

EPA Finds 6 Gases Harm Public Health; Global Warming Regulations May Follow

By Eric Miller
Staff Reporter

The U.S. Environmental Protection Agency has taken a first step toward regulating greenhouse gas emissions, issuing a formal finding that carbon dioxide and five other gases are harmful to public health and leading contributors to global warming.

The April 17 “endangerment” finding appeared to be aimed primarily at large stationary sources such as power plants, but EPA noted that passenger vehicles, buses and trucks are mobile sources subject to regulation under the Clean Air Act.

EPA Administrator Lisa Jackson “is considering emissions from all of these source categories in the proposed determination,” according to the finding.

Though it did not detail how heavy trucks might be regulated, it said the transportation sector is a significant contributor to greenhouse gas emissions, noting that carbon emissions from medium- and heavy-duty trucks increased by 76% from 1990 to 2006.

EPA published its finding less than a week before a House subcommittee began hearings on legislation that would reduce emissions through a cap-and-trade program (see story, p. 3).

“This finding confirms that greenhouse gas pollution is a serious problem now and for future generations,” Jackson said in an April 17 statement. “Fortunately, it follows President Obama’s call for a low carbon economy and strong leadership

in Congress on clean energy and climate legislation.”

Glen Kedzie, environmental affairs counsel for American Trucking Associations, said the EPA finding is only one of several efforts under way to cap carbon emissions.

“States are forcing the issue, Congress is debating cap-and-trade and EPA is aggressively pursuing regulatory solutions to global warming,” Kedzie said, noting that neither the House legislation nor the EPA determination is clear on how trucking might be affected.

“The worst-case scenario for trucking is that they bring in individual trucking companies and cap them in terms of how much carbon they can put out,” he said.

An EPA spokeswoman said it was premature to comment on whether heavy trucks would be included if EPA does issue a greenhouse gases emissions rule.

“The EPA administrator’s determination simply broadened the scope of where EPA not only can regulate but where Congress may want to go in its legislative activity,” said Mike Joyce, director of legislative affairs for the Owner-Operator Independent Drivers Association. “We’ve got a bull’s-eye on our back. There’s no doubt about it.”

EPA said it issued its finding after a review ordered by the U.S. Supreme Court. The high court, in its April 2007 ruling, held that greenhouse gases are pollutants that EPA should regulate if it decides they are harmful to public health.

The EPA said that six greenhouse gases — carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride — are at the root of the climate change problem.

Emissions from four of the dangerous greenhouse gases — including CO₂, methane, NO_x and hydrofluorocarbons — come from new motor vehicles and engines, the EPA said.

“Concentrations of greenhouse gases are at unprecedented levels, compared to the recent and distant past,” EPA said in the finding.

The agency blamed greenhouse gas emissions as the “very likely cause” of intense heat waves, more wildfires, degraded air quality, greater sea level rise and harm to water resources, agriculture, wildlife and ecosystems, in addition to damaging public health.

Rep. Henry Waxman (D-Calif.) commended EPA but said it was up to Congress to “create a comprehensive framework to combat global warming.”

Sen. Barbara Boxer (D-Calif.) went further, saying, “If Congress does not act to pass legislation, then I will call on EPA to take all steps authorized by law to protect our families.”

The National Association of Manufacturers urged EPA not to pre-empt congressional debate on the issue.

NAM President John Engler said it is the worst possible time to be proposing rules that will drive up the cost of energy without a valid purpose.