

NEWS RELEASE



Attorney General Edmund G. Brown Jr.
California Department of Justice
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Brown Lauds Vermont Decision, Renews Threat to Sue EPA

SACRAMENTO – In response to today’s District Court decision in Vermont, California Attorney General Edmund G. Brown Jr. renewed his vow to “haul the Bush administration into court” if the United States Environmental Protection Agency (EPA) refuses to grant California’s request to impose tough emissions standards on motor vehicles.

Responding to today’s decision Brown said, “Unfortunately, today’s decision upholding California’s greenhouse gas emissions standards will turn out to be a hollow victory if the EPA persists in denying California’s waiver petition.”

The Bush administration has been ducking California’s request since 2005.

“We will haul the Bush administration into court if it persists in stalling on our request to regulate emissions from motor vehicles,” Brown warned.

Judge Sessions, who wrote the decision, affirmed that Vermont’s effort to control greenhouse gas emissions is not preempted by the federal law.

In 2002, California adopted AB 1493 to regulate greenhouse gas emissions from motor vehicles to fight global warming. 14 other states -- Arizona, Connecticut, Florida, Maine, Maryland, Massachusetts, New Jersey, New Mexico, New York, Oregon, Pennsylvania, Rhode Island, Vermont and Washington -- have enacted the California law and are also waiting for federal approval. Under the Clean Air Act, California can adopt stricter standards by obtaining a waiver from EPA.

Approval of California’s waiver means the other states would get approval automatically.

“Our petition represents a reasoned approach to reducing greenhouse gas emissions and it has been shamefully ignored for almost two years,” Brown said.

Congress passed the Clean Air Act in 1963 and subsequent amendments in 1967, 1970 and 1977 expressly allowed California to impose stricter environmental regulations in recognition of the state’s “compelling and extraordinary conditions,” including topography, climate, high number and concentration of vehicles and its pioneering role in vehicle emissions regulation. Brown said Congress intended the state to continue its pioneering efforts at adopting stricter motor vehicle emissions standards, far more advanced than the federal rules.

California has long asserted that the automobile industry can rise to the challenge of global warming. Judge Sessions -- in a thorough 240-page analysis -- agreed and stated: “History suggests that the ingenuity of the industry, once put in gear, responds admirably to most technological challenges.”