



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

One Winter Street Boston, MA 02108 • 617-292-5500

DEVAL L. PATRICK
Governor

TIMOTHY P. MURRAY
Lieutenant Governor

RICHARD K. SULLIVAN JR.
Secretary

KENNETH L. KIMMELL
Commissioner

March 7, 2011

Anne E. Arnold, Manager
Air Quality Planning Unit
EPA New England
One Congress Street, Suite 1100
Boston, MA 02114-2033

Dear Ms. Arnold:

Enclosed please find the 2009 Annual Report for the Massachusetts I&M program addressing the requirements of 40 CFR 51.366(a)-(d), and the 2008-09 Biennial Report addressing the requirements of 40 CFR 51.366 (e).

Both reports document successful operation of the Massachusetts' I&M program, including a smooth transition to a new program design under the direction of a new contractor (a new contract was executed in January 2008, and the new program started operation on October 1, 2008).

In your December 2, 2009 letter to me about Massachusetts' 2008 Annual Report, you noted four issues. These issues and our responses are described below:

Issue 1: Please consider reporting the number of those registered vehicles that are model year 1996 and newer and calculating the program compliance rate based on this smaller subset of registered vehicles.

Response: The Massachusetts Registry of Motor Vehicles (RMV) has advised that their current data system cannot produce the requested report without substantial investment. Their system was designed and constructed for very limited reporting, and cannot use modern query techniques. RMV is planning to modernize their information technology infrastructure, but this will require significant resources that are not currently available. We do not expect to be able to provide this report until RMV's information technology infrastructure has been updated.

Issue 2: EPA noted the lack of covert audits between October 1 and December 31, 2008, and indicated that you look forward to covert audits starting up again in 2009.

Response: To allocate resources needed for transition to the new program and contractor, covert auditing had a delayed startup under the new contract. This delay unexpectedly extended into 2010. When covert vehicle audits started in 2010, the contractor conducted the audits required for 2009 as well as

2010. The 2010 Annual Report will describe our efforts to start covert vehicle audits and to catch up with requirements.

Issue 3: EPA noted the difficulties encountered with sticker accounting in 2008 and indicated that you look forward to seeing the results of the new program software which has been designed to make sticker accounting and reporting more automated.

Response: Section 5.2.3 of the 2009 Annual Report describes the continuing issues with sticker accounting experienced during 2009. These issues were largely addressed during 2010, including replacement of the sticker vendor. The 2010 Annual Report will provide an improved accounting of issued and missing stickers.

Issue 4: EPA recommended that the analysis of program operations in the 2008-09 Biennial Report compare data from the January 1-September 30, 2008 period with the new program rather than a straight calendar year comparison.

Response: The 2008-09 Biennial Report addresses the requirements of 40 CFR 51.366 (e), which does not include analysis of data describing detailed program operations. However, MassDEP has included some information describing program operations during the period covered by this report to provide context for the discussion of program changes and issues addressed. Due to the shift from the old program to the new one during the period covered by this Report, we have presented this contextual information in a table rather than text, which we hope you find satisfactory.

To save paper and to allow EPA to review and sort the detailed test data contained in the 2009 Annual Report's attachments, the enclosed submittal includes a CD containing the files for Attachments B (Detailed 2007 Emission Test Data) and C (2007 Test Data by Station).

Please let us know if you have any comments or questions on the attached reports. We look forward to continuing to work with you on the Commonwealth's I&M Program.

Sincerely,

Christine Kirby, Deputy Director
Division of Consumer and Transportation Programs
Bureau of Waste Prevention

cc:

James C. Colman, BWP
Gary Moran, MassDEP
Michael J. Byrne, RMV
Mark LaFrance, RMV
Ariel Garcia, EPA