

Administrative Procedures – Adopted Rule Filing

Instructions:

In accordance with Title 3 Chapter 25 of the Vermont Statutes Annotated and the “Rule on Rulemaking” adopted by the Office of the Secretary of State, this filing will be considered complete upon filing and acceptance of these forms with the Office of the Secretary of State, and the Legislative Committee on Administrative Rules.

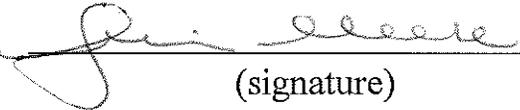
All forms requiring a signature shall be original signatures of the appropriate adopting authority or authorized person, and all filings are to be submitted at the Office of the Secretary of State, no later than 3:30 pm on the last scheduled day of the work week.

The data provided in text areas of these forms will be used to generate a notice of rulemaking in the portal of “Proposed Rule Postings” online, and the newspapers of record if the rule is marked for publication. Publication of notices will be charged back to the promulgating agency.

**PLEASE REMOVE ANY COVERSHEET OR FORM NOT
REQUIRED WITH THE CURRENT FILING BEFORE DELIVERY!**

Certification Statement: As the adopting Authority of this rule (see 3 V.S.A. § 801 (b) (11) for a definition), I approve the contents of this filing entitled:

Amendments to Subchapter XI, Low Emission Vehicle Program, Vermont Air Pollution Control Regulations

 _____, on 12/10/2018
(signature) (date)

Printed Name and Title:

Julie Moore, Secretary, Agency of Natural Resources

RECEIVED BY: _____

- Coversheet
- Adopting Page
- Clean text of the rule (Amended text without annotation)
- Letter regarding changes to the final proposed

Adopted Rule Filing

1. TITLE OF RULE FILING:

Amendments to Subchapter XI, Low Emission Vehicle Program, Vermont Air Pollution Control Regulations

2. PROPOSED NUMBER ASSIGNED BY THE SECRETARY OF STATE

18P-050

3. ADOPTING AGENCY:

Agency of Natural Resources

4. RECORDS EXEMPTION INCLUDED WITHIN RULE:

(DOES THE RULE CONTAIN ANY PROVISION DESIGNATING INFORMATION AS CONFIDENTIAL; LIMITING ITS PUBLIC RELEASE; OR OTHERWISE EXEMPTING IT FROM INSPECTION AND COPYING?) No

IF YES, CITE THE STATUTORY AUTHORITY FOR THE EXEMPTION:

PLEASE SUMMARIZE THE REASON FOR THE EXEMPTION:

5. LEGAL AUTHORITY / ENABLING LEGISLATION:

(THE SPECIFIC STATUTORY OR LEGAL CITATION FROM SESSION LAW INDICATING WHO THE ADOPTING ENTITY IS AND THUS WHO THE SIGNATORY SHOULD BE. THIS SHOULD BE A SPECIFIC CITATION NOT A CHAPTER CITATION).

10 V.S.A. §§ 554, 558, 567, and 579

6. THE FILING HAS NOT CHANGED SINCE THE FILING OF THE FINAL PROPOSED RULE.

7. THE AGENCY HAS NOT INCLUDED WITH THIS FILING A LETTER EXPLAINING IN DETAIL WHAT CHANGES WERE MADE, CITING CHAPTER AND SECTION WHERE APPLICABLE, INCLUDING CHANGES IN ECONOMIC IMPACT.

8. THE LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES DID NOT OBJECT TO THE FINAL PROPOSAL.

9. PROCEDURAL HISTORY OF ADOPTION:

ICAR Filing: 08/27/2018

Proposal Filed with Office of the Secretary of State: 09/14/2018

Notices Posted Online: 09/19/2018

Adopted Rule Filing

Notices Published in the Newspapers of Record: 09/27/2018

A Hearing WAS Held.

Hearings Held (*PLEASE USE ADDITIONAL SHEETS TO PROVIDE THE DATE, TIME AND LOCATION OF ALL HEARINGS, IF THIS FORM IS INSUFFICIENT TO LIST ALL HEARINGS HELD*):

Date: 10/22/2018

Time: 10:00 AM

Street Address: Vermont Dept of Environmental Conservation,
1 National Life Drive

Montpelier, Vermont

Zip Code: 05620

Date:

Time: AM

Street Address:

Zip Code:

Date:

Time: AM

Street Address:

Zip Code:

Date:

Time: AM

Street Address:

Zip Code:

Deadline for Public Comment: 10/29/2018

Final Proposal —

Filed with Secretary of State: 11/09/2018

Filed with LCAR: 11/09/2018

Dates of LCAR Review: 11/29/2018, , ,

Adopted Rule Filing

Adopted Rule —

Filed with Secretary of State: 12/13/2018

Filed with LCAR: 12/13/2018

10. EFFECTIVE DATE: 12/31/2018

(A RULE MAY TAKE EFFECT 15 DAYS AFTER ADOPTION IS COMPLETE OR AT A LATER TIME PROVIDED IN THE TEXT OF THE RULE SEE 3 V.S.A. §845(d) FOR DETAILS).

Administrative Procedures – Adopting Page

Instructions:

This form must accompany each filing made during the rulemaking process:

Note: To satisfy the requirement for an annotated text, an agency must submit the entire rule in annotated form with proposed and final proposed filings. Filing an annotated paragraph or page of a larger rule is not sufficient. Annotation must clearly show the changes to the rule.

When possible, the agency shall file the annotated text, using the appropriate page or pages from the Code of Vermont Rules as a basis for the annotated version. New rules need not be accompanied by an annotated text.

1. TITLE OF RULE FILING:

Amendments to Subchapter XI, Low Emission Vehicle Program, Vermont Air Pollution Control Regulations

2. ADOPTING AGENCY:

Agency of Natural Resources

3. AGENCY REFERENCE NUMBER, IF ANY:

4. TYPE OF FILING (*PLEASE CHOOSE THE TYPE OF FILING FROM THE DROPDOWN MENU BASED ON THE DEFINITIONS PROVIDED BELOW*):

- **AMENDMENT** - Any change to an already existing rule, even if it is a complete rewrite of the rule, it is considered an amendment as long as the rule is replaced with other text.
- **NEW RULE** - A rule that did not previously exist even under a different name.
- **REPEAL** - The removal of a rule in its entirety, without replacing it with other text.

This filing is **AN AMENDMENT OF AN EXISTING RULE**.

5. LAST ADOPTED (*PLEASE PROVIDE THE SOS LOG#, TITLE AND EFFECTIVE DATE OF THE LAST ADOPTION FOR THE EXISTING RULE*):

September 15, 2018; #18-039.

C/O LEGISLATIVE COUNCIL
115 STATE STREET
MONTPELIER, VT 05633-5701

SEN. MARK A. MACDONALD, CHAIR
SEN. JOE BENNING
SEN. CHRISTOPHER BRAY
SEN. VIRGINIA "GINNY" LYONS



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REP. ROBIN CHESNUT-TANGERMAN
REP. LINDA K. MYERS
REP. MICHAEL YANTACHKA

STATE OF VERMONT

Legislative Committee on Administrative Rules (LCAR)

MEMO TO: Megan O'Toole
Agency of Natural Resources
1 National Life Drive, Davis 2
Montpelier VT 05620

FROM: Charlene Dindo, Committee Assistant
Legislative Committee on Administrative Rules

DATE: November 29, 2018

SUBJECT: 18-P50 - Agency of Natural Resources/**Amendments to Subchapter XI, Low Emission Vehicle Program, Vermont Air Pollution Control Regulations**

The Legislative Committee on Administrative Rules considered the above-mentioned rule at its meeting on 18-P50. The committee approved the rule. If technical or typographical modifications to the rule are necessary, the Agency of Natural Resources is authorized, pursuant to Sec. 4(i) of the committee's rules, to make these modifications.

The procedure for filing an adopted rule can be found in 3 V.S.A § 843.

cc: Louise Corliss, APA Clerk, Office of the Secretary of State