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State, Environmental Coalition Sues to Get Feds Out of the Way on Global Warming

Ninth Circuit Asked to Overturn Bush Administration Veto of California Clean Cars

SAN FRANCISCO (January 2, 2008) – The Natural Resources Defense Council (NRDC) and four other environmental organizations today joined California and 15 other states in a lawsuit to overturn the U.S. Environmental Protection Agency’s December 19, 2007, denial of California’s request for a normally routine waiver to implement its clean cars law (AB 1493). This lawsuit asks the U.S. Court of Appeals for the Ninth Circuit in San Francisco to reverse the Bush administration’s unprecedented interference with California’s decades-long authority to establish its own clean air rules for new cars, SUVs, and other light trucks.

Following is a statement by David Doniger, policy director of the Climate Center at NRDC:

“Blocking California’s global warming standards is a desperate final act of denial from an administration with just one year left to live. Clearly, carving a new legacy on global warming was not one of the administration’s New Year’s resolutions.

“The Bush administration’s claim that it knows better than the law of the land is exactly the sort of behavior that the Supreme Court struck down in its landmark global warming decision last year. That is why EPA will lose again, and why the states’ leadership in the fight against global warming will prevail.

“It seems the fix was in. After the car companies paid a visit Vice President Cheney, EPA administrator Stephen Johnson just tossed California’s standards aside, ignoring the advice of EPA’s career professionals. He claimed California does not have the ‘compelling and extraordinary conditions’ the state needs to set its own vehicle emission standards under the federal Clean Air Act.

“But California’s legislature found that the state is indeed suffering ‘compelling and extraordinary impacts.’ No other state can claim the same wide range of severe impacts that California faces: melting of the state’s snowpack water reservoir, increases in catastrophic wildfires, worsening of dangerous smog levels, and other harms.

“The new fuel economy law enacted in December expressly preserves California’s right to go farther under the Clean Air Act. It sets a floor, not a ceiling, requiring ‘at least 35 miles per gallon.’ California’s standards cut global warming pollution much deeper and much more quickly.”

For more background information on this lawsuit, go to David Doniger’s blog at:

http://switchboard.nrdc.org/blogs/ddoniger/the_great_galvanizer.html

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The Natural Resources Defense Council is a national, nonprofit organization of scientists, lawyers and environmental specialists dedicated to protecting public health and the environment. Founded in 1970, NRDC has 1.2 million members and online activists, served from offices in New York, Washington, Chicago, Los Angeles, San Francisco and Beijing.