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Contact: Allan Oliver
505.476.2214

New Mexico to Join California Lawsuit Against U.S. EPA for Failing to Act on Tailpipe Emissions Request

Santa Fe, NM – Governor Richardson today announced that New Mexico will join the lawsuit filed by California against the U.S. Environmental Protection Agency (EPA) for failing to act on California's tailpipe emissions waiver request. New Mexico is one of fourteen states joining California's lawsuit today.

“New Mexico is ready to implement the cleanest standards for vehicle emissions, but the Environmental Protection Agency needs to stop foot-dragging and grant a waiver,” said Governor Bill Richardson. “For 18 months the EPA has refused to give California and other states permission to enforce tough Clean Car standards to reduce vehicle emissions. The delay is shameful.”

New Mexico has set aggressive goals to reduce greenhouse gas emissions and the California Clean Cars program is the most cost-effective means of keeping 10.5 million metric tons of carbon out of our air and reducing emissions from new vehicles by 30 percent by 2016.

New Mexico Environment Department Secretary Ron Curry testified before the House Oversight Reform Committee on the hill today about the EPA's failure to address global warming:

"Climate change threatens New Mexico's snow pack and our water, which is the lifeblood of our state and the basis for our economy. Governor Richardson has taken an aggressive position to combat global warming, because our state has no water, nor any time to waste. It's unconscionable to bar the states from taking action to reduce greenhouse gas emissions."

Fourteen states are expected to join California in the lawsuit, including: Massachusetts, New York, Arizona, Connecticut, Illinois, Maine, Maryland, New Jersey, New Mexico, Oregon, Rhode Island, Vermont, Washington and Pennsylvania. Under the Federal Clean Air Act, California has the ability to set its own tougher-than-federal vehicle emission standards as long as it obtains a waiver from U.S. EPA. Other states may adopt the California standards or continue to follow any federal standards.

California's request has been supported by recent judicial decisions. In September, a court decision in Vermont confirmed that states do have the ability to adopt California's motor vehicle greenhouse gas emissions standards. In the Vermont case, the judge dismissed the argument by automobile manufacturers that they could not comply with the California-based regulation because the technology was out of reach and that it would cost too much. The Vermont decision came on the heels of a U.S. Supreme Court ruling last April saying the U.S. EPA has the authority to regulate greenhouse gases.

Other states that have adopted, or are in the process of adopting, California's Clean Cars emissions standards are: Arizona, Colorado, Connecticut, Florida, Maine, Maryland, Massachusetts, New Jersey, New York, Oregon, Pennsylvania, Rhode Island, Utah, Vermont and Washington. These states make up about 45 percent of all U.S. auto sales. If all the other states with similar plans follow through, that figure would grow to nearly 22 million vehicles and would cut gasoline consumption by an estimated 11 billion gallons a year.

On May 22nd as part of EPA's public hearing process, Governor Richardson offered public comment urging the US EPA to accept California's waiver request and allow states to adopt the stronger clean tailpipe standards.

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