

Hon. James P. Trakas

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PROPONENT TESTIMONY H.R 56 (Pavliga and Grendell) BEFORE THE OHIO HOUSE OF REPRESENTATIVES ENERGY AND NATURAL RESOURCES COMMITTEE 20 MAY 2021

Good morning, Chairman Stephens, Mr. Vice Chairman Stewart, Ranking Member Weinstein and Members of the Committee. My name is Jim Trakas, a resident of the City of Independence in Cuyahoga County, and I would like to offer words of support to encourage you to support H.R. 56, Representative Pavliga and Grendell's thoughtful resolution asking the United States Environmental Protection Agency to eliminate the E-Check program in North East Ohio.

By way of background, the USEPA mandated E-Check type programs in 1990 with the goal of a 15% reduction in volatile organic compounds or VOC emission by 1996 as a way of attempting to reduce pollution emissions into the air from older functioning motor vehicles that were assumed to be the greatest polluters. I would note that that 15% original VOC emission reduction was achieved long ago in the late 1990's. The program has since been re-authorized numerous times by various Administrations with more and more stringent standards.

I remember the debate very well during the Voinovich Administration and the ultimate decision to set into place a program that would be the least intrusive and provide the most environmental gain. However, the program was widely panned at its inception, and acts of this General Assembly and subsequent Administrations have improved the program, we have come to a time in our history where through technology, changes in behavior, changes in the manufacture of vehicles, changes in population, changes to our economy, and even the way pollution is monitored have all occurred rendering the E-Check regimen no longer needed.

As a policy goal, North East Ohio has lowered pollutants and rather substantially. Not all of that was intended. Heavy Manufacturing jobs – including steel making and the allied industries - and the trucking and vehicles needed for those jobs have left Ohio and with them the pollutants that formerly went with their manufacturing prowess have either gotten more efficient or sadly, left our state and region. Cleaner manufacturing as well as the transfer of those industries overseas created a positive byproduct

was that pollutants have been diminished as well, cleaning up the environment in parts of our state.

Certainly, losing heavy manufacturing was not the intent of Ohio policy makers to have a positive effect, but the shifts in the amount of traffic and emissions associated with heavy industry have had the lone benefit of providing for a cleaner environment, not imagined in 1990 when E-Check was instituted.

When I was elected to this House in 1998, 28% of Ohioans worked in manufacturing. Today that number is 13%. A list of the top 10 manufacturers in Ohio in 1998 included 5 of 10 in manufacturing. Today, not a single manufacturing concern is in the Top 10 of employers.

Also in 1996, were vehicles manufactured before the catalytic converter and higher efficiency standards were on the road. I would ask you, when was the last time you saw a 1974 Grand Torino getting 13 MPH on the road and blowing smoke out of its exhaust? When E-Check first started, there were tens of thousands. I have not seen one in a dozen years. The point of this anecdote is that the purpose of the E-Check program was to identify heavy polluting vehicles and make them more energy efficient. That succeeded, and now there just are not many heavy polluting vehicles on the road, so why are we going through this obsolete exercise?

Another positive technology related development since 1996 is the shifts in emissions associated with Ohio's energy industry. Cleaner burning coal, cleaner burning natural gas, wind, solar, and clean burning nuclear power has also contributed greatly to environmental victories that are producing less pollutants into the environment than in 1990.

What else has shifted since 1996? Population and work habits of the people of Ohio. The large counties in North East Ohio who are subject to the E-Check; Cuyahoga; Geauga; Lake; Lorain; Medina; Portage; and Summit have either lost population and or are not growing as an aggregate as fast as other counties in Ohio as they were in 1990 when E-Check was instituted. As a result, these demographic shifts have caused for less proportionate driving for less people than was envisioned in 1990.

By 1996, vehicles were just starting to become more efficient with less emissions. Today, changes made by the automotive manufacturers either voluntarily or involuntarily, have made for much less emissions than during the Voinovich Administration.

Something that you may not know is that the National Weather Service moved its Cleveland office from Cleveland-Hopkins Airport to the Village of Brooklyn Hts. in 2019. One of the reasons for this is that they realized that weather predictions were skewed because of the amount of asphalt and heat at the airport, throwing off important weather and environmental data. In its move to Brooklyn Hts., a small village outside of Cleveland, the National Weather Service expects more accurate weather reporting.

Why is this relevant to the discussion? The same goes for emissions. The EPA uses very busy highways at peak times to measure emissions. It monitored traffic outside of the former Cleveland Stadium after Browns games in the 1990's and used those results to conclude that E-Check was necessary. It has long been held that the manner in which the EPA monitors emission pollutants for vehicles tells the absolute most extreme cases, skewing the data to the most extreme traffic conditions, not normal traffic conditions. I used to work in downtown Cleveland in 1996, and I assure you that traffic patterns are substantially different. The 12-mile commute from my home to the city center at rush hour would usually take 45 minutes and sometimes one hour. Today, it is never more than one half hour, and in the pandemic, about 15 minutes. I am not alone, millions of other commuters have seen changes in these patterns, which has resulted in dramatically reduced emissions.

- Nationally, the EPA reports the following:
- Carbon Monoxide (CO) 8-Hour, down 74% since 1990
- Lead (Pb) 3-Month Average, down 82% (from 2010)
- Nitrogen Dioxide (NO₂) Annual, down 57% since 1990
- Nitrogen Dioxide (NO₂) 1-Hour, down 50% since 1990
- Ozone (O₃) 8-Hour, down 21% since 1990
- Particulate Matter 10 microns (PM₁₀) 24-Hour, down 26% since 1990
- Particulate Matter 2.5 microns (PM_{2.5}) Annual, down 39% (from 2000)
- Particulate Matter 2.5 microns (PM_{2.5}) 24-Hour, down 34% (from 2000)
- Sulfur Dioxide (SO₂) 1-Hour, down 89% since 1990.

The air is cleaner, represents less health hazards, and the point of H.R. 56 is to keep up with the times. The needs of our environment in 1996 are much different than the needs of today. Important progress has been made and quite simply for all the reasons identified, the E-Check program that was put in place to help drive down pollutants into the atmosphere played at most a minor role in so doing, and that role has now concluded.

As policy makers, the focus on continuing to reduce pollution continue. The actual causes of the reduction in pollutants are either better technologies, nationwide mandates that have driven better technology, policies put into place by you as valued decision makers for Ohioans, but very little any more has older vehicles have the impact that they once did on the environment. The cost benefit analysis truly does not justify the continuation of the E-Check program. It served the purpose it was intended to serve, and can now ride off into the sunset as one small tool that contributed in small ways to the reduction in pollution, but was never worth the cost and inconvenience. Quite simply other factors far outweighed the effectiveness of this program.

H.R. 56 reflects the reality of four decades of environmental protection. At some point in time every program has to be evaluated for effectiveness, and reach their logical life. E-Check has done its job and can now be shelved. Just as we don't need ration cards because WWII ended, we don't need duck and cover drills in schools as the Soviet Union rests on the ash heap of history, just as we do not need didn't need to keep paying the telephone tax to fund the Spanish American War, that finally got eliminated just a few years ago, the same holds true for E-Check. It was a program that has a modest at best contribution to the environmental successes of the last several decades, and is now simply overstaying its welcome.

While you have improved E-Check over the years, just a few of you on this august panel have had to endure the pain in the neck that is E-Check. It costs the state money, it inconveniences citizens, it adds a layer of obligation that makes the easy process to renew more difficult. It has outlasted its usefulness and H.R. 56 will go a long way to end this program whose usefulness has come to an end.

Nobody is suggesting a return to leaded gas and no catalytic converters. We will continue to improve our environment, we will continue to improve the lives and health of the people of Ohio, we will continue to make strides towards a cleaner Ohio, and E-Check's existence is not needed to achieve these goals. It has lived its useful life and now is no longer needed. I thank you for your time and attention and ask for your support for H.B. 56.

When E-Check was developed, George H.W. Bush occupied The White House. Dick Celeste was our Governor. Vern Riffe served as our Speaker. Kamala Harris was an assistant prosecutor in Alameda County, California, the population of the USA was 250 million. Wilson Phillips had the Number One song of the year with "Hold On." Has much changed since then? You bet it has, and this program has served its purpose and then some.

Most of 1990 is in the history books, and that is where E-Check should be. It was part of a winning strategy to reduce pollution from old cars, but those cars are long gone and the program has reached its useful purpose.

Thank you for your leadership and for your time and consideration of this testimony and these issues.