

DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL
DIVISION OF AIR QUALITY

Statutory Authority: 7 Delaware Code, Section 6010(a) and (c) (7 Del.C. §6010(a) & (c))

GENERAL NOTICE

REGISTER NOTICE

DOCKET # 2022-R-A-0010

Low Enhanced Inspection and Maintenance Program; Plan for Implementation (PFI)

1. TITLE OF THE REGULATIONS:

Low Enhanced Inspection and Maintenance Program; Plan for Implementation (PFI)

2. BRIEF SYNOPSIS OF THE SUBJECT, SUBSTANCE AND ISSUES:

The purpose of this action is to amend Delaware's approved State Implementation Plan per 40 CFR 52. The proposed amendments establish consistent emissions testing requirements statewide as well as exempt the first seven model years of a vehicle pursuant to House Bill 246. The Department used the EPA's Motor Vehicle Emission Simulator (MOVES) to create the input/output files to estimate the emission in the State Implementation Plan (SIP). The calculations demonstrate that emissions meet the Performance Standards.

3. POSSIBLE TERMS OF THE AGENCY ACTION:

NONE

4. STATUTORY BASIS OR LEGAL AUTHORITY TO ACT:

7 Del C. Ch. 60 § 6010 (a) and (c).

5. OTHER REGULATIONS THAT MAY BE AFFECTED BY THE PROPOSAL:

7 DE ADMIN. Code 1126 Motor Vehicle Emissions Inspection Program - Sussex County
7 DE ADMIN. Code 1131 Low Enhanced Inspection and Maintenance Program

6. NOTICE OF PUBLIC COMMENT:

A virtual public hearing (Docket # 2022-R-A-0010) will be held on Thursday, September 29, 2022, beginning at 6 p.m. The web link to the virtual hearing can be accessed through the DNREC Public Hearings site at <https://de.gov/dnrehearings>. If prompted for a password, please use: MVEIP. To access the audio-only portion of the virtual hearing, dial 1-408-418-9388 and enter the event code 2339 665 6055. Closed-captioning is available by request if made at least 7 days before the event.

Those wishing to offer verbal comments during DNREC public hearings must pre-register no later than noon of the date of the virtual hearing at <https://de.gov/dnrecomments> or by telephone at 302-739-9295.

The proposed amendments may be inspected online starting September 1, 2022 at https://regulations.delaware.gov/services/current_issue.shtml, or in-person, by appointment only, by contacting Marvina Cephias by phone at 302-739-9402 or by email at Marvina.Cephias@delaware.gov. The MOVES input/output files may be requested from Marvina Cephias at the contact information provided.

The Department will accept public comment through the close of business on Friday, October 14, 2022. Comments will be accepted in written form via email to DNRECHearingComments@delaware.gov, or by using the online form at <https://de.gov/dnrecomments>, or by U.S. mail to the following address:

Theresa Newman, Hearing Officer
DNREC - Office of the Secretary
89 Kings Highway, Dover, DE 19901

7. PREPARED BY: Marvina Cephias marvina.cephias@delaware.gov 302.739.9402

***Please note: Due to the size and formatting of the proposed amendments they are being attached as PDF documents:**

[http://regulations.delaware.gov/register/september2022/general/Proposed PFI_SIP V12 7-28-2022 MC edits.pdf](http://regulations.delaware.gov/register/september2022/general/Proposed_PFI_SIP_V12_7-28-2022_MC_edits.pdf)
[http://regulations.delaware.gov/register/september2022/general/
Copy_of_IM20201231_IMCoverageFile_July2022.pdf](http://regulations.delaware.gov/register/september2022/general/Copy_of_IM20201231_IMCoverageFile_July2022.pdf)

26 DE Reg. 227 (09/01/22) (Gen. Notice)