UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

VPMD EXHIBIT
5a

November 15, 2010

Ms. Janice C. Wright
Air Quality Control Board Liaison
And Hearing Clerk
City of Albuquerque

VIA: jcwright@cabq.gov

Dear Ms. Wright:

Thank you for the opportunity to provide comments on this draft revision for stakeholders before the revisions go to public hearing. In general EPA supports the revisions to the vehicle inspection and maintenance rules. The reorganization and reformatting will make the rules easier to use. We do have several points we would like to discuss at this time.

In 20.11.100.1.B.(1) we caution about the change to the exemption for all new motor vehicles from "two registration periods" to "five years following initial registration." It does not appear that these two terms mean the same thing. Albuquerque is currently a maintenance area for Carbon Monoxide, the pollutant that brought you I/M. You will need to revise your maintenance plan and demonstrate through modeling that the area can still maintain attainment after making the proposed changes, and that the changes won't interfere with your ability to meet any other applicable NAAQS.

It is also unknown at this time what Albuquerque's designation status will be under the forthcoming reconsidered 8-hour ozone standard. If the Albuquerque area was designated nonattainment for ozone and classified as moderate, the program would then have to show that it meets a performance standard for the I/M program required for a moderate ozone area. Furthermore, if the area becomes nonattainment under a revised ozone standard, any NOx or VOC increase due to the I/M program revision would have to be offset to demonstrate that the change did not interfere with attainment or maintenance under section 110(l) of the Clean Air Act. In this instance, it may be prudent to wait to revise this rule until the ozone attainment status of the I/M program area is known.

In 20.11.100.17.E. it is proposed to mandate all 1998 and newer diesel vehicles receive an On-Board Diagnostic test as part of their biennial inspection. This is commendable. Although testing diesel vehicles is not outside the scope of the federal I/M requirements, EPA has not undertaken the necessary data gathering to create a model that will project emission reductions from implementation of such a program. There are a number of

reasons for this which we could discuss with you if you would like. Therefore, SIP-creditable emission reductions from a diesel I/M program is not possible at this time.

However, it may be possible that a diesel I/M program could be part of a "Weight of Evidence" demonstration. It is recommended that any such undertaking be coordinated with EPA in advance of its use in this way. On the other hand, if a program had gathered its own data and was able to demonstrate to the satisfaction of the EPA that a certain amount of SIP emission reduction credits could be attributed to it, then that credit may be accepted for a SIP revision. Again, it is recommended that if this was the plan of action, the City work in advance with EPA on this plan.

In 20.11.100.7 and 20.11.100.25[struck] the term "VEGAS" is deleted and removed from the regulations. We would like to know the reason for this.

In 20.11.100.14 the requirements for 1975-1985 vehicles to get an annual inspection and for 1986 vehicles exceeding certain limits to get a 1-year certificate is eliminated. All vehicles 34 years old or newer will get a biennial inspection. We refer you to our earlier comments regarding the maintenance plan and potential interference with other standards. Whenever the inspection frequency is altered, the effect on maintenance needs to be evaluated.

If we may be of any assistance to you in the development of these rule revisions, please contact me at 214-665-7242, or Sandra Rennie of my staff at 214-665-7367.

Sincerely,

Guy Donaldson, Chief
Air Planning Section