



**For Immediate Release
November 8, 2007**

Contact: Robyn Ziegler
312-814-3118
877-844-5461 (TTY)
rziegler@atg.state.il.us

MADIGAN SUPPORTS CALIFORNIA EFFORTS TO REGULATE GREENHOUSE GAS EMISSIONS FROM CARS

Litigation Attempts to Force EPA to Act on Request for Stricter Standards

Chicago - Attorney General Lisa Madigan and 13 other Attorneys General are supporting California's efforts to obtain the necessary federal approval for implementation of stricter greenhouse gas emissions which has been "unreasonably delayed" by the U.S. Environmental Protection Agency (U.S. EPA). The Attorneys General joined two legal actions filed today by the State of California to force the U.S. EPA to take action on their outstanding waiver request.

"In joining these actions, I am urging the U.S. EPA to act quickly to allow the states to control greenhouse gas emissions and protect our environment," Madigan said. "The U.S. EPA has had nearly two years to act on this matter. The stricter greenhouse gas emissions standards set by California should be implemented as soon as possible for the benefit of public health and the environment."

The federal Clean Air Act gives California the unique authority to set stricter greenhouse gas emissions standards provided that the state applies for and receives a required waiver from the U.S. EPA prior to implementation of the stricter standards.

In August 2005, California adopted "Regulations to Control Greenhouse Gas Emissions from Motor Vehicles" ("GHG" or "Greenhouse Gas Regulations"). These regulations require reductions in fleet-average, greenhouse-gas emissions for most new passenger motor vehicles sold in California, beginning with the 2009 model year. However, the U.S. EPA has failed to act on California's waiver request for almost two years.

Today, California filed two lawsuits seeking court orders requiring the U.S. EPA to take action on the waiver petition by Dec. 31, 2007. In each case, California argues that the U.S. EPA has "unlawfully withheld and unreasonably delayed" action on its waiver request. California filed one lawsuit in the U.S. District Court for the District of Columbia and the second suit in the U.S. Court of Appeals for the District of Columbia Circuit.

Since California adopted its GHG regulations for cars, 14 states either have adopted the California regulations or are in the process of adopting them: Arizona, Connecticut, Florida, Maine, Maryland, Massachusetts, New Jersey,

New Mexico, New York, Oregon, Pennsylvania, Rhode Island, Vermont and Washington. The U.S. EPA's lengthy delay in acting on California's waiver request has stalled the implementation of California's greenhouse gas regulations for cars and also the implementation of the other states' identical regulations .

While the scientific support for global warming is overwhelming and its environmental and economic threat is substantial, the Bush Administration has resisted regulatory approaches to controlling greenhouse gases. In April, in a case involving a number of states, including Illinois, the U.S. Supreme Court issued a landmark ruling, holding that the U.S. EPA has the authority under the Clean Air Act to regulate greenhouse gases from motor vehicles, such as carbon dioxide, as air pollutants, if it determines that those emissions would cause or contribute to the endangerment of public health or welfare. This decision reinforces the actions of states to adopt regulations to control greenhouse gas in pollution from automobiles sold in their states.

Joining Illinois in today's cases are Massachusetts, New York, Connecticut, New Jersey, New Mexico, Maryland, Maine, Oregon, Rhode Island, Washington, Vermont, Arizona and Pennsylvania.

Senior Assistant Attorney General Gerald Karr is handling the matter for Attorney General Madigan's Environmental Bureau.

-30-

[Return to November 2007 Press Releases](#)