

INCORPORATION BY REFERENCE STATEMENT

Please complete the following, in addition to filing a copy of any material incorporated by reference in this rule.

1. Title or subject of rule:
Air Pollution Control Regulations, Subchapter XI, Low Emission Vehicles

2. Agency:
Agency of Natural Resources

3. Description of material to be incorporated by reference:
California Code of Regulations, Title 13, Sections 1900, 1903, 1904, 1956.8(g)-(h), 1960.1, 1960.5, 1961, 1962, 1962.1, 1964, 1965, 1968.2, 1976, 1978, 2035, 2037, 2038, 2041, 2047, 2111, 2112, 2121, 2122, 2134, 2136, 2166, 2166.1, 2167, 2168, 2169, 2170, 2171, 2172, 2172.1, 2172.2, 2172.3, 2172.4, 2172.5, 2172.6, 2172.7, 2172.8, 2172.9, 2173, 2174, and 2222

4. Please explain how the material to be incorporated by reference can be obtained by the public and at what cost:
The referenced material can be obtained at the California Office of Administrative Law at <http://www.calregs.com/linkedslice/default.asp?SP=CCR-1000&Action=Welcome>, or hard copies can be accessed at the Agency's Air Pollution Control Division.

5. Please explain any modifications to the matter incorporated, e.g., whether only part of the material supplied with this filing is adopted, and if so, which part.
There are no modifications to the matter incorporated.

6. Please explain why the agency decided not to reproduce the incorporated material in full in the text of the rule.
The Agency decided not to reproduce the incorporated material in full in the text of the rule for the following reasons: (1) to ensure that Vermont's Low Emission Vehicle (LEV) Program is consistent with California's LEV Program, and, when applicable, to meet the requirement in Section 177 of the Clean Air Act that any motor vehicle emission standards adopted by Vermont must be identical to California's standards; (2) the material to be incorporated is voluminous; and (3) to be consistent with past practice.

CERTIFICATION: AS THE ADOPTING AUTHORITY (see 3 V.S.A. § 801(b)(11) for definition) OF THIS RULE, I CERTIFY THAT THE TEXT OF THE MATTER INCORPORATED HAS BEEN REVIEWED BY Elaine O'Grady, AN OFFICIAL OF THE AGENCY. I FURTHER CERTIFY THAT THE AGENCY HAS THE CAPACITY AND THE INTENT TO ENFORCE THE RULE.

(Sign here)

IBR-01

Date: / /

George Crombie, Secretary
Agency of Natural Resources
(Type name here please)