

State of Utah
Administrative Rule Analysis
Revised May 2023

NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Title No. - Rule No. - Section No.

Rule or Section Number:

R307-110

Filing ID: 56123

Agency Information

1. Department:	Environmental Quality	
Agency:	Air Quality	
Building:	MASOB	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City	
Mailing address:	PO BOX 144820	
City, state and zip:	Salt Lake City, UT 84114-4820	
Contact persons:		
Name:	Phone:	Email:
Mat Carlile	385-306-6535	mcarlile@utah.gov
Erica Pryor	385-499-3416	epryor1@utah.gov

Please address questions regarding information on this notice to the persons listed above.

General Information

2. Rule or section catchline:

R307-110. General Requirements: State Implementation Plan

3. Purpose of the new rule or reason for the change:

The Utah Air Quality Board (Board) has proposed for public comment amended Utah State Implementation Plan (SIP), Section X, Parts A and B. Sections R307-110-31 and R307-110-32 incorporate SIP Section X, Parts A and B respectively, into the rule and must be amended to change the Board adoption date to the anticipated adoption date of the amended plan.

4. Summary of the new rule or change:

Section R307-110-31 incorporates Section X Part A of the SIP. Part A summarizes inspection and maintenance (I/M) requirements that are common among all I/M programs. Part A was modified by adding a paragraph summarizing recent legislative changes to the emissions programs. It was also modified to update the process of handling out-of-state exemptions of the emission programs. Section R307-110-32 incorporates Section X Part B of the SIP that contains the requirements of Davis County's I/M program. Amendments to Part B update the plan to incorporate changes to Davis County's I/M ordinance to ensure that the SIP reflects current program. Sections R307-110-31 and R307-110-32 are amended by changing the date of the last adoption by the Air Quality Board to February 7, 2024. These changes were already legally enforceable, and the amendment is bringing the rule in line with federal law.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:

A) State budget:

This rule change will not have any fiscal impact on the state budget because it does not enact or remove any new requirements.

B) Local governments:

This rule change will not have any fiscal impact on the local governments because it does not enact or remove any new requirements.

C) Small businesses ("small business" means a business employing 1-49 persons):

This rule change will not have any fiscal impact on small businesses because it does not enact or remove any new requirements.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

This rule change will not have any fiscal impact on non- small businesses because it does not enact or remove any new requirements.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

This rule change will have not any fiscal impact on other persons because it does not enact or remove any new requirements.

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):

No additional costs for affected persons are anticipated due to this rule change because it does not enact or remove any new requirements.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head comments on fiscal impact and approval of regulatory impact analysis:

The Executive Director of the Department of Environmental Quality, Kim D. Shelley, has reviewed and approved this regulatory impact analysis.

Citation Information

6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Section 19-6a-1642	40 CFR Part 51 Subpart S Inspection and Maintenance Program Requirements
--------------------	--

Incorporations by Reference Information

7. Incorporations by Reference (if this rule incorporates more than two items by reference, please include additional tables):

A) This rule adds, updates, or removes the following title of materials incorporated by references (a copy of materials incorporated by reference must be submitted to the Office of Administrative Rules; *if none, leave blank*):

Official Title of Materials Incorporated (from title page)	UTAH STATE IMPLEMENTATION PLAN SECTION X VEHICLE INSPECTION AND MAINTENANCE PROGRAM PART A GENERAL REQUIREMENTS AND APPLICABILITY.
	UTAH STATE IMPLEMENTATION PLAN SECTION X VEHICLE INSPECTION AND MAINTENANCE PROGRAM PART B DAVIS COUNTY
Publisher	Division of Air Quality, Utah Department of Environmental Quality
Issue Date	February 7, 2024

Public Notice Information

8. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)		
A) Comments will be accepted until:		12/15/2023
B) A public hearing (optional) will be held:		
Date (mm/dd/yyyy):	Time (hh:mm AM/PM):	Place (physical address or URL):
12/19/2023	3:00-4:00pm	<p>MASOB:</p> <p>DEQ Board room, 1st floor, room 1020</p> <p>195 N 1950 W, Salt Lake City, UT 84116</p> <p>To attend virtually through Google Meets:</p> <p>Public Hearing R307-110-31/32 (3pm-4pm) Tuesday, December 19 · 2:30 – 4:30pm Time zone: America/Denver</p> <p>Google Meet joining info Video call link: https://meet.google.com/vkh-nadu-bpb Or dial: (US) +1 929-324-9942 PIN: 529 143 528#</p> <p>More phone numbers: https://tel.meet/vkh-nadu-bpb?pin=4209740534480</p> <p>Please note: A public hearing is scheduled for December 19, 2023. The hearing will be canceled should no request for one be made by Friday, December 15, 2023, at 10:00 AM MST. The final status of the public hearing will be posted on Friday, December 15, 2023, after 10:00 AM MST. The status of the public hearing may be checked at the following website location under the corresponding rule.</p> <p>https://deq.utah.gov/public-notices-archive/air-quality-rule-plan-changes-open-public-comment</p>
To the agency: If more space is needed for a physical address or URL, refer readers to Box 4 in General Information. If more than two hearings will take place, continue to add rows.		

9. This rule change MAY become effective on:	02/07/2024
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

Agency Authorization Information

To the agency: Information requested on this form is required by Sections 63G-3-301, 63G-3-302, 63G-3-303, and 63G-3-402. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the <i>Utah State Bulletin</i> and delaying the first possible effective date.			
Agency head or designee and title:	Bryce C. Bird, Director, Division of Air Quality	Date:	10/12/2023

R307. Environmental Quality, Air Quality.

R307-110. General Requirements: State Implementation Plan.

R307-110-31. Section X, Vehicle Inspection and Maintenance Program, Part A, General Requirements and Applicability.

The Utah State Implementation Plan, Section X, Vehicle Inspection and Maintenance Program, Part A, General Requirements and Applicability, as most recently amended by the Utah Air Quality Board on ~~September 4, 2019~~ February 7, 2024, pursuant to Section 19-2-104, is ~~hereby~~ incorporated by reference and made a part of ~~these rules~~ this rule.

R307-110-32. Section X, Vehicle Inspection and Maintenance Program, Part B, Davis County.

The Utah State Implementation Plan, Section X, Vehicle Inspection and Maintenance Program, Part B, Davis County, as most recently amended by the Utah Air Quality Board on ~~March 4, 2020~~ February 7, 2024, pursuant to Section 19-2-104, is ~~hereby~~ incorporated by reference and made a part of ~~these rules~~ this rule.

KEY: air pollution, PM10, PM2.5, ozone

Date of Last Change: 2023~~September 28, 2023~~

Notice of Continuation: December 1, 2021

Authorizing, and Implemented or Interpreted Law: 19-2-104

!--dar--