

NEWS RELEASE

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CALIFORNIA PREPARING TO SUE EPA IF IT BLOCKS STATE'S EFFORT TO REDUCE GREENHOUSE GAS EMISSIONS

WASHINGTON (May 22, 2007) – Charging the Bush Administration is “acting in collusion with the auto and oil industries,” California Attorney General Jerry Brown said California is preparing to sue the federal government if it blocks the state’s efforts to reduce greenhouse gas-causing emissions from motor vehicles.

Addressing a U. S. Environmental Protection Agency (EPA) hearing, Brown said federal law allows California to set vehicle emission standards tougher than federal regulations, and then allows other states to adopt the California standard.

“The California legislature passed a greenhouse law in 2002 requiring automakers to reduce vehicle global warming emissions 30 percent by 2016,” Brown explained. “There is no doubt that automobile manufacturers can meet that goal, and since the federal government does not want to seek such a reduction California intends to move forward.”

Brown said that 11 other states -- Connecticut, Maine, Maryland, Massachusetts, New Jersey, New York, Oregon, Pennsylvania, Rhode Island, Vermont and Washington -- have now adopted the California standard.

“Together we represent one-third of the population of the United States, and the people of our 12 states want to act now to combat global warming. We are not willing to wait while President Bush offers only rhetoric, excuses and delays. Suing the federal government is not our first choice, but we will have no choice if our legitimate efforts to protect our planet are blocked because of partisan political games in Washington.”

Brown pointed out that in the states’ the battle against global warming is a bi-partisan effort.

“The California law was passed by a Democratic legislature and signed by Gov. Arnold Schwarzenegger, a Republican. Gov. Schwarzenegger supports our plans to sue EPA if we are not allowed to implement the California law. Protecting our planet is not a partisan issue, and the states now want to do what we can in the absence of federal action, and the EPA has no right to deny us the ability to move forward.”

Brown said the proposed California standards are the most comprehensive effort to combat global warming in U.S. history.

The California attorney general was also scheduled to testify Tuesday following his EPA testimony before the Senate Committee on Environment and Public Works.

Brown said California filed its request for an EPA waiver, which in the past has always been routinely granted, in December 2005. Under the Clean Air Act, California can adopt stricter standards by requesting a waiver from EPA and such requests have been approved more than 50 times in the past. Approval of California's waiver means the other states would get approval automatically.

Congress passed the Clean Air Act in 1963 and subsequent amendments in 1967, 1970 and 1977 expressly allowed California to impose stricter environmental regulations in recognition of the state's "compelling and extraordinary conditions," including topography, climate, high number and concentration of vehicles and its pioneering role in vehicle emissions regulation. Brown said Congress intended the state to continue its pioneering efforts at adopting stricter motor vehicle emissions standards, far more advanced than the federal rules.

"Our waiver request has been pending for a year and a half, which is an unreasonable delay," Brown said. "Our patience is wearing thin. We watch the President and his EPA acting in collusion with the auto and oil industries, while we want to take reasonable, constructive steps to reduce greenhouse gas emissions. We are now preparing to sue unless we receive our waiver within a short time."

See the attached three documents for additional background.

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THE CASE FOR CALIFORNIA'S GREENHOUSE GAS LAW

- On April 2, the Supreme Court demanded EPA to consider adopting regulations to combat climate change, noting “the harms associated with climate change are serious and well recognized.” The court observed that environmental changes “have already inflicted significant harms” including retreating glaciers, an early spring snow melt and “accelerated rate of rise of sea levels during the 20th century relative to the past few thousand years.”
- Automobiles emit 10% of global carbon dioxide emissions, the main form of greenhouse gas pollution. The United States, with 5% of the world's population and 30% of the world's automobiles, contributes 45% of the world's carbon dioxide emissions from automobiles.
- Today, there are at least 600 million cars on the road worldwide and there will be over one billion by 2020, one car for every 6 ½ people on the planet. Every gallon of gas a car burns, releases 19.4 pounds of carbon dioxide into the atmosphere.
- Historically, automakers argue that new regulations will destroy the industry. These concerns have proven unfounded. For example, when California required pollution-reducing catalytic converters in 1975, General Motors Vice President Earnest Starkman told Congress that “It is conceivable that complete stoppage of the entire production (line) could occur....” Ford President Lee Iacocca claimed that the rule would “cause Ford to shut down.”
- The Bush administration has failed to improve efficiency by approving a trivial 1 mile-per-gallon increase for SUVs, pickups and minivans (22.2 miles per gallon to 23.5) by 2010. California and other states are suing the Bush administration over this insufficient standard.
- In 2002, California passed a law requiring automakers to reduce vehicle greenhouse gas emissions 30 percent by 2016. Eleven other states follow California's lead: Connecticut, Maine, Maryland, Massachusetts, New Jersey, New York, Oregon, Pennsylvania, Rhode Island, Vermont and Washington.
- States' rules can be met by a host of innovations such as turbocharging, cylinder deactivation, multi-speed transmissions, variable timing and gasoline-direct injection.
- California Attorney General Edmund G. Brown Jr., will testify before the U.S. Environmental Protection Agency to urge the agency to stop blocking the state's request to implement a comprehensive vehicle emissions law. California will sue EPA by October 2007 unless it acquiesces.

AUTOMAKERS CRY WOLF ABOUT REGULATION

For years, the auto industry has fought regulations – from seatbelts to catalytic converters – arguing that change is too expensive or simply impossible. The cost estimates are consistently much higher than reality and the doomsday scenarios unfounded.

Safety devices: “...the shoulder harnesses, the headrests are complete wastes of money...”

In 1971, Ford Motor Company executives met privately with President Richard Nixon to protest NHTSA safety regulations requiring passenger safety devices on all new cars. Nixon was secretly taping the conversation:

Richard Ford II, Chairman Ford Motor Co., said: “I don't think, uh, we want to talk to you today about emissions. It's very political...I think the thing that concerns us more than anything else is this total safety problem...It's the safety requirements, the emission requirements, the bumper requirements.”

Lee Iacocca, President Ford Motor Co., said: “The citizens of the U.S. must be protected from their own idiocy, so we will put in a sophisticated device that will blow up on impact and package him in an air bag and save their lives.” He also said: “The shoulder harnesses, the headrests are complete wastes of money...”

The airbag controversy would drag on for 20 more years even reaching the U.S. Supreme Court.

Catalytic converters: “...complete stoppage of the entire production could occur...”

In 1975, General Motors Vice President Earnest Starkman said that a catalytic converter requirement raised “the prospect of an unreasonable risk of business catastrophe.”

When fuel economy increases were proposed in 2002, the president of the Alliance of Automobile Manufacturers, Josephine Cooper said: “This proposal threatens jobs, the economy and family vehicles such as SUVs and minivans, and it represents a ban on light trucks.”

WAYS TO START REVERSING GLOBAL WARMING

Let one-third of the nation regulate greenhouse gases

Permit California and eleven other states' to use the vehicle global warming pollution standards they have already enacted because these states account for 30 percent of the nation's vehicle fleet. These states established comprehensive laws to cut greenhouse gas emissions that are causing global warming. Unfortunately, since 2005, Bush has directed the EPA to ignore the request to impose tough regulations.

Increase fuel economy standards for SUVs, Minivans and light trucks

Bush's plan of inaction to remedy fuel inefficiency is just a meager 1-mile-per-gallon increase. This standard is grossly inadequate and, in fact, illegal because it was adopted without complying with the National Environmental Policy Act (NEPA). That is why California and 11 other states have sued the Bush administration to have those deficient rules thrown out and replaced with standards that will aid the global warming fight.

Withdraw support for the auto lobby's suit against California

The auto lobby should withdraw its lawsuits against California, Oregon, Vermont, Maine and Rhode Island, in which the plaintiffs are challenging vehicle emissions regulations that can curb global warming.