

vehicles to be covered by the program and a plan for how those vehicles are to be identified including vehicles that are routinely operated in the area but may not be registered in the area, and a description of any special exemptions including the percentage and number of vehicles to be impacted by the exemption.

The Jefferson County I/M regulation requires all vehicles up to 18,000 pounds gross vehicle weight registered in the county except diesel vehicles, two stroke motorcycles, and vehicles which the APCD Administrator has determined shall not be tested because of fuel or engine characteristics, to be tested annually. In addition to light duty vehicles and light duty trucks, motorcycles, motorhomes, and large gasoline powered vehicles are subject to testing. Vehicle owners are notified that the vehicle is required to be tested prior to registration via a computer matching mechanism. Noncomplying vehicle owners are issued a Notice of Violation. Regulation 8.03 also requires commuters into Jefferson County to have their vehicles tested. This regulation requires all employers to submit a list of employees that live outside of Jefferson County but commute to their jobs in Jefferson County. Fleet self testing is allowed only for businesses not involved in the general repair or sales of vehicles. Quality control requirements apply equally to both the centralized testing stations and the fleet self testers. Federally owned vehicles are subject to the testing requirements. Vehicles from other areas may be tested and the APCD will also accept test results from other approved testing programs. Exempted vehicles are taken into account in the performance standard demonstration.

The Commonwealth's plan for testing fleet vehicles is acceptable and meets the requirements of the Federal I/M regulation.

Owners of vehicles which are registered in the program area but are operated more than 250 miles outside of the area for extended periods, such as with students and military personnel, may apply for an extension. The vehicle owner must present a sworn affidavit with documentation that the vehicle will be based at the remote location for the time period claimed. The vehicle must be presented for testing once it is returned to Jefferson County. The Kentucky submittal meets the requirements of this section.

#### *Test Procedures and Standards—40 CFR 51.357*

Written test procedures and pass/fail standards shall be established and followed for each model year and

vehicle type included in the program. Test procedures and standards are detailed in 40 CFR Part 51.357 and in the EPA document entitled "Recommended I/M Short Test Procedures For the 1990's: Six Alternatives."

The Commonwealth's I/M submittal includes a description of the test procedure used in the Louisville I/M program. The program contract requires the procedure described in Appendix H, which contains the EPA short tests mentioned above, to be utilized. Specifically, Test 1 provides for minor modifications to EPA's "Idle Test Procedure with Loaded Preconditioning." Test 2 contains the same modifications to EPA's "Idle Test Procedure." The modification is to allow the Contractor to declare an Initial Test Mode Failure at less than the overall maximum initial test time of 55 seconds which shall result in performing the second chance as prescribed in the referenced EPA document. Regulation 8.02 added the requirement for testing the evaporative system with the EPA recommended pressure test. The evaporative system pressure test procedure is the EPA procedure described in Appendix B, Subpart 5, Part 51.

These test procedures conform to EPA approved test procedures and are approvable. The I/M regulation for Jefferson County establishes hydrocarbon (HC) and carbon monoxide (CO) pass/fail exhaust standards for all test procedures for each applicable model year and vehicle type. The exhaust standards adopted by the Commonwealth conform to EPA established standards and are approvable. The Jefferson County I/M regulation establishes evaporative pressure test standards which conform to EPA established standards and are approvable.

#### *Test Equipment—40 CFR 51.358*

Computerized test systems are required for performing any measurement on subject vehicles. The Federal I/M regulation requires that state SIP submittals include written technical specifications for all test equipment used in the program. The specifications shall describe the emission analysis process, the necessary test equipment, the required features, and written acceptance testing criteria and procedures.

The Jefferson County I/M regulation and RFP require exhaust analyzers that meet the BAR90 performance specifications. These specifications require the use of computerized test systems. The specifications also include

performance features and functional characteristics of the computerized test systems which meet the Federal I/M regulations and are approvable.

#### *Quality Control—40 CFR 51.359*

Quality control measures shall insure that emission measurement equipment is calibrated and maintained properly, and that inspection, calibration records, and control charts are accurately created, recorded and maintained.

Section 9 of the Jefferson County regulations, the RFP, and the contract all contain quality control requirements for the emission measurement equipment, record keeping requirements and measures to maintain the security of all documents used to establish compliance with the inspection requirements. A special software encryption algorithm codes the "Inspection Number" field on the test form and cannot be duplicated without access to the source code. The RFP also contains the requirement for two mobile audit vans which provide overt audit capability. They are provided by the contractor, but used by APCD personnel. This portion of the Kentucky submittal complies with the quality control requirements set forth in the Federal I/M regulation and is approvable.

#### *Waivers and Compliance via Diagnostic Inspection—40 CFR 51.360*

The Federal I/M regulation allows for the issuance of a waiver, which is a form of compliance with the program requirements that allows a motorist to comply without meeting the applicable test standards. For basic I/M programs, an expenditure of at least \$75 for pre-81 vehicles and \$200 for 1981 and later vehicles in repairs, is required in order to qualify for a waiver. Waivers can only be issued after a vehicle has failed a retest performed after all qualifying repairs have been made. Any available warranty coverage must be used to obtain repairs before expenditures can be counted toward the cost limit. Tampering related repairs shall not be applied toward the cost limit. Repairs must be appropriate to the cause of the test failure. Repairs for 1980 and newer model year vehicles must be performed by a recognized repair technician. The Federal regulation allows for compliance via a diagnostic inspection after failing a retest on emissions and requires quality control of waiver issuance. The SIP must set a maximum waiver rate and must describe corrective action that would be taken if the waiver rate exceeds that contained in the SIP.

The Jefferson County regulation provides the necessary authority to