

Comments on DRAFT RULE
Case No. 23-2220-RULE
from Andrés Oyaga
Oct 25 2024

This rule fails to acknowledge the commission's requirement to understand the harmful consequences, and potential harms of many of the clean heat measures. There is no evidence in the draft rule that health is being seriously considered or prioritized, as shown by the complete absence of any process or procedure in place for (1) identifying health harms, (2) remediating health harms (in the case of negative impacts), (3) research that could help us avoid negative health harms, or (4) eliminating measures that are shown to cause negative health harms.

As the statute reads:

(h) Review of consequences. The Commission shall biennially assess harmful consequences that may arise in Vermont or elsewhere from the implementation of specific types of clean heat measures and shall set standards or limits to prevent those consequences. Such consequences shall include environmental burdens as defined in 3 V.S.A. § 6002, public health, deforestation or forest degradation, conversion of grasslands, increased emissions of criteria pollutants, damage to watersheds, or the creation of new methane to meet fuel demand.

I recommend that the Commission seriously consider the following additions / changes to the Draft Rule:

The rule must include processes for research and understanding of the potential negative impacts of measures *prior* to their use. Otherwise, we risk burdening Vermonters with negative health impacts due to a lack of due diligence in assessing health impacts of these measures.

The rule must have a clearly articulated process for understanding, assessing, correcting/remediating, and eliminating measures that have negative health impacts on our community.

It is concerning to me that the Equity Advisory Group will become obsolete after the adoption of the CHS. The Draft Rule must include a group of experts, grassroots organizations, and community members, doctors to ensure that equity does not fall by the wayside.

The rule must include processes for the public to articulate concerns about how a measure may be having harmful effects.

More comments later.