

AUTOMOTIVE EMISSIONS PROGRAM

TESTIMONY
BY
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Main Capitol Building
Room 418
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10:00 a.m.

Good morning. As President of the Service Station & Automotive Repair Association of Pennsylvania Delaware, I want to thank you for giving me the opportunity to express my concerns over the pending changes in the emissions program. As I express my concerns, please keep in mind that I am speaking to you not only as the President of my organization, but also as a vocational school automotive instructor, ASE certified automotive technician, and as a member of the Society of Automotive Engineers. Additionally, my automotive retail business has been part of the current emission program since its inception.

The de-centralized program to this date has been, in my opinion, successful in spite of the controversy over the present fee cap and the limited geographical coverage of the present system. The quality of the air across the state has been improved over the past few years thanks to efforts by industry and small businesses; the major oil companies took the initiative to lower Reid vapor pressures in gasolines while the emissions program did its job in policing the emissions standards set up by the EPA in the most severely affected areas, although I cannot understand why the standards for the 1981 cars are the same as those for the 1992 cars. As a trained technician I can only guess that the EPA dropped the ball on this one. Of much more concern is the growing amount of evidence that the EPA has been less than truthful to the citizens of Pennsylvania as to the true air standards that exist today. In fact, the National Academy of Sciences has recently charged the EPA with using 1988 air standards instead of 1991 air standards as mandated by Congress. Additionally, the EPA has deliberately ignored another Congressional mandate to issue the on-board vehicle cannister data due last November, nearly 3 months past. My sources in Washington have reported to me the deep divisions within the EPA itself concerning centralized vs. de-centralized inspections.

Obviously, the credibility of the EPA is on the line in Washington as I speak. My question to you is how can this agency, with all its credibility problems and internal chaos, be allowed to influence changes in our present system until it proves itself credible once again. This credibility not only addresses the possible cover-up of true data but also how we are going about dealing with the photo-chemical smog problem. Everything that has been regulated in the way of control to date addresses the reduction of HCs. The NO_x problem has been ignored as the real way to address the problem. Due to this credibility gap, I feel that the existing program (de-centralized) should remain intact in the foreseeable future. The cost to industry and to the consumer will once again skyrocket simply to satisfy a regulatory agency's whims of change. (A copy of the article addressing the National Academy's indictment of the EPA is inclosed in my testimony.)

It is my understanding that PennDot is in favor, at this point, of a centralized system. I have previously expressed my concerns with this type of program with PennDot personnel. To my surprise, when discussing the possible scenarios, the reaction that I received was one of "we never thought of that". Unfortunately, if we flashback to the beginning of the present program, it was the lack of input by the industry that caused many of the problems that exist today. A few years ago, my association took the initiative to develop a dialogue with PennDot where we could communicate our concerns about the emissions program. An Ad Hoc Emissions Advisory Committee was formed, bringing in representatives from our Association, ASA, the Delaware County Inspection Association, and the New Car Dealers. I am proud to say that through dialogue much was accomplished. It seemed that we were on the right track, so to speak. Unfortunately, much to my dismay, the Emission Advisory Committee has never been invited to meet with the EPA and PennDot about the possibility of changes in

the program. I strongly feel that this has been a major mistake leaving out the expertise of the techs in the field. Obviously, my first concern is that of the past repeating itself by ignoring the input of technicians who are doing the tests on a daily basis.

My second concern is that of the possibility of the independent shop losing safety inspection to a centralized, watered down inspection. Our decentralized safety inspection is the envy of many across the country; it has worked very well in that the Pennsylvania car is very safe to operate and in that competition between independents has kept the costs consumer friendly. However, the customer is not going to appreciate having to take his(her) car to their trusted garage for safety inspection one day, then to a centralized emission testing center a second day. The existing program is very convenient to the consumer in that he(she) has both the emissions and safety inspection done at the same trusted shop on the same day. Why would we want to eliminate such an efficient program for the sake of bureaucratic whims? I am sure that the consumer is not going to be happy about this type of unprecedented and unnecessary inconvenience. I am sure there will be some type of pressure on the legislature to alleviate such a problem. Unfortunately, it would be very easy to quench this outcry by centralizing the safety test. However, by doing so, the integrity of the present test would have to be greatly compromised in order to accommodate the vast number of cars that would bottle up the system.

My third concern is that of who will repair the failed vehicle and who will re-certify it? If the above scenario wasn't bad enough, look what would happen to the car owner if his car fails the emissions test:

- 1st. Day: Vehicle goes to private shop for safety inspection.
- 2nd. Day: Vehicle goes to centralized emissions center for test. (Car fails.)
- Owner must then contact private shop to make appointment for emissions repair (most shops work on a two day advanced appointment schedule).
- Two days (average) later: Owner takes car to private shop for repair.
- The following day the owner takes the car back to centralized emissions test center for re-test - and hopes it passes. (If it doesn't pass, who is right? Who is wrong? - Where does the consumer turn now?)

In reviewing the above scenario, I would strongly urge the state to implement a hybrid type of emissions testing program if, due to political pressure, the present de-centralized program is doomed to extinction. In such a program, the vehicle would be initially emissions tested at a centralized site. If the vehicle passes the certification (sticker) would naturally be issued immediately. However, if the vehicle fails, the privately owned repair facility would make the repair, document it, and then issue the certification (sticker). This procedure would be much more consumer friendly in terms of cost and time. I might suggest to add even more credibility to the program, especially in the eyes of the consumer, all emissions technicians who either repair or re-test the car would be required to pass an up-dated state course or be ASE certified in Engine Tune-Up & Emissions Control. This testing and certification could be handled by the local vocational schools throughout the state. I am presently the emissions training instructor at the Center for Arts and Technology and upon polling three successive classes have found this concept

to be very popular with the technicians who are now going through the emissions certification classes. However, it is my understanding that presently schools in areas of the state where the program is anticipated to spread are now conducting or are planning to hold the present state emissions certification course. I feel this should be stopped immediately, in all fairness to thousands of techs who are paying fees out of their pocket, until the program and its new certification criteria, if any, is promulgated.

In summary, let me repeat that I sincerely feel a state-wide decentralized program, as is the safety program, would be the most efficient and consumer friendly program to build upon, while assuring the continued improvement of the air quality which has occurred under the existing program. There are few states that have Pennsylvania's expertise in handling de-centralized inspection, either emissions or safety. This is a very important point in that Pennsylvania has been looking to other states which have little or no expertise in the operation of a de-centralized program, be it safety or emissions. Why change a system that we have excelled in (de-centralized testing) other than because of pressure by the EPA? This is, in my opinion, a classic case of a Federal bureaucracy trying to interfere with a successful state-run program. In any event, I strongly urge the Commonwealth to decide on a program as expeditiously as possible, that all planned and on-going certification of techs in areas not presently under the program be halted, monies already collected to be refunded immediately, and that if a centralized system is forced upon us a prohibition be enacted to prevent the centralization of both safety and emissions inspections together and it be one of a hybrid type which would be, under the circumstances, the fairest to the consumer and to the auto tech, who will be investing time and money in the new programs.

Thank you for allowing me to present the concerns of my membership and my customers. I will be glad to answer any questions.

Peter Laviola, President
S.S.A.R.A.P.D.
February 25, 1992

WARREN BROOKES

NAS trashes Clean Air Act

The centerpiece of George Bush's "accomplishment list" is the passage of the 1990 Clean Air Act Amendments. But over the last year, all three sections of that bill have been refuted by serious science as either useless or counterproductive.

The latest attack comes from the National Academy of Sciences, which concluded, in the words of the New York Times, that "smog is so poorly understood that much of the nation's effort to control it may be misdirected." That's more than \$30 billion a year, with \$12 billion more a year under the new CAA.

The central thrust of the NAS report is that most of the efforts to control smog have focused on the volatile organic compounds (VOCs) from auto and stationary emissions sources, while failing to control nitrogen oxides (NOX). As the Times reported it: "The study raises the possibility that billions of dollars invested at refineries and gasoline stations and in the hardware of cars to reduce organic emissions (VOCs) have been misdirected because efforts to reduce nitrogen oxides have been neglected."

Actually, the problem is much more complex. There is strong evidence, for example, that at certain ratios of VOCs to NOX, the NOX actually operates to reduce ozone formation, and an all-out NOX reduction strategy could actually increase smog in some locations.

On the other hand, in many areas the natural hydrocarbons produced by trees and vegetation, which are very sensitive to temperature and NOX, are the main precursors to smog formation.

Atlanta, for example, spent nearly \$1 billion cutting its VOCs in half, only to have smog levels rise somewhat. Georgia Tech atmospheric chemist William Chameides found more than two-thirds of all ozone precursors in Atlanta were natural.

Cutting VOCs alone does nothing. In 1988, Science magazine editorialized, "Lack of success of the [ozone] program and evidence of the

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Non-attainment areas classification	# of urban areas so classified	1987-89 (EPA)	1989-91 (Jones)	Reduction
Marginal	28	17	27	-60%
Moderate	28	7	27	-75%
Severe	6	1	27	-83%
Total	62	25	54	-54%

The Washington Times

role of biogenic hydrocarbons in producing ozone are causing some geophysicists to question whether a continuation of current policies by the EPA will achieve control of ozone levels."

In 1989, ozone researcher Greg MacRae of Carnegie Mellon concluded in a peer-reviewed study that "our present strategy simply isn't working. We found that the really critical need was for much more reduction in nitrogen oxide.... Even if you doubled the reductions on VOCs in those areas where natural hydrocarbons are higher, it does no good."

Yet most of the 1990 CAA focuses on still further reductions in VOCs.

What is really ironic, however, is that the NAS report's main conclusion is wrong, because it was (like the rest of us) deliberately misinformed by the EPA.

According to the NAS, "Despite the major regulatory and pollution-control programs of the past 20 years, efforts to attain the National Ambient Air Quality Standard for ozone have largely failed," adding:

"In 1990, 98 metropolitan areas were in violation of the NAAQS."

Yet, from 1989 through 1991, EPA station data show that only 27 cities were in violation of smog or ozone standards, a sharp reduction from the 88 cities in the 1987-1989 period.

In a paper prepared for the Cato Institute in Washington, Dr. Kay Jones, formerly a senior scientist with the President's Council on Environmental Quality under three administrations, shows that the EPA deliberately withheld the 1989 and 1990 data until after the final passage of the 1990 Act. Yet that data trend continued into 1991, showing a 60 percent median reduction in exceedances nationwide (see Table).

Instead of the 88 non-California cities in nonattainment used as a basis for the CAA, Ms. Jones found an average of only 27 in the last three years. Instead of the 607 exceedances in non-California cities, she found only 125 a year in 1989-91.

Ms. Jones directly accuses the EPA of deliberately biasing this debate by rushing out the 1988 data in September 1988 "some 10 months in advance of their normal data collection cycle," and then sitting on the improvement data since 1989. "When I inquired as to why EPA suppressed the good news about the low ozone impacts in 1989, the answer was, 'No one asked us for the data.'"

Ms. Jones' report concludes in harsh words for a good scientist: "The EPA charade is over. Current EPA officials responsible for this charade should be held accountable for such blatant public misinformation."

When Congress passed the Clean Air Act in 1990, science had already clearly shown the main components of that bill — tighter tailpipes, evaporative on-board canisters and even

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alternative fuels — were neither necessary nor effective.

Yet both EPA and Congress ignored this evidence, just as they did the \$540 million National Acid Precipitation Assessment Program, which showed acid rain was not a crisis and could be dealt with for a tiny fraction of the cost of the draconian crash program that was actually passed, a program that itself hurts the environment more than it helps it.

Then last summer, EPA began to admit what scientists have been saying for some time: The risk models that predict the dangers of the 197 "toxics" regulated in the air toxics section of the Clean Air Act dramatically overstate those dangers, suggesting that the section is massive

regulatory overkill, cost-benefit to \$20 billion to avert few dozen cancer risks.

With all three sections now trashed — and Gen. apparently in a downward doom, devoting large limited capital to CAA — it is time for House Energy Committee Chairman John Dingens, Michigan Democrat, to begin to determine how the administration will take this path to costly disaster.

Warren T. Brookes is a syndicated economist.