



STATES SEEK STRICTER CAR EMISSIONS STANDARDS

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Following a Supreme Court decision that called carbon dioxide a "pollutant," California is leading the charge for stricter car emissions standards.

For decades, California has been at the forefront of trying to control car emissions. It was the first state to enact tailpipe controls, in 1966, with an aim of reducing smog.

Now, California is seeking to be the first state to regulate greenhouse gas emissions from vehicles.

Carbon dioxide, a major byproduct of gasoline combustion, is the most significant of the manmade greenhouse gases, so called because they trap heat when released into the atmosphere. Transportation accounts for about one-third of greenhouse gas emissions in the United States.

California has argued that, because greenhouse gases lead to global warming, the release of carbon dioxide from cars should be limited to protect the health of its residents.

State and federal greenhouse gas laws

At issue for California is a 2002 law which requires carmakers to cut automobile greenhouse gas emissions by 25 percent starting by 2008, with a goal of reducing total greenhouse gas production by 30 percent by 2016.

California has argued that affordable technology already exists to make the goal a reality.

But now that California has put forth its law, it must negotiate a deal with the federal government to implement it. Under the federal Clean Air Act, the Environmental Protection Agency has the sole authority to make air pollution rules. But the same act also allows states like California to create their own rules with an EPA-approved waiver.

Should the EPA give the green light to California another 11 states, accounting for about 30 percent of vehicles on the road, have already passed laws to follow its lead.

For years, the EPA has resisted regulating greenhouse gases because the gases don't pollute the air.

But the prospect of California's waiver improved in April when the U.S. Supreme Court ruled in the favor of 12 states that sued the EPA over greenhouse gas emissions.

The high court said that heat-trapping greenhouse gases can be considered "air pollutants" under the Clean Air Act and that the EPA violated the act by not regulating them.

EPA holds public hearings

Following the court's decision, the EPA has requested public input on the waiver issue.

"This is more important than any issue that EPA's going to have to face," California Attorney General Jerry Brown told EPA officials at the first hearing last week in Washington, D.C.

"Protecting our planet is not a partisan issue, and the states now want to do what we can in the absence of federal action, and the EPA has no right to deny us the ability to move forward," Brown said.

Environmental groups, public health groups and representatives from states -- including Illinois, New Jersey, Rhode Island and Maryland -- joined Brown to support the 2002 law.

Many of the law's supporters were critical of the Bush administration, which, they say, has thwarted efforts to tackle climate change.

"This administration has too long hidden behind a wait-and-see approach as an excuse to do nothing. California isn't willing to wait and see if the sea level will rise by one foot or 10 ... California will take action," Robert Sawyer, chairman of the California Air Resources Board, told the Los Angeles Times.

Critics of tailpipe controls

But the California proposal is drawing fire from pro-business and pro-environmental groups.

Jonathan Adler, director of Case Western Reserve University's Center for Business Law and Regulation, told the EPA that it would have to deny the waiver if California's problem was not "compelling and extraordinary."

On the other side, some experts worry California and a few other states cannot pass laws that would force car manufacturers to create different types of vehicles in one state as opposed to another.

"A patchwork of state-level fuel economy regulations, as is now proposed by California, is not simply unnecessary, it's patently counterproductive," Steven Douglas, director of environmental affairs of the Alliance of Automobile Manufacturers, said in opposition to the waiver at the first hearing.

The car industry -- the major critic -- believes that the California standards could drive up new car prices, reduce safety and cost jobs.

Douglas said carmakers are focusing efforts on vehicles powered by gas-electric hybrid engines and ethanol to reduce greenhouse gas emissions, the Washington Post reported.

In the past, the EPA has sided with the car industry, maintaining that the tailpipe is the wrong place to target emissions and instead suggesting that greenhouse gas emissions should be limited by fuel economy standards, which are outside of its control because they are set by the Department of Transportation.

Though fuel efficiency rules for light trucks were changed last year, car efficiency standards were last set at 27.5 miles -- in 1990.

Deadlines for action

The EPA has granted some 50 waivers to California since the 1960s, but it has not hinted how or when it may rule following the recent hearings. And the clock has started ticking.

Following an executive order signed earlier in May, the White House has set a 2008 deadline for determining how to deal with the threat posed by automobile greenhouse gas emissions.

California's Republican governor, Arnold Schwarzenegger, said his state isn't willing to wait that long. If the EPA doesn't act by October, he's threatened to sue the federal government. Again following California's lead, 11 other states have also threatened to sue, the New York Times reported.

-- Compiled by Adnaan Wasey for NewsHour Extra

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