

Regulatory Announcement

Proposed Rule for Amendments to Vehicle Inspection and Maintenance Program Requirements

The U.S. Environmental Protection Agency (EPA) is proposing a regulation to revise outdated timing-related references in the Inspection and Maintenance (I/M) rule such as submission dates, start dates, evaluation dates, and other milestones and/or deadlines to make them relevant for areas that will be newly required to begin I/M programs as a result of being designated and classified under the 8-hour ozone standard.

Summary of the Proposed Rule

The Agency is proposing minor revisions to the Motor Vehicle Inspection/Maintenance (I/M) regulation to update submission and implementation deadlines and other timing-related requirements to reflect the nonattainment designations under the new 8-hour National Ambient Air Quality Standards (NAAQS) for ozone. This proposal will also change the model year requirement in the modeling calculation which will establish the emission reduction target for I/M benefits.

Key Elements of the Proposed Rule

This proposal would:

- Establish the implementation deadline for new I/M programs required under the 8-hour standard as 4 years after the effective date of classification under the 8-hour standard. This proposal would also clarify that the deadline for beginning OBD testing will be “coincident with program start up” for areas newly required to implement I/M as a result of being classified under the 8-hour ozone standard.
- Change the current, fixed deadline for beginning program evaluation testing to the more relative deadline of “no later than 1 year after program start up.”
- Establish the submission deadline for new I/M state implementation plans (SIPs) required under the 8-hour standard. The submission deadline dates would be set for 1-year after the effective date of final action on the current proposal.

Background

Under the Clean Air Act as amended in 1990, certain ozone nonattainment areas are required to adopt vehicle I/M programs as one of the mandatory control measures used to reach attainment. On April 30, 2004 (69 FR 23951), EPA published a notice of final rulemaking addressing several key requirements related to the implementation of the 8-hour ozone standard originally promulgated on July 18, 1997 (62 FR 38856). Among other things, the 8-hour ozone standard implementation rule established deadlines for meeting the 8-hour ozone standard based upon a given area’s degree of non-attainment. The rule also addresses when SIPs and attainment demonstration plans must be submitted.

As a result of the changes finalized by the 8-hour implementation rule, EPA is issuing a notice of proposed rulemaking to revise outdated timing-related references in the I/M rule such as submission dates, start dates, evaluation dates, and other milestones and/or deadlines to make them relevant for areas that will be newly required to begin I/M programs as a result of being designated and classified under the 8-hour ozone standard.

Public Participation Opportunities

We welcome your comments on this proposed rule. For instructions on submitting written comments, please see the *Federal Register* notice. It is available from the EPA Air Docket by calling (202) 566-1742; please refer to Docket No. OAR-2004-0095. In addition, you can access the proposed rule and related documents at the Office of Transportation and Air Quality Web site at:

www.epa.gov/otaq/epg/regs.htm.

For More Information

For further information on this proposed rulemaking, please contact:

Dave Sosnowski
U.S. Environmental Protection Agency
Office of Transportation & Air Quality
2000 Traverwood Drive
Ann Arbor, MI 48105
phone: (734) 214-4823
email: sosnowski.dave@epa.gov