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New NRC Report Affirms the Role of the States in Setting Clean Air Standards

Washington, D.C.—A coalition of health and environmental organizations today commended the National Research Council for resisting pressure from special interests to erode the ability of states to protect their citizens from air pollution and global warming.

In a report scheduled for release on Thursday, the panel re-affirms the vital role that states play in controlling pollution from moving sources such as cars and trucks.

The auto industry had strongly urged the panel to recommend that Congress change the Clean Air Act to create additional red tape for states that want to adopt more protective emission standards.

Instead, the panel concludes that the states' efforts have improved air quality. Furthermore, the panel does not recommend any legislative or regulatory changes in the current process by which states adopt emissions standards—changes that would further restrict the states' rights to protect citizens' health.

In the report, the NRC panel states, "California has used its authority as Congress envisioned: to implement more aggressive measures than the rest of the country and to serve as a laboratory for technological innovation." The NRC calls California's more protective emission standards "a proving ground for new emissions control technologies that benefit California and the rest of the nation."

"Thankfully, the panel recognized that strong state regulations are needed to help children," said Michael Shannon, MD, MPH, FAAP, chair of the American Academy of Pediatrics Committee on Environmental Health. "Because of their faster breathing rate, lung immaturity and long times spent outdoors, children exposed to air pollution are more likely to develop permanent lung diseases such as asthma. When states enact stricter environmental laws, children benefit."

The report recommends that EPA expedite the process for reviewing California's standards. The panel also considered ways to modify the process by which other states adopt California's standards but did not agree on a specific recommendation.

The American Academy of Pediatrics, American Nurses Association, American Lung Association, Physicians for Social Responsibility, other major health groups, and more than 60 physicians sent letters in late 2005 to the NRC Committee responsible for the report, underscoring the importance of state policies to combat air pollution and global warming.

In February, U.S. PIRG released a report showing that the clean cars programs now in effect in 10 states will reduce global warming pollution by 64 million metric tons per year in 2020, an amount greater than the national emissions of more than 140 nations. The report is available at <http://uspirg.org/uspirg.asp?id2=21887>.

“The states are leading the charge in reducing air pollution and global warming,” said U.S. PIRG Clean Air & Energy Advocate Emily Figdor. “The last thing we need is for the federal government to create more red tape for states that are tackling these problems.”

States have long been at the forefront of policies to reduce air pollution and global warming. Under the Clean Air Act, California—which suffers from the worst air pollution in the nation—has unique authority to adopt emissions standards for mobile sources that are more protective than federal standards. Other states with poor air quality can then adopt California’s more stringent standards.

“We’ve learned the hard way that we can’t always count on the federal government alone to protect our health and environment,” said Clean Air Watch President Frank O’Donnell.

Overall, 15 states and the District of Columbia—which with California account for more than half of the U.S. population—have adopted one or more of California’s emissions standards for cars and light trucks, diesel trucks, or other mobile sources.

“State initiatives were the kick-in-the-pants automakers needed to produce the cleanest cars on the market today,” said Michelle Robinson, Washington Director of the Clean Vehicles Program for the Union of Concerned Scientists. “Without this state authority, hot-selling hybrid vehicles might still be on the drawing boards.”

In 2005 alone, Connecticut, Maine, Massachusetts, New York, New Jersey, Oregon, Rhode Island, Vermont, and Washington adopted California’s rules to limit global warming pollution from passenger vehicles.

“The auto industry tried to make the case that state clean air laws don’t make sense, but you just can’t argue with success,” said Dan Becker, Director of the Sierra Club’s Global Warming Program. “Today, we can thank these laws for cleaner, healthier air and look forward to less polluting vehicles in the future.”

The NRC report stems from an amendment that Sen. Kit Bond (MO) inserted into the fiscal year 2003 omnibus appropriations bill, directing the NRC to study state practices in setting emission standards for cars, trucks, and other mobile sources of air pollution. Later in 2003, Sen. Bond sponsored the first weakening of states’ authority under the Clean Air Act in the law’s 35-year history; the law now precludes every state but California from adopting more protective standards for the engines used in lawnmowers and garden equipment.

“States have made it clear that they object to efforts to limit their current authority to reduce air pollution. Rightfully, the National Research Council heeded their warning and did not endorse industry-suggested roadblocks to frustrate the ability of states to safeguard their citizens’ health. Today, the needs of asthmatic children and the elderly trumped industry lobbying,” said Shannon Heyck-Williams, Deputy Director of the National Environmental Trust’s Global Warming Campaign.

“The ability of states to adopt California’s more stringent emissions standards is absolutely essential for minimizing the public health threat of ozone and particle pollution. Equally important, this ability allows states to address the threat of global warming at a time when the federal government continues to refuse to commit to reducing global warming emissions,” said Kyle Kinner, Director of Policy and Programs at Physicians for Social Responsibility.

“Because New England is downwind of the rest of the country, we have the nation’s dirtiest air outside California. Our states depend on these rules to protect the health of our citizens and our environment,” said Steve Hinchman, an attorney with the Conservation Law Foundation.

Nationwide, 159 million people live in counties that violate the national health standard for ozone “smog” pollution and 95 million people live in counties that violate the health standard for fine particle “soot” pollution. Cars, trucks, and other mobile sources are the largest source of smog pollution and major contributors to soot pollution. These pollutants cut short the lives of tens of thousands of Americans each year and contribute to serious respiratory and cardiovascular problems, including asthma attacks, lung cancer, and heart disease. In addition, mobile sources release one-third of the nation’s emissions of carbon dioxide, the leading global warming pollutant.

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