

ENVIRONMENTAL PROTECTION COMMISSION[567]

Adopted and Filed

Pursuant to the authority of Iowa Code section 455B.133, the Environmental Protection Commission hereby adopts Chapter 35, "Air Emissions Reduction Assistance Program," Iowa Administrative Code.

The purpose of the chapter is to establish a financial assistance program to distribute funds initially appropriated to Iowa through the federal American Recovery and Reinvestment Act of 2009 (ARRA). The ARRA funds will be distributed to eligible applicants through grants. The ARRA addresses emissions from diesel vehicles and equipment currently used for on-road applications, such as buses and heavy-duty diesel trucks, and non-road applications, such as construction, agriculture or mining. Eligible projects include engine idling reduction and retrofit technologies, engine replacement, vehicle replacement, and use of clean diesel emerging technologies.

Notice of Intended Action was published in the Iowa Administrative Bulletin on April 8, 2009, as **ARC 7678B**. These rules were also Adopted and Filed Without Notice and were published in the Iowa Administrative Bulletin on April 8, 2009, as **ARC 7679B**.

A public hearing was held on May 11, 2009. The Department did not receive any oral or written comments at the public hearing. The Department did not receive any written comments before the public comment period closed on May 12, 2009. No changes have been made since publication of the Notice.

These rules are intended to implement Iowa Code section 455B.103(5).

These rules will become effective on August 19, 2009, at which time the Adopted and Filed Without Notice rules are hereby rescinded.

EDITOR'S NOTE: Pursuant to recommendation of the Administrative Rules Review Committee published in the Iowa Administrative Bulletin, September 10, 1986, the text of these rules [Ch 35] is being omitted. These rules are identical to those published under Notice as **ARC 7678B** and Adopted and Filed Without Notice as **ARC 7679B**, IAB 4/8/09.

[Filed 6/17/09, effective 8/19/09]

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[For replacement pages for IAC, see IAC Supplement 7/15/09.]