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PRESS RELEASE

AG Lynch announces that carmakers drop suit against Rhode Island over climate change rules

Attorney General Patrick C. Lynch announced the successful conclusion of a five-year court battle to save Rhode Island's clean car rules from an attack by GM, Chrysler and others in the auto industry. This comes as a result of today's filing of dismissal papers in the US District Court in Providence and the Federal Court of Appeals in Boston.

"Today's dismissal vindicates our efforts to regulate greenhouse gases coming from cars, and it's the result of a lot of hard work," said Lynch, who testified before the Environmental Protection Agency (EPA) in defense of Rhode Island's clean car rules in May 2007. "It is especially gratifying to know that a new national program results from a litigation stand undertaken by my office and the state Department of Environmental Management."

In 2005, Rhode Island, through the DEM, adopted emission requirements known as "California standards," named for the state that started forcing automobile companies to make greener and cleaner cars. Twelve other states joined Rhode Island and California in adopting identical rules. The standards were tougher than the national standards at that time. Indeed, there was no national standard for greenhouse gases promulgated by the federal EPA then.

In response, the auto manufacturers began litigation. Rather than suing all 14 states adopting the California standard, the industry targeted only three, including Rhode Island. GM and Chrysler, along with industry-wide organizations, sued Rhode Island, challenging the stringent clean car standards as allegedly invalid.

Rhode Island then won a decision (by then-Senior Federal District Court Judge Ernest C. Torres) that dismissed the suit. The companies appealed. Next, Lynch and the companies reached a settlement brokered by the Obama Administration in Washington.

"In very broad outlines, the industry received national uniformity — freedom from what they saw as patchwork regulation," Lynch explained. "Rhode Island received the national imposition of emission standards as good as our own. Plus, Rhode Island reserves its right to attempt to go even further in future years, starting with 2017."

DEM Director W. Michael Sullivan added: "The air pollution control regulations that Rhode Island DEM amended in 2005 led the way for EPA to regulate greenhouse gases. This is something that Rhode Islanders can be immensely proud of."

The entire settlement depended on the EPA's taking the step of following the lead of states such as Rhode Island by regulating greenhouse gases coming from cars, something the agency finally did this past Thursday, April 1.

Attorney General Lynch worked with a number of intervener environmental organizations, including the Rhode Island office of the Conservation Law Foundation, in defending the case. "The fact that we now have a set of national greenhouse gas emission standards for cars demonstrates that our small state can lead the nation on the issue of climate change," said Tricia K. Jede, Director of the Conservation Law Foundation's RI Advocacy Center. Jede added, "Many

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hours were spent defending Rhode Island's courageous adoption of groundbreaking clean car standards and the auto companies' dismissal of these lawsuits today is an amazing accomplishment for Rhode Island and a huge step in the right direction for our country."

Jedele is a former environmental attorney for Lynch who handled this litigation for him. Lynch's current Environmental Unit Chief, Assistant Attorney General Michael Rubin, assisted.

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