



1875 Eye Street, NW • 5th Floor
Washington, DC 20006

Telephone 202-429-2737

COMMITTEE FOR A CONSTRUCTIVE TOMORROW

January 15, 2018

Air and Radiation Docket and Information Center
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

SUBMITTED VIA EMAIL TO: A-and-R-Docket@epa.gov

COMMENTS on EPA-HQ-OAR-2017-0355

Advanced Notice of Proposed Rulemaking

SUPPORT FOR Repeal of Carbon Dioxide Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units (Clean Power Plan)

The Committee For A Constructive Tomorrow (CFACT or the Committee) is pleased to submit the following comments in support of the Environmental Protection Agency's Advanced Notice of Proposed Rulemaking (ANPR), titled *Repeal of Carbon Dioxide Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units (Clean Power Plan)*.

EPA issued the Clean Power Plan (CPP) under the purported authority of Section 111(d) of the Clean Air Act. However, that section authorizes EPA to establish emission guidelines for *existing* sources, to reflect the "best system of emission reduction" (BSER) at each of those *single sources* themselves. The CPP guidelines issued by the Obama EPA could be followed only by *changing the power sources themselves*, from coal to natural gas, and from fossil fuels to wind, solar, geothermal and other renewable energy.

That means the Obama EPA misinterpreted the Clean Air Act and greatly exceeded its authority under the Act when the agency issued its Clean Power Plan and the Endangerment Finding (EF) behind it.

CFACT therefore agrees with the Environmental Protection Agency's new interpretation of Section 111(d), as presented in this proposed rulemaking. We agree that, under this new, legally correct interpretation, "the CPP exceeds the EPA's statutory authority and [must] be repealed."

The Committee also emphasizes, yet again, that the danger is not and never has been climate change – which has been natural and recurrent throughout Earth and human history. The real, immediate danger is and has been energy restrictions imposed in the name of controlling Earth's perpetually fickle climate.

The EF and CPP clearly harm human health and welfare, wildlife and environmental quality, but do and can do nothing to prevent climate change, "dangerous" or otherwise. The EPA is absolutely correct to repeal the Clean Power Plan and all "model rules" developed under the Plan. However, it should also reverse the Endangerment Finding that is the foundation for the Plan and all these harmful rules.

The Committee For A Constructive Tomorrow (CFACT)

With headquarters in Washington, DC, the Committee For A Constructive Tomorrow is a 501(c)(3) national and international environmental and educational organization dedicated to protecting both wildlife and ecological values *and* the needs and aspirations of people, families and communities.

We thank you for this opportunity to present our analysis of EPA's proposal to repeal the Clean Power Plan (CPP), as the Committee, its more than 80,000 supporters, our families, and all the people we represent and assist were adversely affected by the CPP and by EPA's decision to declare that carbon dioxide and other greenhouse gases endanger human health and welfare, and must therefore be regulated under the Clean Air Act, Clean Power Plan and other federal regulations.

The Endangerment Finding, Clean Power Plan and other EPA rulemakings sharply curtailed the use of coal and natural gas in generating electricity. As a consequence, they adversely affected job creation and retention; the price and availability of the energy, food and consumer products needed in the daily lives of all Americans; and the health and welfare of millions of families, especially poor, minority and blue-collar families in states that rely on coal and natural gas in generating electricity.

In summary, EPA's Clean Power Plan is not warranted or permitted by the Clean Air Act or the evidence relied upon by the Agency in promulgating the Plan. The CPP and EF clearly harm human health and welfare, but do nothing to improve environmental quality or prevent global warming or climate change, much less "dangerous manmade climate change."

Indeed, EPA's rules themselves present a far more serious threat to the health, welfare and pursuit of happiness, justice and civil rights progress of our members, the people we represent, and all Americans – than do any reasonably foreseeable human influences on global temperature, climate or weather.

CFACT analysis of EPA's Clean Power Plan

The Environmental Protection Agency's Clean Power Plan (CPP) requires that states reduce their electric utility sector carbon dioxide emissions an average of one-third below 2005 levels by 2030.

EPA devised its authority for the CPP by converting 80 *words* in the Clean Air Act into 2,690 *pages* of regulations and appendices. The plan requires that utilities return the nation's overall CO₂ emissions almost to 1975 levels, while our population grows to a projected 360 million over the next twelve years. If the CPP is not repealed, 24 states will have to slash their power plant CO₂ emissions by 31 to 40 percent; eight would have to slash them by more than 40 percent; several far more than 40 percent.

That is a near impossibility, since six of those states still get 40 to over 90 percent of their electricity from coal, and many of them depend on coal plus natural gas for the majority of their electrical power.

Mandating that transition and requiring that these states convert 20 percent or more of their electricity generation to expensive, unreliable wind and solar energy by 2030 will be disastrous. It will raise energy costs dramatically and seriously harm families, businesses, industries and communities.

Electricity rates will likely rise from the 8-9 cents per kilowatt-hour currently paid in coal-reliant states to at least the 15-17 cents/kWh in "green energy" states like California. They could skyrocket to the 35 cents/kWh now paid in Denmark and Germany (70 cents when taxpayer subsidies are included).

The CPP adversely affects human health and welfare

Those rising electricity rates will affect everything people make, grow, ship, eat and do. They will impair livelihoods, living standards and life spans – and impact factories, farms, hospitals and schools.

Poor, minority and working class families will have to find hundreds of extra dollars per year to pay these rising energy bills, even as more Americans are driven below the official poverty line and annual median family incomes decline beyond the \$3,000 decrease they experienced between 2009 and 2016.

If the Clean Power Plan is not repealed, small businesses will have to find thousands of dollars every year, just to keep the heat and lights on, without laying workers off. Factories, malls, school districts, hospitals and cities will have to pay *millions* more, while trying to pay pensions and other rising costs. This is destructive and unsustainable.

If the CPP remains in force and effect, everything business owners, workers, families and communities strived for their entire lives will be at risk. Millions of workers will lose their jobs, leaving more families destitute and welfare dependent. Many families will have to choose between buying food and gasoline, paying the rent or mortgage, going to the doctor, giving to their church, or saving for retirement.

Families will face more sleep deprivation, and greater stress and depression, as they struggle to make ends meet. In weakened economies, the incidence of drug and alcohol abuse, spousal and child abuse, theft and robbery typically go on an upswing – while nutrition and medical care decline, and the number of strokes, heart attacks, suicides and other premature deaths all increase. More elderly people perish from hypothermia, because they cannot afford to heat their homes properly.

Contrary to Obama EPA statements regarding the dangers of global warming, cold weather kills *20 times more people* than hot weather – and recent winters have been *long and cold* in much of the United States, Europe and elsewhere. In Britain, thousands of pensioners *die* of hypothermia every winter, because soaring energy costs have made it impossible for them to afford adequate heat.

To cause that to happen here in the USA would be immoral and unconscionable. Using EPA’s own figure for the value of a human life (\$9 million), deaths from hypothermia alone would cost the United States billions of dollars annually – a fact that EPA failed to acknowledge in imposing the CPP.

Instead of recognizing these hard realities, EPA employed a deceptive “social cost of carbon” analysis that placed arbitrary and inflated costs on damages the agency claimed result from alleged climate risks from using carbon-based fuels. These calculations included every imaginable and imaginary *cost* of using fossil fuels – while completely ignoring the enormous *benefits* of using coal, oil and natural gas, and completely ignoring the horrendous *costs* of its anti-fossil fuel regulations.

Fossil fuels facilitated successive industrial revolutions and now enable billions to live better than royal families did a mere 150 years ago. They generate up to \$70 trillion in annual global GDP.

Readily available data on global living standards, economies, disease, nutrition, life spans and other benefits – and the government’s own SCC cost figures and methodologies – demonstrate that *carbon benefits exceed costs* by orders of magnitude: at least 50 to 1 to as much as *500 to 1!*

Between 1870 and 2016, carbon-based fuels helped increase average U.S. incomes eleven-fold. They helped raise average global life expectancy from less than 30 in 1870 to more than 71 today.

They have made U.S. factories, schools, hospitals, living standards and life spans the envy of the world.

Ignoring all these benefits, EPA even claimed its anti-energy Clean Power Plan will reduce asthma rates. However, asthma rates have *increased* slightly, while air pollution has *declined*. This underscores that asthma hospitalizations and outdoor air pollution levels are not related. The real causes of asthma are allergies, a failure to expose young children to sufficient allergens to cause their immune systems to build resistance to airborne allergens, and lack of sufficient exercise to keep lungs robust. EPA ignored this.

Reducing access to affordable, reliable electricity by retaining the CPP will further exacerbate the untenable unemployment and welfare situation that prevailed in recent years.

By 2016, more than 94 million Americans were not working, and the labor force participation rate fell to its lowest point in 38 years, with barely 62 percent of the U.S. population either holding a job or actively seeking one. Nearly 8.5 million Americans did not have jobs, some 40 percent had given up even looking, and more than 6 million were involuntarily working one or more jobs part-time, because they could not find full-time positions. Millions of families were living on the edge.

Rising electricity and regulatory compliances costs were a major factor in all of this, and the Clean Power Plan made the situation worse.

In effect, EPA was trying to protect people from conjectural, exaggerated, illusory or fabricated climate risks years or decades from now – by increasing the regulatory burdens, soaring energy prices, economic problems, anxiety, and health and welfare woes families and businesses faced during the latter years of the Obama presidency. This was an untenable, unsustainable, destructive path for America.

The CPP adversely affects wildlife and the environment

The Clean Power Plan also harms the environment. Sprawling wind and solar installations and transmission lines impact millions of acres of agricultural, wildlife and scenic areas. Huge wind turbines and solar facilities kill millions of eagles, hawks, other birds and bats every year. While the American Bird Conservancy, U.S. Fish & Wildlife Service and other organizations say wind turbines alone kill an estimated 500,000 birds annually, experts like biologist Jim Wiegand put the number far higher and say that the wind industry has for years engaged in a concerted campaign to hide the actual numbers.

The Clean Power Plan was destined to make this situation far worse, by forcing states to build more, increasingly larger wind and solar facilities, and locate them increasingly in sensitive wildlife habitat areas, which are often the best remaining areas for abundant wind and sun. Just as bad, the electricity they generate is expensive, weather dependent, unreliable and unable to replace conventional 24/7/365 electricity. So it also requires expensive backup power plants, requiring still more lands and resources.

Moreover, sprawling industrial wind and solar facilities require backup coal- or gas-fired generators, to supply electricity every time renewable generation fails. All of these redundant facilities require huge amounts of metals, cement and other raw materials that must be mined, processed and turned into power plants using fossil fuels. The backup generators must then run inefficiently in standby, ramping up and down countless times every month, emitting still more carbon dioxide and pollutants.

The carbon dioxide and other greenhouse gas output from all of this is likely greater than what would be emitted if renewable power was eliminated and fossil fuel power plants simply operated all the time.

Vast stretches of croplands and wildlife habitats have also been plowed under to grow corn and other plants for ethanol and other biofuels – supposedly to replace fossil fuels for vehicles and prevent manmade climate change, under EPA policies and regulations justified by the same Endangerment Finding that was used to rationalized the Clean Power Plan.

To turn more than 40 percent of the nation’s corn crop into ethanol makes no sense, especially at a time when the United States has abundant supplies of oil and natural gas that can be produced more efficiently, at lower cost, with fewer CO2 emissions, via fracking and conventional means. But this too is required or at least excused under EPA’s unwarranted and legally indefensible climate control plans.

The Obama EPA’s asserted climate change benefits are illusory

Our planet’s climate has changed regularly throughout Earth and human history, in response to powerful, interconnected forces that humans cannot control. There is no persuasive evidence in the climate or weather record that government can control climate fluctuations and weather events by limiting the amount of plant-fertilizing carbon dioxide that humans emit into the atmosphere.

Indeed, contrary to EPA claims about carbon dioxide being a “dangerous pollutant,” more CO2 in Earth’s atmosphere will improve crop, forest and grassland growth, even during prolonged droughts and cold periods. This is already occurring, as demonstrated by the increased “greening” of the Sahel and many other regions, improved forest and crop growth, and other phenomena recorded by the Center for the Study of Carbon Dioxide and Global Change and many other researchers.

Moreover, tornadoes, storms, droughts, polar ice and sea levels are all within the realm of historic experience. They are not increasing at unusual or accelerating rates, there is nothing dangerous or “unprecedented” about them, nor is there any evidence that CO2 is “acidifying” oceans that are and will

remain firmly alkaline. There is certainly nothing to justify shutting down our carbon-based energy system, dramatically increasing energy costs, restructuring and hobbling our economy, destroying millions of jobs, and impairing human health and welfare.

In fact, contrary to computer model predictions, average global temperatures have not budged by more than a couple hundredths of a degree in nearly 19 years, except during two strong El Niño events.

Climate models consistently misrepresent past temperature and climate trends and predict much greater warming than Earth has actually experienced. They do so primarily by assuming (with no real-world evidence to support the assumption) that carbon dioxide now is now the dominant, if not only, factor in climate change – and power solar, oceanic, cosmic and other forces no longer play any role. The more CO₂, the models naturally but incorrectly conclude, the more often we will have worsening disasters.

Moreover, Hurricane Harvey's landfall on August 25, 2017 marked the end of a record nearly twelve year hurricane drought since a category 3-5 storm last hit the United States (Hurricane Wilma in 2005; Sandy hit at less than a Category 1). That broke the previous nine-year record, which dated back to the Civil War. In addition, 2015 marked the first time since 1914 that *no hurricanes formed anywhere* in the Western Atlantic, Caribbean Sea or Gulf of Mexico through September 22 of a calendar year.

All this happened as atmospheric CO₂ levels approached 400 ppm (0.04 percent), further undermining the Obama EPA's claims about fossil fuels driving more frequent and intense hurricanes and storms.

Seas are rising at barely seven inches a century. Droughts and other "extreme weather events" are less frequent, less severe, less long-lasting than during the twentieth century. Polar ice is freezing at or above historical rates in the Arctic and Greenland, and at a record pace in Antarctica.

Polar bear numbers are at record highs, having risen from around 5,000 worldwide 65 years ago to more than 20,000 today. Contrary to recent alarmist news stories, not only are 17 of 19 Northern Russian caribou (reindeer) herds stable or increasing; some actually have to be culled in number.

The bottom line: Even for accurately noted climate fluctuations over the past quarter-century, there is no persuasive evidence that human greenhouse gas emissions played a significant enough role (if any) to counter or replace the powerful natural forces that have always affected climate and weather – much less to justify the Endangerment Finding or Clean Power Plan.

Moreover, as Secretary of State John Kerry admitted during the Paris climate negotiations in 2015, even if all *industrialized* nations' CO₂ emissions declined to *zero*, "it wouldn't be enough [to prevent asserted climate disasters], not when more than 65% of the world's carbon pollution comes from the developing world." And that assumes carbon dioxide has replaced the powerful natural forces that have always controlled climate and weather – a claim that numerous climate scientists strongly contest.

Once again accepting the assertion that carbon dioxide does drive climate change, *all* the regulations that EPA is promulgating would prevent an undetectable and irrelevant 0.018 degrees Celsius (0.032 degrees Fahrenheit) by the end of the century, climatologists Patrick Michaels and Paul Knappenberger have calculated. The Clean Power Plan alone would achieve only a tiny fraction of those trivial benefits.

Data, models and reports behind the CPP are questionable, even fraudulent

In reaching its conclusion that carbon dioxide and other greenhouse gases "endanger the public health and welfare of current and future generations" of Americans, and in promulgating its Clean Power Plan, the Obama EPA suppressed alternative viewpoints within the agency. It also relied heavily on NOAA, NASA, IPCC and other studies that "clarified" or "homogenized" data (clever terms for revising or manipulating past data and evidence); computer models whose algorithms and output rely entirely on the unproven assumption that manmade CO₂ drives global warming and climate change; and analyses which asserted without scientific evidence that literally hundreds of observed natural phenomena (from coral bleaching to predominantly female sea turtle embryos) were due to manmade climate change.

Changes in computation methods always served the cause of climate alarmism. For example, NOAA adjusted sea surface temperature data from a global network of buoys upward by 0.12 degrees C (0.25 degrees F) to “homogenize” them with data from warmer engine intake systems on ships. The National Sea Ice Data Center increased the rate of decline of Arctic sea ice compared to the rate of decline calculated under the old method, to make data suggest unprecedented Arctic warming and ice loss, and conform with alarmist memes about manmade climate change.

Australian temperature data relied on by the IPCC, and thus by the Obama EPA, was consistently the product of scientists tampering with the raw data: making older measurements lower than what had been recorded, and raising more recent measurements, again to obtain and “prove” that humans are dramatically increasing average global temperatures to dangerous levels.

By using contaminated ground temperature data and highlighting El Niño events, NOAA and other studies claimed global warming had not stalled for nearly two decades. This claim is belied by satellite and balloon radiosonde records, which increasingly contradict computer climate model forecasts.

Other historic records were also routinely – and improperly – adjusted downward, modern records got bumped upward a bit, and scientists receiving EPA and other government grants during the Obama years ignored satellite data and relied increasingly on measurements recorded near (and contaminated by) airport jet exhaust, blacktop parking lots, and urban areas warmed by cars, heating and AC vents. This methodology resulted in graphs that regularly – and falsely – show far warmer local, regional and global temperatures than 50, 100 or 150 years ago, rather than the moderate rise that actually occurred.

The IPCC claimed its referenced studies were all peer-reviewed by experts. In reality, at least 30% were not; many were prepared by graduate students or activist groups; and some of its most attention-getting claims (of rapidly melting Himalayan glaciers, for example) were nothing more than brief email messages noting that these were “possible” outcomes – if exaggerated assumptions about CO2 were correct.

Many other IPCC peer reviewers were scientists who fervently promote catastrophic manmade climate change perspectives, received government and other grants for writing reports confirming this thesis, and took turns reviewing one another’s papers. Their biased analyses cannot be verified or trusted.

As the Endangerment Finding was being developed in 2009, EPA summarily removed one of its most senior experts from the review team, for objecting to the analytical methods the agency was using. “Your comments do not help the legal or policy case for this decision,” Alan Carlin’s supervisor told him.

ClimateGate emails and other documents likewise reveal systemic and systematic collusion, obstruction, modification, manipulation and even fabrication of data. Virtually every IPCC “Summary for Policy Makers” was prepared *by* policy makers, climate activists and government regulators – after which the extensive scientific documents on which the summary was supposedly based were revised to reflect what was said in the summary. Only then was the summary released to the news media and public.

The Obama EPA also based its Clean Power Plan on gross misrepresentations about particulate emissions, especially PM2.5 particles. There is no threshold below which there is no risk, no level “at which premature mortality effects do not occur,” then-EPA Administrator Gina McCarthy told Congress.

In fact, cigarettes rapidly send 1,000 times more tiny particles into lungs than what the EPA says is lethal if they come from coal-fired power plants. Equally damning, agency-funded (illegal) experiments on human test subjects administered PM2.5 particles to dozens of people – including elderly, asthmatics, diabetics, people with heart disease and children who would be the most at risk – and exposed them to eight, thirty or even sixty times more particulates per volume than what the EPA claims are dangerous or lethal, and did so for up to two hours. And yet no one died or even got sick.

This underscores how blatantly false, misleading and even fraudulent Obama EPA claims were about the “serious risks” from coal-based electricity that the agency used to justify its Clean Power Plan.

Misrepresentations and fraud must never be the foundation for government regulations.

Returning to the subject of climate modeling, not only did the Obama EPA rely far too much on computer models, simulations and scenarios. It treated them as actual, reliable predictions of climate and weather disasters that will most likely occur – and based its Endangerment Finding and Clean Power Plan on the assumption that the dire forecasts could and should be the foundation for far-reaching government policies and regulations. EPA should have treated model outputs as the predictable but false results of the faulty assumptions (and data) that were fed into them. As the axiom puts it: Garbage In, Garbage Out.

The Obama EPA made the further mistake of asserting that its confidence in the models and the agency's scientific understanding was increased and corroborated by the fact that nearly all the models agree. Of course they do. They are all based on the same assumptions about carbon dioxide, other greenhouse gases, and “positive feedbacks” that always lead to more warming, climate change and severe weather. However, it should go without saying that agreement among such models is no basis for scientific confidence (or regulatory certainty) ... *unless the models reflect actual, real-world evidence.*

They do not do so. In fact, as climatologist John Christy has demonstrated, the disagreement between model forecasts and observed temperatures has grown worse with every passing year. By the end of 2016, the models versus reality discrepancy was a full degree Fahrenheit higher than what has actually been observed by satellites and radiosondes.

Treating such computer scenarios as accurate forecasts to guide policy and regulatory actions is not only improper. It is junk science, even fraud – and a great disservice to the nation.

The scientific literature is replete with numerous other examples of these grossly unscientific practices. However, the ones presented here should be enough to invalidate and reverse the Obama EPA's Endangerment Finding and Clean Power Plan.

Obama EPA actions violated federal laws and policies

EPA's actions also demonstrate repeated, flagrant disregard for federal laws and regulations.

In promulgating its Clean Power Plan and other regulations on climate change, EPA clearly violated Office of Management and Budget and other guidelines on “Peer Review for Influential Scientific Information” and “Highly Influential Scientific Assessments.”

EPA regulations clearly have significant impacts on the U.S. economy, jobs, the environment, and human health and welfare. IPCC and other studies used to justify those regulatory actions are clearly “influential scientific information” and “highly influential” scientific assessments, for which peer review by experts *outside the closed circle* of government and government-financed scientists was required.

U.S. Department of Energy policy clearly and unequivocally states: “Under no circumstance may anyone, including a public affairs officer, ask or direct any researcher to alter the record of scientific findings or conclusions.... Personnel will not suppress or alter scientific or technological findings, or intimidate or coerce ... others to alter or censor scientific or technological findings or conclusions.” This is basic, commonsense guidance for scientific integrity and policymaking.

But as noted in these comments, the Obama EPA engaged in such behavior and practices on multiple occasions. EPA's failure to abide by clear federal and basic sound science rules makes its Clean Power Plan and other actions improper, unscientific and arguably illegal under government laws and guidelines.

Not long ago, federal prosecutors conducted criminal probes of Volkswagen and its executives, for having installed special software that caused its diesel cars to emit fewer pollutants during tests used to ensure compliance with emission regulations, than during normal driving. The falsified tests allegedly duped American consumers into purchasing 580,000 diesel-powered vehicles.

Such prosecutions are warranted, to safeguard the public welfare, even if the penalties imposed are seen by many as excessive. However, a fundamental principle is at stake here:

Policies and rules that affect the lives, livelihoods and living standards of all American must be based on verifiable, replicable scientific evidence – never on junk science and false claims.

No one should be victimized by misleading claims by private companies – *or by government agencies and scientists* or third-party scientists hired and used to validate policies and regulations.

Equally important, no one forces citizens to buy a Volkswagen or any other car. But when it comes to laws and regulations, we have no choice. Obey the rules, or else. If those rules are based on dishonesty – on *emission deception* on an unprecedented level in the case of climate change and the Clean Power Plan – American citizens pay a huge, unacceptable price. That is intolerable.

Finally, these rules were being promulgated in direct contravention and circumvention of the clear will of Congress, which has rejected nearly 700 climate bills. They were developed in collusion with environmentalist pressure groups, via secretive emails, meetings and sue-and-settle lawsuits. The resultant regulatory edicts on coal-fired power plants are the product of this wholly improper process.

For all these reasons, the Clean Power Plan should be repealed.

Climate change history further contradicts CPP foundations

What we know about climate change through the ages can be summarized succinctly. It demonstrates clearly that the Obama EPA's Clean Power Plan rests on the flimsiest of scientific foundations.

Global warming and cooling have been recurrent events throughout the history of our planet. They are nothing new. Major events like the Pleistocene ice ages and intervening warm periods we caused by powerful solar, planetary, oceanic and astronomical forces, over which humans have no control.

Less dramatic but still significant climate fluctuations – such as the Minoan Warming, Roman Warming, Medieval Warm Period, Little Ice Age, and Mayan, Anasazi and Dust Bowl droughts – were driven by the same natural forces.

All these warming and cooling events are well documented in scientific and historical records, including ice cores, tree rings, paintings, writings, and discoveries of forests that had been buried by glaciers but in recent years were revealed as some of those glaciers retreated once again.

Medieval Warm Period and Little Ice Age temperatures are known – not with the accuracy of modern day electronic means, but well documented by geologic, archeological, biological and historic records. The medieval years were significantly warmer than today, and the Little Ice Age much cooler. London's Thames River no longer freezes over, and wine grapes can be grown today in England, as they were during the MWP. Numerous similar examples can be found in the literature.

The MWP and LIA were global events, as shown by historic and other records from Europe and China.

All the above warming and cooling fluctuations occurred without any contribution from industrially produced CO₂, or human factors of any kind. They were driven entirely by natural forces.

Some global warming that has occurred over the last 150 years. To say that it has taken place “since the beginning of the Industrial Age” subtly suggests that human activities have been responsible from the outset. In reality, and conveniently for alarmists, the Industrial Age coincidentally began as the Little Ice Age ended. That overlap helps to feed the alarmist climate narrative, but has no basis in honest science.

Scientific hypotheses are either right or wrong. They are not “proven” by popular vote, or “consensus.” As author, film producer, physician, and PhD scientific and medical researcher Dr. Michael Crichton so eloquently observed:

“Historically, the claim of consensus has been the first refuge of scoundrels; it is a way to avoid debate, by claiming the matter is already settled. Whenever you hear the consensus of scientists agrees on something or other, reach for your wallet, because you're being had. In reality, if it's science, it isn't consensus; if it's consensus, it isn't science.”

For all these reasons, EPA is on solid legal and scientific footing in repealing the Clean Power Plan.

Actions by other countries make U.S. sacrifices under the CPP meaningless

Carbon-based energy still provides over 80 percent of all U.S. and world energy. It supports \$70 trillion per year in world GDP. According to U.S. Energy Information Administration, International Energy Agency and other studies, fossil fuels will supply more than *75 percent of a 28 percent larger* global energy demand for decades to come, until 2040 or later.

Carbon-based energy is also essential if we are to bring electricity to the 1.2 billion people who still do not have it, and thereby help end the rampant poverty and lung, intestinal and other diseases that kill millions of people in impoverished countries every year.

That is why hundreds of coal-fired power plants have been built in recent years, and 1,600 more are currently under construction or in planning around the world. China, India and other developing nations will not consider reducing their GHG emissions until at least 2030, and even then compliance with the Paris climate agreement will be voluntary and dependent on how their economies are doing.

Britain plans to end its “green” subsidies by 2025, to reduce electricity prices that have sent millions of families into energy poverty, caused the loss of thousands of jobs in the UK steelmaking sector, and resulted in the deaths of thousands of elderly pensioners who could not afford to heat their homes sufficiently to avoid slow hypothermia and disease.

Germany’s reliance on coal continues to rise. It now generates over 40% of its electricity from lignite and other coal – more than any other EU nation. The country’s intense focus on climate change has become a major political and economic handicap; its would-be coalition partners have agreed to drop the country’s ambitious plan to lower CO2 emissions by 40 percent from 1990 levels by 2020; and an historic cathedral in a western German village was recently torn down to clear the way for expanding a huge lignite mine.

Having determined that nuclear energy is no longer a viable option, Poland has decided that its energy security will instead depend increasingly on coal. Having been held back economically by decades of Communist oppression, it will not permit its future to be dictated by EU or UN climate concerns.

China now gets some 75% of its electricity from coal. Its coal consumption declined slightly in 2014, as the Middle Kingdom turned slightly to natural gas and solar, to reduce serious air quality problems. However, it plans to build 300 more coal-fired power plants, with many eventually outfitted or retrofitted with scrubbers and other equipment to reduce emissions of *real, health-impairing* pollutants, not CO2.

India will focus on “energy efficiency” and reduce its CO2 “emission intensity” (per unit of growth), but not its overall emissions. It will also boost its reliance on wind and solar power for remote areas that will not be connected to the subcontinent’s growing electrical grid anytime soon. However, it plans to open a new coal mine every month and double its coal production and use between 2015 and 2020.

Pakistan is taking a similar path – as are Vietnam, the Philippines and other Southeast Asian nations. Even Japan plans to build 40 new coal-fired units over the next decade.

Overall, says the International Energy Agency, Southeast Asia’s energy demand will soar 80% by 2040, and fossil fuels will provide some 80% of the region’s total energy mix by that date.

Africa is pursuing a similar route to lifting its people out of poverty. The continent has abundant oil, coal and natural gas – and it intends to utilize those fuels, along with nuclear power, while it utilizes wind and solar power in remote areas until they can be connected to the continent’s slowly growing electrical grids.

*All this fossil fuel use means the costly, painful, job-killing, draconian energy reductions required under EPA’s Clean Power Plan will have **no effect whatsoever** on atmospheric carbon dioxide levels, which will continue to climb, further greening the planet and spurring faster crop, forest and grassland growth.*

Even assuming (for the sake of argument) that carbon dioxide has somehow replaced the powerful natural forces that have always driven Earth’s climate and weather, the CPP will do nothing to stabilize, prevent or roll back global warming, global cooling, other climate changes or extreme weather events.

Conclusion: EPA is on solid ground in repealing the Clean Power Plan

In this discussion of the Clean Power Plan, the central issue is not whether Planet Earth is warming. The central issues are these:

How much is Earth warming, if at all? How much is its climate changing, if at all?

Will any future changes be short-term or long-term ... good, bad, neutral or catastrophic?

What portion of the actual warming and other climate changes result from mankind's use of fossil fuels and emission of greenhouse gases – and what portion is due to powerful solar and other natural forces over which we humans have absolutely no control?

At this time, there is *no* scientific evidence – based on actual observations and measurements of temperatures and weather events – that human influences have replaced powerful, interconnected natural forces ... are altering the climate to a significant or dangerous degree ... or “endanger both the public health and the public welfare of current and future generations,” as falsely and inaccurately asserted by the Obama EPA in its “Endangerment Finding,” which served as the justification for the CPP.

Computer models, political statements and hypothetical cataclysms cannot and must not substitute for that absence of actual evidence, especially when the consequences would be so dire for so many.

Simply put, the danger is *not* climate change – which will always be with us. The real, immediate danger is energy restrictions – like the Clean Power Plan – imposed in the name of controlling Earth's perpetually fickle climate.

Finally, CFACT also notes that it concurs with and endorses comments submitted by the Heartland Institute of Chicago, which further buttress the analyses presented here.

The Clean Power Plan will harm human health and welfare, wildlife and environmental quality, while doing absolutely nothing to prevent climate change, “dangerous” or otherwise.

The Environmental Protection Agency is taking the scientifically, legally, economically and morally correct step in repealing the Clean Power Plan and any rules and restrictions developed under it.

As part of this vital repeal process, EPA should also reverse the Endangerment Finding.

Respectfully submitted,

Craig Rucker

Craig Rucker

Executive Director, Committee For A Constructive Tomorrow