



REGISTER NOTICE

SAN # 2010-23 and #2012-01

1. TITLE OF THE REGULATIONS:

Amendment to Regulation 1131 Low Enhanced Inspection & Maintenance Program
Amendment to Inspection & Maintenance Plan for Implementation (PFI)

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

On June 15, 2010 Delaware's governor signed SB 215 as presented by the 145th Delaware General Assembly. SB 215 provides an exception to Title 21 vehicle registration requirements for vehicles being driven by Delaware Emission Education Program ("DEEP") certified emission repair technicians during drive cycle testing. SB 215 also added to Title 7 a new section 6709, Permits for operation of motor vehicles during testing. Section 6709 provides for this vehicle registration exception to be administered by DNREC through the establishment of a new permitting program.

The purpose of this action is to update 7 DE Admin Code 1131 to establish the permitting program stipulated by SB 215. In addition, the regulations format will be updated to conform to the style requirements of the Delaware Register of Regulations which include amending the Inspection & Maintenance State Implementation Plan also known as the Plan for Implementation (PFI).

There approximately 125 certified emission repair technicians that will be impacted by this proposed amendment. The emission repair technicians were notified that the Division of Air Quality (DAQ) is amending Regulation 1131 and were invited to attend the one of three public workshops that DAQ conducted on March 28, 2011 at DelTech's Stanton Campus - Newark, March 29, 2011 at DelTech's Owens Campus - Georgetown and on March 31, 2011 at DelTech's Terry Campus - Dover.

3. POSSIBLE TERMS OF THE AGENCY ACTION: None

4. STATUTORY BASIS OR LEGAL AUTHORITY TO ACT: 7 Delaware Code, Chapter 60

5. OTHER REGULATIONS THAT MAY BE AFFECTED BY THE PROPOSAL: None

6. NOTICE OF PUBLIC COMMENT:

Statements and testimony may be presented either orally or in writing at a public hearing to be held on Monday, April 2, 2012 beginning at 7:00 PM in DNREC's Richardson and Robbins Auditorium, 89 Kings Highway, Dover, DE. Interested parties may submit comments in writing to: Valerie Gray, DNREC Division of Air Quality, 655 S. Bay Road, Dover, DE 19901.

7. PREPARED BY:

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February 10, 2012
Date