State vs. Federal Emissions Standards

by Jason Lomberg, Technical Editor

efficiency zone
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Note: The views expressed therein represent those of the Editor and not ECN

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President Obama has ordered the EPA to “review” its denial of California’s request for exemption to federal emissions standards. On Monday, January 26th, Obama gave a press conference [1] relating to, “Jobs, Energy Independence, and Climate Change.” Among other things, he spoke about America’s dependence on foreign oil, the proposed American Recovery and Reinvestment Plan, and the aforementioned EPA denial. If the EPA does reverse its decision, it will pave the way for California, along with 13 other states and Washington DC, to set their own emissions laws.

In 2005, California requested a waiver [2] of Federal preemption for motor vehicle greenhouse gas emission standards. On December 19, 2007, EPA Administrator Stephen Johnson wrote a letter [3] to Governor Schwarzenegger, rejecting California’s request. Said Johnson, “just as the problem extends far beyond the borders of California, so too must be the solution...I strongly support this national approach (edit: the Energy Independence and Security Act [4]) to this national challenge which establishes an aggressive standard of 35 miles per gallon for all 50 states, as opposed to 33.8 miles per gallon in California and a patchwork of other states.” The Energy Independence and Security Act of 2007 mandated that vehicle manufacturers convert fleetwide gas mileage to 35 mpg by 2020.

"The federal government must work with, not against, states to reduce greenhouse gas emissions," said Obama. The President has ordered the EPA to "review" its decision, but this is akin to your boss "suggesting" that you do something. And with Obama appointee, Lisa Jackson, at the helm, the EPA will assuredly follow the President's "suggestion." It is inevitable that the EPA will reverse its earlier decision.

With the auto industry in dire straits, this may not be the best time to burden it with costly compliance standards. Granted, if the EPA reverses its decision, it will become an issue of states' rights. But the auto industry won't create two (or more) sets of cars. If California, the most populous US state (36,756,666 [5] as of July 1st), raises its emissions standards, auto manufacturers will update their entire inventory. This presents a huge financial burden.

Obama acknowledged this, saying, "Our goal is not to further burden an already struggling industry. It is to help America's automakers prepare for the future." But this isn't the sort of "help" that automakers need right now.

What are your thoughts?

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