

RESOLUTION APPROVING THE RESOLUTION
OF THE JOINT NOACA AND AMATS
MOTOR VEHICLE INSPECTION
AND MAINTENANCE POLICY COMMITTEE
TO REQUEST OHIO EPA TO IMPLEMENT THE ENHANCED TAILPIPE TEST
IN THE COUNTIES OF CUYAHOGA, GAUGA, LAKE, LORAIN, MEDINA,
PORTAGE AND SUMMIT

WHEREAS, the Clean Air Act Amendments of 1990 identify the eight counties of Ashtabula, Cuyahoga, Geauga, Lake, Lorain, Medina, Portage and Summit that comprise a moderate nonattainment region for ozone based on ambient air quality monitoring; and

WHEREAS, pursuant to Section 174 of the Clean Air Act Amendments of 1990, the Northeast Ohio Areawide Coordinating Agency (NOACA) and the Akron Metropolitan Area Transportation Study (AMATS) have been designated by the Ohio Environmental Protection Agency (EPA) as the lead planning agencies in cooperation with Ohio EPA responsible for development of an Ozone State Implementation Plan for purposes of reducing hydrocarbon emissions that cause ozone, with NOACA preparing plan elements in the five counties of Cuyahoga, Geauga, Lake, Lorain and Medina and AMATS preparing plan elements in the two counties of Portage and Summit; and

WHEREAS, the governing bodies of NOACA and AMATS have convened a Joint Motor Vehicle Inspection and Maintenance Policy Committee ("Joint Committee,") pursuant to Section 3704.142 (A)(2) of the Ohio Revised Code, for the purpose of initiating a request to the Director of the Ohio EPA to implement and supervise an Enhanced Motor Vehicle Inspection and Maintenance Program in the seven counties of Cuyahoga, Geauga, Lake, Lorain, Medina, Portage and Summit in order to reduce hydrocarbon emissions; and

WHEREAS, this action was taken following approval of NOACA Governing Board Resolution 93-147 which initiated the local opt-in process for the Enhanced Tailpipe Test and a written request by NOACA for AMATS to participate in convening a Motor Vehicle Inspection and Maintenance Policy Committee; and

WHEREAS, it has been estimated that the Enhanced Tailpipe Test could reduce ozone-producing hydrocarbon emissions sufficiently, in concert with other reasonably available measures, to produce an adequate Ozone State Implementation Plan (SIP) for the Northeast Ohio eight county ozone nonattainment region to comply with mandated federal requirements; and

WHEREAS, an inadequate SIP is expected to result in federal sanctions that restrict economic growth and withhold federal highway funds; and

WHEREAS, failure to reduce hydrocarbon emissions which cause harmful ground level ozone negatively impacts the health of children, the elderly and persons suffering from respiratory ailments and heart problems; and

WHEREAS, the Joint Committee, on October 22, 1993, approved a resolution of intent to request the Director of Ohio Environmental Protection Agency to implement and supervise the Enhanced Motor Vehicle Inspection and Maintenance Program in the seven Northeastern Ohio counties of Cuyahoga, Geauga, Lake, Lorain, Medina, Portage and Summit; and

WHEREAS, the Joint Committee convened public meetings in each of the eight counties of Ashtabula, Cuyahoga, Geauga, Lake, Lorain, Medina, Portage and Summit to obtain comments from the public on the proposed implementation of the Enhanced Motor Vehicle Inspection and Maintenance Program, following published notice once a week for two consecutive weeks in one newspaper of general circulation in each of the eight counties; and

WHEREAS, the Joint Committee convened on November 19, 1993 to consider the comments made at the public meetings and approved a resolution of request to the Director of the Ohio Environmental Protection Agency to implement and supervise the Enhanced Motor Vehicle Inspection and Maintenance Program in the seven counties of Cuyahoga, Geauga, Lake, Lorain, Medina, Portage and Summit within the moderate nonattainment region for ozone in Northeastern Ohio; and

WHEREAS, this resolution of request was transmitted to the local legislative authorities within the eight-county Northeast Ohio Moderate Nonattainment Area, including this body, for their approval as required by law; and

WHEREAS, approval must occur within forty-five days of receipt of the Joint Committee resolution of request to be effective; and

WHEREAS, the Joint Committee must declare the request to be ratified if it has been approved (1) by the legislative authorities of a majority of the counties located in the nonattainment area, (2) in each of a majority of the counties located in the nonattainment area, by the legislative authority of the municipal corporation having the largest population within the county, and (3) by the legislative authorities of a combination of municipal corporations and townships with a combined population of at least 60 percent of the total population of the nonattainment area; and

WHEREAS, if such a legislative authority fails to mail or otherwise deliver a copy of its resolution or ordinance approving or disapproving the request to the Joint Committee within 45 days after receiving a copy of the request and not later than 120 days after September 27, 1993, it shall be conclusively presumed that the legislative authority approved the request.

NOW, THEREFORE, BE IT RESOLVED THAT:

Section 1: the Village of Richfield does hereby approve the resolution of request by the Joint Committee to the Director of the Ohio EPA to implement and supervise an Enhanced Motor Vehicle Inspection and Maintenance Program in the seven counties of Cuyahoga, Geauga, Lake, Lorain, Medina, Portage and Summit in order to reduce hydrocarbon emissions.

Section 2: the Clerk is directed to deliver this resolution (or ordinance) to Howard R. Maier, Executive Director of the Northeast Ohio Areawide Coordinating Agency, The Atrium Office Plaza, 668 Euclid Avenue, Cleveland, Ohio 44114-3000.

Daniel S. Stoerkel
President of Council
Daniel S. Stoerkel

Ralph R. Waszak, Sr.
Mayor Ralph R. Waszak, Sr.

Dated: 1/4/94

Certified to be a true copy of a Resolution dated this 4th day of January, ~~1993~~. 1994.

Secretary: Peggy Malone

Date Signed: January 6, 1994