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Trump dumps regulation of greenhouse gases in cars and trucks

Todd Spangler
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President Donald Trump on Thursday, Feb. 12, formally announced the termination of a 17-year-old environmental finding that allowed the federal government to regulate greenhouse gas emissions from cars, trucks, power plants and other sources that have long been believed to contribute to global climate change.

The reversal of the 2009 endangerment finding – which was reached by the U.S. Environmental Protection Agency under then-President Barack Obama – effectively ends the legal underpinning supporting the regulation of carbon dioxide, nitrous oxide and other greenhouse gases scientists and environmentalists say contribute to climate change.

That means automakers may no longer be expected or required to design vehicles intended to reduce those pollutants or embrace the production of electric vehicles

under the auspices of rules that were intended to curb gases that have been found to contribute to global warming.

“Today’s action is consistent with EPA’s earlier announcement that it intended to repeal the endangerment finding and correct some of the unachievable emissions regulations enacted under the previous administration,” said John Bozzella, president and CEO of the Alliance for Automotive Innovation, a Washington trade group that includes Ford, General Motors, Stellantis, Toyota, Honda and other major automakers and suppliers.

“The auto industry in America remains focused on preserving vehicle choice for consumers, keeping the industry competitive and staying on a long-term path of emissions reductions and cleaner vehicles,” he said.

Environmentalists decried the change, with Manish Bapna, president and CEO of the Natural Resources Defense Council, saying, "This cynical and devastating action by the Trump EPA will not go forward without a fight. We will see them in court – and we will win." Michigan Attorney General Dana Nessel added that the federal government was "ignoring its own scientific findings and abandoning its clear responsibility to address greenhouse gas pollution," putting public safety at risk.

Trump called the reversal "the single largest deregulatory action in American history," and one that he said would lower the price of a new U.S.-made car or truck by "close to \$3,000" on average, though other officials put the per-vehicle savings at closer to \$2,400. EPA Administrator Lee Zeldin said the change will save American taxpayers \$1.3 trillion in reduced regulations, though he added that the federal government will continue to regulate pollutants like lead, particulate matter or soot and carbon monoxide.

"Vehicle manufacturers can again build what Americans want," said Zeldin. He announced that with the change, the EPA was ending a provision that gave automakers credits toward emission goals that led to the feature in many new vehicles that saw auto engines stop and re-start after a vehicle stopped moving.

Zeldin called that feature "almost universally" hated but the reversal of the 2009 finding, as it stands, could impact other features and changes as well. Greenhouse

gas regulations helped lead to more aerodynamic and lighter vehicles, for instance. Asked if the changes might impact public health, Trump said, "Don't worry about it."

Zeldin said the Obama EPA overstepped the requirements of the Clean Air Act to address concerns by "a few fearmongering climate alarmists" in making the 2009 finding and the change was putting regulators in line with the law as written by Congress. But while the Clean Air Act doesn't specifically call for regulating the greenhouse gases in question, it does call on the EPA to regulate pollutants more generally if they are found to impact public health.

While the Trump administration's decision was destined for a court challenge, that still faces an uncertain path. In 2006, the U.S. Supreme Court in a 5-4 decision found that under the Clean Air Act, the EPA was required to regulate greenhouse gases if they were found to be pollutants that endanger public health by contributing to climate change.

However, three of the four dissenting justices – Chief Justice John Roberts and Justices Samuel Alito and Clarence Thomas – believed that the EPA was not required to make such a finding and they now are part of a 6-3 conservative majority on the court, which has ruled against some federal regulatory authorities as bureaucratic overreach in recent years.

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The decision continues a long line of actions taken by Trump to fight rules put in place to limit greenhouse gas emissions and promote EV production and sale in the

U.S. by automakers. In December, Trump proposed drastically rolling back mile-per-gallon standards overseen by the Department of Transportation and adopted by the Biden administration which were expected to fuel EV production. His administration has also moved to rescind a waiver allowing California and other states to adopt stricter air pollution standards for cars and trucks under the Clean Air Act, though that is also the subject of litigation.

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