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**Commissioner**  
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**Testimony Before**  
**United States Senate Committee on Environment and Public Works**  
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I would like to thank the Committee for the opportunity to testify on behalf of New York State regarding the Greenhouse Gas (GHG) emission regulations for passenger cars, light-duty trucks, and medium-duty passenger vehicles that have been adopted by the State of California and are currently before the Environmental Protection Agency (EPA) for a waiver of Federal Preemption. New York State strongly urges EPA to grant the waiver.

California's leadership in motor vehicle emissions controls is critically important to New York and many other states in meeting air quality objectives. Over the years, New York and California have established a strong working relationship on mobile source emissions assessment and control. EPA's approval of California's current waiver request will help both of our states meet the most important air quality challenge of the twenty-first Century and the most pressing environmental issue of our time: Global Warming.

Except among a few stubborn skeptics – a few of whom reside in this municipality - the debate about whether global climate change is real is over. Two-thousand of the world's leading scientists aren't wrong. GHG emissions must be reduced to forestall catastrophic climate change. The only debate now is about what actions should be taken to address this issue.

Global warming doesn't recognize geopolitical boundaries. It doesn't differentiate between those working to combat it and those choosing to ignore it. As Dr. Martin Luther King once said, "*We are all caught in an inescapable network of mutuality, tied into a single garment of destiny. Whatever affects one directly, affects all indirectly.*" Global climate change is everyone's problem, and to address it, we must work, and act, together.

EPA's approval of California's waiver of Federal Preemption is an important step in that regard.

By every measure, California's motor vehicle emissions control program has been a tremendous success. Emissions in California today are a fraction of what they were in the past, and continue to decline. Hybrid electric vehicles are now widely available, in an increasing number of vehicle models and configurations. The technological hurdles have been enormous, but the industry has met the requirements, continuing to provide automobiles that not only meet tailpipe standards, but also requirements for increased durability. Now it is time to turn our attention to greenhouse gases.

As you know, the Clean Air Act specifically permits states to adopt California motor vehicle emissions standards that are more stringent and protective of human health and the environment than federal standards. Section 209 of the Clean Air Act authorizes California to adopt its own new motor vehicle emission standards. Section 177 of the Act permits other states to adopt California's standards, as long as they are identical to the California requirements and provide two model years lead time. This is a right that we embrace, and continue to exercise. In 1990, New York became the first state to adopt California's motor vehicle emission standards. And, just as it has for conventional pollutants in the past, New York adopted California's regulations for reductions of GHG from motor vehicles, effective December 2005.

Reducing GHG in cars and trucks is crucial to our climate change efforts. Emissions from these vehicles account for roughly one-third of New York's GHG emissions, and CO<sub>2</sub> is our greatest concern. An efficient means of reducing these emissions is through the use of advanced engine, transmission, and air conditioner technology to cause reductions at their source. In fact, studies show that CO<sub>2</sub> emissions from motor vehicles can be reduced by up to 30 percent by using various combinations of existing and emerging technologies.

California's current emissions control programs are critical to hastening the development of new technologies. California's regulations would provide the automotive industry with the flexibility necessary to bring compliant vehicles to market. The regulations would use phase-in periods to reach near and mid-term emissions standards. This approach would provide manufacturers with sufficient lead time to incorporate a vast array of existing and emerging technologies that are expected to be widely available within the next decade. Further, these regulations are entirely cost effective, since the reduced operating cost will completely offset the increased capital cost.

States across the country are exercising their authority under Section 177 of the Clean Air Act and adopting the California motor vehicle standards to reduce GHG emissions from motor vehicles. In addition, many states – not the EPA – are taking further actions to address GHG emissions. For example, in New York we have joined with several other northeastern states on the Regional Greenhouse Gas Initiative - a regional cap and trade program for power plant emissions of CO<sub>2</sub>. In New York and across the country, states are implementing renewable portfolio standards to address the emissions associated with the power they purchase, along with myriad other programs to address climate change. And in April, New York State Governor Eliot Spitzer announced the most ambitious energy conservation goal in the nation. By 2015, New York will reduce its demand for electricity by 15%, translating into fewer greenhouse gas emissions and more jobs for New Yorkers.

To date, EPA has failed to show the same resolve being demonstrated by the states and this committee, and appears unwilling or unable to provide the necessary leadership to address global climate change.

Now EPA has an opportunity to provide that leadership. Just as the fundamental scientific question regarding the need for reduction of greenhouse gas emissions has been answered, so too has the legal basis for taking action. In Massachusetts v EPA, the United States Supreme Court made clear that EPA has the authority, and indeed the responsibility, to address emissions of greenhouse gases. EPA should exercise that authority by promulgating strong national standards.

Regardless of whether EPA accepts that responsibility, however, it should grant the waiver in order to allow California, New York and other states to continue their leadership in the reduction of motor vehicle pollutants including greenhouse gases.

While New York and many other states will continue to take strong actions to reduce these emissions, leadership from Congress is needed to fully address this issue. In that regard, I want to thank the Committee for its strong interest in legislation to encourage public sector and private sector actions to reduce greenhouse gases nationwide. I also applaud Senators Sanders, Boxer and Clinton for introducing S. 309, the Global Warming Pollution Reduction Act. This comprehensive legislation addresses, on a national basis, the issues which many states have already begun to implement, as well as pursuing measures that are beyond the purview of the states – such as setting a federal research agenda on climate change, and implementing new federal fleet economy standards.

The importance of the matter before us cannot be overstated. Global climate change is real and we must address it now. New York strongly urges that EPA promptly grant California's waiver request and enable California, New York and other states to act as soon as possible to make headway on this critical issue.

Thank you for giving me the opportunity to testify before you today.