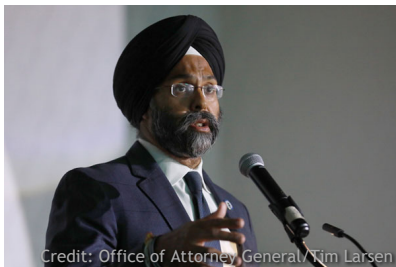


NJ JOINS CHALLENGE TO TRUMP ADMINISTRATION OVER AIR POLLUTION RULE

TOM JOHNSON | SEPTEMBER 23, 2019

New Jersey joins California and 22 other states to fight revocation of waiver that allowed Golden State to set more stringent standards for emissions and tailpipe pollution



Credit: Office of Attorney General / Kim Larsen
State AG Gurbir Grewal says federal government is trying to stop states from tackling "existential threat" of climate change.

Once again, New Jersey is joining other states in challenging the Trump administration on its repeal of a key air pollution rule and the outcome could determine how successful the state is in curbing climate changing emissions.

The action by the administration would end California's long-standing authority to establish more stringent emission controls for greenhouse gas emissions and pollution from vehicle tailpipes. Thirteen states, including New Jersey, have opted to follow those standards.

Together, the rules limiting carbon-forming pollution from light-duty cars and tighter controls on emissions are primary strategies in New Jersey for reducing greenhouse gas emissions by 80 percent below 2005 levels by 2050.

In New Jersey, as is true in most of the rest of the country, the transportation sector is the biggest single source of greenhouse gas emissions, accounting for roughly 46 percent of carbon pollution.

The lawsuit, by California and 23 states, was announced on Friday, the day after the administration announced it would revoke a waiver for more stringent standards. It comes after the federal government also moved to undo an Obama-era initiative to roll back fuel-economy standards for light-duty vehicles.

Serious consequences for New Jersey

"It is a one-two punch to our lungs and our wallets," said Jeff Tittel, director of the New Jersey Sierra Club, referring to the administration's actions. And, he added, "What it means is New Jersey will never meet its goals under the Global Warming Response Act," the 2007 law mandating significant reductions in pollution contributing to climate change.

It is a concern that drew **legislative action this summer**, eventually leading to a new law signed by Gov. Phil Murphy aiming to bolster the 2007 act, including directing state environmental officials to study what new laws are required to curb carbon pollution.

New Jersey officials seemed to agree that the Trump administration's strike against the California standards could be significant. "This regressive federal action puts the nation's progress on combatting greenhouse gas emissions and other harmful air pollutants in reverse, and at a time when the United States should be leading," state Department of Environmental Protection Commissioner Catherine McCabe said in a statement.

"It is bad enough that the administration has turned a blind eye to climate change, but now our federal government is trying to stop states like New Jersey from tackling this existential threat,"

added Attorney General Gurbir Grewal.



In its challenge, the state claimed the new rule is fatally flawed because the National Highway Traffic Safety Administration is relying on arguments that have been repeatedly rejected by federal courts – and that the rule ignores Congress’ careful and repeated preservation of the states’ long-standing authority to regulate vehicle emissions as part of the federal Clean Air Act.

‘A waste of our time’

The administration insists the waiver should not have been granted because it only covered problems related to conventional air pollutants under the Clean Air Act, like ground-level ozone or smog, and soot pollution.

The waiver is important to states like New Jersey, and much of the rest of the Northeast, because it allows states to adopt programs to transition to zero emission vehicles, or plug-in electric cars. New Jersey has about 25,000 electric cars on the road today, but that number is supposed to increase to 330,000 by 2025 under the mandates of the California program.

“This action harms the ability of the nation and states to reduce air pollution and cut greenhouse gas emissions,” agreed Mark Warner, a vice president of Gabel Associates, an energy consulting firm that has done extensive research on electric vehicles.

Despite many new plug-in electric cars being offered by auto manufacturers, many models are difficult to obtain because the industry is selling those cars overseas where the public has shown more of an inclination to buy cleaner vehicles, Warner said.

With the issue now in the courts and likely to be tied up for a couple of years, clean air advocates say it means more delays in dealing with climate change at a time when scientists agree it is time to take aggressive steps.

“This is a waste of our time,” said Amy Goldsmith, state director of Clean Water Action. “We should be spending all of our time trying to reduce carbon pollution.”

