



Feinstein, Snowe, and 19 Colleagues Urge EPA to Allow California and Other States to Reduce Pollution That Causes Global Warming by Adopting Their Own Tougher Emissions Standards

- *Senators are calling for approval of Clean Air Act waiver without delay* -

March 31, 2006

Washington, DC – U.S. Senators Dianne Feinstein (D-Calif.) and Olympia Snowe (R-Maine) along with 19 of their Senate colleagues are calling on the Environmental Protection Agency to grant California a waiver to the Clean Air Act, which would allow the state to set its own vehicle emission standards and reduce pollution that causes global warming.

This waiver will not only allow the state to adopt its own feasible and cost-effective standards to curb emissions from new passenger vehicles, but will also allow other states to adopt those tougher standards.

“Global warming is the gravest threat to our environment, and ultimately, our health. The federal government has so far all but ignored the problem despite the evidence that global warming is real, and that it is eroding the health of our planet in myriad ways,” Senator Feinstein said.

“The States must be able to exercise their right to set their own tough emission standards and lead the way in combating global climate change, especially in the face of federal inaction. California has taken the initiative in this regard, and many states have adopted our standards for decades. Any delay in issuing this waiver is an affront to the real progress that California, Maine, and the other states have made to cut emissions and make headway in mitigating the harmful effects global warming has already had on our environment.”

Senator Snowe added, **“Air pollution and the threat of global climate change are two of the greatest health and environmental threats facing our nation today. While the Federal government has failed to act, many states across the country, including Maine, have worked to directly confront this problem by adopting feasible and cost-effective standards to curb emissions from automobiles. These 11 states should be allowed to move forward with these new standards and with the full support of the EPA.**

I believe that any attempt by the federal government to impede these efforts would be disastrous to the public who support the actions of their state governments to protect their health and safety. Furthermore, I believe that the federal government ultimately must step up to the plate to put in place robust federal emission standards for our automobiles.”

So far 11 states – California, Connecticut, Maine, Massachusetts, New Jersey, New York, Oregon, Pennsylvania, Rhode Island, Vermont, and Washington – have adopted California’s tougher emission standards. The EPA has granted California’s waiver requests more than 40 times in the last three decades. Senator Feinstein and her colleagues are concerned that Administrator Johnson may be preparing to argue that the States lack authority to adopt and enforce standards essential for protecting their citizens from dangerous air pollution.

The following is the text of the letter Senator Feinstein sent along with her colleagues Senators Snowe (R-Maine), Specter (R-Pa.), Cantwell (D-Wash.), Chafee (R-R.I.), Menendez (D-N.J.), Collins (R-Maine), Boxer (D-Calif.), McCain (R-Ariz.), Jeffords (I-Vt.), Reed (D-R.I.), Lautenberg (D-N.J.), Leahy (D-Vt.), Wyden (D-Ore.), Dodd (D-Conn.), Lieberman (D-Conn.), Sarbanes (D-Md.), Murray (D-Wash.), Kennedy (D-Mass.), Schumer (D-N.Y.), and Bingaman (D-N.M.) to Administrator Johnson:

March 31, 2006

The Honorable Stephen L. Johnson
Administrator
United States Environmental Protection Agency
1200 Pennsylvania Avenue, N. W.
Washington, DC 20460

Dear Administrator Johnson:

Continuing a tradition of state leadership against automobile pollution, California and 10 other States have adopted feasible and cost-effective standards to curb the emissions from new passenger vehicles that contribute to global warming. The 11 states – California, Connecticut, Maine, Massachusetts, New Jersey, New York, Oregon, Pennsylvania, Rhode Island, Vermont, and Washington – account for one-third of the nation’s new car market, and more States are considering joining this initiative this year.

The new standards will phase in beginning in model year 2009 and ramp up over eight years to cut global warming emissions nearly 30 percent by model year 2016. The standards can be met with technology already on the market and actually will save vehicle owners hundreds of dollars in lower fuel and maintenance costs over the lifetime of the vehicles.

The last formality in this process is California’s request that you issue the waiver required under Section 209(b) of the Clean Air Act. The Environmental Protection Agency (EPA) has granted California’s waiver requests more than 40 times over the past three decades. We respectfully urge you to grant this latest waiver without delay.

The Clean Air Act expressly recognizes California’s right to set its own vehicle emission standards, and the right of other states to adopt those standards. California has been the nation’s leader in controlling vehicle air pollution for more than 35 years, and many of our States have adopted the same standards for decades. The States’ time-honored right to adopt and enforce these standards is essential for protecting their citizens from dangerous air pollution.

California’s right to pioneer new vehicle emission standards is one that EPA may interfere with only in very exceptional circumstances – only if EPA determines that waiver opponents meet a heavy burden of proving that the State has not properly determined that its standards are needed and feasible. EPA has no grounds for such interference now.

California, Connecticut, Maine, Massachusetts, New Jersey, New York, Oregon, Pennsylvania, Rhode Island, Vermont, and Washington have shown that global warming threatens the health, property, and natural environment of their citizens in compelling and extraordinary ways. These emission standards are based on the most thorough technological and economic analysis. The standards are achievable using technologies that are already incorporated in many vehicle models. Indeed, they will be even easier to achieve than expected due to rapidly rising sales of hybrids. And vehicle owners will save hundreds of dollars – even more than was anticipated given the increase in the price of gasoline over the past year.

In the face of federal inaction on global warming, California, Maine and the other States have stepped forward to begin reducing the pollution that causes global warming. We are concerned that you may be preparing to argue that the States lack authority to do so. Rather than attempting to thwart such state efforts, the federal government should encourage states to develop innovative solutions to serious public health and environmental problems.

In short, the States are leading. We trust that EPA will not get in the way.

Sincerely,

Dianne Feinstein
United States Senate

Olympia Snowe
United States Senate

Arlen Specter
United States Senate

Maria Cantwell
United States Senate

Lincoln Chafee
United States Senate

Robert Menendez
United States Senate

Susan Collins
United States Senate

Barbara Boxer
United States Senate

John McCain
United States Senate

James M. Jeffords
United States Senate

Jack Reed
United States Senate

Frank Lautenberg
United States Senate

Patrick Leahy
United States Senate

Ron Wyden
United States Senate

Christopher J. Dodd
United States Senate

Joseph I. Lieberman
United States Senate

Paul S. Sarbanes
United States Senate

Patty Murray
United States Senate

Edward M. Kennedy
United States Senate

Charles E. Schumer
United States Senate

Jeff Bingaman
United States Senate

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