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> [California to sue EPA over emissions law](#)

If the U.S. Environmental Protection Agency fails to act soon on the state's bid to regulate vehicle greenhouse gas emissions it will face legal action, warned California's Governor Arnold Schwarzenegger.

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Frustrated by 16 months of waiting for a decision, Schwarzenegger sent a letter to EPA's administrator Stephen Johnson today announcing the intent to file a lawsuit against the federal agency if it fails to act on California's request for a waiver under the federal Clean Air Act.

The waiver is needed to implement a 2002 law that would require carmakers to cut greenhouse gas (GHG) emissions by 25% from cars and 18% from sport utility vehicles starting with the 2009 model year. Since 2005, California and ten other states have been waiting for a final decision to enforce more stringent rules than the federal limits. The waiver could set a national precedent with its importance extending beyond the auto industry and California's borders.

Schwarzenegger's letter announcing the intent to sue is a procedural step required six months before California can file a lawsuit against the EPA.

EPA refuses to set deadline

During a Senate Hearing on 24 April, Stephen Johnson, EPA, came under fire from congressional Democrats for failing to respond more aggressively to a Supreme Court ruling earlier this month that had found GHG to fall within the authority of the federal environmental agency. Johnson confirmed that the EPA is now reviewing California's request, but refused to set a timetable for a final decision, saying that the agency would "move expeditiously, but responsibly". A majority of Senators expressed their dismay, stating that there would be no excuse for a further delay.



Position

"I think that eventually the federal government is going to get the message [...] I just had a conversation with Steve Johnson to let him know that the federal government is working too slowly to get us the waiver so that we can implement our laws. And basically our clock has started ticking for this next six months and if we don't see quick action from the federal government, we will sue the US EPA," Governor Schwarzenegger announced yesterday.

More information:

- > [Speech Schwarzenegger – Milken Institute's Global Conference, 25 April](#)
- > [See our related news about California's initiatives from 13 April](#)

