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EPA DENIES CALIFORNIA WAIVER TO REGULATE VEHICLE GLOBAL WARMING POLLUTION

STATEMENT BY MICHELLE ROBINSON, DIRECTOR OF THE UNION OF CONCERNED SCIENTISTS CLEAN VEHICLES PROGRAM

WASHINGTON (December 19, 2007) - The same day the president signed a groundbreaking fuel economy bill, his administration reversed course and denied California a waiver to regulate global warming pollution from vehicles, the first time in the history of the Clean Air Act that the federal government has denied the state a waiver.

The Environmental Protection Agency (EPA) denied the waiver despite clear guidance from the U.S. Supreme Court that miles-per-gallon standards and the global warming pollution standards required under the Clean Air Act are "wholly independent." A recent Fresno, California, federal district court ruling added that "it would be the very definition of folly" to prevent the implementation of vehicle global warming emissions standards.

Likewise, the EPA denied the waiver despite the fact that the Bush administration has touted the California standards as evidence that the United States is meeting its international commitments on climate change. While California and the 12 other states that have adopted California's tailpipe standard will pursue legal avenues to overturn the denial, the announcement today could delay the implementation of the standards, undermining potential benefits.

The goals of a fuel economy standard and a vehicle global warming emission limit are different. The Department of Transportation (DOT) sets fuel economy standards to reduce oil use. The DOT is not an environmental agency. The EPA regulates motor vehicle global warming emission limits according to Clean Air Act requirements to protect public health. Under the Clean Air Act, California has the right to set higher standards for pollution reduction from automobiles, and recent court cases clarify that states have the authority and obligation to regulate vehicle global warming pollution. The Bush administration is illegally preventing California from exercising its right, under the Clean Air Act, to set pollution standards for automobiles.

The following is a statement by Clean Vehicles Program Director Michelle Robinson:

"In the eleventh hour of this presidency, the administration is still doing what it can to throw roadblocks in the way of progress in combating global warming. California has the legal right to set stringent pollution standards and has historically led the way for the rest of the country. But the EPA is blocking California and a dozen other states from protecting their residents. Administrator Johnson has sadly chosen politics over his responsibility to protect public health and the environment."

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