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California to sue EPA over greenhouse gas regulations

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(01-02) 10:00 PST SACRAMENTO, (AP) --

California plans to sue the U.S. Environmental Protection Agency on Wednesday for denying its first-in-the-nation greenhouse gas limits on cars, trucks and SUVs, challenging the Bush administration's conclusion that states have no business setting emission standards.

Other states are expected to join the lawsuit, which was anticipated after the EPA denied California's request Dec. 19. The lawsuit will be filed in the Ninth U.S. Circuit Court of Appeals in San Francisco.

The EPA denied California a waiver that it needs under the federal Clean Air Act to move forward with regulating greenhouse gas emissions from new cars and light trucks. At least 16 other states had been expected to follow California's lead and adopt the state's tougher emission limits.

In announcing his decision last month, EPA Administrator Stephen L. Johnson said the federal government was moving forward with a national solution and dismissed California's arguments that it faced unique threats from climate change.

Johnson said energy legislation signed by President Bush will raise fuel economy standards nationwide to an average of 35 mpg by 2020. He said that was a far more effective approach to reducing greenhouse gases than a patchwork of state regulations.

California officials have said their 2004 law was tougher. It would have required the auto industry to cut emissions by one-third in new vehicles by 2016 or reach an average of 36.8 mpg.

Twelve other states — Connecticut, Maine, Maryland, Massachusetts, New Jersey, New Mexico, New York, Oregon, Pennsylvania, Rhode Island, Vermont and Washington — have adopted the California emissions standards.

The governors of Arizona, Colorado, Florida and Utah have said they also plan to adopt them. The rules also are under consideration in Iowa.

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