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**U.S. EPA Thwarts State Climate Efforts –
Rejects California Greenhouse Gas Vehicle Program**

December 20, 2007 (Boston, MA) – After two years of non-action, in an after-hours announcement Wednesday, the U.S. Environmental Protection Agency (EPA) denied California's request to establish greenhouse gas emissions (GHGs) standards for motor vehicles. This decision seriously undermines efforts to combat the threat of global climate change by California and thirteen other states that have opted into the California program, including seven northeastern states – Connecticut, Maine, Massachusetts, New Jersey, New York, Rhode Island, and Vermont.

In the absence of federal action, the northeast states have developed state climate action plans that include the goal of reducing climate altering emissions 10 percent below 1990 levels by 2020. The electricity and transportation sectors are the dominant sources of GHG emissions in the region, with transportation responsible for more than one-third of the regional total. The states have developed the Regional Greenhouse Gas Initiative (RGGI) to reduce emissions from electricity generation and adopted the California motor vehicle GHG standards for reducing emissions from transportation.

"In denying California's ability to enforce GHG standards for automobiles, EPA has removed one of the cornerstones of the northeast states' strategy to begin to address the most serious environmental issue of our time – global warming," said Arthur Marin, Executive Director of the Northeast States for Coordinated Air Use Management (NESCAUM).

Under the federal Clean Air Act, California has the right to implement more stringent motor vehicle emissions standards than federal limits, and other states have the right to adopt the California standards in lieu of the federal standards. The EPA must grant a waiver for the California standards to take effect. California requested a waiver from the EPA for its GHG standards on Dec. 21, 2005. Over the past 30 years, California has requested and received over 40 waivers from the EPA for its motor vehicle program, with no denials – until yesterday. Many northeast states have relied on the more stringent California automobile standards to protect public health and the environment since the 1990s.

While EPA points to passage of new fuel economy ("CAFE") standards in this week's energy legislation as obviating the need for the California GHG standards, the goals of motor vehicle

fuel economy standards and greenhouse gas standards are different. A fuel economy standard is set by the Department of Transportation with fuel economy and oil savings in mind. The EPA must consider motor vehicle GHG standards according to the requirements of the Clean Air Act, which is to protect public health and environment.

Importantly, the new fuel economy standards do not fully phase in until 2020. By contrast, the California GHG limits begin in 2009 and will be fully phased in by 2016. With the mounting evidence of climate change impacts occurring now, it is imperative that states are able to take action sooner rather than later. History has shown that the California motor vehicle program is dynamic and has been the world leader in promoting new clean vehicle technologies. By contrast, the CAFE program has been static and has remained nearly unchanged for decades. While California continually evaluates technology advances and updates its vehicle emissions standards routinely, it has taken a rare act of Congress to significantly alter CAFE.

A study by NESCAUM has found that the California motor vehicle greenhouse gas limits can be met using technologies already in the marketplace and that due to fuel savings over their lifetime, low GHG-emitting vehicles will save consumers money. The U.S. District Court in Vermont rejected the automobile industry's argument that the California GHG standards are technically infeasible at this time. "There is no legitimate technical reason not to be requiring these measures now," said Stephen Majkut, head of Rhode Island's Office of Air Resources and current chair of NESCAUM.

While EPA's denial of the California waiver will be challenged in the federal courts, the public and the planet will suffer from diverted resources and delayed action on climate change. "We do not have the luxury of locking ourselves in for decades to policies and technologies that are insufficient for achieving the deep reductions in global GHG reductions scientists say we need by 2050," stated Arthur Marin.

NESCAUM is the regional association of air pollution control agencies representing Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont (www.nescaum.org).

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