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EPA Petitioned to Regulate CO2 Using Clean Air Act, Cap At 350ppm

by Matthew McDermott, New York, NY on 12. 2.09

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photo: Codo via flickr.

On and off for the past year we've heard statements about how the Environmental Protection Agency could really make an end run around Congressional inaction on climate and set a cap on carbon dioxide emissions though the Clean Air Act. Even Al Gore hinted at it during Climate Week NYC. Well now the Center for Biological Diversity and 350.org have petitioned the EPA to do just that:

Nation That Invented Environmentalism Should Use Its Progressive Laws

Saying that capping CO2 at 350 parts per million is required so that we can have a planet "similar to the one on which civilization developed" 350.org founder Bill McKibben urged "the nation that invented environmentalism to use its most progressive set of laws" to regulate greenhouse gases.

Remember that current CO2 levels are already about 390ppm, and that current US pledges included in Congressional climate bills of about 3-4% below 1990 levels are well below the 40-45% cuts scientists say are required by 2020 to prevent dangerous global warming.

Petition Would Bring 'Criteria Pollutants' to Thirteen

The petition seeks a national pollution cap for CO2 and other greenhouse gas pollutants "though a central provision of the Clean Air Act requiring EPA to designate 'criteria' air pollutants, set national pollution limits for these pollutants to protect the public health and welfare, and then assist the states in carrying out plans to reduce emissions from major sources to attain and maintain the national standards."

Currently there are six criteria pollutants: Particle pollution, ground-level ozone, carbon monoxide, sulphur oxides, nitrogen oxides and lead.

This petition seeks to have seven more added: Carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, sulphur hexafluoride, and nitrogen trifluoride. CO2 would be capped at 350ppm, with caps designated for the other greenhouse gases.

EPA Regulation Would Coordinate State Efforts Underway

In their press release, the Center for Biological Diversity said that this action, "would mark a critical step in the fight against global warming and add more tools to the Clean Air Act programs the Obama administration is beginning to implement. A national pollution cap for greenhouse gases would also activate and coordinate the efforts of all 50 states, all of which currently implement plans for the reduction of the existing criteria air pollutants, and 38 of which are already drafting or implementing climate action plans."

Read the full petition: [Petition to Establish National Pollution Limits for Greenhouse Gases Pursuant to the Clean Air Act \[PDF\]](#)