

OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY
TESTIMONY BEFORE THE HOUSE COMMITTEE ON ENERGY, ENVIRONMENT
AND WATER

House Bill 4112
February 9, 2012

Co-Chair Bailey, Co-Chair Gilliam and members of the Committee, my name is Andrew Ginsburg and I am the Air Quality Administrator for the Department of Environmental Quality. I am here today to provide information and express our concerns about House Bill 4112, relating to motor vehicle pollution control. This bill would end Oregon's vehicle inspection program by 2020, and require DEQ to use Washington's approach to testing vehicles while the program phases out. Because vehicle inspection is part of the federally-required Clean Air Act plan for the Portland and Medford areas, the bill also directs DEQ to submit a plan revision to EPA for approval.

DEQ agrees that we should periodically evaluate our air quality strategies to ensure that they are needed to maintain clean air, and stop those that are ineffective or are no longer needed. As an example, we repealed a requirement for oxygenated fuel in winter time gasoline once carbon monoxide levels dropped below the federal health standard. DEQ's next review of the vehicle inspection program is scheduled for 2015-16 as part of a broader review of the state's plan to prevent violations of the federal ozone (or smog) standard. This review timeframe aligns with EPA's schedule to tighten the ozone standard in 2013 and is before the end of Oregon's 10-year

ozone maintenance plan in 2017. While DEQ understands the intent of HB 4112, we are opposed to the bill because decisions about the need for the program should be made after the new standard is known and a thorough analysis has been done.

Before describing what HB 4112 would require DEQ to do, I'd like to briefly explain why we have the vehicle inspection program and how it works.

Vehicle inspection reduces air pollutants that cause ozone or smog. It is part of Oregon's federally-required plan to ensure that the Portland and Medford areas do not violate the federal ozone standard. When vehicles in the Portland and Medford areas are over four years old, they must pass an emission control systems inspection as part of their every-two-year DMV renewal cycle. The inspection often motivates car owners to ensure that their vehicle's systems are working optimally before going in for an inspection. Proper maintenance translates into fewer emissions and fewer failed inspections. As cars age, their emission control systems need maintenance to keep operating as designed. Maintenance is perhaps even more important for today's low emission vehicles, because they have more emission control equipment to maintain over time.

As I mentioned, HB 4112 would require DEQ to adopt a vehicle inspection program that mimics the current Washington program. In addition to phasing out the program from 2014 through 2019, there are a number of other differences between our programs that would require hardware, software and procedure changes. For example, our programs test different model years and use somewhat different tests and pass/fail criteria. Implementing these changes could result

in added costs to run the program for a short period of time. As the program phased down, DMV would also incur added costs since DEQ would no longer provide vehicle registration for cars that pass inspection.

Before these changes could be implemented, DEQ would need to demonstrate to EPA that vehicle inspection is no longer needed to meet the federal ozone standard. The Clean Air Act prevents EPA from approving the repeal of a strategy that would cause a violation of federal air quality standards, which are set to protect public health. The analysis needed for EPA approval is complex and would take about 18 months to complete. Because ozone is formed in the atmosphere through a photochemical reaction of pollutants emitted by cars, businesses and many other sources, DEQ would need to develop a comprehensive inventory of emissions and project future ozone levels using a three-dimensional photochemical grid model. The results would be compared to the current ozone standard as well as the more stringent standard proposed by EPA. If violations are projected, DEQ would need to adopt alternative emission reduction strategies to prevent the violations. These strategies, if needed, could impose additional requirements and costs on businesses that emit ozone-forming pollutants. After adoption of a revised ozone plan by the Environmental Quality Commission, DEQ would submit it to EPA for approval, which could take up to an additional 18 months.

The analysis I've just described to gain EPA approval for HB 4112 is the very same analysis that DEQ will be conducting in the 2015-16 timeframe. Again, at that time, we'll know the level of the new ozone standard and we'll be developing the next long term ozone plan for Oregon.

We recognize that it costs Portland and Medford area residents time and money to have their cars tested and repaired, and we owe it to them to ensure that the program is needed and that we are running it as efficiently as possible. Oregon was the first state to switch from testing the tailpipe to plugging-in to the car's on-board computer, which is not only faster, but also allows us to give customers a printout showing which components need repair. We have installed the nation's first self-service emissions testing and registration renewal booth, and we are developing new technology to save customers a trip by allowing them to send us their test information over the internet. For many years, we have provided vehicle registration on the spot to customers who pass, saving them a trip to the DMV field office. These and other innovations are why we have a very high approval rating from our customers.

Thank you and I would be happy to answer any questions you may have.