

Judge dismisses Alaska's suit over fuel standards

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ANCHORAGE, ALASKA — A federal judge has dismissed Alaska's effort to block enforcement of stringent rules meant to limit pollution from large ships.

U.S. District Judge Sharon Gleason threw out the lawsuit last week for lack of subject matter jurisdiction.

The state filed its lawsuit in July 2012, a month before new rules went into effect requiring that cargo carriers and cruise ships use a low-sulfur fuel within 200 miles of U.S. and Canadian shores.

The state Department of Law said in a statement that it is considering an appeal. It said it remains concerned the rules "will increase the cost of shipping goods to and from Alaska and decrease state revenues by increasing the cost to export its natural resources."

The state sued the Environmental Protection Agency and the Secretary of State for allowing the rule to take effect and other federal agencies. The EPA couldn't immediately comment Monday.

Four environmental groups intervened on the side of the federal government, including the Center for Biological Diversity.

"The opinion is a breath of fresh air for all those who seek to protect the air quality that makes Alaska special. Unfortunately state officials seem to prioritize the interests of shipping companies over the health of Alaska residents and visitors," the center's senior counsel, Brendan Cummings, said in an email to the AP. "This court opinion is yet another rebuke to Alaska's misguided and consistently unsuccessful efforts to challenge seemingly every commonsense federal rulemaking that would protect Alaska's health and environment."

The rules were initiated by the U.S. and agreed to by dozens of other nations as part of an international treaty. They affect much of the North American coast and Hawaii, but state officials said they will have a disproportionate effect on Alaska.

The state, relying on industry estimates, said the rules could increase shipping costs to the state by 8 percent and cruise passenger costs up to \$18 a day, potentially leading to a 15 percent decline in visitors.

The EPA has said it would work with vessel owners or operators who couldn't obtain the low-sulfur fuel

“The state remains hopeful that the Environmental Protection Agency will continue to work with shippers and cruise line companies to develop workable solutions that decrease the heavy burden the (rule) places on the state, private companies, and Alaskan citizens,” the Department of Law’s statement said.

With the new standards, set to become more stringent in 2015, emissions of nitrogen oxides, fine particulate matter and sulfur oxides are expected to drop by 2020 by 23 percent, 74 percent and 86 percent, respectively, below the levels predicted if the standards were not in effect, according to the EPA.