

April 17, 2016

Hello All,

This weekend has been beautiful - early spring at its best and I hope you've enjoyed it. These notes continue my updates from the Department of Environmental Conservation on PFOA in Pownal. Here is Gov. Shumlin's press release from last Thursday.

Pownal Private Water Sample Results

Results have been received from 63 well samples collected and analyzed for PFOA in Pownal. These wells were tested after results received in late March indicated that the Fire District #2 municipal water source in Pownal showed PFOA levels of between 26 and 27 parts per trillion (ppt).

Of the 63 new results, four wells were found to contain PFOA above Vermont's health advisory limit of 20 ppt. The highest concentration found was 66 ppt. Seven locations contained concentrations under 20 ppt, and 52 were non-detect.

Several locations in Pownal Center had no detections for PFOA, including: Pownal Elementary School, Oak Hill Children's Center, the Pownal Town Office, the Cozy Meadow Mobile Home Park.

Results from recent well testing in Pownal will be discussed at the public meeting for residents scheduled for April 19th at 6pm at the Pownal Elementary School.

For more information on Vermont's PFOA response, visit www.anr.state.vt.us/dec/PFOA. For questions and concerns, call 2-1-1.

And here is a follow up message from Trish Coppolino, Pownal project manager.

"- any other individuals that are within the 1-mile radius around the Warren Wire/General Cable facility that are not on FD2 water can still sign up to have their water tested. **Based on the map I have there are still a lot of people that have not had their water sampled.**

- **We are having a public meeting on the 19th at 6 PM at the Pownal Elementary School** to discuss findings, next steps and timing and best options for water system mitigation

- EPA will be sampling the Warren Wire/General Cable facility the week of the 25th and additional wells at the Pownal Tannery on Thursday (4/21)”

Last week I also received a request from Vermont Liquor Control to pass on the following message.

“Dear Pownal Resident,

The Department of Liquor Control has asked your State Representative Bill Botzow to help us spread the word that the DLC agency liquor store in Pownal will be shutting down on April 29th which is the end of the current agency contract.

The Department is working to re-open an agency store in Pownal as soon as possible. Once the Department has a clearer idea of when a new agency store will open we will work to get the word out to you.

DLC is sorry for the inconvenience this temporary closing may cause. Please contact me with any questions.”

Kim Walker, Director of Retail Operations, VT Department of Liquor Control, (802)828-4923 (office)

In the legislature we are moving towards adjournment and at the point where Senate bills are being considered in the House and House bills in the Senate. Differences will be resolved in conference committees. Here is my weekly list of bills moving through the House.

H. 870 An act relating to telecommunications

This bill was recommended by my House Commerce and Economic Development Committee. It takes several steps to improve rural telecommunications service.

First, it addresses how the interests of towns and municipalities are considered when a telecomm provider applies for a Certificate of Public Good (CPG) to site a new telecommunication facility. The law requires the Public Service Board (PSB) to give "substantial deference" to the plans and recommendations of municipalities and regional planning commissions, "unless there is good cause to find otherwise." We redefined "Substantial deference" to mean that the plans and recommendations of towns and municipalities are presumed to be correct, valid and reasonable. "Good cause" means there has to be evidence that giving "substantial deference" to the town's plans and recommendations would "create a substantial shortcoming detrimental to the public good or to the State's interests". This should give towns more weight in PSB considerations.

Second, the bill encourages co-location of equipment on existing towers before building new facilities.

The bill also expands projects that may be funded under the Connectivity Initiative to include cellular service, not just broadband projects and prioritizes funding for proposals that upgrade service at underserved public schools. To help pay for telecommunications build out and leverage other public and private resources the bill appropriates \$750,000 in the FY17 Capital Budget and a one half percent increase in the Universal Service Fund for the next five years.

Finally, H.870 (1) restores funding through the Universal Service Fund to the news and information service for the blind and visually impaired, (2) makes a company ineligible for funding if it has not provided adequate deployment data to the Director for Telecommunications and Connectivity, and (3) calls for the Secretary of Education and the Director for Telecommunications and Connectivity to design a school connectivity grant program which would provide competitive grants to public schools to upgrade their educational IT applications and equipment.

The bill was then amended to require a thorough look at 911 and dispatching before the administration took an action to remove funding from local dispatching call centers. In a roll call vote this amendment passed 137 to 1 and I voted yes.

On the final reading of the bill Rep. Turner of Milton offered an amendment to remove funding from the bill. The amendment failed 48 to 79 and I voted no because we have to have funding available to ensure build out to unserved parts of Vermont and to fill in dropped call areas for cell service. A local example is the area of dropped calls on US 7 just after you enter Vermont near the new medical building. Also, many homes are inadequately serviced in the northwest corner of Pownal.

In a final vote the bill passed the House 96 to 31 and I voted yes.

J.R.H. 26 Joint resolution relating to the amendment of the federal Toxic Substances Control Act and its preemption provisions

The House passed the following resolution urging Congress to improve the federal Toxic Substances Control Act. This act pending in Congress is now especially relevant due to our recent experience with PFOA. Here's the resolution.

Whereas, more than 84,000 chemicals are registered with the Environmental Protection Agency (EPA) for use in the United States, and each year approximately 1,000 chemicals are added to the list, and

Whereas, more than 90 percent of chemicals in commercial use have not been fully tested for potential impacts on human health or the environment, and

Whereas, since Congress's passage in 1976 of the Toxic Substances Control Act, Pub.L. 94-469 (TSCA), approximately 200 chemicals have been fully tested since passage, just five chemicals have been banned or restricted, and no chemicals have been banned in more than 20 years, and

Whereas, biomonitoring studies show that a wide range of chemicals is bioaccumulating in the bodies of Vermonters, and

Whereas, scientific studies demonstrate clear links between certain chemicals and adverse health effects, and

Whereas, the threat of adverse health effects is especially high for certain vulnerable populations such as children or pregnant women, and for these groups, safe exposure levels are much lower, and

Whereas, annually, more than \$2 billion are spent on the medical costs associated with detecting cancer, asthma, and neurobehavioral disorders directly associated with toxic chemicals, and

Whereas, the recent discovery that the chemical perfluorooctanoic acid (PFOA) is contaminating drinking water sources in multiple Vermont locations illustrates the need for legal authority that more effectively regulates toxic chemicals, and

Whereas, the use of PFOA is not regulated and significant health risks to Vermonters exist as a result of pollution from factories closed more than a decade ago, and

Whereas, Vermonters and most other Americans continue to be exposed to PFOA and other perfluorinated chemicals from other sources, including through exposure from products containing the chemicals imported into the United States, and

Whereas, Congress is considering Toxic Substances Control Act (TSCA) reform in two pieces of pending legislation, S.697, The Frank R. Lautenberg Chemical Safety for the 21st Century Act, and H.R. 2576, The TSCA Modernization Act of 2015, and

Whereas, there is broad consensus across industry, environmental, health, science, and government parties that comprehensive reform of the TSCA is necessary to help better ensure consistent, effective, and scientifically grounded regulation of chemicals, now therefore be it

Resolved by the Senate and House of Representatives: That the General Assembly urges Congress to pass comprehensive TSCA reform legislation to strengthen and clarify the U.S. Environmental Protection

Agency's (EPA) regulation of toxic chemicals, and be it further

Resolved: That the amended TSCA should include a safety standard that identifies and protects vulnerable populations, including potentially exposed workers, children, pregnant women, and those with compromised immune systems, and be it further

Resolved: That before new chemicals are introduced into commerce, the TSCA should be amended to include a requirement that industry include sufficient test data, when it submits premanufacture notices, in order that the EPA can determine if the chemicals meet the safety standard, and be it further

Resolved: That an amended TSCA provide clear timelines for starting and completing safety assessments on chemicals that are proposed for introduction into commerce or already in use in commerce, and for withdrawing from commerce chemicals found to be unsafe, and be it further

Resolved: That the EPA's current authority to require notice of potential new uses of perfluorinated chemicals and other chemicals of concern in products should not be altered or weakened in any way, and be it further

Resolved: That the EPA must receive the necessary financial resources and statutory mandate to initiate a reasonable number of reviews each year on existing chemicals of highest concern, including those already listed on the TSCA Work Plan for Chemical Assessment, and be it further

Resolved: That the states should not be preempted from taking action on a specific chemical until and only if the EPA has taken final action to regulate that chemical and that the scope of preemption should not be broader than the scope of the EPA's action, and be it further

Resolved: That the Secretary of State be directed to send a copy of this resolution to EPA Administrator Gina McCarthy and the Vermont Congressional Delegation.

H. 458 An act relating to automatic voter registration through motor vehicle driver's license applications

The Senate proposed to the House to amend this House bill and the House accepted the changes in a 125 to 1 roll call vote. I voted yes. The essence of the bill says “An application for, or renewal of, a motor vehicle driver’s license or nondriver identification card shall serve as a simultaneous application to register to vote unless the applicant checks the box on the application designating that he or she declines to use the application as a voter registration application.” The bill goes on to provide details on how information will be collected, kept secure and managed consistent with the current voter registration process. The Senate also added detailed policy on how towns with vote tabulators can securely run absentee ballots through the tabulator the day before the election if the town elects to do so. Here’s a link to the bill.<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/H-0458/H-0458%20As%20Passed%20by%20Both%20House%20and%20Senate%20Unofficial.pdf>

S. 190 An act relating to maintaining prescription drugs outside the original prescription container

This bill proposes to permit an individual for whom a regulated prescription drug was prescribed, dispensed, or sold by a physician, dentist, or pharmacist to maintain up to a 14-day supply of the drug

for personal use outside the original prescription container.

S. 176 An act relating to disclosure of compliance with accessibility standards in the sale of residential construction

This bill proposes that before new residential construction is sold the seller provides written disclosure to a prospective buyer showing compliance with basic accessibility elements already in law such as ensuring doorways and hallways are suitably sized and bathroom walls are strong enough for grab bars. Residential construction “means new construction of one family or multifamily dwellings”. It does not include “a single family dwelling built by the owner for the personal occupancy of the owner and the owner’s family, or the assembly or placement of residential construction that is prefabricated or manufactured out of state.” Here’s a link to the bill. <http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/S-0176/S-0176%20As%20Passed%20by%20the%20Senate%20Unofficial.pdf>

The bill passed on a unanimous voice vote.

My very best to all of you.

Stay in touch,

Bill

Rep. Bill Botzow

1225 South Stream Rd.

Bennington, VT 05201

802 447-7717 - State House number 800 322-5616 (VT only)

botzow@sover.net

bbotzow@leg.state.vt.us