

The U.S. Environmental Protection Agency has taken [an important step toward addressing climate change](#) and improving our nation's automobile fuel economy, by granting California and at least 14 other states a waiver allowing them to regulate automobile greenhouse gas emissions. This was not unexpected, given the recent passage of federal legislation with standards similar to the proposed California regulations and apparent softening of opposition from the auto industry. And given the recent federal legislation, my sense is that the impact of the waiver may be largely symbolic, in affirming states' important role in regulating vehicular pollution and in addressing climate change. (Co-bloggers and others, please correct me if I'm wrong and there is some important substance to the California regulations that adds significantly to the new federal standards - I confess ignorance on the on-the-ground differences between the two.) But also, granting the waiver is the legally correct thing to do, and is long overdue.

The waiver, which was denied by the Bush-era EPA in March of 2008, allows California to implement AB 1493 (commonly known as the "Pavley bill" after its author and champion, former Assemblymember (and now State Senator) Fran Pavley). The regulations implementing AB 1493 require automobiles sold in California to have improved fuel economy of 40% by 2016, to an average of 35.5 mpg.

EPA had never denied a waiver request before, and its initial denial was widely seen as unlawful, though some, like [Prof. Jonathan Adler](#), disagree. It is clear, however, that the [EPA denied the waiver in the first place based on pressure from the Bush White House](#).

EPA sees this waiver as consistent with, and complementary to, the national fuel economy standards recently passed by Congress with acquiescence from the U.S. auto industry. [And the auto industry doesn't seem to have a problem with the waiver](#), in sharp contrast to their [prior stance against it](#). I don't have time to say more now, but am hoping my co-bloggers will discuss this in more detail. Here's [today's L.A. Times coverage](#).