Because the new low enhanced I/M performance standard eliminates the need for the special enhanced performance standard for El Paso, Texas, this proposed action would repeal that special performance standard. This proposed action would also revise the high enhanced I/M performance standard to include a visual inspection of the positive crankcase ventilation (PCV) valve on all light-duty vehicles and light-duty trucks from model years 1968 to 1971, inclusive, and of the exhaust gas recirculation (EGR) valve on all lightduty vehicles and light-duty trucks from model years 1972 through 1983, inclusive. The low enhanced performance standard contains similar requirements, which are necessary to ensure full compliance with the Clean Air Act's requirement that all federal performance standards for enhanced I/ M programs be based upon a model program that includes, at a minimum, two inspections per subject vehicle: an emission inspection and a visual inspection. This proposed action would also change the waiver cost requirements by: Extending the deadline for implementing the minimum expenditure to qualify for a waiver specified in the Clean Air Act; allowing the application of pre-inspection repairs toward meeting the waiver expenditure requirements under limited circumstances; allowing repairs of primary emission control components performed by non-technicians to apply toward the waiver cost requirement; and removing the bar against issuing hardship exemptions more than once per vehicle lifetime. This proposal also solicits public comment on whether or not EPA should include revised regulatory language in its final rulemaking which change the population cutoff for basic I/M from 50,000 persons to 200,000 persons. Lastly, this proposal would make clarifying amendments to the I/M requirements for areas undergoing redesignation.

DATES: Written comments on this proposal must be received no later than May 15, 1995. A public hearing is scheduled for May 17, 1995. ADDRESSES: Interested parties may submit written comments (in duplicate if possible) to Public Docket No. A-95-08. It is requested that a duplicate copy be submitted to Eugene J. Tierney at the address in the FOR FURTHER INFORMATION CONTACT section below. The docket is located at the Air Docket, Room M-1500 (6102), Waterside Mall S.W., Washington, DC 20460. The public hearing will be held at the National Fuel and Vehicle Emission Laboratory at

2565 Plymouth Road, Ann Arbor, Michigan, Conference Rooms C&D from 10:00 a.m. through 3:00 p.m. The docket may be inspected between 8:30 a.m. and 12 noon and between 1:30 p.m. until 3:30 p.m. on weekdays. A reasonable fee may be charged for copying docket material.

FOR FURTHER INFORMATION CONTACT: Eugene J. Tierney, Office of Mobile Sources, National Vehicle and Fuel Emissions Laboratory, 2565 Plymouth Road, Ann Arbor, Michigan, 48105. Telephone (313) 668–4456.

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II. Summary of Proposal

Under the Clean Air Act as amended in 1990 (the Act), 42 U.S.C. 7401 et seq., the U.S. Environmental Protection Agency (EPA) published in the **Federal Register** on November 5, 1992 (40 CFR part 51) rules related to plans for Motor Vehicle Inspection and Maintenance (I/M) programs (hereafter referred to as the I/M rule, see 57 FR 52950). EPA is proposing today to revise this rule to provide greater flexibility to states required to implement I/M programs.

Section 182 of the Act was prescriptive regarding the various elements that are required as part of an enhanced I/M performance standard. It also required that EPA provide states with flexibility in meeting the requirement for enhanced or basic I/M programs. States have requested additional flexibility in two areas: the timing of the Act's mandated minimum expenditure required to qualify for a waiver and a lower performance standard for areas that do not need an enhanced I/M program as effective as the one EPA adopted in 1992 to meet the Act's Reasonable Further Progress and attainment demonstration

requirements. (These two programs are hereafter referred to as low enhanced and high enhanced performance standards, respectively.)

EPA is today proposing to establish an alternate, low enhanced I/M performance standard for those areas that can meet the Act's requirements for Reasonable Further Progress and attainment of either the carbon monoxide (CO) and/or ozone ambient air quality standards without the benefits of the high enhanced I/M performance standard. This low enhanced performance standard is designed for areas that are required to implement enhanced I/M but do not have a major mobile source component to the air quality problem or can obtain adequate emission reductions from other sources to meet the 15% VOC emission reduction requirement and demonstrate attainment. With respect to states in the northeast ozone transport region (OTR), EPA believes that the low enhanced performance standard will provide needed reductions but still offers greater flexibility. Areas within the Northeast OTR are still subject to the enhanced I/M requirement and OTR states are required to submit plans for their nonattainment areas. However EPA believes that the states are in the best position to make decisions about the emphasis placed upon individual strategies within their borders as long as emission reduction opportunities needed for timely attainment are not irrevocably lost. Moreover, with respect to interstate pollution within the OTR, EPA has just oulined a phased attainment-process among states contributing to or affected by transport. See memorandum of March 2, 1995 from Mary D. Nichols, Assistant Administrator for Air and Radiation, entitled "Ozone Attainment Demonstrations" (available in the docket for this rulemaking). The desired outcome of that process is to reach consensus on the additional regionwide and national emission reductions needed to bring all areas in the OTR into attainment. EPA believes that the interstate consultative process provides the best forum for ascertaining and requiring those necessary additional emission reductions. The low enhanced performance standard meets the Act's requirement that it be based on centralized, annual testing of light duty cars and trucks, and checks for tampering and exhaust emissions. Nevertheless, this standard can be met with a comprehensive decentralized, test-and-repair program.

EPA is also proposing modifications to the requirements related to waivers. EPA is proposing to extend the deadline