



COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
ONE WINTER STREET, BOSTON, MA 02108 617-292-6500

MARGEO PAUL CELLUCCI
Governor

JANE SWIFT
Lieutenant Governor

BOB DURAND
Secretary

LAUREN A. LISS
Commissioner

November 3, 1999

Mr. John P. DeVillars, Regional Administrator
U.S. Environmental Protection Agency
New England Region
One Congress Street, Suite 1100
Boston, MA 02114-2023

Re: Interim Final Approval for Massachusetts I&M SIP

Dear Mr. DeVillars:

I am writing to bring you up to date on the successful implementation of the Massachusetts Enhanced Emissions and Safety Test Program and as a result to request that you take action to stay Inspection and Maintenance (I&M) - based federal transportation sanctions in Massachusetts.

The Enhanced Emissions and Safety Test Program began on October 1, 1999, with a network of over 1200 stations offering inspection services on that date.

Our implementation plan was designed to ensure that we achieve important air quality benefits, that motorists are able to obtain inspection services as conveniently as possible, and that all stations in the network are equipped and capable of performing dynamometer-based emissions inspections on vehicles as soon as possible.

The flexibility we initially provided during Program start-up allows motorists due for emissions tests to either obtain such a test if the station is so equipped or reschedule the biennial emissions portion of the test to next year as part of the motorist's annual inspection if the station is not yet so equipped. This approach has been key to a smooth rollout of the Program. Based on the progress shown to date, in December we will no longer need to nor allow motorists to reschedule the biennial emissions test to next year. In short, we have developed a Program that works smoothly, maximizes convenience to customers, and ensures that fundamental air quality benefits are achieved by requiring biennial emissions testing.

This information is available in alternate format by calling our ADA Coordinator at (617) 574-6872.

DEP on the World Wide Web: <http://www.mass.gov/dep>

Printed on Recycled Paper

With Program implementation well in hand, Massachusetts successfully has implemented an I&M Program that meets our important air quality goals as well as being one of the most convenient and effective I&M programs in the country. Accordingly, it is now appropriate that EPA act to lift I&M-based sanctions so that Massachusetts does not incur federal transportation sanctions on November 15, 1999.

Your staff has informed DEP that you have the authority to issue an "interim final determination" for the I&M program that would stay the federal transportation sanctions. Given Massachusetts' success in implementing the I&M Program, I request that you take that step as much before November 15 as possible to allay any concerns that Massachusetts federal highway funds are at risk now that the Program has started.

Attached to this letter is a schedule for the Commonwealth to deliver to EPA the documents necessary for you to issue a final approval for the I&M SIP. This schedule comports with the Federal Register notice of September 27, 1999 (64 Fed. Reg. 51937 - 51943) that describes the six I&M program elements that the Commonwealth must submit to EPA so you can approve Massachusetts' I&M SIP and permanently lift federal highway sanctions.

We also are prepared to discuss EPA's interest in revising our emissions waiver program and to incorporate the results of those discussions in a regulatory revision currently anticipated for early 2000.

Those discussions, of course, would be based on the flexibility that other states obtain for their waiver programs.

The Enhanced Emissions and Safety Test Program is a key part of the Commonwealth's efforts to reduce ozone-forming pollution in the Northeast. We appreciate that EPA has recognized the need for additional flexibility for states to implement programs of this type and were pleased to see that flexibility reflected in changes to I&M program rules proposed by EPA in August. We look forward to continuing to work together to ensure that the Massachusetts Enhanced Emissions and Safety Test Program will reduce pollution by 120 tons per day in a manner that remains convenient for Massachusetts motorists and fits well with the needs of the inspection and repair industry.

Please feel free to call me at 292-5856 with any questions you may have.

Sincerely,



Lauren A. Liss
Commissioner

Enclosure: Schedule of I&M submittals