

## House GOP targets state's tough emission standards

Carolyn Lochhead, Chronicle Washington Bureau  
Monday, March 14, 2011



**(03-14) 04:00 PDT Washington** - -- Taking advantage of a spike in gasoline prices, House Republicans are moving rapidly to gut California's landmark controls on greenhouse-gas emissions from [cars](#) as a way to prevent the tougher state standards from spreading nationwide.

The legislation, HR910, the Energy Tax Prevention Act, would revoke the Environmental Protection Agency's authority to grant California the federal waivers it needs to impose tougher fuel-efficiency requirements based on carbon emissions.

"This really is a shocking attack on states' rights and on public health," said Stanley Young, a spokesman for the California Air Resources Board, which is working on emissions standards for cars that would take effect in 2017. He estimated that the bill could roll back scheduled cuts in pollution and petroleum consumption by 25 percent nationwide.

The overall legislation would block the [Obama](#) administration from regulating greenhouse gases and overturn its finding that carbon dioxide emissions endanger public health. The Supreme Court had ordered the agency in 2007 to determine whether greenhouse-gas emissions are a pollutant. The Obama administration did so in 2009.

House Energy and Commerce Committee Chairman Fred Upton, a Michigan Republican and auto-industry ally, said the bill would stop a "backdoor attempt by unelected bureaucrats" to implement a cap-and-trade carbon tax that died in the Senate last year.

Republicans contend that regulating greenhouse-gas emissions amounts to a tax on carbon-based fuels. Such carbon taxes, they argue, would make the recent spike in gasoline prices all the more painful for drivers.

The bill passed a subcommittee by voice vote on Thursday and is scheduled for a vote of the full committee today. House leaders said they would give it a green light for action by the full House soon.

The federal government has granted California waivers under the Clean Air Act for four decades, allowing tougher state standards in recognition of the state's unique air pollution problems.

Revoking the waiver would eviscerate the state's implementation of AB32, the 2006 climate-change law signed by former Gov. Arnold Schwarzenegger, Young said, because tailpipe emissions are a key source of

carbon dioxide emissions.

Ranking committee Democrat Henry Waxman of Los Angeles issued a detailed analysis of the legislation that determined it would "repeal California's ability to regulate greenhouse-gas emissions from motor vehicles."

California regulations in the past have forced automakers to boost fuel efficiency in vehicles sold nationwide, because the state represents roughly one-tenth of the market for new vehicles.

Young argued that California's pressure on automakers to produce cleaner cars has put the nation in a better position to weather a new gasoline price spike.

"We believe California's standards have helped accelerate the penetration of cleaner, more efficient cars into the marketplace," Young said.

A companion Senate measure is sponsored by Oklahoma Republican James Inhofe, who has called climate-change science a hoax. His Senate version would face a stiff challenge from California Democrat [Barbara Boxer](#), who chairs the Environment and Public Works Committee. The legislation would probably get killed in her committee, forcing Republicans to find another legislative route through the Senate.

Boxer, an ardent champion of climate-change regulations, voted to do "everything in my power" to block the bill, which also would probably face a White House veto. EPA administrator Lisa Jackson testified at a hearing on Capitol Hill that the bill would "eliminate portions of the Clean Air Act" and "presume to overrule the scientific community on the scientific finding that carbon pollution endangers Americans' health and well-being."

Republicans argued that the legislation would still allow higher fuel efficiency standards to take effect nationally under the Transportation Department.

But Jackson said those standards are far lower than the standards for greenhouse-gas emissions and said such a move would "forfeit many hundreds of millions of barrels of oil savings. At a time when gas prices are rising yet again, I cannot, for the life of me, understand why you would vote to massively increase America's oil dependence."

Although Senate passage of the bill would be difficult, a big fight over greenhouse-gas regulations would put political pressure on the 23 Senate Democrats up for re-election in 2012, many of them moderates from swing states. House Minority Leader [Nancy Pelosi](#), D-San Francisco, was criticized for forcing a vote on a climate-change bill last year that became carbon-tax campaign fodder against moderate House Democrats who wound up losing their seats.

A regulatory flurry by the Environmental Protection Agency has angered businesses across a range of industries.

Sen. Sherrod Brown of Ohio, a liberal Democrat facing re-election in 2012, wrote Obama last month urging him to evaluate the "unintended consequences" of greenhouse-gas rules on the Ohio economy.

"Industry, workers and farmers are extremely concerned that burdensome permitting requirements have been triggered for greenhouse gas emissions," he said.

Frank O'Donnell, president of Clean Air Watch, an environmental advocacy group in Washington, called the bill "a flat-out direct assault on California and its sovereignty." He said his biggest fear is that "senators from states other than California may be happy to sacrifice California if they think it saves their own skin."

E-mail Carolyn Lochhead at [clochhead@sfchronicle.com](mailto:clochhead@sfchronicle.com).

<http://sfgate.com/cgi-bin/article.cgi?f=/c/a/2011/03/14/MNM1119C7N.DTL>

This article appeared on page **A - 1** of the San Francisco Chronicle

© 2011 Hearst Communications Inc. | [Privacy Policy](#) | [Feedback](#) | [RSS Feeds](#) | [FAQ](#) | [Site Index](#) | [Contact](#)