

NO. 65. AN ACT RELATING TO SOLID WASTE FACILITY FEES, TAXES, AND CERTIFICATION. (H.532)

Sec. 5. STUDY OF CALCIUM CARBONATE

In order to review and consider fully the need to retain the tax exemption under 32 V.S.A. 5953(7), the secretary of natural resources shall require Omya as part of its certification under 10 V.S.A. §§ 6605 or 6605b to finance and complete a study of the human health and environmental effects of Omya's mineral processing of calcium carbonate in Vermont. The secretary of natural resources shall require Omya to submit a report of the results of the study on or before January 15, 2008 to the house and senate committees on natural resources and energy, the house committee on ways and means, and the senate committee on finance. The secretary of natural resources shall require the independent, third-party research study to be conducted by one or more qualified laboratories certified by the National Environmental Laboratory Accreditation Program (NELAP). In completing the study, the secretary of natural resources may authorize Omya to utilize previously compiled data subject to verification and validation of that data by an independent, third-party university or laboratory. The study shall include:

- (1) Appropriate site-specific bedrock, aquifer, and groundwater mapping of Omya's mineral processing facilities, waste disposal facilities, and surrounding area, such as three dimensional groundwater mapping;
- (2) Results from and laboratory testing of groundwater sampling from monitoring wells currently in use at Omya's mineral processing facilities, waste disposal facilities and surrounding area and any new wells identified as needed by subdivision (1) of this section;
- (3) A complete data packet of the laboratory testing, including methodologies, of the tailings or other waste produced from mineral processing of calcium carbonate at Omya's mineral processing facilities, waste disposal facilities, and surrounding area in Vermont;
- (4) A toxicological analysis of the tailings or other waste produced from the mineral processing of calcium carbonate at Omya's facilities in Vermont, including a specific toxicological analysis of tall oil hydroxyethyl imidazoline, other flotation reagents, their constituent compounds, and acetone present in the waste and an analysis of all chemicals present in the waste in accordance with U.S. Food and Drug Administration guidelines;
- (5) Study of dust to determine if Omya is the source of the dust in the area and if so to determine possible health and environmental effects;
- (6) Proof of compliance with any and all applicable quality control and quality assurance measures and protocols including those relating to data validation; and
- (7) Other research or data relevant to the human health and environmental effects of mineral processing of calcium carbonate.