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CONTACT: Mark Shaffer, Director of Communications, (602) 771-2215

## **Attorney General Goddard, ADEQ Director Owens Sue EPA in Battle for States' Right to Fight Global Warming**

### *Arizona Joins California and 14 Other States in Suit against the EPA over Denial of California Vehicle Emissions Standards*

PHOENIX (Jan. 2, 2008) – Arizona Attorney General Terry Goddard and Arizona Department of Environmental Quality Director Steve Owens today announced that Arizona is joining a lawsuit brought by California against the U.S. Environmental Protection Agency (EPA) to uphold the right of states to regulate greenhouse gas pollution from automobiles.

Arizona is part of a 15-state coalition, in addition to California, seeking to overturn EPA's recent rejection of states' efforts to reduce greenhouse gas emissions from passenger vehicles.

"This latest action by EPA to prohibit Arizona and other states from regulating harmful air pollution emitted from cars is baseless," Goddard said. "Reducing greenhouse gases is vital to address climate change. In a landmark ruling last year, the U.S. Supreme Court affirmed that states have legitimate interests in protecting the health and well-being of their citizens from the threats caused by those emissions."

ADEQ is in the process of adopting the California standards. According to ADEQ Director Owens, ADEQ expects to formally propose a draft rule adopting the standards within the next few weeks and to have the final rule approved by early summer at the latest.

"Vehicle emissions are the largest single source of greenhouse gases in Arizona," Director Owens said. "If we are going to reduce greenhouse gas emissions in this state, we have to reduce emissions from automobiles."

Between 1990 and 2005, Arizona's greenhouse gas emissions grew by 56 percent, the fastest rate of growth in the country. If unchecked, emissions in Arizona are projected to grow by 148 percent over 1990 levels by 2020 and by 200 percent over 1990 levels by 2040. Nearly 40 percent of Arizona's greenhouse gas emissions come from vehicles.

The federal Clean Air Act grants California -- exclusively among all states -- the power to enact its own air pollution standards for cars. The Clean Air Act also allows other states to adopt California's standards. But California's standards and those of the other states can only take effect if the EPA grants a waiver exempting California from federal regulation.

On Dec. 19, 2007, EPA denied California's request for a waiver, preventing California and all other states from implementing greenhouse gas emissions standards for cars.

California's standards, adopted in August 2005, would reduce emissions of greenhouse gases from cars by 30% by 2016. In total, at least 17 other states, including Arizona, have now either adopted or plan to adopt the California standards.

Governor Napolitano has directed ADEQ to adopt the California standards for Arizona. ADEQ's rule would make the standards effective in Arizona beginning with the 2011 model year, if the EPA decision is overturned.

Today's lawsuit by California, which seeks to reverse the EPA decision, was filed in the United States Court of Appeals for the Ninth Circuit. The states or state agencies intervening in the suit are: Massachusetts, Arizona, Connecticut, Delaware, Illinois, Maine, Maryland, New Jersey, New Mexico, New York, Oregon, Pennsylvania Department of Environmental Protection, Rhode Island, Vermont, and Washington.