

## Environmental Protection Agency

## § 51.352

emission reduction (or better) through their attainment deadline for the applicable NAAQS standard(s).

(h) *Ozone Transport Region Low-Enhanced Performance Standard.* An attainment area, marginal ozone area, or moderate ozone area with a 1980 Census population of less than 200,000 in the urbanized area, in an ozone transport region, that is required to implement enhanced I/M under section 184(b)(1)(A) of the Clean Air Act, but was not previously required to or did not in fact implement basic I/M under the Clean Air Act as enacted prior to 1990 and is not subject to the requirements for basic I/M programs in this subpart, may select the performance standard described below in lieu of the standard described in paragraph (f) or (g) of this section as long as the difference in emission reductions between the program described in paragraph (g) and this paragraph are made up with other measures, as provided in § 51.350(b)(5). Offsetting measures shall not include those otherwise required by the Clean Air Act in the areas from which credit is bubbled. The program elements for this alternate OTR enhanced I/M performance standard are:

- (1) *Network type.* Centralized testing.
- (2) *Start date.* January 1, 1999.
- (3) *Test frequency.* Annual testing.
- (4) *Model year coverage.* Testing of 1968 and newer vehicles.
- (5) *Vehicle type coverage.* Light duty vehicles, and light duty trucks, rated up to 8,500 pounds GVWR.
- (6) *Exhaust emission test type.* Remote sensing measurements on 1968–1995 vehicles; on-board diagnostic system checks on 1996 and newer vehicles.
- (7) *Emission standards.* For remote sensing measurements, a carbon monoxide standard of 7.5% (with at least two separate readings above this level to establish a failure).
- (8) *Emission control device inspections.* Visual inspection of the catalytic converter on 1975 and newer vehicles and visual inspection of the positive crankcase ventilation valve on 1968–1974 vehicles.
- (9) *Waiver rate.* A 3% waiver rate, as a percentage of failed vehicles.
- (10) *Compliance rate.* A 96% compliance rate.

(11) *Evaluation date.* Enhanced I/M program areas subject to the provisions of this paragraph shall be shown to obtain the same or lower VOC and NO<sub>x</sub> emission levels as the model program described in this paragraph (h) by January 1, 2002 to within  $\pm 0.02$  gpm. Subject programs shall demonstrate through modeling the ability to maintain this level of emission reduction (or better) through their attainment deadline for the applicable NAAQS standard(s). Equality of substituted emission reductions to the benefits of the low enhanced performance standard must be demonstrated for the same evaluation date.

[57 FR 52987, Nov. 5, 1992, as amended at 58 FR 59367, Nov. 9, 1993; 59 FR 32343, June 23, 1994; 60 FR 48035, Sept. 18, 1995; 61 FR 39036, July 25, 1996; 61 FR 40945, Aug. 6, 1996; 63 FR 24433, May 4, 1998; 65 FR 45532, July 24, 2000; 66 FR 18176, Apr. 5, 2001]

### § 51.352 Basic I/M performance standard.

(a) Basic I/M programs shall be designed and implemented to meet or exceed a minimum performance standard, which is expressed as emission levels achieved from highway mobile sources as a result of the program. The performance standard shall be established using the following model I/M program inputs and local characteristics, such as vehicle mix and local fuel controls. Similarly, the emission reduction benefits of the State's program design shall be estimated using the most current version of the EPA mobile source emission model, and shall meet the minimum performance standard both in operation and for SIP approval.

- (1) *Network type.* Centralized testing.
- (2) *Start date.* For areas with existing I/M programs, 1983. For areas newly subject, 1994.
- (3) *Test frequency.* Annual testing.
- (4) *Model year coverage.* Testing of 1968 and later model year vehicles.
- (5) *Vehicle type coverage.* Light duty vehicles.
- (6) *Exhaust emission test type.* Idle test.
- (7) *Emission standards.* No weaker than specified in 40 CFR part 85, subpart W.
- (8) *Emission control device inspections.* None.

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(9) *Stringency.* A 20% emission test failure rate among pre-1981 model year vehicles.

(10) *Waiver rate.* A 0% waiver rate.

(11) *Compliance rate.* A 100% compliance rate.

(12) *Evaluation date.* Basic I/M programs shall be shown to obtain the same or lower emission levels as the model inputs by 1997 for ozone non-attainment areas and 1996 for CO non-attainment areas; and, for serious or worse ozone nonattainment areas, on each applicable milestone and attainment deadline, thereafter.

(b) *Oxides of nitrogen.* Basic I/M testing in ozone nonattainment areas shall be designed such that no increase in NO<sub>x</sub> emissions occurs as a result of the program. If the Administrator finds, under section 182(b)(1)(A)(i) of the Act pertaining to reasonable further progress demonstrations or section 182(f)(1) of the Act pertaining to provisions for major stationary sources, that NO<sub>x</sub> emission reductions are not beneficial in a given ozone nonattainment area, then the basic I/M NO<sub>x</sub> requirement may be omitted. States shall implement any required NO<sub>x</sub> controls within 12 months of implementation of the program deadlines required in § 51.373 of this subpart, except that newly implemented I/M programs shall include NO<sub>x</sub> controls from the start.

(c) *On-board diagnostics (OBD).* The performance standard shall include inspection of all 1996 and later light-duty vehicles equipped with certified on-board diagnostic systems, and repair of malfunctions or system deterioration identified by or affecting OBD systems as specified in § 51.357. For States using some version of MOBILE5 prior to mandated use of the MOBILE6 and subsequent versions of EPA's mobile source emission factor model, the OBD-I/M portion of the State's program as well as the applicable I/M performance standard may be assumed to be equivalent to performing the evaporative system purge test, the evaporative system fill-neck pressure test, and the IM240 using grams-per-mile (gpm) cutpoints of 0.60 gpm HC, 10.0 gpm CO, and 1.50 gpm NO<sub>x</sub> on MY 1996 and newer vehicles and assuming a start date of January 1, 2002 for the OBD-I/M portion of the performance

standard. This interim credit assessment does not add to but rather replaces credit for any other test(s) that may be performed on MY 1996 and newer vehicles, with the exception of the gas-cap-only evaporative system test, which may be added to the State's program to generate additional HC reduction credit. This interim assumption shall apply even in the event that the State opts to discontinue its current I/M tests on MY 1996 and newer vehicles in favor of an OBD-I/M check on those same vehicles, with the exception of the gas-cap evaporative system test. If a State currently claiming the gas-cap test in its I/M SIP decides to discontinue that test on some segment of its subject fleet previously covered, then the State will need to revise its SIP and I/M modeling to quantify the resulting loss in credit, per established modeling policy for the gas-cap pressure test. Once MOBILE6 is released and its use required, the interim, MOBILE5-based modeling methodology described in this section will be replaced by the OBD-I/M credit available from the MOBILE6 and subsequent mobile source emission factor models.

(d) *Modeling requirements.* Equivalency of emission levels which will be achieved by the I/M program design in the SIP to those of the model program described in this section shall be demonstrated using the most current version of EPA's mobile source emission model and EPA guidance on the estimation of input parameters. Areas required to implement basic I/M programs shall meet the performance standard for the pollutants which cause them to be subject to basic requirements. Areas subject as a result of ozone nonattainment shall meet the standard for VOCs and shall demonstrate no NO<sub>x</sub> increase, as required in paragraph (b) of this section.

[57 FR 52987, Nov. 5, 1992, as amended at 61 FR 40945, Aug. 6, 1996; 63 FR 24433, May 4, 1998; 66 FR 18177, Apr. 5, 2001]

**§ 51.353 Network type and program evaluation.**

Basic and enhanced I/M programs can be centralized, decentralized, or a hybrid of the two at the State's discretion, but shall be demonstrated to achieve the same (or better) level of