

Sunset Advisory Commission
Board and Commission Review of Technical Advisory Committee (TAC)

The Commission reviews every State board and commission and takes testimony regarding whether each board or commission should continue to operate or be eliminated and whether the powers and duties of any board or commission should be revised. Each board and commission has the burden of justifying its continued operation.

The Commission also reviews whether members of a board or commission should be entitled to a per diem and, if so, the amount of that per diem.

In testifying before the Commission, you should be able to provide the following information:

1. In general, how often does the board and commission meet? Provide specific information on how often the board or commission has met in the past two fiscal years. Provide information on where agendas and minutes of meetings can be found. In general, the TAC will meet between 6 and 10 times a year depending on rewriting of the Wastewater System and Potable Water Supply Rules (Rules), topics needing TAC interpretation or responding to legislative bills, and number of manufacturers requesting approval of Innovative/Alternative wastewater systems. The TAC did not meet between 7-1-2018 and 6-30-2019, it met 6 times between 2/13/2018 and 4/19/2018. The TAC met 5 times between 7-30-2019 and 6-23-2020. Information for meeting and annual reports can be found at <https://dec.vermont.gov/water/programs/ww-systems/tac>
2. Provide the names of members of the board or commission, their term length and expiration, their appointing authority, and the amount of any per diem they receive. Members: Roger Thompson, Designer; Craig Heindel, Hydrogeologist; Steve Revell, Hydrogeologist, Justin Willis, Designer; Claude Chevalier, Well Driller; John Beauchamp, Water Specialist; Mark Bannon, P.E., Denise Johnson-Terk, Town Official & Designer; Gunner McCain, Designer; Ken White, Well Driller; Sheri Young, Designer and Soil Scientist; Craig Jewett, P.E.; Rodney Pingree, Section Chief with DWGWPD; Scott Stewart, Hydrogeologist with DWGWPD; Graham Bradley, Hydrogeologist with DWGWPD; Sille Larson, Senior Environmental Health Engineer with the Department of Health; Mary Clark, former Program Manager with DWGWPD now retired; Aaron Brown, Zoning Administrator for Charlotte; Ernest Christianson, Programs Manager with DWGWPD. The Governor appoints the members which was last requested on March 4, 2019. Appointments are requested every two years so a request will be made in 2021. Members are not paid a per diem.
3. Provide an overview of the board or commission's purpose. 10 V.S.A. § 1978(e)(2) established the TAC to assist in the adoption of Rules and to assist in the review of innovative alternative wastewater treatment and dispersal systems. While the number of meetings are limited the last 2 years, it's because the TAC and Agency was completing the

long process to rewrite the Rules which went before LCAR and became effective April 12, 2019.

4. Is that purpose still needed? What would happen if the board or commission no longer fulfilled that purpose? Yes, the service of the TAC is needed. The Rules are undergoing some minor changes which the TAC reviewed. Importantly, the TAC researches and provides advice that is the basis for the technical standards in the 2002, 2005, 2007 and 2019 Wastewater System and Potable Water Supply Rules that will be lost if the TAC is dissolved. The Agency received in the past year approximately 8 requests from manufacturers of innovative alternative treatment and dispersal systems that replace standards in the Rules. The TAC reviews and provides valuable input on the validity of each request to comply with the technical standards in the Rules. Currently, the Agency has 19 approved wastewater pre-treatment units and 6 approved dispersal systems as well as 2 treatment approved as pilots.
5. How well is the board or commission performing in executing that purpose? What evidence can you provide to substantiate that performance? Very well. The evidence is the Rules effective April 12, 2019 and previous Rules effective in 2002, 2005, and 2007 and particularly the quality of the innovative treatment systems and dispersal components approved for use. The TAC's review of and suggestions for technical standards for wastewater systems and potable water supplies ensures the systems and supplies protect human health and the environment.
6. If the purpose is still needed, can State government be more effective and efficient if the purpose was executed in a different manner? The Rules and innovative systems require individual assessments followed with meetings to discuss. We are learning to be more effective and efficient using Microsoft Teams to allow remote meetings and still have substantive discussions. The TAC members are not paid so using Teams allows members to attend in a more environmentally friendly manner with no travel cost for the members. The TAC also reviews proposed bills and, at the request of Committees, will provide specific reports such as the Report on Mandatory Groundwater Quality Testing dated January 13, 2017.
7. If the purpose is still needed, do any of your board or commission's functions overlap or duplicate those of another State board or commission or federal or State agency? If so, is your board or commission still the best entity to fulfill the purpose? The function of the TAC does not overlap any other board or commission.
8. Does the board or commission's enabling law continue to correctly reflect the purpose and activities of the board or commission? Yes.
9. Provide a list of the board and commission's last fiscal year expenditures including staffing costs. How are these funded? There is no fiscal expenditure. The minutes are prepared by the TAC. Our cost is primarily to print copies of the annual report through BGS which is approximately \$47.00 for 20 copies.

10. Is the board or commission required by law to prepare any reports or studies for the Legislature, the Governor, or any State agency or officer? If so, have those reports or studies been produced? Does the board or commission have ongoing reporting obligations? Yes, the TAC is required to prepare a report for the Senate Committee on Institutions and the House Committee on Corrections and Institutions. While these are the statutory recipients, the TAC provides copies to the Senate Committee on Natural Resources and Energy and the House Committee on Natural Resources, Fish, & Wildlife. A copy is also forwarded to the Governor. The TAC writes the reports and forwards the final document to the Programs Manager to distribute. Additionally, Committees, particularly the House Natural Resources, Fish, & Wildlife, requests reports on individual topics such as water quality testing for single family residences.
11. How would you measure the performance of the board or commission? Excellent. The members always make decisions based on what will be in the best interest of Vermonters for wastewater systems and potable water supplies to protect health and environment. Each member brings a strength to the discussion.