



## State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

P.O. Box 402

TRENTON, NJ 08625-0402

TEL: # (609) 292-2885

FAX # (609) 292-7695

JON S. CORZINE

*Governor*

MARK N. MAURIELLO

*Acting Commissioner*

December 15, 2009

The Honorable Judith Enck  
Regional Administrator  
United States Environmental Protection Agency  
Region II  
290 Broadway - 26<sup>th</sup> Floor  
New York, New York 10007-1866

Dear Regional Administrator Enck:

Enclosed for your review and approval is a revision to New Jersey's State Implementation Plan (SIP) for the New Jersey Inspection and Maintenance (I/M) program. Specifically, this revision reflects the adopted new rules and rule amendments to the New Jersey Department of Environmental Protection's (Department's) rules at N.J.A.C. 7:27-14, 7:27-15, 7:27B-4 and 7:27B-5 and the Motor Vehicle Commission (MVC) rules at N.J.A.C. 13:20-7, 13:20-24, 13:20-26, 13:20-28, 13:20-29, 13:20-30, 13:20-32, 13:20-33, 13:20-43, 13:20-44, 13:20-45, 13:20-46, 13:20-47, 13:20-48, and 13:21-15. The Program changes include the following:

- Emission tests will no longer require the use of a dynamometer. Emission tests will include On-Board Diagnostics (OBD), gas cap, visible smoke and two-speed idle tailpipe tests. The two-speed idle test replaces both the ASM5015 and 2500 RPM tests.
- Repair cost waiver provisions are removed.
- Gas cap testing is excluded for vehicles of model year 2001 and newer because the OBD testing addresses this concern.
- Certain classes of commercial vehicles, limousines, taxis and jitneys will require annual (more frequent) inspection.
- Light duty diesel vehicles will now be subject to emission testing.

This SIP revision consists of the Department rule changes, the MVC rule changes, and an analysis showing the emissions impact of the changes to the program. This analysis evaluates the emission impacts of the enhanced I/M program changes by comparing emission factors for the existing and proposed programs. The results indicate that the changes to the enhanced I/M program do not compromise the State's efforts to meet and/or maintain National Ambient Air Quality Standards for ozone or carbon monoxide.

The Department adopted these new rules and rule amendments on October 19, 2009. The adoption was published (effective) in the New Jersey Register on November 16, 2009 at 41 N.J.R. 4195. The Department held a hearing on the proposed new rules, rule amendments and SIP revision on June 8, 2009 and accepted written comments until June 19, 2009. A summary of the comments received on the proposed new rules, rule amendments and SIP revision, as well as the Department's responses to those comments, is included as part of the enclosed adoption document.

If you have any questions regarding these new rules, rule amendments or SIP revision submittal, please do not hesitate to contact me or Chris Salmi, Assistant Director, Office of Air Quality Management at (609) 292-6710.

Sincerely yours,



Mark N. Mauriello,  
Acting Commissioner

Enclosures:

1. List of public notice actions taken by the Department
2. Copies of the newspaper legal advertisements and affidavits of publication
3. Copy of the proposal, as published in the New Jersey Register
4. Copy of the adoption, as published in the New Jersey Register
5. Copy of the emissions analysis and performance standard modeling

c: Ray Werner, USEPA w/enclosures