

SUBPART 217-4**INSPECTION AND MAINTENANCE PROGRAM AUDITS**

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Historical Note

Subpart (§§ 217-4.1—217-4.4) filed: Nov. 15, 1994 as emergency measure; Feb. 13, 1995 as emergency measure, expired 60 days after filing; Aug. 1, 1995 as emergency measure; Oct. 27, 1995 as emergency measure; Dec. 22, 1995 as emergency measure; Feb. 16, 1996 as emergency measure; May 15, 1996 as emergency measure; July 12, 1996 as emergency measure; Sept. 11, 1996 as emergency measure; Nov. 8, 1996 as emergency measure; Jan. 7, 1997 as emergency measure; March 7, 1997 as emergency measure; April 22, 1997 eff. 30 days after filing.

§ 217-4.1 Applicability.

All official motor vehicle emissions inspection stations shall be subject to audits, as described in this Subpart, by persons designated by the department, to determine conformance with this Subpart.

Historical Note

Sec. filed: Nov. 15, 1994 as emergency measure; Feb. 13, 1995 as emergency measure, expired 60 days after filing; Aug. 1, 1995 as emergency measure; Oct. 27, 1995 as emergency measure; Dec. 22, 1995 as emergency measure; Feb. 16, 1996 as emergency measure; May 15, 1996 as emergency measure; July 12, 1996 as emergency measure; Sept. 11, 1996 as emergency measure; Nov. 8, 1996 as emergency measure; Jan. 7, 1997 as emergency measure; March 7, 1997 as emergency measure; April 22, 1997 eff. 30 days after filing.

§ 217-4.2 Prohibitions.

No person shall operate an official emissions inspection station using equipment and/or procedures that are not in compliance with department procedures and/or standards.

Historical Note

Sec. filed: Nov. 15, 1994 as emergency measure; Feb. 13, 1995 as emergency measure, expired 60 days after filing; Aug. 1, 1995 as emergency measure; Oct. 27, 1995 as emergency measure; Dec. 22, 1995 as emergency measure; Feb. 16, 1996 as emergency measure; May 15, 1996 as emergency measure; July 12, 1996 as emergency measure; Sept. 11, 1996 as emergency measure; Nov. 8, 1996 as emergency measure; Jan. 7, 1997 as emergency measure; March 7, 1997 as emergency measure; April 22, 1997 eff. 30 days after filing.

§ 217-4.3 Department audit requirements.

The department shall periodically conduct equipment audits of the official emissions inspection stations. During these audits department personnel shall conduct quality control evaluations of the required test equipment, including the following:

- (a) a gas audit using gases of known concentrations at least as accurate as those required for regular equipment quality control and comparing these concentrations to actual readings;
- (b) a check for tampering, worn instrumentation, blocked filters, and other conditions that would impede accurate sampling;
- (c) a check of the measured dilute flowrate in the VMAS unit;
- (d) a leak check;

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- (e) a check to determine that station gas bottles used for calibration purposes are properly labeled and within the relevant tolerances;
- (f) functional dynamometer checks addressing coast-down, roll speed and roll distance, inertia weight selection, and power absorption;
- (g) a check of the system's ability to accurately detect background pollutant concentrations;
- (h) a check of computer logic requirements; and
- (i) a check that appropriate cutpoints are used.

Historical Note

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§ 217-4.4 Enforcement.

All duties and obligations under this regulation are enforceable pursuant to article 71 of the Environmental Conservation Law.

Historical Note

Sec. filed: Nov. 15, 1994 as emergency measure; Feb. 13, 1995 as emergency measure, expired 60 days after filing; Aug. 1, 1995 as emergency measure; Oct. 27, 1995 as emergency measure; Dec. 22, 1995 as emergency measure; Feb. 16, 1996 as emergency measure; May 15, 1996 as emergency measure; July 12, 1996 as emergency measure; Sept. 11, 1996 as emergency measure; Nov. 8, 1996 as emergency measure; Jan. 7, 1997 as emergency measure; March 7, 1997 as emergency measure; April 22, 1997 eff. 30 days after filing.