

# **EPA: The Administration's High-Risk but Pivotal Climate Gamble**

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Climate Change: Reconsidering the Science and  
Economics

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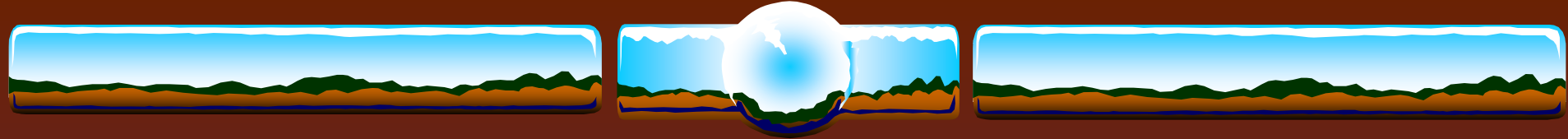
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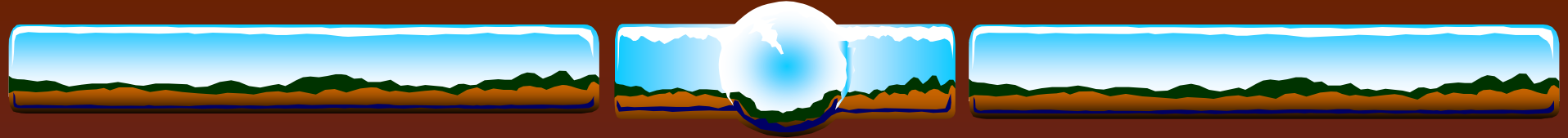
# Outline

1. EPA's/Administration's Climate Gambit: How to Cope
  - A. Why EPA Plays a Pivotal Role in the World Climate Control Conspiracy
  - B. How the Supreme Court Gave EPA this Role in US and Thus the Pivotal World Role
  - C. How to Meet the Short-term EPA Problem
  - D. Many Longer Term Reforms Needed Too
2. Need to Broaden Review of the Warmist Narrative to the Very Weak Less Scientific Areas
  - A. The 3 Widely Discussed Warmist Scientific Assumptions
  - B. The 5 Even More Dubious Warmist Assumptions Too Often Ignored



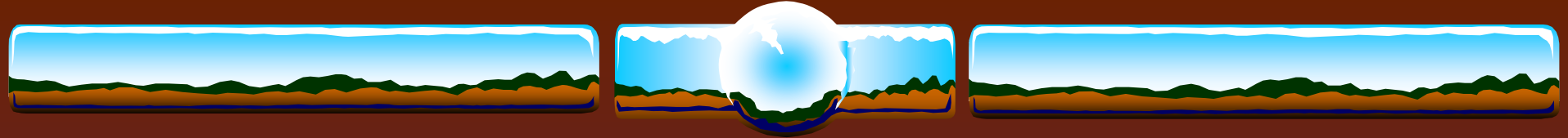
# 1A. Why EPA Plays a Pivotal Role in the Green Climate Control Conspiracy

- ❖ US occupies the pivotal role in determining the outcome of the worldwide AGW conspiracy
- ❖ In the end, the rest of world will not commit economic suicide by agreeing to roll back the industrial revolution without the US taking actions with similar results
- ❖ Senate will not pass cap and tax or even Kerry-Lieberman
- ❖ So EPA appears likely to be the strategic battleground for the US and therefore the world in this struggle
- ❖ Without the Court's intervention, the AGW onslaught would probably now be history given rapidly declining support in France, Germany, Australia, and the US



# 1B. How Supreme Court Plus Admin. Control of EPA Gave EPA the Key Role

- ❖ Congress has granted sweeping regulatory powers to EPA on the assumption that it would be responsibly used. This has taken many years based on a long record of generally careful regulation where needed
- ❖ Then the traditionally most conservative US institution, the Supreme Court, reinterpreted the Clean Air Act as a basis for regulating GHGs
- ❖ Immediately convinced me of crucial role of EPA and I did what I could
- ❖ CAA much less than ideal means for regulating GHGs and this will hopefully create future legal problems for the Agency
- ❖ Administration will not give up this lone area of leverage through fiat regulation by EPA perhaps because it is committed to larger global effort and will do anything to keep from ending the worldwide AGW conspiracy
- ❖ Political risks are large but apparently regarded as secondary



# 1C. Ways to Meet Short-term EPA Problem

- ❖ Administration unlikely to change course, so continue to push for revisiting endangerment finding but real options are:
  - ❖ Veto Endangerment Finding under Congressional Review Act. Tough to get majority in current House
  - ❖ Revise Clean Act to specifically exclude regulation of greenhouse gases for climate change control and CWA for ocean acidification. Requires Presidential signature or Congressional override.
  - ❖ Preclude any funding for regulation of greenhouse gases for climate change control or water discharges to “prevent” ocean acidification. Requires majority vote in both houses and Presidential signature or override
  - ❖ Overturn endangerment finding in courts
  - ❖ Wait until Obama Administration leaves office and hope that new admin will overturn GHG regulations. Considerable damage may be done in meantime
- ❖ EPA so crucial to world outcome that all these approaches need to be pursued



# 1D. The Longer-term Problems

- ❖ Previous administrations have tried to minimize adverse economic and political effects of environmental regs.
- ❖ Obama Admin. priority is opposite—use EPA to change public/Congressional behavior regardless of political or economic cost
- ❖ Administration can and has determined “correct” science at Presidential level; diversity of opinion not allowed
- ❖ Has powerful means to enforce conformity in bureaucracy
- ❖ How can similar risks be reduced now and in future taking into account the larger problem?
- ❖ But nothing can stop an administration from using bad science if it insists on doing so.



# The Larger Problem

“In brief, we have the new paradigm where simulation and programs have replaced theory and observation, where government largely determines the nature of scientific activity, and where the primary role of professional societies is the lobbying of the government for special advantage.”

Richard Lindzen, 2008



# 1D. Longer-term Reforms to Reduce Risk of Future EPA Problems

- a. Insulate EPA from political control
- b. Require that EPA *MUST* carry out independent analyses and not rely primarily on outside assessments
- c. Remove strong financial & other incentives for EPA managers and senior analysts to follow Administration
- d. Periodically review and reassess major EPA regulations not already actually undergoing reviews
- e. Require that EPA reach scientific decisions based primarily on the scientific method





# 1D. Proposed Reform e: EPA Must Use the Scientific Method

- ❖ With important footnotes, EPA is trying to apply peer review as the deciding factor despite the fact that it is not and cannot be part of the scientific method
- ❖ Skeptics need to emphasize this since this is the basic scientific issue—is science based on:
  - ❖ Peer review by a carefully selected group, or
  - ❖ Correspondence with observed reality?



# ID. Longer-term Reforms Needed Elsewhere

- f. End new National Climate Service—last thing we need is for the Federal Government to speak with one voice on climate science
- g. Split responsibility for climatic data gathering and climatic data interpretation to reduce temptation
- h. Get government out of choice of energy sources; limit role to strictly R&D and conventional pollution control; no subsidies/taxes/preferences unless justified to bring prices into line with full social costs; so no renewable portfolio standards (RPSs)
- i. Change how Federal R&D decisions are made so that process cannot be captured by special interest groups in future
- j. End all US funding of UN & EPA climate change control efforts & aid to less developed countries based on climate change criteria



## 2A. The 3 Widely Discussed Warmist Assumptions

Both the warmists and the skeptics have devoted most of their attention to three basic scientific warmist assumptions:

1. Significant GW taking place now and in future
2. Warming primarily due to increasing levels of GHGs
3. Rising GHG levels primarily due to human GHG releases



## 2B. 5 Even More Dubious Warmist Assumptions Too Often Ignored

4. Realistic for humans to rapidly and drastically reduce GHG emissions (reductions equal to new emissions more likely at best)
5. UN consensus can be reached on new emissions treaty (hardly likely based on Copenhagen)
6. Desirable and feasible for developed countries to pay large amounts to developing countries with little or no controls (US history on foreign aid not at all supportive)
7. If consensus reached each country would actually implement what it had agreed to do (not Kyoto experience)
8. These implemented reductions would reduce GW sufficiently so as to avoid a 2°C increase in temps (extreme uncertainty in CSF; climate models inaccurate; impossibility given current models and assumptions)



# For More Details and New Developments

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