
San Francisco Chronicle

April 7, 2006

NORTHERN CALIFORNIA'S LARGEST NEWSPAPER

New fuel standards for trucks challenged

Environmental group sues, says rules will add to warming

by Bob Egelko
Chronicle Staff Writer

An environmental group challenged the Bush administration's new fuel economy standards for light trucks in federal court Thursday, saying the new requirements were not stringent enough and would only worsen global warming and the nation's oil addiction.

The Center for Biological Diversity asked the Ninth U.S. Circuit Court of Appeals in San Francisco to review the legality of the rules announced last week by the National Highway Traffic Safety Administration for sport utility vehicles and other light trucks from 2008 through 2011. The standard now requires the vehicles to achieve 21.6 mpg and is scheduled to rise to 22.2 mpg for 2007 models; under the new criteria, the requirement in 2011 would be 24.1 mpg.

Both Transportation Secretary Norm Mineta and the Alliance of Automobile Manufacturers described the new standards as tough and challenging for the auto industry. But the environmental group said the government is flouting a 1975 law that requires fuel economy standards to be set at the "maximum feasible level."

"The fuel efficiency increases are minuscule compared to what is possible with existing technology

and the major reforms urgently needed to cut air pollution, combat global climate change and save money at the gas pump," said Peter Galvin, conservation director of the organization headquartered in Tucson.

A 38 mpg benchmark can be readily achieved by 2015, the organization said. It said the government, in its justification of the standards, had failed to mention the environmental impact of its decision to propose only a small increase in fuel economy.

Deborah Sivas, lawyer for the Center for Biological Diversity, said the government merely declared that its new standard would cause no environmental harm because it represents an increase in fuel efficiency over the current standard. She contended federal law requires the government to consider a reasonable range of alternatives, including technologically achievable miles-per-gallon requirements, and discuss the environmental consequences of choosing a lesser standard.

"We can't really have an informed public debate when that whole part of the discussion is truncated," Sivas said.

In comments submitted to the federal agency while it was considering the standards, the environmental group

attacked the proposal on multiple grounds, including the lack of any discussion of its impact on global warming and the government's assumption that gasoline would cost between \$1.51 and \$1.58 per gallon from 2008 through 2011. As a result, the government seriously underestimated the benefits of greater fuel economy, the group said.

California's Attorney General Bill Lockyer has also attacked the new federal standards, in part because the Bush administration declared that California lacked authority to regulate motor vehicles' emissions of carbon dioxide and other greenhouse gases. Lockyer, who is defending California's first-in-the-nation law on greenhouse gases in a suit by automakers, has not yet decided whether to challenge the federal rules in court, said spokesman Tom Dresslar.