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EPA to unveil plan to take away California's authority on car emissions

Ari Natter and Ryan Beene
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The Trump administration will announce it is rescinding California's authority to regulate greenhouse gas emissions from automobiles on Wednesday, according to people familiar with the matter, a move sure to set off a legal battle with the most populous state.

The Environmental Protection Agency intends to announce it will revoke the so-called waiver underpinning California's power to set vehicle greenhouse gas standards separately from the Trump administration's broader rule to ease federal vehicle-efficiency standards, which is expected in the weeks ahead, the people said. The people asked to not be identified discussing plans prior to announcement.

EPA Administrator Andrew Wheeler announces plans to revoke the Waters of the United States rule, an Obama-era regulation that provided federal protection to many U.S. wetlands and streams, in this Thursday, Sept. 12, 2019, file photo. The Trump administration will announce it is rescinding California's authority to regulate greenhouse gas emissions from automobiles, according to people familiar with the matter. Wheeler told the National Automobile Dealers Association, "We will be moving forward with one national standard very soon."

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Among those invited to the agency's headquarters are free-market groups that have championed the Trump administration's rollback of automobile fuel economy and emissions standards adopted during the Obama administration. Plans for the announcement are still being developed and could change, one of the people said.

The move is almost certainly to spark a lengthy legal battle over California's regulatory powers that could throw the critical standards into uncertainty for years.

"California will continue its advance toward a cleaner future. We're prepared to defend the standards that make that promise a reality," California Attorney General Xavier Becerra said in a statement.

The procedural move would allow the attacks on California to proceed while the Trump administration continues to finalize federal fuel economy and emissions regulations for new autos after the 2020 model year. The plan also leaves intact California's power to regulate smog-forming pollutants from autos and other sources.

The measures need approval from the White House's Office of Management and Budget for review before they can take effect.

The EPA didn't respond to a request for comment but the agency's administrator, Andrew Wheeler, told the National Automobile Dealers Association, "We will be moving forward with one national standard very soon."

"We will be taking joint action with the Department of Transportation to bring clarity to the proper – and improper – scope and use of the Clean Air Act preemption waiver," he said in prepared remarks delivered Tuesday.

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