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For Immediate Release



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District to join state in lawsuit against EPA

In a historic action today, the San Joaquin Air Pollution Control District's Governing Board voted unanimously to join the state of California in a possible lawsuit against the federal Environmental Protection Agency. At issue is the EPA's failure to grant California's request for a waiver of federal preemption for Greenhouse Gas (GHG) emissions regulations for passenger cars, light-duty trucks and medium-duty passenger vehicles beginning with the 2009 model year.

Under the Federal Clean Air Act, California has the right to set its own vehicle emission standards, and other states have the right to adopt the California standards as their own, upon receipt of a waiver from U.S. EPA.

"We believe that the evidence and the rationale that climate change is occurring is compelling and convincing," said Seyed Sadredin, Executive Director of the San Joaquin valley Air Pollution Control District.

In a letter to EPA urging their granting of the State's waiver request, the District stated: "Our support of the California's request for waiver of preemption is based on our belief that the proposed programs will not only help reduce GHG emissions, but that they are also essential to our efforts to meet the health-based standards for the criteria pollutants. Mobile sources emit GHGs as well as criteria pollutants and their precursors, and efforts to reduce mobile source GHG emissions could also reduce emissions related to criteria pollutants. Since mobile source emission control is largely under the authority of state and federal agencies, the SJVAPCD strongly supports new measures that reduce mobile source emissions."

In a June 13, 2007 letter to Stephen L. Johnson, EPA Administrator, Governor Arnold Schwarzenegger asked the federal government to "act immediately on California's longstanding request for a federal preemption waiver for California's motor vehicle greenhouse gas emissions standards waiver request. It is the right thing to do. It is urgent. And it is the law."

The letter went on to state: "We provided 180-day notice on April 26, 2007, of our intent to sue under the Clean Air Act and Administrative Procedure Act, which provide mechanisms for compelling delayed agency action. However, we had frankly held out hope that this dispute would be resolved without the time and expense of a lengthy court battle. Given your comments in front of the Special Committee and the work of the U.S. Department of Transportation, a lawsuit on the 181st day now appears to be inevitable."

The San Joaquin air district becomes the first local air district to formally join Gov. Schwarzenegger in a lawsuit against the EPA if it does not let California impose stricter vehicle mileage standards.

The Valley Air District covers eight counties including San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, Tulare and the valley portion of Kern. For more information, visit <http://www.valleyair.org/> or call the nearest District office: Modesto (209) 557-6400, Fresno (559) 230-6000 and Bakersfield (661) 326-6900.

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