation Strategy required pursuant to 10 V.S.A.~~  
21 ~~§ 599a(b)(3). [Repealed.]~~

1 Sec. 21. 10 V.S.A. § 596(7) is amended to read:

2 (7) “Covered greenhouse gas emissions” means the total quantity of  
3 greenhouse gases released into the atmosphere ~~during the covered period~~,  
4 expressed in metric tons of carbon dioxide equivalent, resulting from the use of  
5 fossil fuels extracted or refined by an entity during the covered period.

6 Sec. 22. 10 V.S.A. § 598(b) is amended to read:

7 (b) With respect to each responsible party, the cost recovery demand shall  
8 be equal to an amount that bears the same ratio to the cost to the State of  
9 Vermont and its residents, as calculated by the State Treasurer pursuant to  
10 section 599c of this title, from ~~the emission of covered greenhouse gases~~  
11 ~~during the covered period~~ gas emissions as the responsible party’s applicable  
12 share of covered greenhouse gas emissions bears to the aggregate applicable  
13 shares of covered greenhouse gas emissions resulting from the use of fossil  
14 fuels extracted or refined during the covered period.

15 Sec. 23. 10 V.S.A. § 599c is amended to read:

16 § 599c. STATE TREASURER REPORT ON THE COST TO VERMONT OF  
17 COVERED GREENHOUSE GAS EMISSIONS

18 On or before January 15, 2026, the State Treasurer, after consultation with  
19 the Interagency Advisory Board to the Climate Action Office, and with any  
20 other person or entity whom the State Treasurer decides to consult for the  
21 purpose of obtaining and utilizing credible data or methodologies that the State



Treasurer determines may aid the State Treasurer in making the assessments and estimates required by this section, shall submit to the Senate Committees on Appropriations, on Finance, on Agriculture, and on Natural Resources and Energy and the House Committees on Appropriations; on Ways and Means; on Agriculture, Food Resiliency, and Forestry; and on Environment and Energy an assessment of the cost to the State of Vermont and its residents of the ~~emission of covered greenhouse gases for the period that began on January 1, 1995 and ended on December 31, 2024~~ gas emissions. The assessment shall include:

\* \* \*

\* \* \* Effective Date \* \* \*

This act shall take effect on passage.

1

2

3 (Committee vote: \_\_\_\_\_)

4

\_\_\_\_\_

5

Senator \_\_\_\_\_

6

FOR THE COMMITTEE