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[EPA decision "completely contrary to law", critics say](#)

**Key politicians have launched a legal offensive against the Bush Administration denying a waiver to enact strict tailpipe rules in California and 16 other states. EPA's Administrator Johnson drew criticism for failing to appear at a first hearing providing scientific evidence.**

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The U.S. Environmental Protection Agency (EPA) is facing strong headwinds from state politicians and environmental groups in an investigation process against its decision to deny a waiver request to California. At a first briefing with state officials on 10 January, California's Democratic senator Barbara Boxer criticized harshly the December ruling that prevented California and 19 other states from adopting stricter-than-federal greenhouse gas rules for cars and trucks from 2009 on. EPA's "outrageous decision... is completely contrary to the law and science", Boxer said. She urged Congress to investigate whether the agency ruling was influenced by the Bush administration.

California's Attorney General Brown supported her arguments and insisted that EPA top officials should testify under oath to "uncover real corruption... that is dangerous to California and the whole world." Although Brown admitted that the Bush Administration may be able to delay court action until the president's turn is over, he was positive that Congress action could speed up the process. Meanwhile, an EPA spokesman confirmed that all official decision documents are being prepared and will be released soon.



**New studies demonstrate necessity of California standards**

A Stanford University study released last week had concluded that California would have several hundred additional deaths each year due to the effects of global warming. Stanford professor Marc Jacobsen said that with six out of the 10 most polluted U.S. cities being in California, this alone creates special circumstances for the state. The EPA decision was based on the argument that California's request would not meet "compelling and extraordinary conditions" necessary to grant a waiver under the Clean Air Act.

Mary Nichols, chairwoman of California's environmental agency, presented latest calculations showing that if all 50 U.S. states adopted the same car standard, the amount of carbon dioxide would be reduced by 1.4 gigatons, about twice as much new federal fuel economy standards would achieve. She also emphasized that the greenhouse gas limits could be met by all carmakers using existing technology.

**EPA administrator Johnson draws criticism for non-appearance**

EPA head Stephen L. Johnson, scheduled to testify in an official hearing before the Senate committee on 24 January, decided not to participate in yesterday's meeting. The head of the U.S. Environmental Protection Agency was criticized for not attending after Barbara Boxer had invited him or a representative to explain his decision. Holding up an empty cardboard with "EPA Documents" written on it, she said: "This empty box symbolizes his dereliction of duty - no EPA witness here today, and no EPA documents here today."

**More information:**

[Read the article "U.S. EPA denies California waiver and faces lawsuit", 3 Jan 2008](#)

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