



Fiscal Services Division

ADMINISTRATIVE RULES – FISCAL IMPACT SUMMARIES

May 8, 2012

Iowa Code section 17A.4(4) requires the Legislative Services Agency to analyze the fiscal impact of all administrative rules with an impact of \$100,000 or more and provide a summary of the impact to the Administrative Rules Review Committee. Fiscal Impact Statements filed by State agencies can be found on our website at http://staffweb.legis.state.ia.us/lfb/docs/Admin_Rules/artfiscal_notes.htm

Capital Investment Board

ARC 0077C

Rule Summary Item 1: Provides clarification regarding the definitions of “Actual return,” “Scheduled return,” and “Verified tax credit.”

Item 1: Articulates the information needed by the Iowa Capital Investment Board to verify the amount of tax credits to be issued related to investments in a Fund of Funds organized by the Iowa Capital Investment Board. Extends the time from 10 days to 30 days for the Board to verify the tax credit, and provides additional clarification on the maturity date to be used when verifying the credits.

Fiscal Impact Item 1 does not have an identifiable fiscal impact. Item 2 may delay when tax certificate redemptions first impact the General Fund; this impact, if any, is unknown.

ARC 0076C

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STAFF CONTACT: Jeff Robinson (Ext. 14614)

Environmental Protection Commission (EPC)

Rule Summary Makes several changes to EPC chapters as outlined below:

- Amends methods and procedures that evaluate compliance with emission limitations or permit conditions. Rescinds the Department of Natural Resource’s (DNR) Compliance Sampling Manual (CSM). The CSM is no longer necessary due to changes in federal testing methods.
- Specifies procedures for conducting emissions tests.

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***Agencies with a border have rules with a significant fiscal impact.**

- Revises definitions of “Environmental Protection Agency (EPA) reference method,” “particulate matter,” “standard conditions,” and “total suspended particulate” to match federal regulation.
- Adopts a definition of “PM2.5” to be consistent with federal regulation.
- Shortens notification requirements for portable plant relocations. Allows written relocation notices to be submitted to the DNR via email.
- Revises the definition of “EPA reference method” for the Title V Operating Permit program to match federal descriptions.
- Adopts a revised version of Title V “Periodic Monitoring Guidance.”
- Adopts emission test procedures for owners and owners’ authorized representatives to conduct emission tests to match procedures that have been used by EPA reference methods and DNR permits for many years.
- Requires that all compliance demonstrations and performance tests specified in construction and operating permits may be conducted using only the methodology allowed in this rule.

Fiscal Impact No fiscal impact.

	ARC 0097C
Rule Summary	Adopts Environmental Protection Agency (EPA) regulatory changes for air quality. Revises federal ambient air quality standards and expands coverage of existing Prevention of Significant Deterioration (PSD) requirements and adds fine particulate matter (PM2.5) to the list of air pollutants. The revisions include: <ul style="list-style-type: none">• Revises technical definitions to match changes made by the EPA.• Adopts by reference EPA revisions to several technical procedures, rules, and definitions• Clarifies conditions that prescribe when owners and operators must keep records and specifies records that must be maintained.• Revises permit issuance conditions to match EPA amendments.• Establishes provisions for rescinding PSD permits at the request of an owner or operator that match EPA regulations.
Fiscal Impact	Changes may require up to 2.0 FTE positions costing \$150,000 per year beginning FY 2013. The Department does not plan to add additional staff at this time. The Air Contaminant Source Fund would pay for the additional expenditures.

STAFF CONTACT: Adam Broich (Ext. 18223)

Historical Division

ARC 0104C

Rule Summary Updates definitions within the State Historic Preservation Office general administration chapter, including adding the definition of “historic property.”

Fiscal Impact No fiscal impact.

ARC 0103C

Rule Summary Updates the explanation of the State Historic Preservation Office (SHPO) procedures pursuant to HF 267, 2011 Iowa Acts. The Bill allows the SHPO to continue its approved status under the National Park Service’s Historic Preservation Fund (HPF) Grants Manual.

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Fiscal Impact No fiscal impact. The State receives approximately \$800,000 per year through the HPF Grant; it is anticipated that this funding will continue under the proposed rules.

STAFF CONTACT: Kenneth Ohms (Ext. 52200)

Insurance Division

ARC 0070C

Rule Summary Clarifies the documentation to be provided by an insurance company to customers in connection with a commercial real estate transaction to show the property is insured.

Fiscal Impact No fiscal impact

STAFF CONTACT: Dw ayne Ferguson (Ext. 16561)
