

Rules by Subject Matter Interim Committee Recommendations

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Arkansas Department of Environmental Quality				
Accept Recommendation to Repeal				
Rule 00: Arkansas Energy Performance Contracting Program Energy Performance Contract Form Appendix A				ID#: 10453
Statutory Authority: Ark. Code Ann. § 15-10-205	07/14/2014	07/24/2014	07/14/2014	
<input checked="" type="checkbox"/> Required under State or Federal Law: Ark. Code Ann. § 15-10-205				
Requirement Statement: Ark. Code Ann. § 15-10-205				
Repeal: This rule was transferred to the Arkansas Pollution Control and Ecology Commission as a matter of law pursuant to Section 1(c)(2) of Act 271 of 2017 concerning the transfer of the Arkansas Energy Office to the Arkansas Department of Environmental Quality. While the Arkansas Energy Office (AEO) of the Arkansas Department of Environmental Quality (ADEQ) continues to use this form, ADEQ finds that the form is not a rule or regulation under the laws governing the Arkansas Pollution Control and Ecology Commission, which is exempt from the Arkansas Administrative Procedure Act under Ark. Code Ann. § 25-15-202(2)(C). Therefore, ADEQ seeks to repeal this rule and reclassify the attached document as an ADEQ form.				
Subject Matter Committee: Public Health, Welfare and Labor Committees				
Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/172/Rules/10453/Final/SOS App A - Contract Form - 168.00.14-002F-14334.pdf				
Rule 00: Arkansas Energy Performance Contracting Program Policies and Procedures				ID#: 10452
Statutory Authority: Ark. Code Ann. § 15-10-205	07/14/2014	07/24/2014	07/14/2014	
<input checked="" type="checkbox"/> Required under State or Federal Law: Ark. Code Ann. § 15-10-205				
Requirement Statement: Ark. Code Ann. § 15-10-205				
Repeal: This rule was transferred to the Arkansas Pollution Control and Ecology Commission as a matter of law pursuant to Section 1(c)(2) of Act 271 of 2017 concerning the transfer of the Arkansas Energy Office to the Arkansas Department of Environmental Quality. While the Arkansas Energy Office (AEO) of the Arkansas Department of Environmental Quality (ADEQ) continues to use these policies, ADEQ finds that the policies are not a rule or regulation under the laws governing the Arkansas Pollution Control and Ecology Commission, which is exempt from the Arkansas Administrative Procedure Act under Ark. Code Ann. § 25-15-202(2)(C). Therefore, ADEQ seeks to repeal this rule and reclassify the attached document as an ADEQ policy.				
Subject Matter Committee: Public Health, Welfare and Labor Committees				
Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/172/Rules/10452/Final/SOS - Policies and Procedures - 168.00.14-002P-14111.pdf				
Weatherization Assistance Program (WAP) State Plan - Filed Annually				ID#: 10451
Statutory Authority: The Community Service and Community Action Program Act of 1985, Ark. Code Ann. § 20-80-301 et seq.	01/01/1986	01/01/1986	12/04/2017	12/14/2017
<input checked="" type="checkbox"/> Required under State or Federal Law: The Community Service and Community Action Program Act of 1985, Ark. Code Ann. § 20-80-301 et seq.; 42 U.S.C. § 6861 et seq.; 10 C.F.R. § 420 et seq.				
Requirement Statement: The Community Service and Community Action Program Act of 1985, Ark. Code Ann. § 20-80-301 et seq.; 42 U.S.C. § 6861 et seq.; 10 C.F.R. § 420 et seq.				
Repeal: This rule was transferred to the Arkansas Pollution Control and Ecology Commission as a matter of law pursuant to Section 1(c)(2) of Act 271 of 2017 concerning the transfer of the Arkansas Energy Office to the Arkansas Department of Environmental Quality. This rule was originally promulgated by the Office of Community Services (OCS) of the Division of County Operations (DCO) of the Arkansas Department of Human Services (ADHS) under the authority of Ark. Code Ann. § 20-80-301 et seq. and published as Rule 9 of the OCS/DCO/ADHS concerning the Weatherization Assistance Program State Plan with the State Plan being incorporated by reference annually. See Ark. Admin. Code 016.20.9 and AR ADC 016 20 013. After the Arkansas Energy Office was transferred to the Arkansas Economic Development Commission (AEDC), AEDC continued to file the annual State Plan as a rule under the Arkansas Administrative Procedure Act, Ark. Code Ann. § 25-15-201 et seq. While the Arkansas Energy Office (AEO) of the Arkansas Department of Environmental Quality (ADEQ) continues to administer the Weatherization Assistance Program under Ark. Code Ann. § 20-80-301 and prepare an annual State Plan required under federal law and regulations, ADEQ finds that the State Plan is not a rule or regulation under the laws governing the Arkansas Pollution Control and Ecology Commission, which is exempt from the Arkansas Administrative Procedure Act under Ark. Code Ann. § 25-15-202(2)(C). It is important to note that no other state files the State Plan as a rule or regulation. Therefore, ADEQ wishes to cease the annual filing of the State Plan beginning in calendar year 2019.				
Subject Matter Committee: Public Health, Welfare and Labor Committees				
Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/172/Rules/10451/Final/SOS - 2017-2018 State Plan - 168.00.17-003F-17639.pdf				