



Vermont Department of Environmental Conservation

Agency of Natural Resources

Air Quality and Climate Division

Davis 2 – 2nd Floor

One National Life Drive [phone] 802-828-1288

Montpelier, VT 05620-3802 [fax] 802-828-1250

November 19, 2019

Lynne Hamjian
Acting Director, Air and Radiation Division
EPA - New England, Region 1
5 Post Office Square, Suite 100
Boston, MA 02109-3912

Re: Certification of Vermont State Implementation Plan Adequacy Regarding CAA Sections 110(a)(1) and 110(a)(2) for the 2015 Ozone National Ambient Air Quality Standards

Dear Ms. Hamjian:

Enclosed please find documentation outlining the adequacy of Vermont's State Implementation Plan (SIP) in meeting the program infrastructure requirements of Sections 110(a)(1) and 110(a)(2) of the Clean Air Act (CAA) for the 2015 ozone National Ambient Air Quality Standards (NAAQS).

The enclosed documents demonstrate that Vermont statutory authority and Vermont Air Pollution Control Regulations (APCR), which are currently part of the Vermont SIP, meet the requirements of CAA Sections 110(a)(1) and 110(a)(2) with respect to the 2015 ozone NAAQS. Exact duplicates of these documents may be found on the AQCD website at <http://dec.vermont.gov/air-quality/planning/sip>.

If you have any questions, please contact me or Bennet Leon of my staff at (802) 249-4221.

Sincerely,

A handwritten signature in blue ink that reads "Heidi Hales".

Heidi Hales
Director

Enclosures

CC: Alison Simcox, EPA Region 1, via email
Ariel Garcia, EPA Region 1, via email

Certification of Vermont State Implementation Plan (SIP)
Adequacy Regarding Clean Air Act Sections 110(a)(1) and (2) for the 2015
Ozone National Ambient Air Quality Standard (NAAQS)

State of Vermont
Department of Environmental Conservation
Air Quality and Climate Division

Final submittal

November 19, 2019



This document demonstrates that Vermont statutory authority and Vermont Air Pollution Control Regulations (APCR) meet the requirements of CAA Sections 110(a)(1) and 110(a)(2) with respect to the 2015 ozone NAAQS. Enclosed with this submittal for inclusion into the Vermont SIP is Executive Order 19-17 (Executive Code of Ethics) which supersedes Executive Order 09-11 which was approved by EPA into the Vermont SIP in 2017.¹ Concurrent with inclusion of EO 19-17, Vermont requests EPA to withdraw EO 09-11 from the SIP.

Exact duplicates of these documents may be found on the AQCD website at <http://dec.vermont.gov/air-quality/planning/sip>.

In support of this submittal, please find enclosed the following documents:

1. Public notice of intent to revise the state implementation plan for air quality
2. Certification Pursuant to 40 CFR § 51.102 and Appendix V of 40 CFR Part 51
3. SIP technical support document, “Vermont Compliance with CAA Sections 110(a)(1) and (2) Requirements for the 2015 Ozone NAAQS”
4. Vermont Good Neighbor SIP for the 2015 Ozone NAAQS
5. State of Vermont Executive Order No. 19-17 for incorporation in the SIP
6. Annotated version of Executive Order No. 19-17 illustrating changes from Executive Order No. 09-11.

¹ 82 FR 29005

Enclosure 1

**Public Notice of Intent to Revise the State Implementation Plan
for Air Quality**

**Vermont Agency of Natural Resources
Air Quality and Climate Division
Notice of Intent to Revise Vermont's State Implementation Plan (SIP)**

Notice is hereby given that the Vermont Air Quality and Climate Division (AQCD) is providing the opportunity for interested persons to request a public hearing and provide comment on proposed revisions to the Vermont Infrastructure State Implementation Plan (SIP) elements that will be submitted to the US Environmental Protection Agency (EPA).

The Vermont AQCD is proposing revisions to the Vermont Infrastructure SIP elements to address federal requirements of the Clean Air Act (CAA) Sections 110(a)(1) and 110(a)(2) with respect to the National Ambient Air Quality Standard (NAAQS) for ozone. Under Sections 110(a)(1) and (2) of the CAA, Vermont is required to submit plans (i.e., SIPs) to provide for the implementation, maintenance and enforcement of the primary NAAQS and to address basic SIP requirements, including emissions inventories, monitoring, and modeling to assure attainment and maintenance of the standards. By statute, SIPs meeting the requirements of Sections 110(a)(1) and (2) are to be submitted by states within 3 years after promulgation of new or revised standards. The primary standard for ozone was revised on October 1, 2015.

The proposed infrastructure SIP element revisions are available on the AQCD website at <http://dec.vermont.gov/air-quality/planning/sip> or at the AQCD offices located in the Davis Building, Second Floor, 1 National Life Drive, Montpelier, VT 05620. You may also request a copy of the proposed infrastructure SIP element revisions using the contact information listed below.

If requested, a hearing will be held to receive comments from interested persons regarding the proposed revisions. Attendance at the hearing is not necessary to submit written comments on the proposed SIP revisions. If the AQCD receives a request for a hearing, the hearing will be held on Friday, November 15, 2019 at 1:00 pm in the Catamount Room, N215, in the Davis Building located at One National Life Drive in Montpelier, Vermont.

The deadline to submit a request for a hearing is Wednesday, November 13, 2019 by 4:30 pm. If no request for a hearing is received prior to this date, the hearing will be cancelled and a Notice of Cancellation will be posted on Thursday, November 14, 2019 on the AQCD website at <http://dec.vermont.gov/air-quality/planning/sip>. Interested persons may also call (802) 828-1288 to determine if the public hearing has been cancelled.

Written comments on the proposed SIP revisions must be received by the AQCD by 4:30pm on Monday, November 18, 2019.

All written comments must be mailed or emailed (attn: "Ozone ISIP") to:

Corie Dunn
Air Quality and Climate Division
Davis Building – 2nd Floor
1 National Life Drive
Montpelier, Vermont 05620
Email: corie.dunn@vermont.gov

Enclosure 2

**Certification Pursuant to 40 CFR § 51.102 and Appendix V of
40 CFR Part 51**

**Certification Pursuant to 40 CFR § 51.102 & Appendix V of 40 CFR Part 51 Regarding
Revisions to Vermont's State Implementation Plan (SIP)**

As required by 40 CFR § 51.102(f), I hereby certify that the requirements of 40 CFR § 51.102(a)-(d) were met and that the public notice and hearing procedure followed was consistent with the information provided in the public notice and the State's laws and constitution, as applicable. Public notice of the proposed revisions to Vermont's State Implementation Plan (SIP) was posted online on October 18, 2019 on the AQCD website (<http://dec.vermont.gov/air-quality/planning/sip>). The public was provided with the opportunity to comment until November 18, 2019. The public notice included an offer for public hearing (if requested) on November 15, 2019 at 1:00 pm in the Catamount Room, N215, in the Davis Building located at One National Life Drive in Montpelier, Vermont. No request for public hearing was received, therefore the hearing was cancelled and a notice of cancellation was posted on the AQCD website on November 14, 2019. No written comments were received.



Heidi Hales
Certifying Officer

Enclosure 3

SIP Technical Support Document

**Vermont Compliance with CAA Sections 110(a)(1) and (2) Requirements
for the 2015 Ozone NAAQS**

Enclosure 3: SIP technical support document

Vermont Compliance with CAA Section 110(a)(1) and (2) SIP requirements for the 2015 Ozone NAAQS

CAA Section	110(a) Requirement	Corresponding Vermont Requirements
110(a)(2)(A) Emission limits and other control measures	<p>Include enforceable emission limitations and other control measures, means, or techniques (including economic incentives such as fees, marketable permits, and auctions of emissions rights), as well as schedules and timetables for compliance, as may be necessary or appropriate to meet the applicable requirements of this chapter.</p>	<p>10 V.S.A. § 554 authorizes the Secretary of the Agency of Natural Resources to “[a]dopt, amend and repeal rules, implementing the provisions” of Vermont’s air pollution control laws set forth in 10 V.S.A. chapter 23.</p> <p>10 V.S.A. § 556 requires permits for the construction or modification of air contaminant sources.</p> <p>10 V.S.A. § 558 authorizes the Secretary “to establish emission control requirements . . . necessary to prevent, abate, or control air pollution.”</p> <p>10 V.S.A. § 579 Vehicle emissions labeling program for new motor vehicles (for model year 2010 and later vehicles).</p> <p>The sections of the Vermont Air Pollution Control Regulations (VT APCR) that specify or are used to establish emission limits related to the control of ozone and ozone precursors (nitrogen oxides and volatile organic compounds) include: § 5-201 Open Burning Prohibited § 5-241 Prohibition of Nuisance and Odor § 5-251 Control of Nitrogen Oxides Emissions § 5-253.1 Petroleum Liquid Storage in Fixed Roof Tanks § 5-253.2 Bulk Gasoline Terminals § 5-253.3 Bulk Gasoline Plants § 5-253.4 Gasoline Tank Trucks § 5-253.5 Stage I Vapor Recovery Controls at Gasoline Dispensing Facilities</p>

CAA Section	110(a) Requirement	Corresponding Vermont Requirements
		<p> § 5-253.8 Industrial Adhesives¹ § 5-253.9 Offset Lithographic and Letterpress Printing¹ § 5-253.10 Paper Coating § 5-253.12 Coating of Flat Wood Paneling¹ § 5-253.13 Coating of Miscellaneous Metal and Plastic Parts¹ § 5-253.14 Solvent Metal Cleaning § 5-253.15 Cutback and Emulsified Asphalt § 5-253.16 Wood Furniture Manufacturing § 5-253.17 Industrial Cleaning Solvents¹ § 5-253.20 Other Sources that Emit Volatile Organic Compounds § 5-261 Control of Hazardous Air Contaminants § 5-308 Ozone § 5-309 Nitrogen Dioxide § 5-501 Review of Construction or Modification of Air Contaminant Sources § 5-502 Major Stationary Sources and Major Modifications § 5-701 Maintenance and Removal of Control Devices § 5-702 Excessive Emissions from Motor Vehicles Subchapter IV. Operations and Procedures Subchapter VIII. (§ 5-801 - § 5-806) Registration of Air Contaminant Sources </p>

¹ Amendments to the VT APCR, including sections 5-253.8 Industrial Adhesives, 5-253.9 Offset Lithographic and Letterpress Printing, 5-253.12 Coating of Flat Wood Paneling, 5-253.13 Coating of Miscellaneous Metal and Plastic Parts, and 5-253.17 Industrial Cleaning Solvents, were adopted September 15, 2018 and have been proposed for inclusion in the Vermont SIP ([84 FR 37812](#)).

CAA Section	110(a) Requirement	Corresponding Vermont Requirements
110(a)(2)(B) Ambient air quality monitoring/ data system	Provide for establishment and operation of appropriate devices, methods, systems, and procedures necessary to (i) monitor, compile, and analyze data on ambient air quality, and (ii) upon request, make such data available to the Administrator.	<p>10 V.S.A. § 554 authorizes the Secretary to “conduct studies, investigations and research relating to air contamination and air pollution” and “[d]etermine by appropriate means the degree of air contamination and air pollution in the state and the several parts thereof.”</p> <p>The most recent (2019) annual air monitoring network plan is available on the AQCD website.² Data collected by network monitors are required to be reviewed, validated, and sent to the EPA air quality system no later than 90 days after the end of a calendar quarter.</p>
110(a)(2)(C) Program for enforcement, PSD and NSR	Include a program to provide for the enforcement of the measures described in subparagraph (A), and regulation of the modification and construction of any stationary source within the areas covered by the plan as necessary to assure that national ambient air quality standards are achieved, including a permit program as required in parts C and D.	<p>10 V.S.A. § 557 authorizes inspections of air contaminant sources.</p> <p>10 V.S.A. § 568 establishes penalties for violating air pollution control laws and regulations or making false statements.</p> <p>10 V.S.A Chapter 201 “Administrative Environmental Law Enforcement” and 10 V.S.A Chapter 211 “Civil Enforcement” provides the Secretary with the authority to enforce, including the authority to assess civil and criminal penalties, Vermont’s air pollution control laws and regulations.</p> <p>10 V.S.A § 556, VT APCR § 5-501, Review of Construction or Modification of Air Contaminant Sources, and § 5-502, Major Stationary Sources and Major Modifications, set forth the requirements for permits to construct, modify or operate major air contaminant sources. Specifically, § 5-501 and § 5-502 provide for nonattainment and prevention of significant deterioration (PSD) permitting for major sources under Vermont’s more expansive definition of major stationary source. Section 5-502(4)(c) states that “... the increase in allowable emissions, in conjunction with all other applicable emissions increases or reductions, will not cause or contribute to any increase in ambient concentrations exceeding the</p>

² Vermont Annual Air Monitoring Network Plan, 2019;

<https://dec.vermont.gov/sites/dec/files/aqc/monitoring/documents/Vermont%202019%20Air%20Monitoring%20Network%20Plan%20Final.pdf>

CAA Section	110(a) Requirement	Corresponding Vermont Requirements
		<p>remaining available prevention of significant deterioration (PSD) increment for the specified air contaminants....” Subchapter V also includes Vermont’s PSD program that applies to sources that emit greenhouse gases (GHG) in accordance with EPA’s Tailoring Rule. Please also see section “110(a)(2)(J) PSD and visibility protection” of this document for Vermont’s PSD measures.</p> <p>VT APCR § 5-261, Control of Hazardous Air Contaminants provides for the control of “emissions of any hazardous air contaminant [as defined in the VT APCR], except in conformity with the provisions of this section.” Several VOCs and nitric oxide are listed in the VT APCR as hazardous air contaminants.</p> <p>VT APCR § 5-501(7) provides for public notification as well as notification of officials and agencies of states or areas that may be affected by the construction or modification being permitted in Vermont.</p>
110(a)(2)(D)(i)(I) Interstate transport provisions	Include provisions prohibiting any source or other type of emissions activity in one state from contributing significantly to nonattainment, or interfering with maintenance, of the NAAQS in another state.	No source or sources within Vermont have been identified as contributing significantly to non-attainment or maintenance of the 2015 ozone NAAQS in any other state or are the subject of an active finding under section 126 of the CAA with respect to ozone or any other air pollutant. Additional demonstration that Vermont does not contribute significantly to non-attainment or maintenance of the 2015 ozone NAAQS in any other state is provided in Enclosure 3.

CAA Section	110(a) Requirement	Corresponding Vermont Requirements
110(a)(2)(D)(i)(II) Interstate transport provisions – PSD and visibility	Include provisions (i) prohibiting any source or other type of emissions activity within the state from contributing significantly to nonattainment, or interfering with PSD measures or measures to protect visibility in another state.	<p>10 V.S.A § 556 and VT APCR § 5-501 Review of Construction or Modification of Air Contaminant Sources and § 5-502 Major Stationary Sources and Major Modifications set forth the requirements for permits to construct, modify or operate major air contaminant sources. Specifically, § 5-501 and § 5-502 provide for nonattainment and prevention of significant deterioration (PSD) permitting for major sources under Vermont’s more expansive definition of major stationary source. Please also see section “110(a)(2)(J) PSD and visibility protection” of this document for Vermont’s PSD measures.</p> <p>Vermont’s Regional Haze SIP demonstrates that Vermont sources do not significantly impact visibility in any downwind Class I area.</p>
110(a)(2)(D)(ii) Interstate and international transport provisions	Provide adequate provisions to prevent endangerment or public health due to interstate and international transport of pollutants.	Vermont has no pending obligations under section 115 or section 126(b) of the Clean Air Act.
110(a)(2)(E) Adequate personnel, funding and authority	Provide for adequate personnel, funding and legal authority under state law to carry out the SIP, and demonstrate adherence to conflict of interest requirements.	<p>3 V.S.A. § 2822 provides the Secretary with the authority to assess air permit and registration fees.</p> <p>10 V.S.A. § 553 designates the Agency of Natural Resources as the air pollution control agency of the state.</p> <p>10 V.S.A § 554 provides the Secretary with the power to “[a]ppoint and employ personnel and consultants as may be necessary for the administration of this chapter” and “[a]dopt, amend and repeal rules, implementing the provisions” of Vermont’s air pollution control laws set forth in 10 V.S.A. chapter 23 and “[a]ccept, receive and administer grants or other funds or gifts from public and private agencies, including the federal government, for the purposes of carrying out any of the functions of this chapter.”</p>

CAA Section	110(a) Requirement	Corresponding Vermont Requirements
		<p>In addition to Federal funding and permit and registration fees, the VT AQCD receives state funding to implement its air programs.</p> <p>The State of Vermont is the sole authority implementing the SIP and does not rely on local or regional governments, agencies, or external permit review or enforcement boards or bodies to carry out this responsibility.</p> <p>Vermont Executive Code of Ethics contains strict ethical rules prohibiting all Vermont executive branch employees (including the ANR Secretary) from taking “any action in any particular matter in which he or she has either a conflict of interest or the appearance of a conflict of interest, until such time as the conflict is resolved.” Vermont submitted EO 09-11 (2011) to the EPA for inclusion in the SIP in 2016. This executive order has been superseded by Executive Order No. 19-17, signed by Governor Philip B. Scott on December 4, 2017.⁴ Therefore, Vermont requests the EPA withdraw EO 09-11 in its entirety from the SIP and include EO 19-17 in its place. See Enclosure 4 for the full text of the executive order.</p>
110(a)(2)(F) Stationary source monitoring and reporting	Require the installation, maintenance, and replacement of equipment to monitor emissions from stationary sources and to submit periodic emissions reports and correlate such reports with any emission limitations or standards, which shall be available at reasonable times for public inspection.	<p>VT APCR § 5-402, Written Reports When Requested, authorizes the Air Pollution Control Officer to request written reports on the nature and amount of emissions and other emissions-related data.</p> <p>VT APCR § 5-404, Methods for Sampling and Testing of Sources, authorizes the Air Pollution Control Officer to require stack testing when there is reason to believe that emission limits are being violated by an air contaminant source.</p> <p>VT APCR § 5-405, Required Air Monitoring, authorizes the Air Pollution Control Officer to require any air contaminant source “to install, use and maintain such monitoring equipment and records, establish and maintain such records, and make such periodic emission reports as the Officer shall prescribe.”</p>

⁴ <https://governor.vermont.gov/sites/scott/files/documents/EO%2019-17%20-%20Executive%20Code%20of%20Ethics.pdf>

CAA Section	110(a) Requirement	Corresponding Vermont Requirements
		<p>VT APCR § 5-802, Requirement for Registration, requires that “[e]ach operator of a source which emits more than five tons of any and all air contaminants per year shall register the source with the Secretary, and shall renew such registration annually.”</p> <p>1 V.S.A. § 315-320 provides for the free and open examination of public records, including emissions reports.</p> <p>10 V.S.A. § 563 precludes the Agency from withholding emissions data and emission monitoring data from public inspection or review.⁶</p> <p>Nothing in Vermont’s State Implementation Plan precludes the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed.</p>
110(a)(2)(G) Emergency episodes	Provide for authority to address activities causing imminent and substantial endangerment of public health, including contingency plans to implement the emergency episode provisions of the SIP. ⁷	<p>10 V.S.A. § 560 authorizes actions to order the immediate discontinuation of air emissions causing imminent danger to human health or safety.</p> <p>10 V.S.A. § 8009 authorizes the issuance of an emergency administrative order when a violation presents or an activity will or is likely to result in an immediate threat to the public health.</p>
110(a)(2)(H) Future SIP revisions	Provide for SIP revisions in response to changes in the NAAQS, availability of	10 V.S.A § 554 provides the Secretary with the power to “[p]repare and develop a comprehensive plan or plans for the prevention, abatement and control of air pollution in this state” and “[a]dopt, amend and repeal rules, implementing the

⁶ EPA approved 10 V.S.A § 563 into the Vermont SIP on June 27, 2017 (82 FR 29005).

⁷ All areas in Vermont as classified as Priority III for ozone pursuant to 40 CFR § 51.2371, and therefore does not need to submit a contingency plan to implement Vermont’s emergency episode authority.

CAA Section	110(a) Requirement	Corresponding Vermont Requirements
	improved methods for attaining the NAAQS, or in response to an EPA finding that the SIP is substantially inadequate.	provisions” of Vermont’s air pollution control laws set forth in 10 V.S.A. chapter 23.
110(a)(2)(I) Nonattainment area plan or plan revision Under Part D	Each plan shall [...] in the case of a plan or plan revision for an area designated as a nonattainment area, meet the applicable requirements of part D of this subchapter (relating to nonattainment areas).	According to EPA guidance, states are not expected to address element 110(a)(2)(I) in the context of an infrastructure SIP submission.
110(a)(2)(J) Consultation with government officials	Provide a process for consultation with local governments and Federal Land Managers carrying out NAAQS implementation requirements pursuant to section 121 relating to consultation.	10 V.S.A § 554 specifies that the Secretary shall have the power to “[a]dvise, consult, contract and cooperate with other agencies of the state, local governments, industries, other states, interstate or interlocal agencies, and the federal government, and with interested persons or groups.”

CAA Section	110(a) Requirement	Corresponding Vermont Requirements
110(a)(2)(J) Public notification	<p>Requires states to notify the public if NAAQS are exceeded in an area and enhance public awareness of measures that can be taken to prevent exceedances.</p>	<p>10 V.S.A § 554 authorizes the Secretary to “[c]ollect and disseminate information and conduct educational and training programs relating to air contamination and air pollution.”</p> <p>VT DEC Air Quality and Climate Division website reports daily air quality forecasts for ozone, and also reports near real-time and historical ozone measurement data. Air quality forecasts are also distributed daily via email to interested parties and are also submitted to and distributed through EPA’s AIRNOW website and EnviroFlash notification systems. When forecast or measured ozone concentrations exceed the level of the 2015 ozone NAAQS, air quality alerts are sent by email to a large number of affected parties, including the media and the National Weather Service. Alerts include information about the health implications of elevated pollutant levels and list actions to reduce emissions and exposures.</p> <p>Air Quality Data Summaries summarizing the year’s air quality monitoring results are issued annually and posted on the VT DEC Air Quality and Climate Division website.</p>
110(a)(2)(J) PSD and visibility protection	<p>Meet the applicable requirements of part C relating to prevention of significant deterioration of air quality and visibility protection.</p>	<p>VT APCR § 5-501 Review of Construction or Modification of Air Contaminant Sources and § 5-502 Major Stationary Sources and Major Modifications provide for protection of visibility and nonattainment and prevention of significant deterioration permitting of major stationary sources. Section 5-502(4)(c) states that “... the increase in allowable emissions, in conjunction with all other applicable emissions increases or reductions, will not cause or contribute to any increase in ambient concentrations exceeding the remaining available prevention of significant deterioration (PSD) increment for the specified air contaminants....” Section 5-502(4)(e) additionally requires that any proposed source demonstrate that it will not adversely impact visibility or any other “Air Quality Related Value” in any Class I Federal area.</p>

CAA Section	110(a) Requirement	Corresponding Vermont Requirements
		<p>EPA has interpreted the CAA Section 110(a)(2)(J) provision on visibility as not being “triggered” because visibility requirements in Part C are not changed by new NAAQS. Nevertheless, EPA has fully approved Vermont’s Regional Haze SIP for the first planning period (77 FR 30212; May 22, 2012) and Vermont is developing a SIP revision for the second planning period for submission prior to the July 31, 2021 deadline.</p>
110(a)(2)(K) Air quality modeling/data	<p>Provide for air quality modeling for predicting effects on air quality of emissions from any NAAQS pollutant and submission of such data to EPA upon request.</p>	<p>VT APCR § 5-406 Required Air Modeling specifies that “[t]he <i>Air Pollution Control Officer</i> may require the owner or operator of any proposed <i>air contaminant</i> source . . . to demonstrate that operation of the proposed source . . . will not directly or indirectly result in a violation of any <i>ambient air quality standard</i>, interfere with the attainment of any <i>ambient air quality standard</i>, or violate any applicable prevention of significant deterioration increment . . .”</p> <p>VTAPCR § 5-502 Major Stationary Sources and Major Modifications requires the submittal of an air quality impact evaluation or air quality modeling to demonstrate impacts of new and modified major sources.</p> <p>Vermont continues to be a partner in regional modeling efforts conducted by members of the Ozone Transport Commission.</p>
110(a)(2)(L) Permitting fees	<p>Require each major stationary source to pay permitting fees to cover the cost of reviewing, approving, implementing and enforcing a permit.</p>	<p>10 V.S.A § 556 provides for the assessment of application fees from air emissions sources for permits for the construction or modification of air contaminant sources.</p> <p>3 V.S.A § 2822(j) sets forth the permit fees for air emissions sources.</p> <p>VT APCR Subchapter X: Operating Permits sets forth Vermont’s approved Title V permit program. (66 FR 59535)</p>
110(a)(2)(M) Consultation/	<p>Provide for consultation and participation in SIP</p>	<p>10 V.S.A § 554 authorizes the Secretary to “[a]dvice, consult, contract and cooperate with other agencies of the state, local governments, industries, other</p>

CAA Section	110(a) Requirement	Corresponding Vermont Requirements
participation by affected local entities	development by local political subdivisions affected by the SIP	states, interstate or interlocal agencies, and the federal government, and with interested persons or groups.”

Enclosure 4

Vermont Good Neighbor SIP for the 2015 Ozone NAAQS

Enclosure 4

Vermont Good Neighbor SIP for the 2015 Ozone NAAQS

Supplement to the Vermont Infrastructure SIP for the 2015 Ozone NAAQS to Address the Interstate Transport Provision under Clean Air Act Section 110(a)(2)(D)(i)(I)

October 2019

Prepared by
State of Vermont
Department of Environmental Conservation
Air Quality and Climate Division
dec.vermont.gov/air-quality

Introduction

This state implementation plan (SIP) revision addresses the interstate transport provision under Clean Air Act (CAA) Section 110(a)(2)(D)(i)(I), otherwise known as the “Good Neighbor” provision, for the 2015 ozone national ambient air quality standards (NAAQS). Section 110(a)(2)(D)(i)(I) of the CAA requires that states provide adequate provisions prohibiting emissions from sources within the state in amounts which will contribute significantly to nonattainment in, or interfere with maintenance by, any other state with respect to the NAAQS. Based on a weight-of-evidence analysis, the Vermont Department of Environmental Conservation (DEC) concludes that the existing limits and controls in the Vermont SIP are sufficient to ensure that emissions from sources within Vermont will not significantly contribute to nonattainment in, or interfere with maintenance by, any area relating to the 2015 ozone NAAQS.

Background

The Environmental Protection Agency (EPA) promulgated the most recent ozone NAAQS on October 1, 2015 (80 FR 65291). The standard was lowered (i.e. made more stringent) from 0.075 ppm to 0.070 ppm fourth highest daily maximum averaged over three years.

Area designations for the 2015 ozone NAAQS were issued on November 6, 2017, with additional designations issued in April and July of 2018.¹ The areas closest to Vermont designated nonattainment are the Greater Connecticut nonattainment area and the New York-Northern New Jersey-Long Island nonattainment area.

Infrastructure SIPs addressing CAA § 110(a)(1) and (2), certifying the adequacy of the SIP with respect to the revised standard, were due October 1, 2018. The EPA provided guidance in a March 27, 2018 memorandum which described a framework for addressing interstate transport and reviewed relevant modeling results and air quality projections with respect to the 2015 ozone

¹ 80 FR 54232, 83 FR 25776, 83 FR 35136

NAAQS.² In accordance with EPA guidance, this review of modeling results, monitoring data, emissions data, and existing rules and controls supports Vermont's negative declaration in relation to its contribution to nonattainment or maintenance of the 2015 ozone NAAQS in any other area.

Vermont Contribution to Downwind Receptors

The EPA provided states with information to assist in developing SIPs that meet the interstate transport requirements for the 2015 ozone NAAQS. A 2015 memorandum³ stated EPA's intent to use the four-step framework of the Cross-State Air Pollution Rule (CSAPR). The CSAPR framework adopted to address the "Good Neighbor" provision, and previously used in several federal rulemakings, involves first identifying receptors that are projected to be unable to attain or maintain the NAAQS in the future analysis year, then identifying states contributing to downwind nonattainment or maintenance receptors in amounts that warrant further analysis. The Notice of Data Availability (NODA) and subsequent updates provide the results of analyses that may be used to evaluate interstate transport with respect to the 2015 ozone NAAQS.⁴

The March 27, 2018 memorandum identified 11 receptors projected to be in nonattainment in 2023 (average design value greater than or equal to 71.0 ppb) and six additional receptors projected to be maintenance receptors in 2023 (maximum design value greater than or equal to 71.0 ppb). These receptors are listed in Table 1 with Vermont's projected contribution.

Vermont does not contribute greater than or equal to the one percent significant contribution threshold, 0.7 ppb, to a projected nonattainment or maintenance receptor, or any other area regardless of attainment status. Furthermore, Vermont's contribution to ozone in downwind areas has likely decreased in the past several years due to emissions reductions described below (see Vermont Emissions of Ozone Precursors).

² Information on the Interstate Transport State Implementation Plan Submissions for the 2015 Ozone National Ambient Air Quality Standards under Clean Air Act Section 110(a)(2)(D)(i)(I). Memorandum from Peter Tsirigotis, Director, EPA OAQPS to Regional Air Division Directors, Regions 1-10. March 27, 2018.

https://www.epa.gov/sites/production/files/2018-03/documents/transport_memo_03_27_18_1.pdf

³ Memorandum from Janet McCabe, Acting Assistant administrator, OAQPS, to Regions 1-10, "Implementing the 2015 Ozone National Ambient Air Quality Standards," October 1, 2015.

⁴ "Notice of Availability of the Environmental Protection Agency's Preliminary Interstate Ozone Transport Modeling Data for the 2015 Ozone National Ambient Air Quality Standard (NAAQS)," 82 FR 1733. January 6, 2017; Memorandum from Stephen D. Page, Director, OAQPS, to Regional Air Division Directors, Regions 1-10, "Supplemental Information on the Interstate Transport State Implementation Plan Submissions for the 2008 Ozone National Ambient Air Quality Standards under the Clean Air Act Section 110(a)(2)(D)(i)(I)," October 27, 2017.

Table 1: Vermont contribution to projected nonattainment and maintenance receptors in the eastern US.⁵

Monitor ID	State	County	Average 2023 DV (ppb)	Maximum 2023 DV (ppb)	Vermont Contribution (ppb)
Projected Nonattainment Areas (Average 2023 DV ≥ 71.0)					
90013007	Connecticut	Fairfield	71.0	75.0	0.01
90019003	Connecticut	Fairfield	73.0	75.9	0.01
361030002	New York	Suffolk	74.0	75.5	0.02
480391004	Texas	Brazoria	74.0	74.9	0.00
482011039	Texas	Harris	71.8	73.5	0.00
484392003	Texas	Tarrant	72.5	74.8	0.00
550790085	Wisconsin	Milwaukee	71.2	73.0	0.00
551170006	Wisconsin	Sheboygan	72.8	75.1	0.00
Projected Maintenance Areas (Maximum 2023 DV ≥ 71.0)					
90010017	Connecticut	Fairfield	68.9	71.2	0.01
90099002	Connecticut	New Haven	69.9	72.6	0.02
360810124	New York	Queens	70.2	72.0	0.07
481210034	Texas	Denton	69.7	72.0	0.00
482010024	Texas	Harris	70.4	72.8	0.00
482011034	Texas	Harris	70.8	71.6	0.00

⁵ 2015 Ozone NAAQS Interstate Transport Assessment Design Values and Contributions, May 2018.
https://www.epa.gov/sites/production/files/2018-05/updated_2023_modeling_dvs_collective_contributions.xlsx

Ambient Air Quality Monitoring Trends of Ozone

Ozone concentrations monitored across Vermont have been below the level of the 2015 ozone NAAQS since 2010. Design values for three regions of the state, southern, central, and northern Vermont represented by Bennington, Rutland, and Underhill, respectively, have trended well below the standard in recent years (Figure 1).

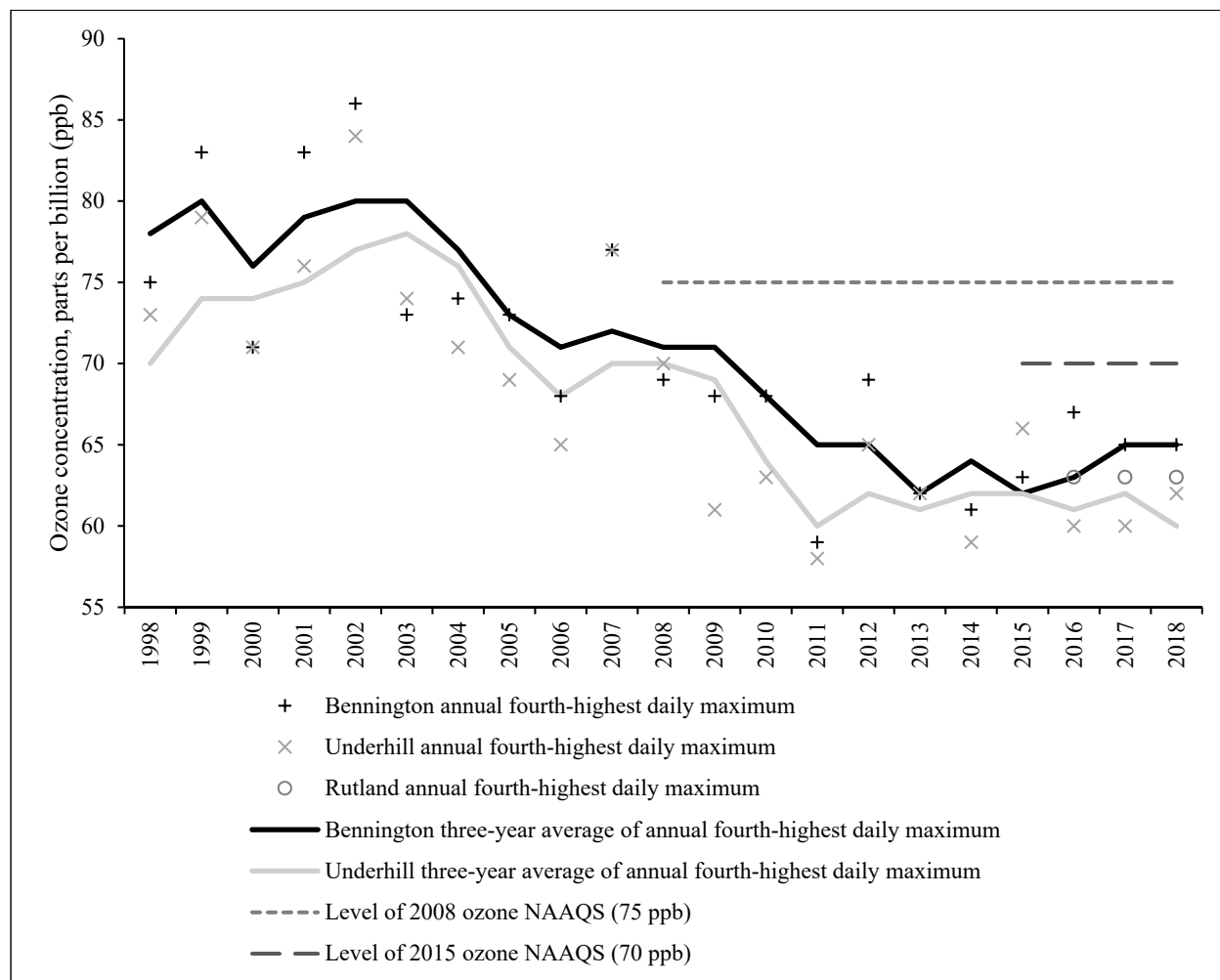


Figure 1: Design value trends and annual fourth-highest daily maxima for the primary 2015 ozone NAAQS at three monitoring locations in Vermont. Note that there is not a long enough record of ozone monitoring at the Rutland site to display a three-year design value. The design value year is the last year of the three-year averaging period, e.g. the 2011 design values are the average of the 2009, 2010, and 2011 fourth highest daily maxima.⁶

⁶ U.S. EPA Air Quality System, Design Value Report. “Rutland” = Site ID 50-021-0002, “Bennington” = Site ID 50-003-0004, “Underhill” = Site ID 50-007-0007.

Vermont Emissions of Ozone Precursors

Statewide emissions from sources within Vermont are best summarized by the National Emissions Inventory (NEI) and associated modeling results. In support of the Final Cross-State Air Pollution Rule (CSAPR) Update, a rule related to interstate transport for the 2008 Ozone National Ambient Air Quality Standards (NAAQS), plus updates to the platform for preliminary modeling of interstate transport for the 2015 Ozone NAAQS, the EPA inventoried annual total NO_x and VOC emissions by state for the years 2011 through 2017 and projected emissions for 2023.⁷ Emissions of ozone precursors have decreased for the period 2011-2017 and are projected to be lower in 2023 than in 2017 (Figure 2, Figure 3, Figure 4).

In summary, ozone precursor emissions have declined since 2011 and are not expected to increase due to Vermont's ongoing emissions reduction efforts and control measures.

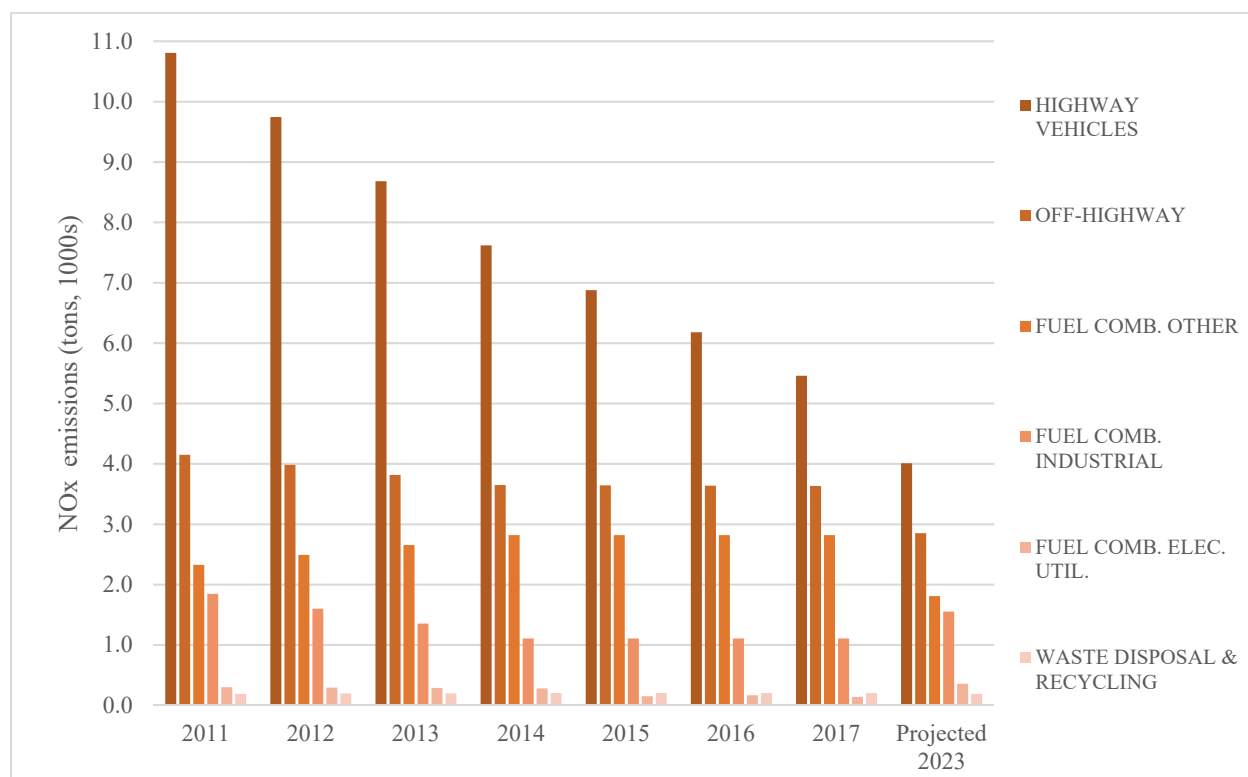


Figure 2: Emissions by sector of nitrogen oxides in Vermont, 2011-2017 and projected emissions for 2023.

⁷ <https://www.epa.gov/air-emissions-modeling/2011-version-63-platform>

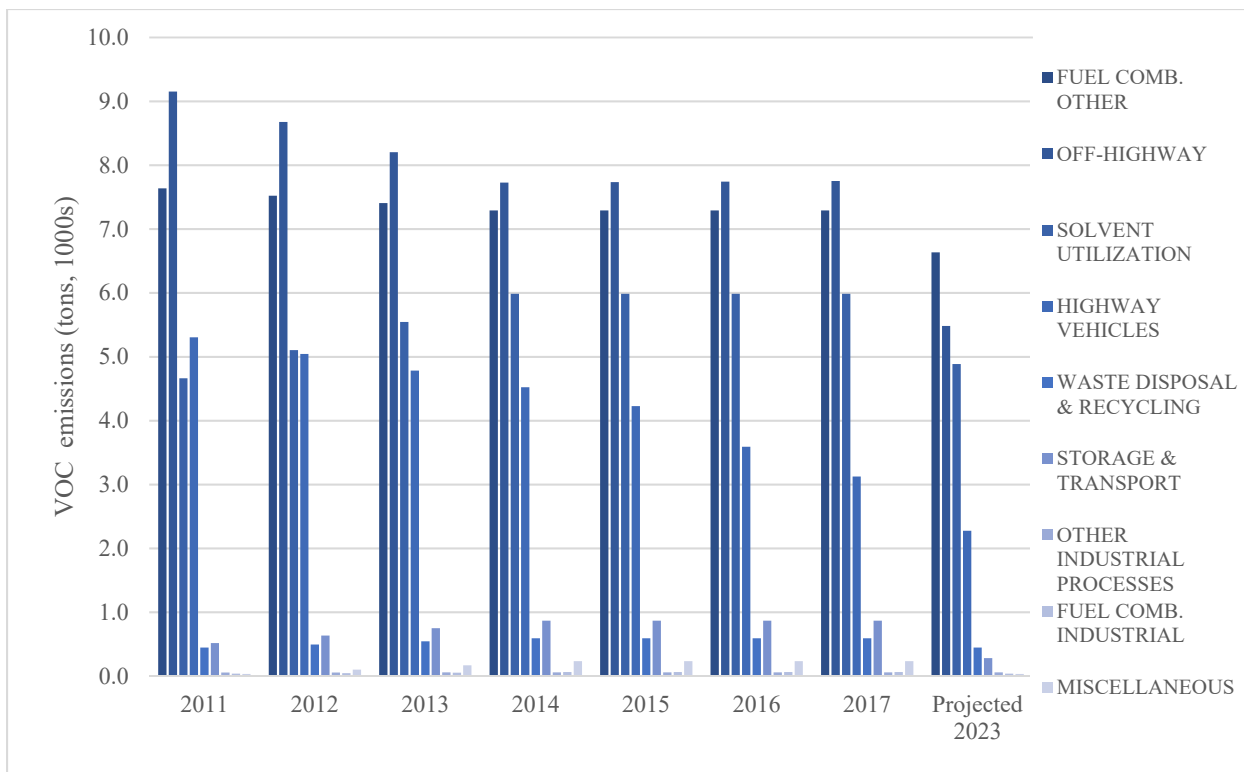


Figure 3: Emissions by sector of volatile organic compounds in Vermont, 2011-2017 and projected emissions for 2023.

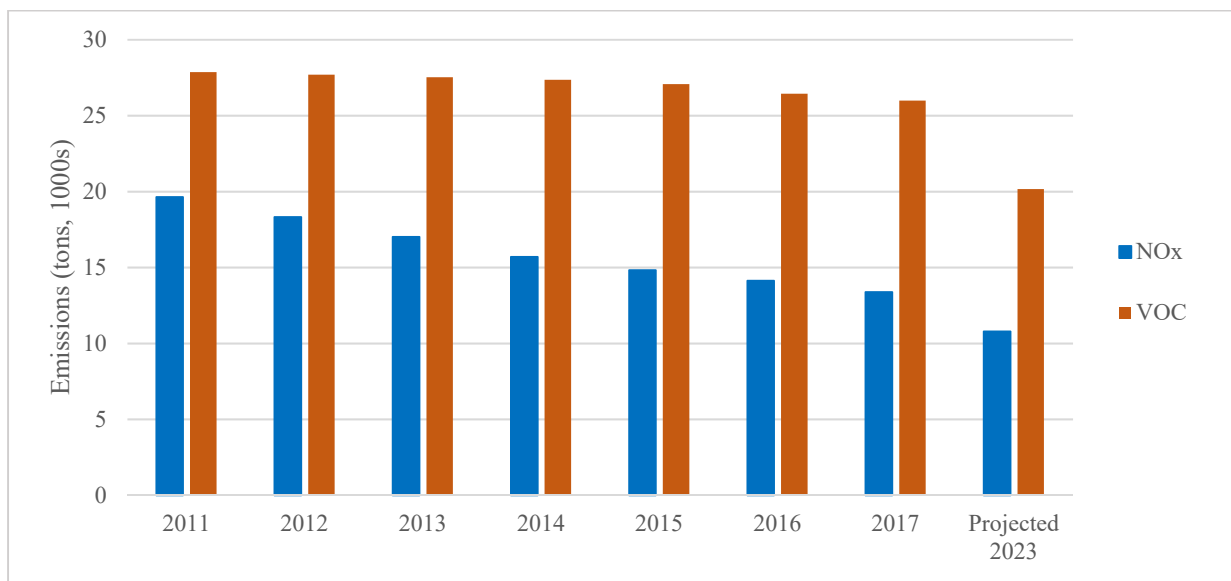


Figure 4: State total emissions of NOx and VOC in Vermont, 2011-2017 and projected emissions for 2023.

Emissions Reduction Efforts or Control Measures

Please see the Technical Support Document in Enclosure 4 of the Vermont Infrastructure SIP for the 2015 ozone NAAQS for references to the infrastructure in place to limit emissions of ozone precursors that will help to maintain in-state concentrations below the 2015 ozone NAAQS and prevent significant contribution to downwind states.

While Vermont's emissions are relatively low and monitoring data indicate that the state attains the ozone ambient air quality standards, the state has ongoing emissions reduction efforts that are expected to further decrease emissions of ozone precursors. In 2018, Vermont adopted several air pollution control regulations based on EPA Control Techniques Guidelines (CTGs) that represent Reasonably Available Control Technology (RACT) for several industry sectors. As a state within the Ozone Transport Region, Vermont has been subject to and has strived to meet SIP requirements equivalent to those of marginal nonattainment areas. As a member-state of the Ozone Transport Commission, Vermont actively participates in development of regional control strategies of ozone precursor emissions and regularly assesses the applicability and appropriateness of OTC model rules for Vermont sources.

Mobile sources are responsible for 69% of Vermont's NO_x emissions and 43% of VOC emissions.⁸ Efforts to reduce air pollution from mobile sources include adoption of California's vehicle emissions standards, inspection and maintenance of vehicle emissions control systems, enhancement of emissions control technology upgrade programs for diesel engines, and participation in regional and state-specific efforts to build and incentivize zero emission vehicle infrastructure and ownership.

The emissions reduction efforts described here will result in lower contributions of ozone precursors from sources or activities within Vermont to downwind areas, and lead to greater air quality benefits locally and regionally.

Conclusion

The contribution analysis, monitoring data, and emissions inventories presented in this report demonstrate that emissions from sources within Vermont do not significantly impact any downwind state. Therefore, Vermont DEC concludes that the existing limits and controls in the Vermont SIP are sufficient to ensure that emissions from sources or other activities within Vermont will not significantly contribute to nonattainment in, or interfere with maintenance by, any other state with respect to the 2015 ozone NAAQS.

⁸ U.S. EPA 2014 National Emissions Inventory

Enclosure 5

State of Vermont Executive Order No. 19-17 for incorporation in the SIP

STATE OF VERMONT
EXECUTIVE DEPARTMENT
EXECUTIVE ORDER NO. 19-17

[Executive Code of Ethics]

WHEREAS, throughout the State of Vermont, dedicated public servants bring their talents and expertise to work on behalf of all Vermonters; and

WHEREAS, it is essential to the proper operation of government that public officers be principled and impartial; that governmental decisions and policy be made fairly and impartially on the merits of the matter at issue; that public office not be used for private gain other than the remuneration provided by law; and that there be public confidence in the integrity of government; and

WHEREAS, there is a risk that the attainment of one or more of these ends may be impaired whenever a conflict exists between the private interests of a public officer and his or her official responsibilities; and

WHEREAS, it is also essential to the proper operation of government that those best qualified not be discouraged from serving as public officers by requiring them to relinquish totally the opportunity to further their interests, at least where such interests do not create irreconcilable conflicts with their official responsibilities; and

WHEREAS, both the public and private sectors of Vermont are enriched by the healthy exchange of individuals who have hands-on knowledge and work experience in both the public and private sectors; and

WHEREAS, an Executive Code of Ethics effectively ensures fairness and impartiality in the conduct of State business, while at the same time encouraging the recruitment and retention of those best qualified to serve the State and ought to be reaffirmed and continued.

NOW THEREFORE, BE IT RESOLVED, that I, Philip B. Scott, by virtue of the authority vested in me as Governor, do hereby promulgate the following Executive Code of Ethics.

Except where otherwise provided by law, all Appointees (as defined herein) shall be subject to provisions of this Executive Order. Nothing in this Executive Order shall exempt an Appointee from any other requirement of law or any duly adopted State personnel policy.

To assure adherence to this Code, all future Appointees, and any current Appointees who have not signed an acknowledgment with respect to Executive Order No. 09-11 (codified as Executive Order No. 3-53), will be asked to sign the acknowledgment attached hereto as Exhibit A and submit it to the Secretary. The Secretary shall have the authority to interpret the provisions of this Code as they relate to circumstances and to issue exemptions from this Code under special

circumstances. All such interpretations and exemptions shall be written and kept by the Secretary in the same manner as the Conflict Questionnaires.

I. Definitions

As used in this Executive Order:

"Appointee" means any member of a Public Body appointed by or upon the approval of the Governor, including Executive Officers, or any exempt employee appointed by or upon the approval of such an Appointee.

"Appearance of a Conflict of Interest" means the impression that a reasonable person might have, after full disclosure of the facts, that an Appointee's judgment might be significantly influenced by outside interests, even though there may be no actual Conflict of Interest.

"Conflict of Interest" means a significant interest of an Appointee or such an interest, known to the Appointee, of a member of his or her immediate family or household, or of a business associate, in the outcome of a particular matter pending before the Appointee or his or her Public Body. "Conflict of Interest" does not include any interest that (i) is no greater than that of other persons generally affected by the outcome of a matter (such as a policyholder in an insurance company or a depositor in a bank), or (ii) has been disclosed to the Secretary and found not to be significant.

"Executive Officer" means an agency secretary or deputy or a department commissioner or deputy.

"Full-time Appointee" means any Appointee receiving a full-time salary for State service.

"Private Entity" is any person, corporation, partnership, joint venture or association, whether organized for profit or not for profit, except those specifically chartered by the State of Vermont or which relies upon taxes for at least fifty percent (50%) of its revenues.

"Public Body" means any State agency, department, division or office and any board or commission of any such entity or any independent board or commission in the executive branch of the State.

"Secretary" shall, unless otherwise specified, mean the Secretary of Civil and Military Affairs.

II. General Conduct

An Appointee must conduct the affairs of their office in such a manner as to instill public trust and confidence in the integrity of State government. Further, Appointees have a responsibility to act as examples and set a civil and respectful tone in the public discourse.

- A. Thus, an Appointee shall always, and without exception, be honest, helpful and fully committed to the principle that all authority is derived from the people, and therefore, all

officers of government, whether legislative or executive, are servants of the people and at all times, in a legal way, accountable to them. [VT. Const., Ch I, Article 6]

- B. Appointees shall take all reasonable steps to avoid any action or circumstances, including acts or circumstances which may not be specifically prohibited by this Code, which might result in:
 - (1) Undermining his or her independence or impartiality or action;
 - (2) Taking official action based on unfair considerations;
 - (3) Giving preferential treatment to any private interest or Private Entity based on unfair considerations;
 - (4) Giving preferential treatment to any family member or member of the Appointee's household;
 - (5) Using public office for the advancement of personal interest;
 - (6) Using public office to secure special privileges or exemptions;
 - (7) Adversely affecting the confidence of the public in the integrity of State government; or
 - (8) Undermining the climate of civility and respect required for every open, democratic government to thrive.
- C. Every Appointee shall be true and faithful to the State of Vermont and will not, directly or indirectly, do any act or thing injurious to the Constitution or Government of the State of Vermont. Every Appointee will faithfully execute the office which he or she holds and will therein do equal right and justice to all men and women, to the best of his or her judgment and ability, according to law. [VT. Const., Ch II, Section 56]
- D. Appointees shall always treat each other, employees, staff, volunteers and the public with dignity, respect, empathy and courtesy.
- E. Appointees shall support efforts to create and maintain a diverse and effective work force.
- F. Appointees shall promote a workplace that is free from sexual harassment, or inappropriate personal relationships, and shall take quick and effective action to ensure that sexual harassment does not occur or persist.
- G. Every Full-Time Appointee shall devote his or her worktime to the duties of his or her office.
- H. An Appointee shall not use State property nor permit others to use State property unless the use is reasonably related to his or her official responsibilities or the conduct is permitted pursuant to a duly adopted State or agency personnel policy.
- I. An Appointee shall not enter into any commitment to expend State funds unless the expenditure is reasonable and valuable to the State and made in accordance with all applicable statutes, rules, directives or Bulletins from the Secretary of the Agency

of Administration.

- J. An Appointee shall be in good standing with respect to, or in full compliance with a plan to pay, all taxes due the United States, the State of Vermont and the municipality of residence. An Appointee shall be in good standing with respect to, or in full compliance with a plan to pay, all child support obligations.
- K. All Full-Time Appointees shall attend State-sponsored training on issues related to sexual harassment and governmental ethics at least annually.

Exemptions sought under this Code shall be issued only to further the twin goals of this Code: 1) to establish high standards of ethical conduct for all Appointees and 2) to encourage those Vermonters best qualified to serve in State government.

III. Personal Interests, Outside Employment and Financial Activities

A. Ethical Rules While in State Employ:

- (1) No Full-Time Appointee shall be the owner of, or financially interested, directly or indirectly, in any Private Entity or private interest subject to the supervision of his or her respective Public Body, except as a policy holder in an insurance company or a depositor in a bank (3 V.S.A. §204). For this Executive Order, a direct or indirect financial interest excludes:
 - a. any insignificant interest held individually or by a member of the Appointee's immediate household or by a business associate; or
 - b. any interest which is no greater than that of other persons who might be generally affected by the Supervision of the Appointee's Public Body.
- (2) An Appointee shall not take any action in any matter in which he or she has either a Conflict of Interest or the appearance of a Conflict of Interest, until the Conflict is resolved.
- (3) An Appointee shall not take any official action that materially advances the interest of any Private Entity with which the Appointee is actively seeking employment.
- (4) A full-time Appointee shall not, for pecuniary gain, be an advocate for any Private Entity in any matter before any Public Body or before the State General Assembly or its committees.
- (5) An Appointee, while in State employ, shall not solicit or receive any payment, gift or favor based on any understanding which may be reasonably implied by the Appointee or inferred by the donor, that it may influence any official action.
- (6) An Appointee shall not solicit or receive any payment, gift or favor from any private

interest or Private Entity which has, or seeks to obtain, contractual or other business or financial relationships with the Appointee's Public Body; conducts business or activities that are regulated by the Appointee's Public Body; or has an interest that may be substantially affected by the Appointee's official actions.

- (7) An Appointee, or his or her designee, shall not accept gifts or trips from private interests or Private Entities if the gifts or trips (i) are a *quid pro quo*; (ii) are intended to influence any decision by the Appointee; or (iii) create an appearance of a Conflict of Interest.
- (8) Except in the event (i) a specific law, rule or regulation requires disclosure, or (ii) the State has entered into a confidentiality or non-disclosure agreement consistent with applicable State or federal law, regulation, rule or policy, an Appointee shall not disclose to any Private Entity any confidential or privileged information obtained while in State employ.
- (9) An Appointee or his or her family shall not trade in stock or otherwise transact private business based upon information obtained by the Appointee through his or her work on behalf of the State.
- (10) It is the Governor's expectation that Appointees will use State-provided equipment and official e-mail addresses for primarily State business purposes. Personal use shall be limited and must not: (i) interfere with normal business activities; or (ii) be associated with any outside for-profit business activity of the Appointee.
- (11) Appointees are strongly encouraged to engage in electronic communications regarding official business only on their official email accounts. If private accounts must be used, Appointees shall copy their official e-mail accounts on all such outgoing communications and forward any received messages on which their official emails are not copied. If substantive discussion (not otherwise documented) relating to the work of the Public Body occurs on a text-messaging system, such discussion is to be copied to a separate public record format (such as by copying the relevant text messages to the appointee's official e-mail).
- (12) Email messages and other electronic data produced or acquired in the course of the business of the Public Body is considered a public record subject to disclosure under the Vermont Public Records Act, regardless of whether the record resides in a State-provided system or a private account; provided, however, solely for purposes of this subsection, "public body" does not include councils or similar groups established by the Governor for the sole purposes of advising the Governor with respect to policies. Upon receipt of a records request, Appointees shall provide their Records Officers all responsive records in their own custody and control.

B. Ethical Rules After State Employ:

- (1) For one year after leaving office, a former Appointee shall not, for pecuniary gain, be an advocate for any Private Entity before any Public Body or before the State General Assembly or its committees, regarding any particular matter in which:
 - a. the State is a party or has a direct and substantial interest; and
 - b. the Appointee had participated personally and substantively while in State employ.
- (2) This prohibition applies to any matter the Appointee directly handled, supervised or managed, or gave substantial input, advice or comment, or benefited from, either through discussing, attending meetings on, or reviewing materials prepared regarding the matter.
- (3) For one year after leaving office, a former Full-Time Appointee shall not, for pecuniary gain, be an advocate for any Private Entity before any Public Body or before the State General Assembly or its committees, regarding any particular matter in which the Full-Time Appointee had exercised any official responsibility.
- (4) Subject to exemptions set forth in 2 V.S.A. § 262, for one year after leaving office, an Executive Officer, shall not be a lobbyist (as defined in 2 V.S.A. § 261), in this State.

IV. Reports

A. Appointees

Within thirty days of appointment and thereafter annually on June 30, every Appointee who earns \$30,000 or more per year shall file with the Secretary an "Ethics Questionnaire" as prescribed in Exhibit B. These questionnaires shall be treated as confidential personnel documents as defined by 1 VSA §317(b)(7) and kept as such during the gubernatorial administration in which the Appointee serves, or for one year after the Appointee leaves office, whichever occurs first, at which point they will be destroyed.

B. Executive Officers (3 V.S.A. §1211)

In addition to the reporting required in Section IV(A) above, pursuant to 3 V.S.A. §1211, each Executive Officer shall biennially file with the State Ethics Commission a disclosure form that contains the following information in regard to the previous calendar year:

- (1) Each source, but not amount, of personal income of the Executive Officer and of his or her spouse or domestic partner, and of the Executive Officer together with his or her spouse or domestic partner, that totals more than \$5,000.00, including any of the sources meeting that total described as follows:

- a. employment, including the employer or business name and address and, if self-employed, a description of the nature of the self-employment without needing to disclose any individual clients; and
 - b. investments, described generally as “investment income.”
- (2) Any board, commission, or other entity that is regulated by law or that receives funding from the State on which the Executive Officer served and the Executive Officer’s position on that entity.
- (3) Any company of which the Executive Officer or his or her spouse or domestic partner, or the Executive Officer together with his or her spouse or domestic partner, owned more than 10 percent.
- (4) Any lease or contract with the State held or entered into by:
 - a. the Executive Officer or his or her spouse or domestic partner; or
 - b. a company of which the Executive Officer or his or her spouse or domestic partner, or the officer together with his or her spouse or domestic partner, owned more than 10 percent.

In addition, if an Executive Officer’s spouse or domestic partner is a lobbyist as defined in 2 V.S.A. § 261, the Executive Officer shall disclose that fact and provide the name of his or her spouse or domestic partner and, if applicable, the name of his or her lobbying firm.

An Executive Officer shall file his or her disclosure with the Ethics Commission on or before January 15 of the odd-numbered year or, if he or she is appointed after January 15, within 10 days after that appointment.

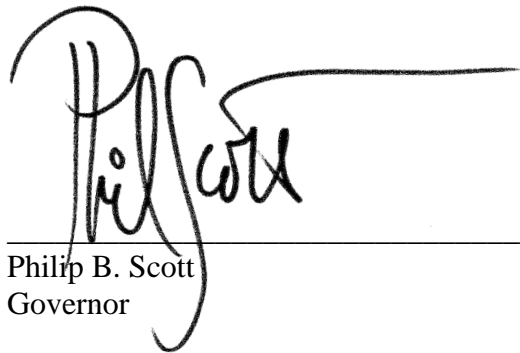
V. Enforcement

The purpose of this Executive Code of Ethics is to provide guidance to Appointees covered herein. During such appointment, except as otherwise required by law, only the Governor or his designated agent shall have the power to sanction any violations hereof. Nothing in this Code shall create a right to continue State employment. The remedy for a violation of post-employment restrictions set forth in Section III(B) shall rest with the Public Body before which the former Appointee appears and, barring unusual circumstances, shall result only in disqualifying the former Appointee from appearing or participating in the matter.

VI. Effective Date

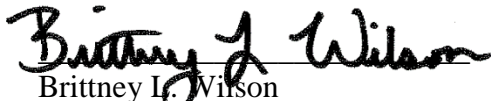
Except as otherwise required by law, this Executive Order supersedes and replaces Executive Order No. 09-11 (codified as No.3-53), dated July 21, 2011. This Executive Order shall take effect upon signing.

WITNESS my name hereunto subscribed and the Great Seal of the State of Vermont hereunto affixed at Montpelier this 4th day of December, 2017.



Philip B. Scott
Governor

By the Governor:



Brittney L. Wilson
Secretary of Civil and Military Affairs

Executive Order No. 19-17

EXECUTIVE ORDER NO. 19-17 EXHIBIT A

CODE OF ETHICS ACKNOWLEDGEMENT

I, _____, having been appointed to the position of _____, hereby acknowledge having received and read Executive Order 19-17, the Executive Code of Ethics, promulgated on December 4, 2017, and agree to adhere to it.

Signature: _____ Date: _____ Name (print): _____

OATH OF OFFICE

I, _____, do solemnly swear/affirm that I will be true and faithful to the State of Vermont, and that I will not, directly or indirectly, do any act or thing injurious to the Constitution or Government thereof. So help me God. / Under the pains and penalties of perjury. I _____, do solemnly swear/affirm that I will faithfully execute the Office of _____, for the State of Vermont, and that I will therein do equal right and justice to all persons, to the best of my judgment and ability according to law. So help me God. / Under the pains and penalties of perjury. I _____, do solemnly swear/affirm that I will support the Constitution of the United States. So help me God. / Under the pains and penalties of perjury.

Signature: _____

STATE OF VERMONT _____ COUNTY, SS At _____, in said County, this _____ day of _____, 2017, personally appeared _____ and took and subscribed the foregoing oath of office and allegiance. Before Me, _____ Notary Public My Commission expires _____

EXECUTIVE ORDER NO. 19-17 EXHIBIT B

ETHICS QUESTIONNAIRE

In accordance with the Executive Order No. 19-17 Executive Code of Ethics, every Appointee, as defined therein, who earns \$30,000 or more per year, shall fill out and file this questionnaire annually, on or by June 30, with the Secretary of Civil and Military Affairs. This questionnaire shall be treated as a confidential personnel document pursuant to 1 V.S.A. § 317(c)(7) and kept as such during the gubernatorial administration in which the Appointee serves, or for one year after the Appointee leaves office, whichever occurs first. The purpose of this questionnaire is to determine any significant personal interests of Appointees that might conflict with the best interests of the state. It is understood that individuals serving the state as Appointees may have pecuniary interests that may relate to matters arising in the course of their performance of the official responsibilities. This form is intended to identify those interests and provide assurance that conflicts of interest will not impair fair and impartial state actions. Appointees must avoid Conflicts of Interest and, where they do occur, must disclose them to the Secretary of Civil and Military Affairs. In answering questions, please disclose not only your own direct interests but also any indirect or beneficial interests which could arise through members of your immediate family (spouses, dependent children) or through persons who reside in your home or by reason of a trust or partnership arrangement in which you or a member of your immediate family or household participates or has an interest.

(Use reverse side or an additional sheet or paper to give additional information, if necessary.)

1. Are you, your spouse, or a member of your immediate family the director, officer, partner or employee of any enterprise that, to your knowledge, does business or has a financial relationship with the State of Vermont? If yes, please list all such positions. Yes ____ No ____
2. To the best of your knowledge, except for securities that are listed on a national exchange, do you own directly, indirectly, or beneficially, securities, options, or rights to purchase securities or share in profits of companies doing business with the State? If yes, list company and percent of total shares. Yes ____ No ____
3. Do you directly, indirectly or beneficially, have any ownership interest in a proprietorship, partnership, or syndicate that, to your knowledge, operates any business which does business with the State? If yes, explain briefly. Yes ____ No ____
4. To the best of your knowledge, does there currently exist any creditor-debtor relationship between you, directly or indirectly, and any non-financial organization doing business with the State, except normal charge accounts and installment purchase accounts? If yes, explain briefly. Yes ____ No ____
5. Are you receiving commissions or any forms of compensation, gift or reward on business transacted with the State either directly or through a third person? If yes, explain briefly. Yes ____ No ____
6. In addition to the information reported above, do you have any direct or indirect business relationships which may reasonably be considered to have some influence on your judgment and decisions involving transactions with the State, or otherwise during the performance of your duties and responsibilities as a Appointee? If yes, explain briefly. Yes ____ No ____

7. Are you in good standing with respect to, or in full compliance with a plan to pay, any and all taxes due the State of Vermont, the State of Vermont and the municipality of residence? If no, explain. Yes ____ No ____

8. If you are under an obligation to pay child support, are you in good standing with respect to that obligation? Yes ____ No ____

If no, have you entered into a payment plan with the Vermont Office of Child Support and are you in full compliance with that payment plan? Yes ____ No ____

9. I agree to disassociate myself from situations where possible conflicts of interest pertaining to any matter addressed in this questionnaire might occur, when requested by the Governor or his or her representative, the Secretary of Civil and Military Affairs.

10. To the best of my knowledge, the answers to all of the above questions are true and complete in every respect.

Signed _____ Date: _____ Name (printed): _____
Position: _____

Enclosure 6

**Annotated version of Executive Order No. 19-17 illustrating changes
from Executive Order No. 09-11**

STATE OF VERMONT
EXECUTIVE DEPARTMENT
EXECUTIVE ORDER No. 19-17

[Executive Code of Ethics]

WHEREAS, ~~T~~throughout the state, dedicated public servants bring their talents and expertise to work on behalf of ~~the people of Vermont~~all Vermonters; and

WHEREAS, it is essential to the proper operation of government that public officers be ~~independent~~principled and impartial; that governmental decisions and policy be made fairly and impartially; on the merits of the matter at issue; that public office not be used for private gain other than the remuneration provided by law; and that there be public confidence in the integrity of government; and

WHEREAS, there is a risk that the attainment of one or more of these ends may be impaired whenever a conflict exists between the private interests of a public officer and his or her official responsibilities; and

WHEREAS, it is also essential to the proper operation of government that those best qualified not be discouraged from serving as public officers by requiring them to relinquish totally the opportunity to further their ~~own~~ interests, at least where such interests do not create irreconcilable conflicts with their official responsibilities; and

WHEREAS, both the public and private sectors of Vermont are enriched by the healthy exchange of individuals who have hands-on knowledge and work experience in both the public and private sectors;~~;~~
and

~~NOW, THEREFORE~~WHEREAS, an Executive Code of Ethics effectively ensures fairness and impartiality in the conduct of ~~s~~State business, while at the same time, encouraging the recruitment and retention of those best qualified to serve the ~~s~~State and ought to be reaffirmed and continued.

~~NOW, THEREFORE~~, BE IT RESOLVED THAT I, ~~Peter Shumlin~~Philip B. Scott, by virtue of the authority vested in me as Governor, do hereby promulgate the following Executive Code of Ethics~~;~~:

Except where otherwise provided by law, all ~~gubernatorial appointees of the executive branch~~Appointees (as defined herein) shall be subject to provisions of this Executive Order. Nothing in this Executive Order shall exempt an ~~a~~Appointee from any other requirement of law or any duly adopted ~~s~~State personnel policy.

To assure adherence to this ~~e~~Code, all future ~~a~~Appointees, and any current ~~a~~Appointees who have not signed an acknowledgment with respect to Executive Order No. ~~10-0309-11~~ (codified as Executive Order No. 3-~~4553~~), will be asked to sign the acknowledgment attached hereto as Exhibit A and submit it to the Secretary ~~of Civil and Military Affairs (the "Secretary")~~.

~~.~~ The Secretary ~~has~~shall have the authority to interpret the provisions of this ~~e~~Code as they relate to ~~particular~~ circumstances and to issue exemptions from ~~the~~is Code under special circumstances. All such interpretations and exemptions shall be written and kept by the Secretary in the same manner as the Conflict Questionnaires.

I. Definitions

As used in this Executive Order:

A. ~~"Appointee"~~ means any ~~exempt employee or any~~ member of ~~any public body~~ a Public Body appointed by or upon the approval of the Governor, ~~or including Executive Officers, or any exempt employee appointed~~ by or upon the approval of such an aAppointee.

B. ~~"Appearance of a eConflict of interest" as used below in §§ III (A) (2) and (7)~~Interest" means the impression that a reasonable person might have, after full disclosure of the facts, that an aAppointee's judgment might be significantly influenced by outside interests, even though there ~~is may be~~ no actual eConflict of iInterest.

C. ~~"Conflict of iInterest"~~ means a significant interest, of an aAppointee or such an interest, known to the aAppointee, of a member of his or her immediate family or household, or of a business associate, in the outcome of ~~any~~ a particular matter pending before the aAppointee or his or her ~~public body~~. "Public Body." "Conflict of iInterest" does not include any interest that (i) is no greater than that of other persons generally affected by the outcome of ~~the~~ a matter, ~~(such as a policyholder in an insurance company or a depositor in a bank)~~, or (ii) has been disclosed ~~to the Secretary~~ and found not to be significant.

D. ~~"Executive Officer" means an agency secretary or deputy or a department commissioner or deputy.~~

"Full-time appointee" means any appointee receiving a full-time salary for sState service.

E. ~~"Private eEntity"~~ is any person, corporation, partnership, joint venture or association, whether organized for profit or not for profit, except those specifically chartered by the State of Vermont or which relies upon taxes for at least ~~50~~fifty percent (50%) of its revenues.

F. ~~"Public bBody"~~ means any State agency, department, division or office and any board or commission of any such entity, or any independent board or commission, in the executive branch of the sState.

~~"Secretary" shall, unless otherwise specified, mean the Secretary of Civil and Military Affairs.~~

II. General Conduct

An aAppointee must conduct the affairs of ~~his or her~~their office in such a manner as to instill public trust and confidence in the integrity of State government. Further, Appointees have a responsibility to act as examples and set a civil and respectful tone in the public discourse.

A. Thus, an ~~appointee~~Appointee shall always, and without exception, be honest, helpful and fully committed to the principle that all authority is derived from the people, and therefore, all officers of government, whether legislative or executive, are servants of the people and at all times, in a legal way, accountable to them. [VT. Const., Ch I, Article 6]

B. Appointees shall take all reasonable steps to avoid any action or circumstances, ~~whether including acts or circumstances which may~~ not be specifically prohibited by this eCode, which might result in:

- (1) Undermining his or her independence or impartiality or action;
- (2) Taking official action based on ~~the basis of~~ unfair considerations;
- (3) Giving preferential treatment to any private interest ~~on the basis of or Private Entity based on~~ unfair considerations;
- (4) Giving preferential treatment to any family member or member of the aAppointee's household;
- (5) Using public office for the advancement of personal interest;

(6) Using public office to secure special privileges or exemptions;~~or~~

(7) ~~Affecting adversely~~Adversely affecting the confidence of the public in the integrity of state government.

~~B(8) Undermining the climate of civility and respect required for every open, democratic government to thrive.~~

C. Every appointee shall be true and faithful to the State of Vermont; ~~and~~ will not, directly or indirectly, do any act or thing injurious to the Constitution or Government of the State of Vermont; ~~Every~~ Appointee will faithfully execute the office which he or she holds; and will therein do equal right and justice to all men and women, to the best of his or her judgment and ability, according to law. [VT. Const., Ch ~~44~~, §II, Section 56]

ED. Appointees shall always treat each other, employees, staff, volunteers; and the public with dignity, respect, empathy and courtesy.

DE. Appointees shall support efforts to create and maintain a diverse and effective work force.

EF. Appointees shall promote a workplace that is free from sexual harassment, or inappropriate personal relationships, and shall take quick and effective action to ensure that sexual harassment does not occur or persist.

G. Every ~~full-time appointee~~Full-Time Appointee shall devote ~~all of~~ his or her ~~work time~~worktime to the duties of his or her office.

FH. An ~~a~~Appointee shall not use ~~s~~State property nor permit others to use ~~s~~State property unless the use is reasonably related to his or her official responsibilities or the conduct is permitted pursuant to a duly adopted ~~s~~State or agency personnel policy.

GI. An ~~a~~Appointee shall not enter into any commitment to expend ~~s~~State funds unless the expenditure is reasonable and valuable to the ~~s~~State and made in accordance with all applicable statutes, rules~~or~~, directives or Bulletins from the Secretary of the Agency of Administration.

HJ. An ~~a~~Appointee shall be in good standing with respect to, or in full compliance with a plan to pay, ~~any and~~ all taxes due the United States, the State of Vermont; and the municipality of residence. An ~~a~~Appointee shall be in good standing with respect to, or in full compliance with a plan to pay, ~~any and~~ all child support obligations.

I-K. All Full-Time Appointees shall attend State-sponsored training on issues related to sexual harassment and governmental ethics at least annually.

Exemptions sought under this Code shall be issued only to further the twin goals of this Code: 1) to establish high standards of ethical conduct for all ~~a~~Appointees and 2) to encourage those Vermonters best qualified to serve in ~~s~~State government.

III. Personal Interests, Outside Employment; and Financial Activities

A. Ethical Rules While in State Employ:

(1) No ~~full-time appointee~~Full-Time Appointee shall be the owner of, or financially interested, directly or indirectly, in any ~~private entity~~Private Entity or private interest ~~that is~~ subject to the supervision of his or her respective ~~department or agency~~Public Body, except as a ~~policyholder~~policy holder in an insurance

company or a depositor in a bank- (3 ~~VSA V.S.A. §~~ 204). For ~~the purpose of~~ this Executive Order, a direct or indirect ~~financial interest~~ excludes:

~~(i)a.~~ any insignificant interest held individually or by a member of the ~~a~~Appointee's immediate household or by a business associate, or

~~(ii)b.~~ any interest which is no greater than that of other persons who might be generally affected by the ~~agency's or department's supervision~~Supervision of the Appointee's Public Body.

(2) An appointee shall not take any action in any ~~particular~~ matter in which he or she has either a ~~e~~Conflict of ~~i~~Interest or the appearance of a ~~e~~Conflict of ~~i~~Interest, until ~~such time as the conflict~~Conflict is resolved.

(3) An appointee shall not take any official action that materially advances the interest of any ~~entity~~ ~~(except the State of Vermont)~~Private Entity with which the ~~a~~Appointee is actively seeking employment.

(4) A full-time ~~a~~Appointee shall not, for pecuniary gain, be an advocate for any ~~private entity~~Private Entity in any matter before any ~~public body~~Public Body or before the ~~state legislature~~State General Assembly or its committees.

(5) An appointee, while in ~~s~~State employ, shall not solicit or receive any payment, gift, or favor based on any understanding which may be reasonably implied by the Appointee or inferred by the donor, that it may influence any official action.

(6) An ~~a~~Appointee shall not solicit or receive any payment, gift or favor from any private interest ~~or~~ Private Entity which;

~~(i)~~ has, or seeks to obtain, contractual or other business or financial relationships with the ~~appointee's public body;~~

~~(ii)~~Appointee's Public Body; conducts business or activities that are regulated by the ~~appointee's public body~~Appointee's Public Body; or

~~(iii)~~ has an interest that may be substantially affected by the ~~a~~Appointee's official actions.

(7) An ~~a~~Appointee, or his or her designee, shall not accept gifts or trips from private interests ~~or Private Entities~~ if the gifts or trips ~~(i)~~ are ~~(i)~~ a quid pro quo; (ii) are intended to influence any decision by the ~~a~~Appointee; or (iii) create an appearance of a ~~e~~Conflict of ~~i~~Interest.

(8) ~~Absent~~ Except in the event (i) a specific law ~~requiring, rule or regulation requires~~ disclosure, ~~or (ii) the State has entered into a confidentiality or non-disclosure agreement consistent with applicable State or federal law, regulation, rule or policy,~~ an ~~a~~Appointee shall not disclose to any ~~private entity~~Private Entity any confidential or privileged information obtained while in ~~s~~State employ.

(9) An ~~a~~Appointee or his or her family shall not trade in stock or otherwise transact private business based upon information obtained by the Appointee through his or her work on behalf of the ~~s~~State.

(10) It is the Governor's expectation that Appointees will use State-provided equipment and official e-mail addresses for primarily State business purposes. Personal use shall be limited and must not: (i) interfere with normal business activities; or (ii) be associated with any outside for-profit business activity of the Appointee.

(11) Appointees are strongly encouraged to engage in electronic communications regarding official business only on their official email accounts. If private accounts must be used, Appointees shall copy their official e-mail accounts on all such outgoing communications and forward any received messages on which their official emails are not copied. If substantive discussion (not otherwise documented) relating to the work of the Public Body occurs on a text-messaging system, such discussion is to be copied to a separate public record format (such as by copying the relevant text messages to the appointee's official e-mail).

(12) Email messages and other electronic data produced or acquired in the course of the business of the Public Body is considered a public record subject to disclosure under the Vermont Public Records Act, regardless of whether the record resides in a State-provided system or a private account; provided, however, solely for purposes of this subsection, "public body" does not include councils or similar groups established by the Governor for the sole purposes of advising the Governor with respect to policies. Upon receipt of a records request, Appointees shall provide their Records Officers all responsive records in their own custody and control.

B. Ethical Rules After State Employ:

(1) For one year after leaving office, a former ~~a~~Appointee shall not, for pecuniary gain, be an advocate for any ~~private entity~~Private Entity before any ~~public body~~Public Body or before the ~~state legislature~~State General Assembly or its committees, regarding any particular matter:

~~(i)~~ in which:

~~a.~~ the ~~s~~State is a party or has a direct and substantial interest; and

~~(ii) in which~~ ~~b.~~ the ~~a~~Appointee had participated personally and substantively while in ~~s~~State employ.

(2) This prohibition applies to any matter the ~~a~~Appointee directly handled, supervised or managed, or gave substantial input, advice or comment, or benefited from, either through discussing, attending meetings on, or reviewing materials prepared regarding the matter.

(23) For one year after leaving office, a former ~~full-time appointee~~Full-Time Appointee shall not, for pecuniary gain, be an advocate for any ~~private entity~~Private Entity before any ~~public body~~Public Body or before the ~~state legislature~~State General Assembly or its committees, regarding any particular matter in which the ~~appointee~~Full-Time Appointee had exercised any official responsibility.

(4) Subject to exemptions set forth in 2 V.S.A. § 262, for one year after leaving office, an Executive Officer, shall not be a lobbyist (as defined in 2 V.S.A. § 261), in this State.

IV. Reports

A. Appointees

Within thirty days of appointment and thereafter annually on June 30, every Appointee who earns \$30,000 or more per year shall file with the Secretary an "Ethics Questionnaire" as prescribed in Exhibit B. These questionnaires shall be treated as confidential personnel documents as defined by 1 VSA § 317-(b)-(7) and kept as such during the gubernatorial administration in which the ~~a~~Appointee serves, or for one year after the ~~a~~Appointee leaves office, whichever ~~first~~occurs first, at which point they will be destroyed.

B Executive Officers (3 V.S.A. § 1211)

In addition to the reporting required in Section IV(A) above, pursuant to 3 V.S.A. § 1211, each Executive Officer shall biennially file with the State Ethics Commission a disclosure form that contains the following information in regard to the previous calendar year:

(1) Each source, but not amount, of personal income of the Executive Officer and of his or her spouse or domestic partner, and of the Executive Officer together with his or her spouse or domestic partner, that totals more than \$5,000.00, including any of the sources meeting that total described as follows:

a. employment, including the employer or business name and address and, if self-employed, a description of the nature of the self-employment without needing to disclose any individual clients; and

b. investments, described as "investment income."

(2) Any board, commission, or other entity that is regulated by law or that receives funding from the State on which the Executive Officer served and the Executive Officer's position on that entity.

(3) Any company of which the Executive Officer or his or her spouse or domestic partner, or the Executive Officer together with his or her spouse or domestic partner, owned more than 10 percent.

(4) Any lease or contract with the State held or entered into by:

a. the Executive Officer or his or her spouse or domestic partner; or

b. a company of which the Executive Officer or his or her spouse or domestic partner, or the officer together with his or her spouse or domestic partner, owned more than 10 percent.

In addition, if an Executive Officer's spouse or domestic partner is a lobbyist as defined in 2 V.S.A. § 261, the Executive Officer shall disclose that fact and provide the name of his or her spouse or domestic partner and, if applicable, the name of his or her lobbying firm.

An Executive Officer shall file his or her disclosure with the Ethics Commission on or before January 15 of the odd-numbered year or, if he or she is appointed after January 15, within 10 days after that appointment.

V. Enforcement

The purpose of this Executive Code of Ethics is to provide guidance to ~~gubernatorial appointees~~Appointees covered herein, ~~and during~~. During such appointment, except as otherwise required by law, only the Governor or his designated agent shall have the power to sanction any violations hereof. Nothing in this eCode shall create a right to continue sState employment. The remedy for a violation of post-employment restrictions set forth in Section III(B) shall rest with the ~~public body~~Public Body before which the former ~~a~~Appointee appears and, barring unusual circumstances, shall result only in disqualifying the former ~~a~~Appointee from appearing or participating in the ~~particular~~ matter.

VI. Effective Date, ~~Repeal and Transition~~

~~This Executive Order takes effect upon signing and, except~~Except as otherwise required by law, ~~and except as provided below, this Executive Order~~ supersedes and replaces Executive Order No. ~~10-03~~10-09-11 (codified as No. 3-~~4553~~), dated ~~September 13, 2003~~. ~~Appointees who completed the acknowledgment and disclosure required pursuant to the prior Executive Order No. 10-03 need not re-execute the acknowledgment and disclosure required pursuant to this Executive Order, but remain bound to and accountable for the requirements of that prior Executive Order No. 10-03.~~

~~Dated this ____ day of July 21, 2011. This Executive Order shall take effect upon signing.~~

~~Peter Shumlin Governor~~

~~Executive Order No. 09-11~~

WITNESS my name hereunto subscribed and the Great Seal of the State of Vermont hereunto affixed at Montpelier this 4th day of December, 2017.

EXECUTIVE ORDER NO. 19-17 EXHIBIT A

CODE OF ETHICS ACKNOWLEDGEMENT

I, _____, having been appointed to the position of _____, hereby acknowledge having received and read Executive Order ~~09-14~~ 19-17, the Executive Code of Ethics, promulgated ~~July 21, 2014~~ on December 4, 2017, and agree to adhere to it.

Date: _____ Signature: _____

_____ Date: _____ Name: (print) _____): _____

OATH OF OFFICE

I, _____, do solemnly swear/affirm that I will be true and faithful to the State of Vermont, and that I will not, directly or indirectly, do any act or thing injurious to the Constitution or Government thereof.

So help me God. / Under the pains and penalties of perjury.

I, _____, do solemnly swear/affirm that I will faithfully execute the Office of _____, for the State of Vermont, and that I will therein do equal right and justice to all persons, to the best of my judgment and ability according to law. So help me God. / Under the pains and penalties of perjury. I _____, do solemnly swear/affirm that I will support the Constitution of the United States. So help me God. / Under the pains and penalties of perjury.

~~So help me God. / Under the pains and penalties of perjury.~~

~~I do solemnly swear/affirm that I will support the Constitution of the United States.~~

~~So help me God. / Under the pains and penalties of perjury~~

Signature: _____

STATE OF VERMONT

_____ COUNTY, SS At _____, in said County, this ____ day
of _____, 2014~~7~~, personally appeared _____ and took and subscribed
the foregoing oath of office and allegiance.

Before Me, _____

NOTARY PUBLIC

My Commission expires _____

~~Executive Order No. 09-11~~

~~Exhibit B~~

~~Ethics Questionnaire~~

EXECUTIVE ORDER NO. 19-17 EXHIBIT B

ETHICS QUESTIONNAIRE

In accordance with the ~~e~~Executive Order No. ~~09-11, 19-17~~ Executive Code of Ethics, every ~~gubernatorial appointee~~Appointee, as defined therein, who earns \$30,000 or more per year, shall ~~fill out and file this questionnaire annually,~~ on or by June 30, with the Secretary of Civil and Military Affairs. This questionnaire shall be treated as a confidential personnel document pursuant to 1 V.S.A. § 317(~~bc~~)(7) and kept as such during the gubernatorial administration in which the ~~a~~Appointee serves, or for one year after the ~~a~~Appointee leaves office, whichever occurs first.

~~The purpose of this questionnaire is to determine any significant personal interests of gubernatorial appointees~~The purpose of this questionnaire is to determine any significant personal interests of Appointees that might conflict with the best interests of the state. It is understood that individuals serving the state as ~~gubernatorial appointees~~Appointees may have pecuniary interests that may relate to matters arising in the course of their performance of the official responsibilities. This form is intended to identify those interests and provide assurance that conflicts of interest will not impair fair and impartial state actions. ~~Gubernatorial appointees should, whenever possible, Appointees must avoid~~Conflicts of Interest and, where they do occur, ~~make must disclose~~make must disclose them ~~clearly evident.~~

to the Secretary of Civil and Military Affairs. In answering questions, please disclose not only your own direct interests but ~~also~~ any indirect or beneficial interests which could arise through members of your immediate family (spouses, dependent children) or through persons who reside in your home or by reason of a trust or partnership arrangement in which you or a member of your immediate family or household participates or has an interest.

(Use reverse side or an additional sheet or paper to give additional information, if necessary.)

1. Are you, your spouse, or a member of your immediate family the director, officer, partner or employee of any enterprise that, to your knowledge, does business or has a financial relationship with the ~~state?~~State of Vermont? If yes, please list all such positions.

Yes _____ No _____

2. ~~Except~~To the best of your knowledge, except for securities that are listed on a national exchange, do you own directly, indirectly, or beneficially, securities, options, or rights to purchase securities or share in profits of companies, ~~to your knowledge,~~ doing business with the ~~s~~State? If yes, list company and percent of total shares.

Yes _____ No _____

3. Do you directly, indirectly or beneficially, have any ownership interest in a proprietorship, partnership, or syndicate that, to your knowledge, operates ~~any~~ business which does business with the ~~s~~State? If yes, explain briefly.

Yes _____ No _____

4. ~~Does~~To the best of your knowledge, does there currently exist any creditor-debtor relationship between you, directly or indirectly, and any non-financial organization, ~~to your knowledge,~~ doing business with the ~~s~~State, except normal charge-accounts and installment purchase accounts? If yes, explain briefly.

Yes _____ No _____

5. Are you receiving commissions or any forms of compensation, gift or reward on business transacted with the ~~s~~State either directly or through a third person? If yes, explain briefly.

Yes _____ No _____

6. In addition to the information reported above, do you have any direct or indirect business relationships which may reasonably be considered to have some influence on your judgment and decisions involving transactions with the ~~s~~State, or otherwise during the performance of your duties and responsibilities as a ~~gubernatorial appointee?~~Appointee? If yes, explain briefly.

Yes _____ No _____

7. Are you in good standing with respect to, or in full compliance with a plan to pay, any and all taxes due the State of Vermont? ~~?, the State of Vermont and the municipality of residence?~~ If no, explain.

Yes _____ No _____

8. If you are under an obligation to pay child support, are you in good standing with respect to that obligation?

Yes _____ No _____

~~9-~~If no, have you entered into a payment plan with the Vermont Office of Child Support and are you in full compliance with that payment plan?

Yes _____ No _____

~~9.~~ I agree to disassociate myself from situations where possible conflicts of interest pertaining to any matter addressed in this questionnaire might occur, when requested by the Governor or his or her representative, the Secretary of Civil ~~&~~and Military Affairs.

~~10.~~ To the best of my knowledge, the answers to all of the above questions are true and complete in every respect.

Signed _____ Date: _____ Signed: _____

Name: _____

(printed): _____ Position: _____