CA Auto Dealers Appeal Strict EPA Emissions Standards

Ken Thomas, Associated Press Writer

September 11, 2009

WASHINGTON (AP) -- Auto dealers and business leaders on Thursday appealed a decision by the Environmental Protection Agency that allowed California to establish the nation's first greenhouse gas standards for cars and trucks, setting the stage for a potential attempt to block the global warming rules.

The National Automobile Dealers Association and the U.S. Chamber of Commerce asked the U.S. Court of Appeals for the District of Columbia Circuit to review the EPA's decision. The EPA in July granted California's request for a waiver allowing it to push tougher air pollution rules.

The EPA's decision cleared the way for California to implement a 2002 state pollution law requiring tougher fuel efficiency requirements in new cars trucks by 2016.

California's approach serves as a national model for fighting tailpipe pollution linked to global warming, and the Obama administration is expected to release proposed regulations later this month setting fuel efficiency standards at 35.5 miles per gallon by 2016.

By requiring improved auto fuel efficiency, less carbon dioxide is emitted from vehicle tailpipes because less fuel is burned for every mile traveled.

Environmental groups have backed the tougher requirements and said the appeal was an attempt to undermine the Obama administration's efforts to curb global warming.

"It's very clear that the Chamber of Commerce and the auto dealers hope to flatten the tires of the California car standards," said Frank O'Donnell, president of Clean Air Watch.

Mary Nichols, chairwoman of the California Air Resources Board, said the groups were pursuing "an outdated course of action designed to obstruct and oppose efforts to move us towards a cleaner environment and greater energy security." She predicted the EPA would win in court.

The EPA said in a statement that it had granted the waiver after a comprehensive analysis of the science and the law involved and that it was "fully confident it will be found by the courts to be entirely consistent with the law."

Robin Conrad, executive vice president for the National Chamber Litigation Center, the Chamber's public policy law firm, said there was "simply no legal justification for giving California waiver authority. Global warming is an international issue, not a local one."

Conrad said the waiver "sets a dangerous precedent that could lead to a confusing patchwork of dual environmental regulation down the road."

The state regulations to implement the law had been in limbo for five years because the Bush administration refused to provide a waiver required by the federal Clean Air Act. Thirteen other states and the District of Columbia have said they wanted to impose the same requirements as California once the EPA gave the go-ahead.

The petition for review to the appeals court could allow the auto dealers and the Chamber to ask a judge to block the order at a later date. Motions are due in October.

The states that have said they want to follow California's approach include are Arizona, Connecticut, Maine, Maryland, Massachusetts, New Mexico, New Jersey, New York, Oregon, Pennsylvania, Rhode Island, Vermont and Washington.

Associated Press writer Dina Cappiello contributed to this report.

Source URL (retrieved on *09/20/2014 - 7:21am*):
http://www.impomag.com/news/2009/09/ca-auto-dealers-appeal-strict-epa-emissions-standards?qt-recent_content=0&qt-digital_editions=0