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NPRA Files Legal Challenge Regarding California LCFS

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WASHINGTON, D.C. – NPRA, the National Petrochemical & Refiners Association, today filed a legal challenge against the California Air Resources Board (CARB) regarding California’s Low Carbon Fuel Standard (LCFS).

“The legal actions undertaken by this Association and other groups today reflect the concerns a wide variety of stakeholders have with California’s Low Carbon Fuel Standard,” NPRA President Charles T. Drevna said. **“The California LCFS is unlawful for a number of reasons, including the fact that it violates the Commerce Clause of the United States Constitution by imposing undue and unconstitutional burdens on interstate commerce.**

“California’s LCFS also would have little or no impact on GHG emissions nationwide and would harm our nation’s energy security by discouraging the use of Canadian crude oil – our nation’s largest source of crude – and ethanol produced in the American Midwest. Discouraging the use of North American transportation fuel sources would only create additional, unneeded burdens for California’s consumers and economy, increase our reliance on energy from less stable parts of the world, and weaken our national security. The LCFS is an ineffective tool for reducing GHG emissions. The fuel prohibited from use in California will simply be used elsewhere, which will result in *increasing* overall GHG emissions as a result of less stringent environmental standards in places those fuels would ultimately be consumed and of increased GHG emissions from increased transportation distances.

“The California LCFS is unfortunately only one element of a broader effort to impose various low-carbon fuel standards at the state, regional, and national levels. While each of these individual proposals is beset with its own unique complications and challenges, all of them share some of the same fundamental shortcomings. The widespread production, distribution, and use of alternative fuels that would be required under any LCFS poses significant environmental and technological challenges. Further, any LCFS may either simply be unachievable or bring about significant negative impacts on American consumers and on our nation’s environment, food supply, and energy security.”

Additional Resources

- NPRA Fact Sheet: [Encroachment: The West Coast Offense Against American Consumers and the Economy](#)
- [NPRA's February 25, 2009 Comments on the Draft California LCFS](#)
- [NPRA's December 16, 2008 Comments on the Draft California LCFS](#)