HOT TOPICS

**Pipeline Reversal**
After reversing its flow, the Capline pipeline is fully operational and transporting heavy crude oil from Canada’s tar sands to refiners along the U.S. Gulf of Mexico.

**Page 5**

**Tesla Backs MN Mine**
Top electric car manufacturer Tesla signed a billion-dollar agreement with a proposed nickel mining project in Minnesota.

**Page 13**

**OK Wind Project Repairs**
Oklahoma regulators declared an industrial wind facility on the Oklahoma-Texas border a threat to public safety, ordering repairs or removal.

**Page 3**

**Coal Comeback**
U.S. and global coal consumption grew in 2021, driven by higher natural gas prices.

**Page 22**

**Biden Blocks Alaska Petroleum**
President Joe Biden announced plans to prevent new oil and gas exploration and production on more than half the U.S. National Petroleum Reserve in Alaska.

**Page 7**

**Youngkin Moves to Pull Virginia from Regional Greenhouse Gas Initiative**

*By Duggan Flanakin*

Gov. Glenn Youngkin of Virginia has taken steps to fulfill a campaign promise to remove the commonwealth from the Regional Greenhouse Gas Initiative (RGGI).

Executive Order No. 9 (EO), issued by Youngkin on his first day in office (January 15), directs state officials “to reevaluate Virginia’s participation in RGGI, and to immediately begin regulatory processes to end it.”

**Carbon-Dioxide Caps**
Ten Mid-Atlantic and New England states formed RGGI in 2009 with a goal of capping and reducing carbon dioxide emissions from the power sector.

**YOUNGKIN RGGI, P. 4**

United States Is World’s Largest LNG Exporter—For Now

*By Duggan Flanakin*

For the first time in history, the U.S. oil and gas industry led the world in exports of liquefied natural gas (LNG), the U.S. Energy Information Administration (EIA) reports.

A major reason for the surge was European “clean energy” policies that have left millions of people without reliable energy for homes and businesses when wind currents fail across the continent for extended periods.

In response, Europe has increased its imports of U.S. gas through a growing

**LNG EXPORTER, P. 8**
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Oklahoma Wind Facility Forced to Remove or Repair Turbines

By Duggan Flanakin

Damaged turbine blades and towers at an industrial wind facility straddling the Oklahoma-Texas border that were declared a threat to public safety have been removed, the Oklahoma Corporation Commission (OKCC) reports.

The current wind facility owner, Olympia Renewable Platform, addressed the danger posed by the damaged equipment by removing some turbines and associated equipment. The company completed the work six months after the OKCC inspected the site in June 2021.

The 120-megawatt-capacity KODE Novus I and II industrial wind facility located in the Panhandles of both states consisted of 60 towers in Oklahoma and 60 across the Texas state line, plus associated equipment. Initially proposed and operated by Novus Windpower, the facility began operating in 2012.

Broken Blades, Burnt Housings

The initial site visit conducted by Brandy Wreath, director of the OKCC’s Public Utility Division, found nine towers with signs of catastrophic failure, with portions or entire blades missing and burnt nacelles, or component housings, at tower tops.

Dozens of other towers were locked down because of internal damage or other problems compromising their operation, Wreath told members of the OKCC.

“I am not someone whose nerves get on edge very easily, but I didn’t want either myself or my people close to it,” said Wreath. “What I saw gave me fear.”

When confronted with the problems identified by the OKCC, company officials admitted there had been numerous problems with the turbines since they were installed by the German company DeWind.

Site Cleanup Completed

After the OKCC discovered the problems, it issued an emergency order requiring Olympia, the current owner, to develop a site plan within 30 days to address the problems.

The company complied, working with landowners and regulators to address the safety threats and restore the wind facility. The repair project consisted of removing damaged turbine blades and two damaged towers, clearing debris, and removing associated buildings, electrical cables, and other components, such as concrete and metal foundations, to a depth of 48 inches below grade.

Then the company backfilled the soil to restore it to grade and began reseeding disturbed areas to return them to their preconstruction condition.

Gone with DeWind

Company officials explained the initial portion of the job took six months because the contractor could not start work immediately and the damaged blades could only be removed in low wind conditions. That portion of the job is now complete.

Other turbines had their nacelles and gears replaced, and still others remain shut down at present as the company is being forced to manufacture new parts for them from scratch because the original manufacturer, DeWind, went bankrupt in 2015.

In the aftermath, OKCC regulators are considering changes to surety requirements to protect landowners in the future.

Texas on the Sidelines

Although half of the wind turbines are in Texas, the Texas Commission on Environmental Quality (TCEQ) has not visited the property, says Gary Rasp, TCEQ media relations specialist.

“The TCEQ has not conducted an investigation at this site,” said Rasp. “All generators of industrial waste in Texas must properly manage and classify their waste, including managing waste onsite, to prevent nuisance conditions.”

‘Fool’s Gold’

Oklahoma’s embrace of wind was foolish, driven by government subsidies and false promises of jobs, says economist Byron Schlomach, former director of the 1889 Institute.

“This facility was developed by a California-based, Korean-owned company that has gone bankrupt,” Schlomach said. “The present owner, Olympia, is based in California. Other wind farm owners are based in other countries, including Spain.

“These owners benefit hugely from wind energy subsidies, and those who allow turbines on their land receive lease payments,” said Schlomach. “Rural legislators were initially excited about the jobs from installing turbines, but they were only temporary, like fool’s gold.”

‘Piedmont Successfully Opposed’

Resistance to wind power is growing in Oklahoma, says Schlomach.

“There is already a great deal of opposition to wind farms,” said Schlomach. “My own community of Piedmont successfully opposed a wind farm whose turbines would have been outside its jurisdiction.

“The state no longer provides tax favors for new wind farms, but it will take time for the 20-year tax favors previously issued to expire,” Schlomach said. “Wind farms are virtually worthless and wouldn’t exist without tax credits and subsidies.”

Duggan Flanakin (dflanakin@gmail.com) writes from San Marcos, Texas.
Youngkin Moves to Pull Virginia from Regional Greenhouse Gas Initiative

Continued from page 1

One state, New Jersey, joined RGGI, withdrew from it, and subsequently rejoined it. RGGI imposes limits on how much carbon dioxide each state is allowed to emit and provides a mechanism by which emitting entities can purchase the right to emit excess carbon dioxide for a fee or trade the emission allowances among power sources within and among states.

These emission coupons, or credits, have a value and are traded, with the cost passed on from purchasing companies to their customers.

RGGI Comes to Virginia Virginia’s participation in RGGI came after a multiyear political battle.

Former Gov. Ralph Northam’s efforts to join RGGI through administrative rules were thwarted in 2019 when Republicans, then in control of the legislature, added language to the state budget forbidding the Virginia Department of Environmental Quality (DEQ) from spending any money to support RGGI without General Assembly approval.

Democrats controlled both houses of the General Assembly after the 2019 elections and passed the Clean Energy and Community Flood Preparedness Act in 2020. The law authorized the DEQ to design, implement, and regulate a carbon dioxide allowance auction program consistent with RGGI. The DEQ embraced the opportunity and imposed regulations making Virginia the first, and to date only, Southern state to join RGGI.

Participation Costs Consumers Under RGGI, the costs of energy and energy-intensive goods and services have skyrocketed, Youngkin’s EO stated.

“A simple executive order will not work. RGGI participation is imposed by a regulation and has already been tested in court once. The simplest path is to repeal the regulation, and he intends to follow that path, but it may also require a change in the membership of the appointed Air Pollution Control Board, since the current board voted to impose the rule.”

STEPHEN D. HANER
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Youngkin has proposed a budget amendment ordering all state agencies, boards, and offices to stop participating in any auction that sells allowances in an RGGI-related, market-based trading program, and to stop enforcing and to rescind any regulation connecting them to the RGGI. If this provision is adopted by Virginia’s House, it will require state Senate approval.

‘Authorized … Did Not Mandate’ Youngkin faces obstacles to a quick exit of Virginia from RGGI, says Stephen D. Haner, a senior fellow for state and local tax policy at the Thomas Jefferson Institute for Public Policy.

“A simple executive order will not work,” said Haner. “RGGI participation is imposed by a regulation and has already been tested in court once. The simplest path is to repeal the regulation, and he intends to follow that path, but it may also require a change in the membership of the appointed Air Pollution Control Board, since the current board voted to impose the rule.”

In a filing before the state corporation commission, Dominion Energy stated that RGGI will cost ratepayers between $1 billion and $1.2 billion over the next four years.”

Four-Pronged Withdrawal Strategy Youngkin outlined a four-pronged strategy to remove the state from RGGI, via contract, regulation, legislation, and the state budget.

Youngkin’s EO includes a directive for the DEQ to notify RGGI of the “governor’s intent to withdraw from RGGI, whether by legislative or regulatory action.” It also calls for an emergency regulation to repeal the current rules, which could be blocked by the Northam-appointed majority on the state’s Air Pollution Control Board.

Democrats and environmental groups argue Virginia cannot exit RGGI without a legislative repeal of the existing law that authorized its entry into the compact.

Democrat Voters Support Exit Although Republicans regained control of the Virginia House of Delegates in 2021 and swept all the top statewide offices, Democrats retain control of the state Senate by a two-member margin. It remains unclear whether any Democrats would vote to repeal the RGGI legislation, even though poll results show a lack of support for the program among registered voters.

A recent Mason-Dixon poll found 73 percent of Virginians surveyed, including 59 percent of self-identified Democrats, oppose the carbon-dioxide tax imposed by the 2020 General Assembly in conjunction with RGGI participation. The poll question described RGGI as costing residential consumers $25 to $30 in 2021, based on actual charges, and $50 to $60 based on a proposed Dominion Energy rate increase for late 2022 and typical household electricity use.

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“I think the path with the best chance is through the regulatory process, arguing that the earlier General Assembly ‘authorized’ the regulation but did not mandate that Virginia join RGGI,” said Haner.

Alternatively, Youngkin can seek an end to RGGI membership in the budget, says Haner.

“[Youngkin] recently opened another front: an amendment to the state budget,” Haner said. “If he can get it buried in the budget bill, which will take some Democratic legislators, at least in the state Senate, allowing it to go forward, that would override the regulation.”

Duggan Flanakin (dflanakin@gmail.com) writes from San Marcos, Texas.
By Kevin Stone

The Capline pipeline from Patoka, Illinois to St. James, Louisiana is now transporting heavy crude oil produced in Canada’s tar sands to refiners along the U.S. Gulf of Mexico.

The 632-mile, 40-inch pipeline system historically moved crude from the Louisiana Gulf Coast to Midwestern refineries, but it was recently reversed to allow the delivery of oil from Canadian tar or oil sands to Gulf Coast refineries and shipping terminals.

The pipeline began interim service on December 18, 2021 and went fully operational on January 1, 2022. It is currently transporting 200,000 barrels a day, with a little excess capacity to spare.

The pipeline marks a significant shift for the Canadian petroleum industry, allowing the nation’s oil sands producers to export a record amount of crude to overseas markets. Canadian crude is a lower-grade petroleum than the lighter Bakken shale, being similar to Venezuelan crude, the production of which has slipped significantly in recent years.

Benefits Domestic Refiners

The pipeline is a boon to Gulf Coast refiners, says Bette Grande, president of the Roughrider Policy Center. “The Capline reversal will provide heavy, sour Canadian crude to the Gulf Coast, primarily for the refineries located there,” said Grande. “Much of the Gulf Coast refinery infrastructure is set up to process heavy, sour crude oil, much of which used to come from Venezuela.”

“The oil produced in New Mexico, North Dakota, and Texas is light, sweet crude, which many Gulf Coast refineries were not developed to refine,” Grande said. “Before the Capline reversal, Canadian crude was shipped to the Gulf Coast by rail and barge, which are] much more environmentally risky modes of oil transport.”

Although the Capline reversal does not directly benefit domestic oil producers, it does benefit domestic refineries, Grande says. “If we are to import any oil, it is preferable that it comes from our neighbor to the north rather than somewhere else,” said Grande. “Capeline’s reversal benefits the United States in general, providing the country with additional energy security.”

Reduces Reliance on Russia

Although the Capline reversal does not replace all the oil that would have flowed through the Keystone XL pipeline President Joe Biden cancelled, it does reduce the amount of oil the United States needs to import from geopolitical rivals such as Russia, says Dan Kish, senior vice president for policy at the American Energy Alliance.

“The volumes of the Capline pipeline initially will not make up for the disastrous cancellation of the Keystone extension by President Biden on his first day in office, but it will help feed refineries in the Gulf Coast with the heavier grades of oil they are built to take,” Kish said. “Any increase in the efficiency of the circulation system for energy in the United States helps our producers.

“Access to more-secure supplies of oil to displace the enormous increase in Russian oil imports that has occurred under President Biden is good for our economy and our national security,” Kish said. “Moving less oil through surface transport, which is less safe and more environmentally challenging than pipelines, is an additional advantage.”

Kevin Stone (kevin.s.stone@gmail.com) writes from Arlington, Texas.
Florida Bill Would Shift Solar Costs Away from General Ratepayers

By Linnea Lueken

The Florida State Legislature is considering a bill to reduce the cross-subsidies paid to owners of rooftop solar installations by other electric power ratepayers.

Florida state Sen. Jennifer Bradley (R-Orange Park) introduced S.B. 1024 at the end of 2021. The Senate Committee on Regulated Industries passed it on February 8.

The bill would require the Florida Public Service Commission (FPSC) to establish new net metering rules that “ensure that public utility customers owning or leasing renewable generation pay the full cost of electric service and are not subsidized by the public utility’s general body of ratepayers.”

In addition, the rules would require owners of rooftop solar systems to pay the full retail rate for any electricity they draw from the grid and be paid only the avoided cost of any excess power they sell back to the grid, which is approximately the wholesale rate, instead of the retail rate.

Existing rooftop solar owners incorporated into the power system under current rules would be permitted to remain under the old rules for a transitional period to be set by the FPSC.

‘Fair and Equitable’
The bill’s text emphasizes it is not attempting to suppress solar power in Florida but rather to ensure its implementation is fair to general ratepayers who don’t get the benefits of solar credits.

“It is in the public interest to continue the development of renewable energy resources in this state in a manner that is fair and equitable to all public utility customers,” states the bill. “The substantial growth of ... customer-owned and -leased renewable generation has resulted in increased cross-subsidization of the full cost of electric service onto the public utility’s general body of ratepayers.

“Therefore, the redesigned net metering rate structures required in paragraph 6(a) must ensure that public utility customers who own or lease renewable generation pay the full cost of electric service and are not cross-subsidized by the public utility’s general body of ratepayers,” states the bill.

‘Just Another Welfare Program’
Rooftop solar subsidies are regressive, transferring wealth from lower-income households to the relatively wealthy, says Tim Benson, a senior policy analyst for The Heartland Institute, which co-publishes Environment & Climate News.

“Currently in Florida, because utility customers who own or lease renewable generation pay the full cost of electricity instead of the wholesale price, it means distributed generation customers are getting reimbursed not only for the electricity they provide but also for the costs associated with building and maintaining the electric grid.” Benson said. “Such cost-shifting impedes social equity because rooftop solar owners generally have higher incomes than others, so lower-income ratepayers end up paying extra to subsidize higher-income customers.

“Thus, net metering is just another welfare program for the upper-middle class,” said Benson.

Intermittency Costs
The average cost of rooftop solar in Florida can be as high as $14,892 for a five-kilowatt system, according to EnergySage, a site that provides quotes for solar installations.

Owners of rooftop solar systems should not be paid more than other power generation sources and should have to cover their share of grid upkeep, especially because solar power generation makes grid maintenance more expensive, says Benson.

“Owners of rooftop solar panels should be paid for the electricity they sell back to the grid at the same rate conventional sources are paid, reflecting the true wholesale cost of electricity,” Benson said. “It is particularly unfair for solar owners to be paid for the costs of maintaining the grid, because the intermittency of solar power actually increases those costs.”

Sharing Grid Maintenance Costs
Rooftop solar customers need to draw power from the grid at night and during cloudy days. To deal with that intermittency, S.B. 1024 allows the FPSC to add fixed charges, such as “base facilities charges,” to cover the costs related to accessing the grid when solar power is not being generated, or a proposed monthly minimum charge to help maintain the electric power grid.

S.B. 1024 was sent to the Senate Committee on Community Affairs on February 8. If it becomes law, it will take effect in July 2022.

Linnea Lueken (llueken@heartland.org) is a research fellow with the Arthur B. Robinson Center on Climate and Environmental Policy at The Heartland Institute.
Biden Administration Scraps Trump-Era Plan to Expand Drilling in National Petroleum Reserve

By Kevin Stone

The Biden administration plans to reverse the Trump administration’s decision to open up large areas of the Alaska National Petroleum Reserve, or NPR-A, to new exploration and production.

“This decision reflects the Biden-Harris administration’s priority of reviewing existing oil and gas programs to ensure balance on America’s public lands and waters to benefit current and future generations,” the Bureau of Land Management (BLM) announced in a press release on January 10.

Expansion and Contraction

In pursuit of the Trump administration’s goal of U.S. energy dominance, the BLM proposed to allow oil leasing and development on more than 80 percent of the reserve, replacing the Obama administration’s plan, which limited exploration and production to less than half of the reserve.

The reversal of policy comes amid ongoing litigation over the expansion established by Trump. The BLM stated it will tell the U.S. District Court in Alaska a new environmental review is unnecessary, as demanded in the lawsuits filed by various environmental groups. The policy will be formally enacted when the BLM publishes a new “record of decision” after it undertakes a series of consultations about endangered species.

‘It Makes No Sense’

The BLM’s action is unreasonable, especially since the Biden administration admitted the nation is suffering a petroleum shortage by tapping the strategic reserve recently, says Dan Kish, senior vice president for policy at the American Energy Alliance.

“It makes no sense to prevent exploration and production in an area specifically dedicated to petroleum production, unless, of course, one is trying to shut down all new supplies of American energy in a bid to drive up costs to consumers and force them to buy Chinese-manufactured, supposedly green energy technologies like wind turbines, solar panels, and batteries.”

DAN KISH
SENIOR VICE PRESIDENT FOR POLICY, AMERICAN ENERGY ALLIANCE

Biden’s decision is oil and natural gas deposits found in the NPR-A are abundant, inexpensive for consumers compared to other kinds of energy, environmentally safe, and can ensure the United States is the world’s largest energy producer well beyond the twenty-first century. We should be opening up as many avenues for access to these deposits as we can, not closing them off.”

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SENIOR VICE PRESIDENT FOR POLICY, AMERICAN ENERGY ALLIANCE

“The Biden administration has declared all-out war on American energy even as they beg OPEC and Russia to produce more,” Kish said. “It represents a dangerous change of fortunes:

‘Extremely Foolhardy’

This is yet another in a long line of ideologically driven policies detached from economic reality that end up harming average Americans, says Timothy Benson, a senior policy analyst with The Heartland Institute, which co-publishes Environment & Climate News.

“To normal people, the Biden administration’s move to block new production in NPR-A would make no sense and would seem extremely foolhardy,” Benson said. “Unfortunately, this administration is filled with people who believe fossil fuels are an unnecessary evil and that getting rid of them will save the planet.

“No matter how obviously shortsight-
Continued from page 1

number of LNG import terminals. This was helped by the increase in U.S. LNG terminals and capacity developed during the Trump administration.

The shale gas revolution, sparked by hydraulic fracturing (fracking), along with billions of dollars of investment in liquefaction facilities, enabled a 70 percent increase in U.S. gas production since 2010. Average utilization of U.S. LNG export facilities climbed from 43 percent in the third quarter of 2020 to 98 percent in the third quarter of 2021.

**Increasing U.S. Capacity**
As of November 2021, the U.S. Energy Information Agency estimated U.S. LNG nominal liquefaction capacity was 9.5 billion cubic feet per day (Bcf/d) and peak capacity was 11.6 Bcf/d, reporting in December.

The increase in peak capacity stems from a growth in LNG production capacity at LNG plants and terminals in Sabine Pass, Louisiana and Corpus Christi, Texas.

By optimizing operations and modifying maintenance procedures, LNG terminals in Sabine Pass and Corpus Christi improved their capacity, seeking and receiving permission from the Federal Energy Regulatory Commission (FERC) to increase exports in November. By the end of 2022, when Venture Global LNG’s Calcasieu Pass, Louisiana terminal is expected to come online, the United States will have the world’s largest LNG export capacity, at 11.4 Bcf/d nominally and a 13.9 Bcf/d peak.

Additionally, if construction on the Golden Pass LNG project on Texas’ Gulf Coast is completed and the facility begins operations, U.S. peak export capacity will further increase to an estimated 16.3 Bcf/d in 2024.

The United States currently has seven LNG export terminals in operation. FERC has approved four other export terminals currently in various stages of construction, and an additional 13 terminals have been approved with construction yet to begin.

**Threats to U.S. Dominance**
America’s leadership position is threatened by fierce competition from Qatar, historically the world’s leading export-
er, and Australia.

Qatar is planning a major expansion of its capacity, scheduled to come online in the late 2020s, while U.S. gas production on federal lands and offshore is being hampered.

A federal judge recently blocked the sale of Gulf of Mexico drilling leases, stating the Biden administration had not properly considered the leases’ climate change effects in the required Environmental Impact Statements. Additionally, new leases on public land were stalled for most of President Joe Biden’s first year in office after he imposed a moratorium in January 2021, which the administration eventually rescinded after a federal judge ruled it illegal.

In addition, in November 2021 the Biden administration proposed new methane emission rules that will make new and existing oil and gas production and transportation more expensive.

**‘A Global Commodity’**
Despite Biden’s attempts to reduce fossil fuel production in the United States, the United Kingdom’s prohibition on domestic drilling and similar restrictive actions by continental European nations have created a subtle wealth transfer from Europe to the United States, says Robert Bradley Jr., Ph.D., founder and CEO of the Institute for Energy Research.

“The current tripartite boom in oil, gas, and coal is refuting the notions of ‘peak demand’ and ‘net zero’ for our lifetimes,” said Bradley. “Record LNG shipments from the U.S. and elsewhere are making natural gas a global commodity, joining oil and coal, making the world an interconnected energy market, which undermines the anti-fossil-fuel policies of some governments.”

**‘U.S. LNG Is Significantly Cleaner’**
The United States is well-positioned to be a world leader in LNG because it flares much less gas at the wellhead than other countries, says Ed Longanecker, president of the Texas Independent Producers and Royalty Owners Association.

“Europe’s energy crisis, like that in Boston, Massachusetts, which has banned new gas pipelines, is the direct result of irrational energy policy, with both Boston and the E.U. now relying on much-dirtier Russian natural gas,” Longanecker said. “On average, U.S. LNG produces about 50.5 percent less emissions when used for power generation in contrast to China, India, and Germany, which are dramatically increasing their use of coal.

“U.S. LNG is significantly cleaner than Russian natural gas, because Russia’s flaring intensity is 143 percent higher than the U.S. average and 239 percent higher than in the Texas Permian Basin,” Longanecker said.

**‘Enormous Energy Production Potential’**
Government suppression of the market is the only thing that could realistically prevent natural gas from dominating energy supplies in the coming decades, says Longanecker.

“Natural gas can serve as a foundation of our future energy mix because the United States in general and Texas in particular have enormous energy production potential. Right now, that energy potential is being suppressed, but it is nowhere near being stopped. If the Biden administration and policymakers on Capitol Hill embraced oil and natural gas as they should, America would be a truly unbeatable energy powerhouse.”

ED LONGANECKER
PRESIDENT
TEXAS INDEPENDENT PRODUCERS AND ROYALTY OWNERS ASSOCIATION

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The very fabric of America is under attack— our freedoms, our republic, and our constitutional rights have become contested terrain. The Epoch Times, a media committed to truthful and responsible journalism, is a rare bastion of hope and stability in these testing times.
Biden Proposes Tighter Efficiency Regulations for Washing Machines

By Kenneth Artz

The U.S. Department of Energy (DOE) is seeking public comments on proposed new standards for how much water and energy residential clothes-washing machines can use. The proposed regulations would effectively ban the manufacture or importation of products that do not meet the new efficiency targets, reducing consumers’ choice.

Since President Joe Biden took office, the DOE has taken 104 regulatory actions addressing the energy and water efficiency of devices in common use in homes and businesses.

Standards Cost Consumers

The DOE claims the new rules will save consumers money over the life of the machines through lower energy costs. Research published in the journal *Economics of Energy and Environmental Policy* found previous DOE efficiency mandates for washing machines and refrigerators did not produce the savings the regulators promised.

The research found the new, more-expensive appliances developed to meet DOE efficiency standards did not reduce the amount of energy used as much as anticipated, had higher maintenance and operating costs, were less reliable, and had shorter functional product lifespans.

As a result, for many consumers the savings from reduced energy use failed to make up for the overall purchase, operating, and replacement costs of the machines. Past research has also shown DOE efficiency mandates for other devices, such as toilets, dishwashers, and light bulbs, likewise resulted in products with shorter than promised product lifespans that use more energy or water than estimated, often resulting in an overall increase in the cost to consumers.

Tough on Working People

The government should not substitute its judgment for consumers’ regarding appliance features, of which energy use may not be the most important, says Tim Benson, senior policy analyst at The Heartland Institute, which publishes *Environment & Climate News*.

“These actions are just more unneeded regulatory micromanagement from the federal government that will interfere with consumer choice and unnecessarily add to costs, making appliances more expensive for the working families who need to shell out the money for them,” Benson said.

“Bureaucrats may have to find things to do to justify their jobs, but people don’t need the feds holding their hands and deciding for them which appliances are efficient enough,” said Benson.

As part of his administration’s ongoing efforts to reduce energy use to fight climate change, President Joe Biden issued an executive order (EO) titled Catalyzing Clean Energy Industries and Jobs Through Federal Sustainability, in December 2021.

The EO orders federal agencies to change how they “build, buy, and manage electricity, vehicles, buildings, and other operations to be clean and sustainable, including by establishing targets for fiscal year 2030 for agency-wide facility energy use intensity and potable water use intensity.”

Kenneth Artz (KApublishing@gmx.com) writes from Dallas, Texas.
Natural-Gas Flaring in the United States Declined Sharply in 2021

By Duggan Flanakin

Natural-gas flaring at onshore oil and gas operations in the United States dropped to its lowest point since 2012 in the third quarter of 2021, the consulting firm Rystad Energy reports.

Flaring declined especially in the Permian Basin in Texas and the Bakken Formation in North Dakota, where increasing numbers of companies are minimizing the burning of excess natural gas.

Oil and gas companies have taken various actions to capture excess natural gas for sale, increasing revenues and causing a dramatic decline in flaring at U.S. onshore wells.

Rystad reports the total flared volume from the five largest oil and gas producing basins is down from 1.8 billion cubic feet per day (Bcf/d) in August 2019 to 0.4 Bcf/d in March 2021.

New Federal Methane Rules

The decline in flaring comes as federal agencies are proposing stricter limits and inspection regimes governing methane releases from oil and gas operations.

The U.S. Environmental Protection Agency (EPA) is proposing to lower the amount of volatile organic compounds and greenhouse gases that can be released from existing wells and operations that emit an estimated three tons or more of methane per year. The EPA says this rule, to take effect in 2023, will reduce methane emissions from oil and gas operations by 74 percent from 2005 levels by 2035.

The agency says this rule will capture sites responsible for 86 percent of the nation’s flared methane. In addition, the Pipeline and Hazardous Materials Safety Administration has proposed requiring companies to monitor and repair leaks on about 400,000 miles of previously unregulated natural gas gathering lines.

Apache Achieves Goal

As Rystad’s report indicates, companies are not waiting for federal regulations to force them to reduce flaring.

Apache Corporation has ended routine flaring at all its U.S. onshore operations, achieving one of the company’s 2021 environmental, social, and governance (ESG) goals three months ahead of schedule. As a result, Apache’s overall flaring intensity is below 1 percent of gas produced. The company has pledged future onshore oil wells will not be brought online without adequate capacity to store or remove gas.

Apache’s success was made possible by its majority-owned midstream company, Altus, investing more than $850 million in two new natural gas pipelines, enabling the company to transport natural gas it previously had to flare. In addition, Apache added compression and optimizing facilities that allow more gas to be brought to market.

Other Producers Reduce Flaring

Another producer, Diamondback Energy, announced plans to eliminate routine flaring at its facilities by 2025, in its December sustainability report.

The company had already reduced flared volumes by 58 percent from 2019 to 2020. The company has set a goal of reducing methane intensity by a minimum of 70 percent of 2019 levels by 2024.

In spring 2021, British Petroleum (BP), which has extensive operations in the Permian Basin, announced it was investing $1.3 billion to end routine flaring from its U.S. land operations by 2025. BP has already reduced the flared volume from its Permian Basin operations to just 2 percent of gas produced, down from as much as 16 percent at times in the fourth quarter of 2019.

‘Texas Leads the World’

Texas has led the way in reducing flaring, says Jason Modglin, president of the Texas Alliance of Energy Producers.

“We are getting to low amounts of available recapturable gas: just 0.25 percent of gas is going to flare in Texas today,” Modglin said. “This means 99.75 percent is being sold in the marketplace.

“Texas leads the world in flaring reductions, and some companies are striving to get to absolute zero,” said Modglin. “The Texas Railroad Commission has set the right model for reducing flaring while increasing natural gas production, whereas Colorado’s draconian rules have resulted in less production.”

Pipelines Make Reductions Possible

The war on pipelines is arguably the greatest obstacle to further reductions in methane flaring, says Dan Kish, senior vice president at the Institute for Energy Research.

“As pipeline capacity is added, companies will reduce flaring and increase deliveries of gas,” said Kish. “The completion of pipelines to take away gas is making the reduction of flaring possible.

“Anti-energy Greens have tried to stop pipelines everywhere, making flaring more likely,” Kish said. “If environmentalists and the Biden administration truly want to reduce flaring, they would work to speed pipeline construction rather than stopping it.”

Duggan Flanakin (dflanakin@gmail.com) writes from San Marcos, Texas.
Taxpayers’ Money Wasted on Carbon Capture Schemes: GAO

By Bonner R. Cohen

A U.S. Government Accountability Office (GAO) review says taxpayers’ dollars have been misspent on carbon capture and storage (CCS) technology, once heralded as an effective way to reduce climate change.

The U.S. Department of Energy has spent $1.1 billion on 11 projects to show how carbon dioxide emissions from coal-fueled power plants and industrial facilities could be captured and stored, states the GAO report, “Carbon Capture and Storage: Actions Needed to Improve DOE Management of Demonstration Projects,” published on December 20, 2021.

Multiple Failures

The positive results of federally funded CCS projects have been meager, states the GAO report.

“DOE provided nearly $684 million for eight coal projects, resulting in one operational facility,” says the GAO report. “Three projects were withdrawn—two prior to receiving funding—and one was built and entered operations, but halted operations in 2020 due to changing economic conditions.

“DOE terminated funding agreements for the other four projects prior to construction,” states the GAO report. “Project documentation indicated and DOE officials and project representatives told GAO that economic factors—including decreased natural gas prices and uncertainty regarding carbon markets—negatively affected the economic viability of coal power plants and thus these projects.”

When CCS technologies were incorporated into the operations of industrial facilities, such as those that make ammonia used in fertilizer, the results were only slightly better.

“DOE provided approximately $438 million to three projects designed to capture and store carbon from industrial facilities, two of which were constructed and entered operations,” the GAO reports. “The third project was withdrawn when the facility into which the project was to be incorporated was canceled.”

DOE Management Neglect

Market factors and an uncertain regulatory environment made private investors hesitant to partner with the DOE on CCS projects, particularly coal-fueled power plants, states the GAO.

In addition, the GAO found the DOE badly managed the program by failing to exercise proper oversight and cost controls.

“DOE, at the direction of senior leadership, did not adhere to cost controls designed to limit its financial exposure on funding agreements for coal projects that DOE ultimately terminated,” states the GAO report. “As a result, the agency spent nearly $472 million on the definition and design of four unbuilt facilities—almost $300 million more than was planned for those project phases.”

The GAO made two specific recommendations to improve the DOE’s management of CCS projects: (1) improve its selection and negotiating processes and (2) more consistently administer projects against established scopes, schedules, and budgets.

‘Marginal to Begin With’

The complex systems needed for CCS to function properly and the cost it adds to facilities result in the production of marginal electricity, says David Wojick, Ph.D., a Virginia-based energy analyst.

“CCS is incredibly difficult from an engineering point of view, especially for coal plants, where you are trying to get small amounts of CO2 out of huge flows of superhot exhaust gases,” said Wojick. “DOE is spending hundreds of millions on engineering and finally says it is not feasible.

“The line ‘changed economic conditions’ is code for ‘it was marginal to begin with,’” said Wojick. “Most of the infrastructure billions recently appropriated will go down the same rabbit hole.”

Much More Spending Planned

The failure of CCS projects to deliver on their advocates’ promises hasn’t dampened enthusiasm for the idea on Capitol Hill or in the Biden White House.

Last year’s bipartisan infrastructure bill in Congress included an additional $2.5 billion for CCS demonstration projects. The bill allocated another $6 billion for large-scale CCS projects and pipelines to transport carbon dioxide to storage sites.

Even more money, in the form of increased tax credits for CCS technology in power plants, was included in the Democrats’ scaled-back $1.75 trillion Build Back Better (BBB) bill which stalled in the Senate in December.

The provision would have given power plants outfitted with CCS technology a maximum of $85 per ton for captured carbon dioxide, nearly double the current maximum payout of $45 per ton.

‘Good Money After Bad’

Government efforts to constrain carbon dioxide emissions cost consumers and taxpayers dearly, says Dan Kish, a senior fellow at the Institute for Energy Research.

“Unfortunately, most of the DOE’s programs to reduce carbon dioxide emissions have simply been throwing good money after bad,” said Kish. “Whether it is CCS or massive wind and solar subsidies that are hiking consumer prices and making our grid more unreliable, the results are always the same: making energy more expensive for Americans and pouring money into the pockets of politically connected lobbyists and special interests.

“What makes it more ironic is that while we waste money trying to reduce emissions, China uses nine times as much coal as the United States and does whatever it wants while laughing at Americans intent on deenergizing the U.S. economy using Chinese-made green energy devices,” said Kish. “China makes solar panels it sells to the United States using energy generated by coal, and then laughs all the way to the bank.”

Bonner R. Cohen, Ph.D. (bcohen@nationalcenter.org) is a senior fellow at the National Center for Public Policy Research and a senior policy analyst with the Committee For A Constructive Tomorrow.
Tesla Backs Minnesota Nickel Mine

By Kevin Stone

To increase its access to nickel for the company’s electric vehicles, Tesla, the world’s leading electric vehicle manufacturer, has committed to buy at least 165 million pounds of nickel concentrate from the Tamarack nickel project if the mine in Aitkin County, Minnesota can get through the government approval process.

Tamarack is a joint venture between Talon Metals Corp. and Australian mining giant Rio Tinto PLC.

Nickel is a key ingredient of batteries for electric vehicles. Under the terms of the deal, Tesla would claim more than half of the mine’s nickel production.

Mining.com estimates the deal with Tesla could be worth $1.5 billion if the mine opens in time.

Activist Roadblocks

Environmental groups have stalled two nearby mining operations—the Twin Metals and PolyMet projects—through ongoing legal challenges.

The lawsuits claim the sulfide in ore produced by area mines could contaminate local waterways.

Despite President Joe Biden publicly calling for increased domestic production of critical minerals, in 2021 the Biden administration imposed a two-year moratorium on mineral leasing in the area to give the U.S. Forest Service and Bureau of Land Management time to prepare an environmental assessment of the effects of sulfide-ore copper mining in the Rainy River Watershed within the Superior National Forest.

‘Environmentally Compromised Countries’

The United States is dangerously reliant on foreign sources for raw materials, and nowhere is this truer than in the case of the critical metals, minerals, and rare-earth elements used in modern electronics, military equipment, and green energy technologies, says Ann Bridges, coauthor of Groundbreaking! America’s New Quest for Mineral Independence.

“The environmental movement is often point to century-old abandoned mines as proof positive that the future will lead to identical results despite the fact that modern technologies and legal requirements have proven successful in land reclamation.”

ANN BRIDGES

GROUNDBREAKING! AMERICA’S NEW QUEST FOR MINERAL INDEPENDENCE

‘False narratives pushed by environmentalists have created an existential battle between competing interests of air and water—both vital for life—as well as property rights, indigenous heritage, and government dictates. Environmentalists too often point to century-old abandoned mines as proof positive that the future will lead to identical results despite the fact that modern technologies and legal requirements have proven successful in land reclamation.’

‘Promote American Industry’

Promotion of American industry and domestic job creation should be important considerations in approving the proposed mine, says Isaac Orr, a policy fellow at the Center of the American Experiment.

“To the extent possible, it’s always better to promote American industry when our businesses can compete with firms in other nations,” said Orr.

“Amerian nickel production will benefit our economy, and it will also be best for the environment.”

‘Facing a Dilemma’

Environmental activists promote electric vehicle mandates while impeding the development of the raw materials necessary to make them viable, says Bridges.

“The environmental movement is facing a dilemma of its own making,” said Bridges. “By not acknowledging America’s achievement of exceedingly high environmental standards in air and water quality under present laws, it cannot progress beyond to their next push of electric vehicles.”

‘Too Little Will’?

Though Tesla’s involvement bolsters the project’s backing and possibly its prospects for approval, ongoing objections from environmental groups pose serious impediments to getting the mine into operation.

Tesla’s agreement with the mining project specifies the mine must be in commercial production by 2026 or the contract is void.

Opposition tactics often result in expensive, years-long delays that sap the will to undertake projects such as the Tesla-Tamarack mine in the United States, says Bridges.

“There is often still too little will to actually recreate a mining industry within America’s borders,” said Bridges.

“American nickel production will benefit our economy, and it will also be best for the environment.”

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“There is often still too little will to actually recreate a mining industry within America’s borders,” said Bridges.

“It is simply easier and more time/cost effective to shrug and buy materials from other countries rather than developing a domestic supply chain.”

Opponents of such projects don’t need to win long-term but may simply employ costly delay tactics to choke out a project, says Orr.

“The largest impediments will be well-funded anti-mining groups who will sue to stop the project in the hopes of ‘delaying it to death,’” said Orr. “It’s the same strategy environmentalists used to kill the Atlantic Coast pipeline.”

‘Tied Up in the Courts’

The fate of PolyMet does not bode well for Tamarack’s chances of being operational by 2026, says Orr.

“I hope they can make it, but it will be difficult to meet the 2026 timeline,” said Orr. “The PolyMet mine has been in the environmental review and permitting process since 2004.

“Minnesota’s DNR [Department of Natural Resources] finally granted PolyMet a mining permit in 2018, but it’s still tied up in the courts,” said Orr.

Kevin Stone (kevin.s.stone@gmail.com) writes from Arlington, Texas.
New Mexico Governor Pushes for Steep Carbon-Dioxide Emission Reductions

By Bonner R. Cohen

Gov. Michelle Lujan Grisham of New Mexico is backing legislation that sets a goal of net-zero carbon dioxide emissions by 2050.

Grisham’s office began circulating a draft bill for comment in mid-January.

H.B. 6, the “Clean Future Act,” was introduced and passed by the Energy, Environment & Natural Resources Committee of the state House of Representatives on a vote of five to four in January.

If the bill becomes law and its goals are met, greenhouse gas emissions in the state, including carbon dioxide and methane, will fall to 50 percent of 2005 levels by 2030 and to the net equivalent of zero emissions by 2050, through emission reductions and offsets.

The bill stipulates total carbon dioxide emissions must be reduced to 10 percent of 2005 levels, to ensure emissions are cut instead of being offset.

The bill is significant because New Mexico is the third-largest oil-producing state in the United States. The state’s southeastern quadrant is part of the hydrocarbon-rich Permian Basin, which includes West Texas. New Mexico produced 1.3 million barrels of oil a day in 2021.

Big Part of State’s Economy

Grisham’s proposal would probably put additional regulatory pressure on New Mexico’s oil and gas industry, which a 2021 PwC report showed was the foundation for economic growth in the state.

New Mexico’s oil and natural gas industry directly or indirectly supported more than 114,000 jobs in the state, accounting for 10.2 percent of the state’s total employment, the PwC report says.

The oil and gas industry produced $6.9 billion in labor income, 11.6 percent of the state’s total, and had an economic impact of $18.8 billion, or 17.9 percent of the state total, PwC reports.

Reporting Requirements

The Clean Future Act would require businesses and state agencies to monitor and report their progress toward the net-zero goal.

State agencies would continually have to explore ways to reduce their carbon-dioxide emissions and report annually any climate effects their policies have on disadvantaged communities and what they are doing to reduce those effects.

‘Centralizing Command and Control’

The climate is in constant flux, and not because of human energy use, says Howard Hutchinson, executive director of the Coalition of Arizona/New Mexico Counties.

“Many here in New Mexico recognize that the climate has been constantly changing,” said Hutchinson. “From the twelfth century to the early fifteenth century, the Southwest endured prolonged drought, during which numerous tribes were forced to leave the region for more hospitable growing and food-gathering conditions. That drought was not created by human activity.”

What hasn’t changed since the twentieth century is the need for fossil fuels, which makes Grisham’s proposed energy restrictions crazy, says Hutchinson.

“The Clean Future Act is about further centralizing command and control over New Mexico’s citizens and natural resources,” said Hutchinson.

“The stated purpose of this act is to eliminate all carbon-based energy by 2050. The insanity of this goal cannot be overstated. Essentially, this is a call to force human civilization into prehistoric conditions.”

‘No Measurable Impact’

The state is almost certain to fail to meet the goals of the legislation, says Jay Lehr, Ph.D., a senior policy advisor with the International Climate Science Coalition.

“In the third-most important oil-producing state in the country, a plan is being seriously considered that would all but eliminate carbon dioxide emissions in New Mexico by mid-century. The governor will ultimately not be able to implement her plan, because it would reduce the standard of living in New Mexico to levels endured by those unfortunate enough to be living south of the border, which the voters ultimately won’t stand for.”

Jay Lehr, Ph.D.
Senior Policy Advisor
International Climate Science Coalition

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Humans have no measurable impact on the planet’s temperatures, but New Mexico does have a beneficial impact on the economy of the entire nation through its oil production,” said Lehr.

Bonner R. Cohen, Ph.D. (bcohen@nationalcenter.org) is a senior fellow at the National Center for Public Policy Research and a senior policy analyst with the Committee For A Constructive Tomorrow.
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Michigan Gives State’s Electric Utilities Control over Locating, Building New Transmission Lines

By Kenneth Artz

Ten years after federal regulators decided to allow competition in the development of large electricity transmission projects, several states are attempting to slam the door shut at the behest of incumbent utility companies.

When Gov. Gretchen Whitmer signed S.B. 103 into law in December 2021, Michigan became the latest state to grant monopoly utilities within its borders the power to suggest where new transmission lines within the state are located and right of first refusal (ROFR) on erecting new transmission lines.

Iowa, Minnesota, North Dakota, and South Dakota previously passed similar legislation.

The new law grants large monopoly transmission companies such as ITC Michigan and American Transmission Company the right to build any new, large transmission lines in their service area instead of having to compete for the job.

The Federal Energy Regulatory Commission (FERC) had encouraged coordination of transmission line construction between states within regional transmission areas, and it allowed competition for new transmission construction, in the stated belief it would cut costs.

‘Abdicating Their Duty’

The new ROFR law means Michigan residents will pay higher electric prices for years to come, says Jason Hayes, director of environmental policy for the Mackinac Center for Public Policy.

“Since the Michigan Legislature stifled competition in electricity generation markets in 2008, our electricity rates have jumped by 39 percent, resulting in residents now paying 16 percent more for electricity than the national average,” said Hayes. “Right of first refusal laws reinforce the monopoly mindset in electricity markets, shield transmission companies from competition, and leave residents to foot the growing bill.

“Free market competition is the best way to help rein in the costs of building new infrastructure,” said Hayes. “State governments and public utility commissions rushing to pass ROFR laws are abdicating their duty to ensure residents have access to affordable, reliable electricity, by allowing government-protected utilities to further monopolize electricity services.”

‘Womb to Tomb’ Responsibilities

When FERC opened the door to competition in the development of large transmission projects, it overlooked the fact existing utilities would be responsible for maintaining a system they didn’t build, says Ronald Stein, co-author of the newly released book Energy Made Easy.

“Contractors may come and go, but utility companies are there forever and legally bear the responsibility for system integrity, and they are the recipient of potential lawsuits for failure to maintain the integrity of the electrical grid,” said Stein.

“The maintenance of transmission lines has been historically the responsibility of the utility companies within each state, as they have ‘womb to tomb’ responsibilities for the generation and delivery of electricity to commercial and residential users,” said Stein.

Kenneth Artz (KApublishing@gmx.com) writes from Dallas, Texas.

West Virginia Ditches BlackRock Over Coal Stance

By Kenneth Artz

The West Virginia Board of Treasury Investments (BTI), which manages about $8 billion in operating funds for the state, has informed BlackRock Inc. it will no longer do business with the company.

State Treasurer Riley Moore announced BTI was withdrawing all state funds managed by BlackRock and will no longer do business with the investment giant because of BlackRock’s push for climate-focused investment strategies harmful to the state’s economy.

Anti-WV, Pro-China

BlackRock, the world’s largest investment manager, has taken actions that damage West Virginia’s economy and subvert U.S. interests by urging companies to take up “net zero” investment strategies harmful to the coal, oil, and natural gas industries while increasing investments in Chinese companies, said Moore in a statement announcing the BTIs decision.

“As the state’s chief financial officer and chairman of the Board of Treasury Investments, I have a duty to ensure that taxpayer dollars are managed in a responsible, financially sound fashion which reflects the best interests of our state and country, and I believe doing business with BlackRock runs contrary to that duty,” Moore said in a statement.

“The Chinese government’s blatant interference and controls over businesses and markets creates a tremendous amount of uncertainty and risk for anyone attempting to invest there.”

‘ Completely Partisan’ Investments

BlackRock CEO Larry Fink is making decisions that affect shareholders and investors based on his own personal policy preferences, not an honest assessment of net-zero business prospects or what is good for shareholders, says Scott Shepard, director of the Free Enterprise Project at the National Center for Public Policy Research.

“The studies and research BlackRock relies upon to argue that divestment from carbon on a predefined schedule rather than based on the development of technology is good for shareholders are completely partisan and full of holes,” said Shepard.

“Meanwhile, India has been very clear it has no intention of reducing carbon emissions, and China only pays lip service to cutting carbon dioxide but then increases its own carbon output year after year.

“You only have to look at Europe this winter, where they’ve had to turn on old, high carbon dioxide emitting coal factories because they divested out of nuclear, which is clean, and they divest ed out of natural gas, which is cleaner, to see what happens when politics gets ahead of science, technology, and financial practicality,” said Shepard. “Larry needs to get back to making money for his investors and shareholders and drop the politics before he finds himself forced by fiduciary loan regulations and lawsuits to do exactly that.”

Kenneth Artz (KApublishing@gmx.com) writes from Dallas, Texas.
Wyoming Fights EPA Coal Power Plant Haze Rule

By Linnea Lueken

The U.S. Environmental Protection Agency (EPA) has rejected proposed changes to a State Implementation Plan (SIP) regulating haze at a Wyoming power plant approved during the Trump administration.

The decision to mandate stricter haze regulations on the Jim Bridger coal power plant in Sweetwater County could result in the premature shutdown of two of its four coal units.

The Jim Bridger plant is one of the largest coal plants in the United States, delivering 2,441 megawatts (MW) of electricity. It employs more than 300 people and supplies energy to multiple western states.

The Trump administration’s EPA accepted Wyoming’s revised SIP plan, which concluded reductions of nitrogen oxide (NOx) emissions and other regulated pollutants through previously installed pollution controls sufficiently protected public health.

The Biden administration’s EPA has shifted the government’s position, claiming units one and two must have additional emissions control technology installed to comply with the 1970 Clean Air Act.

‘Costs Are Simply Too Great’

Gov. Mark Gordon signed a Temporary Emergency Suspension Order of the part of Wyoming’s State Implementation Plan (SIP) dealing with NOx, to keep unit two running for a few months longer than the January shutdown date mandated by Biden, to prevent economic fallout from the EPA’s policy change.

In a letter to EPA Administrator Michael Regan, Gordon states it would be wrong for him to allow the unit to shut down, because of the high cost for Wyoming.

“As is readily apparent, this emergency suspension meets all the requirements of Section 7410(g) and it would be irresponsible either for me not to issue it or for you to attempt to disapprove it,” wrote Gordon. “The costs are simply too great socially, economically, and environmentally to allow Unit 2 to shut down on January 1st.”

‘Directly or indirectly, fossil fuels pay Wyomingites’ paychecks, fund our schools, and support our small businesses. We could accept and adapt to a slow transition to alternative energy sources if market forces were driving it, but swiftly taking our livelihoods by federal action is cruel and destructive.”

REP. OCEAN ANDREW (R-LARAMIE)

‘Blatantly Political’

In response to the EPA’s about-face on Wyoming’s previously approved SIP, U.S. Sen. Cynthia Lummis (R-WY) placed holds on the Biden administration’s remaining unconfirmed EPA nominees.

The EPA is going back on what the agency previously agreed to, not because the science has changed but for political reasons, said Lummis in a press release announcing her decision to place the hold.

“The EPA’s decision today is a complete reversal from that of career EPA employees during the previous administration,” Lummis said. “The Biden EPA’s decision here is needlessly hurting Wyoming’s energy workers and threatening America’s energy independence as well.

“It is blatantly political, and I will continue to block President Biden’s EPA nominees over this issue,” Lummis said.

‘Disregard for Rural States’

The Biden administration is ignoring energy security and doesn’t care about the lives and livelihoods of people living in rural communities, says Wyoming state Rep. Ocean Andrew (R-Laramie).

“The actions the federal government is taking to harm the fossil fuel industry show the current administration’s disregard for rural states and our way of life,” said Andrew. “Wyoming has been powering the country for decades with our abundant resources.

“It’s reckless to kick so many hard-working individuals to the curb for nothing but overly politicized energy policy,” said Andrew.

‘Taking Our Livelihoods’

The fossil fuel industry powers much of Wyoming’s economy, and the Biden administration’s attempt to force people to stop using fossil fuels will do more harm than good, says Andrew.

“Directly or indirectly, fossil fuels pay Wyomingites’ paychecks, fund our schools, and support our small businesses,” Andrew said. “We could accept and adapt to a slow transition to alternative energy sources if market forces were driving it, but swiftly taking our livelihoods by federal action is cruel and destructive.”

The operators of the Jim Bridger power plant originally planned to convert two units to natural gas, which the EPA did not disapprove. The plant may now have to shut down those units entirely before the transition can take place, to meet the EPA’s new haze requirements.

Linnea Lueken (llueken@heartland.org) is a research fellow in the Arthur B. Robinson Center on Climate and Environmental Policy at The Heartland Institute.

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**Supreme Court Rejects Appeal of Ruling Against Year-Round E15 Sales**

**By Kevin Stone**

The U.S. Supreme Court declined to hear the appeal of biofuels industry group Growth Energy to reinstate a Trump-era Environmental Protection Agency (EPA) rule allowing year-round sale of gasoline containing 15 percent ethanol (E15).

The Supreme Court’s action leaves in place a ruling by the D.C. Circuit Court of Appeals in *American Fuel & Petrochemical Manufacturers, et al. v. EPA* that the agency lacked the authority to authorize year-round E15 sales because it would violate the 1970 Clean Air Act.

Ground-level ozone is one of the six atmospheric “criteria pollutants” regulated by the EPA under the federal law.

**Summer Ozone Pollution**

The appeals court found allowing E15 sales all year would violate pollution rules that limit the amount of ethanol blended in fuel during the summer, when warmer temperatures contribute to increases in ozone levels.

The EPA had no authority to allow actions its own data indicated would likely lead to increases in ozone above regulatory limits, the D.C. court ruled.

Oil refiners had sued to overturn the rule allowing year-round E15 sales. Growth Energy, the Renewable Fuels Association, and the National Corn Growers Association intervened on behalf of the EPA to reinstate the rule.

Despite the ruling, several Midwestern states—Iowa, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin—have requested a special exemption from the EPA to allow year-round sales of E15 in their states.

**‘E15 Is a Bad Idea’**

The EPA’s claim it has the authority to allow year-round sales of E15 is clearly wrong, but then so is the government mandate requiring ethanol in gasoline in the first place, says Jay Lehr, a senior policy advisor with the International Climate Science Coalition.

“E15 provides no benefits whatever,” said Lehr. “The EPA should not have the authority to dictate E15 requirements, and this goes for 10 percent, or E10, as well. Ethanol adds no value as a fuel, only serving to drive up the price of corn.

“E15 is a bad idea for engines and mileage,” said Lehr. “It only serves to waste corn in the production of ethanol.”

**‘Growing Government Power’**

The Biden administration urged the Supreme Court not to hear the appeal, arguing the lower court should have deferred to the EPA’s determination about the safety of E15 and the scope of its authority to allow E15 sales throughout the year, instead of substituting the court’s judgment for the agency’s.

The Biden administration’s attempt to have it both ways—urging the Supreme Court to reject the appeal while arguing the D.C. appeals court should have deferred to the EPA on the matter—is not surprising in the least, says Lehr.

“Nothing the Biden administration does withstands rational analysis,” Lehr said. “For Biden and company, it’s all politics, all the time, and what counts is growing government power.”

**‘Everyone Else Loses’**

The Supreme Court’s decision is both good news and bad news, says Paul Driessen, a senior policy advisor with the Committee For A Constructive Tomorrow, which co-publishes *Environment & Climate News*.

“Ethanol blends already consume over 40 percent of America’s corn, grown on cropland the size of Iowa, so to the extent that the court’s decision limits the use of ethanol, that’s to the good,” said Driessen. “Much of that land would be used for food crops or returned to wildlife habitat, if farmers didn’t have these perverse incentives to plant it in corn.

“Anti-drilling campaigns and the rising demand for oil and gas to grow, fertilize, harvest, and deliver corn to satisfy the continuing ethanol mandate result in higher prices for corn and increase the cost of raising cattle, pigs, and chickens as well, all of which are energy-intensive, meaning the ethanol mandate results in higher food bills for struggling families across the board,” Driessen said. “Corn growers benefit from E-10 and E-15, but other farmers and everyone else loses.”

Kevin Stone (kevin.s.stone@gmail.com) writes from Arlington, Texas.
Investors Shun Green Energy Stocks, Funds

By Bonner R. Cohen

Green energy stocks, once the darlings of Wall Street, have hit an unanticipated rough stretch, with fund managers rapidly withdrawing large amounts of money from the clean-energy sector in recent months.

Strong evidence green energy companies are falling out of favor was provided by the significant recent declines in two indexes that track the sector’s fortunes: WilderHill Clean Energy and S&P Global Clean Energy.

The WilderHill Clean Energy index fell by 13.9 percent in the first three weeks of 2022, and S&P Global Clean Energy declined by 8.2 percent during the same period.

From their market peaks in 2021, WilderHill has fallen 54 percent and the S&P clean energy index has declined 39 percent.

BBB Subsidies Blocked

Evidence suggests one reason for the sharp decline in green energy stocks may be the failure of the Biden administration and congressional Democrats’ Build Back Better (BBB) bill late last year.

The BBB bill included $555 billion in spending on what was said to be climate-related provisions, representing the largest such expenditure on green energy Congress has ever considered.

Key components included 10-year tax credits to expand and accelerate investments in renewable power, including wind, solar, and nuclear. The bill also included an electric vehicle tax credit of up to $12,500 for EVs manufactured at U.S. factories with unionized workforces.

The measure would have boosted tax credits for carbon capture and storage (CCS) technologies and projects and established a Civilian Climate Corps, a nationwide pool of government-funded activists to spread the green message.

The sharp drop in green energy stocks’ fortunes dates from Democrats’ failure to overcome a filibuster preventing the BBB bill from being brought up for a vote the Senate.

EV Subsidies Made the Cut

Some green stocks did receive a modest boost late last year with the passage of the $1.75 trillion so-called infrastructure bill. Among other things, the legislation allocated $7.5 billion to help finance a nationwide network of 500,000 EV charging stations.

The provision underscored the EV industry’s continued dependence on taxpayer funding if it is to compete with gasoline- and diesel-powered vehicles.

Fiduciary Duties Ignored

Some prominent CEOs have adopted policies in line with the federal government’s current green energy push, but this support may not be in the long-term interest of shareholders, says Scott Shepard, director of the National Center for Public Policy Research’s Free Enterprise Project.

“BlackRock CEO Larry Fink demands companies adopt zero-carbon schedules based on political predictions, such as that the United States will remain committed, in statute and regulation, to the IPCC’s climate-catastrophist vision,” Shepard told Environment & Climate News. “Bank of America CEO Brian Moynihan has developed a set of ‘sustainability metrics’ he wishes to force on companies, using similar assumptions that Fink and he share.

“But the personal policy preferences and climate fever dreams of these self-appointed masters of the universe do not impress investors and do not substitute for public companies’ fiduciary duty to make their companies profitable in the real world,” said Shepard. “They must fully factor in all possibilities that cut against the left’s zero-carbon plans, including the virtual certainty the federal government’s regulatory and legislative posture will not remain constant for the next 25 years and very possibly not for the next 25 months.”

‘Elites’ vs. ‘Ordinary People’

The recent decline in green energy stocks could be the start of something larger, a demand by shareholders that companies focus less on political posturing and more on making a profit and returning it to shareholders, says Tom Randall, president of Winningreen, an energy and environmental consulting firm.

“Companies and investment houses that engage in crony capitalism while virtue-signaling their concern for the climate are playing to an audience that is much narrower than many CEOs realize,” said Randall. “In the real world, whether in America, Europe, or elsewhere, ordinary people notice skyrocketing energy prices that have resulted from the cozy relationship between government and green companies.

“Elites ignore the plight of ordinary people at their peril,” said Randall.

Bonner R. Cohen, Ph.D. (bcohen@nationalcenter.org) is a senior fellow at the National Center for Public Policy Research and a senior policy analyst with the Committee For A Constructive Tomorrow.

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TOM RANDALL

PRESIDENT, WINNINGREEN
Federal Court Dismisses Lawsuit Challenging President Biden’s Revocation of Keystone XL Pipeline Permit

By Bonner R. Cohen

A federal judge in Texas has dismissed a lawsuit challenging the Biden administration’s cancellation of the Keystone XL pipeline, saying the suit was moot because the pipeline’s developer said it would no longer pursue the project.

Pipeline Permit Reversals

The decision ends the more than dozen-year saga of the Keystone XL Pipeline.

As designed, the pipeline would have carried up to 830,000 barrels of crude daily from Canada to Nebraska, where it was to be transferred to another TC Energy pipeline for shipment to refineries and export terminals on the Gulf of Mexico.

Most of the pipeline did not need federal approval and had been built or connected in segments stretching from the Gulf Coast of Texas to the Midwest. The final segment needed approval from the U.S. State Department.

Under President Barack Obama, the State Department twice issued reports concluding the pipeline would deliver large quantities of Canadian oil to U.S. refineries, create thousands of jobs, and have minimal environmental impact in the United States. Despite his State Department’s conclusions, Obama denied approval of the final leg of Keystone XL, saying it would contribute to climate change.

Just two months after being sworn in as president, Donald Trump reversed Obama’s decision and directed the State Department to approve Keystone XL. In June 2017, after reviewing its impact on the environment and climate, the State Department approved the permit to build the $8 billion transnational pipeline.

Political delays of critical infrastructure add to their costs and can spell their doom, Grande says. Twenty-three Republican attorneys general (AG) sued to overturn Biden’s order.

President Joe Biden

challenge to Biden’s order, in a January 6 decision, because the project’s Canadian developer, TC Energy, had abandoned the project on June 9.

Brown, a Trump appointee, refused to rule on the constitutionality of the president’s action as the AGs had requested.

“The court takes TC Energy at its word that Keystone XL is dead,” wrote Brown. “And because it is dead, any ruling this court makes on whether President Biden had the authority to revoke the permit would be advisory.

“Thus, the court has no jurisdiction and the case must be dismissed as moot,” Brown ruled.

‘Anticlimactic and Fitting End’

The Keystone XL project ended badly, but other battles in the ongoing war to secure energy sanity in the United States remain, says Bette Grande, president of the North Dakota-based Roughrider Policy Center.

“This ruling is an anticlimactic and fitting end to the nearly 13-year-old Keystone saga,” said Grande. “This project birthed the use of executive power in Washington, D.C. to push a radical climate agenda, a fight that continues on far too many fronts today.

“It would have been nice to get a ruling on Biden’s authority to revoke the permit, but the dismissal on mootness grounds cements Keystone’s legacy as a political football, the exact opposite of regulatory certainty,” Grande said. “That will be a fight for another day, likely soon.”

Political delays of critical infrastructure add to their costs and can spell their doom, Grande says.

“Large infrastructure projects like the Keystone XL pipeline take years and capital and cannot be subject to the whims of elections and politicians,” Grande said. “This example of the Keystone XL project will put sand in the wheels of needed infrastructure projects in the future.”

Bonner R. Cohen, Ph.D. (bcohen@nationalcenter.org) is a senior fellow at the National Center for Public Policy Research and a senior policy analyst with the Committee For A Constructive Tomorrow.

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The court has no jurisdiction and the case must be dismissed as moot.”

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PHOTO COURTESY GAGE SKIDMORE/FLICKR.COM
COMMENTARY

Climate Authoritarians Foolishly Ignore the Lessons of History

By H. Sterling Burnett

To their own peril as well as everyone else’s, climate alarmists are increasingly embracing authoritarianism.

The leadership of the environmental movement has always been wedded to authoritarianism. Going back to the beginnings of the environmental movement, Progressive-era politicians such as President Theodore Roosevelt and Gifford Pinchot, the first head of the newly created U.S. Forest Service, believed democracy and markets were both ill-suited to manage natural resources. Progressives believed natural resources should be controlled, developed, and conserved by elite scientific managers, bureaucrats unbound by the wishes of the public.

Later, as detailed by Alston Chase in his powerful book In a Dark Wood, many Nazis were inspired at least in part by an expansive vision of environmental purity.

Misanthropes for Population Control

Although few if any progressives were full-on misanthropes, there have always been some of these within the environmental movement, pushing for increasingly extreme actions against human use of natural resources.

The misanthropic wing of the movement has referred to humans as “a cancer,” “a virus,” and “a parasite,” with some openly hoping for a killer virus to come along and wipe out most of humanity. Eco-philosopher Arne Naess, who coined the term “deep ecology,” said the ideal human population on Earth is 200 million, and he called for policies and personal actions to achieve that goal as soon as possible.

Others have estimated the “optimal” human population is 1.5 to 2 billion people and claimed this justifies population engineering, including both “active” and “passive” means to get there.

Calls for Climate Authoritarianism

Now even the academic literature is embracing climate authoritarianism as the world’s allegedly last best hope to avert supposedly apocalyptic climate change.

The American Political Science Review, a journal published by Cambridge University Press, recently published an article, “Political Legitimacy, Authoritarianism, and Climate Change,” which begins by asking, “Is authoritarian power ever legitimate?”

The author, Ross Mittiga, answers with a resounding “Yes!”

Pointing to COVID-19 as the type of emergency justifying authoritarian limits on freedom, the author states, “Climate change poses an even graver threat to public safety. Consequently, I argue, legitimacy may require a similarly authoritarian approach.”

Mittiga says climate change is a greater threat than COVID and therefore justifies long-term restrictions on life choices even stricter than those imposed over the past two years.

Democracy, Meat, and Property

Mittiga calls for policies such as nationalizing private property, limiting democracy and free speech, and forcibly suppressing the eating of meat—little things like that.

“The climate crisis merits] a censorship regime that prevents the proliferation of climate denialism or disinformation in public media,” writes Mittiga, as well as “relaxing property rights in order to nationalize, shutter, or repurpose certain companies.”

Going further, Mittiga suggests the new woke authoritarian government could “justifiably limit certain democratic institutions and processes to the extent these bear on the promulgation or implementation of environmental policy … [and] may establish institutions capable of overturning previous democratic decisions (expressed, for example, in popular referenda or plebiscites) against the implementation of carbon taxes or other necessary climate policies.”

Public Pushback

How the public will respond to that agenda might best be judged by the visible street protests against ongoing or newly reimposed restrictions in Europe and elsewhere, and the people widely flouting mask mandates, fighting vaccine mandates, and publicly sharing information about adverse vaccine reactions and COVID cases among the fully vaccinated in the United States.

This type of pushback presents a problem for Mittiga unless the authoritarian solutions he supports are much more like those of North Korea, Cambodia under the Khmer Rouge, China under Mao, and Russia under Stalin than what the liberal democracies have dared attempt thus far.

“History shows revolutions resulting in dictatorships typically eat their children and those they overthrew alike, indiscriminately and with equal fervor and self-perceived righteous indignation. Authoritarianism is bad, regardless of the cause it purportedly serves. Painting evil green does not make it better.”

H. STERLING BURNETT, SENIOR FELLOW, THE HEARTLAND INSTITUTE

Authoritarians Won’t Embrace Alarmists

Based on the evidence, I believe that no climate crisis is in the offing. Science shows the modest warming of the past century has not caused calamity or even worsening weather extremes and any reasonably expected warming in the coming century is equally unlikely to do so. But even if I’m wrong, authoritarianism is the worst possible response to a climate crisis.

Climate alarmists praise China, ignoring the fact it produces more greenhouse gases than every other industrialized economy on Earth combined and its emissions are growing.

Radicals such as Mittiga who embrace authoritarianism as a solution to their alleged climate crisis believe they will be the anointed ones wielding power if liberal democracies are displaced by authoritarian governments. I’m sure Robespierre and Trotsky felt the same, but history tells a very different story.

It is still true today, China’s treatment of its environmental protesters should be a cautionary lesson. Environmentalism doesn’t thrive under authoritarian rule.

Busted Trust in Dictators

If climate alarmists help bring down liberal democracies around the globe and replace them with authoritarian rule, they will most likely enjoy a fate similar to that suffered by Ernst Rohn and the Brown Shirts when Hitler no longer needed them and perceived them as a threat to his power.

History shows revolutions resulting in dictatorships typically eat their children and those they overthrew alike, indiscriminately and with equal fervor and self-perceived righteous indignation.

Authoritarianism is bad, regardless of the cause it purportedly serves. Painting evil green does not make it better.

H. Sterling Burnett, Ph.D. (hburnett@heartland.org) is a senior fellow at The Heartland Institute. A version of this article was originally published by American Thinker. Republished with author’s permission.
King Coal Is Dead. Long Live the King

By Robert Bryce

So much for the myriad claims about going “beyond coal.”

U.S. coal consumption jumped 17 percent last year compared to 2020 levels, according to a new report by the Rhodium Group. This huge increase was “largely driven by a run-up in natural gas prices,” Rhodium states.

Instead of burning gas, which averaged about $4.93 per million BTUs last year—more than twice the price in 2020—many electricity producers chose to burn coal.

‘Coal Remains Essential’
The surge in domestic coal use is significant.

It proves again that coal remains an essential fuel for electricity producers both in the United States and around the world. It also shows the Biden administration’s pledge to decarbonize the electric grid by 2035 is little more than wishful thinking.

Hate coal if it makes you happy, but the reality is that power producers have relied on it ever since Thomas Edison used it to fuel the world’s first central power plant in Lower Manhattan in 1882.

The jump in domestic consumption is part of a surge in global demand for coal, which still accounts for about 36 percent of global electricity generation. In December, the International Energy Agency reported “global coal power generation is on course to increase by 9 percent in 2021 to 10,350 terawatt-hours (TWh)—a new all-time high.”

In addition, “coal demand may well hit a new all-time high in the next two years,” the agency stated.

‘Iron Law of Electricity’
The increase in coal use provides yet more evidence for what I call the Iron Law of Electricity: “People, businesses, and countries will do whatever they have to do to get the electricity they need.”

That law was on display in November 2021 at the COP26 summit in Glasgow, where India, China, and other developing countries rejected a deal that called for a “phaseout” of coal-fired power plants. Instead, the final Glasgow agreement called for countries to “phase down” their use of the carbon-heavy fuel.

While Asian countries account for the biggest share of global coal use—China alone uses more than half the world’s coal—the Iron Law of Electricity also applies to Europe and Japan. During the third quarter of 2021, coal’s share of Germany’s electricity mix increased by 5.5 percent over the same period in 2020. That increase was due in part to lower production from the country’s wind-energy sector.

France, which usually gets about 70 percent of its electricity from nuclear plants, is considering burning more coal to replace some of the juice it was getting from several reactors that have been shut down for repairs.

Meanwhile, Japan is planning to build some 21 coal-fired power plants with a total capacity of more than 12,000 MWs over the next decade or so.

Can’t Keep Pace with Demand
In a recent phone interview, St. Louis-based coal-industry consultant John Hanekamp told me global supplies can’t keep pace with demand.

Domestic power generators are competing for coal with European utilities who are struggling to find enough hydrocarbons to keep the lights on, Hanekamp notes.

“There’s a bidding war because there isn’t enough coal to go around,” Hanekamp said.

In March, the Biden administration pledged to achieve “100 percent carbon-free electricity by 2035.” But the rhetoric simply doesn’t match the reality of our electric grid.

Finding Viable Substitutes
In 2020, domestic coal-fired electricity generation totaled about 844 TWh, nearly twice the 475 TWh produced by all the solar and wind projects in the country. Gas-fired generation totaled some 1,738 TWh, more than three times the total of all solar and wind.

The hard reality is that decarbonizing the global electric grid will require finding economically viable and socially acceptable substitutes for coal and natural gas.

Renewables are politically popular and growing, but both wind and solar are facing increasing headwinds because of land-use conflicts. Since 2015, more than 300 local communities from Maine to Hawaii have rejected or restricted wind projects.

The backlash against Big Solar is also gaining momentum. Over the summer, big solar projects in Montana, Nevada, and Pennsylvania were rejected. Among the most recent rejections: in November, regulators in Henry County, Virginia, scuttled two large proposed solar projects.

China’s Forced-Labor Solar
Speaking of solar, that “clean” energy sector has an embarrassing supply chain issue.

Nearly half the world’s polysilicon, the key ingredient in solar panels, has been coming from Xinjiang province, where the Chinese government has a program of systematic repression and forced labor.

Last year, the U.S. State Department declared China was practicing “genocide and crimes against humanity” against predominantly Muslim Uyghurs in Xinjiang, including forced labor to produce polysilicon for solar panels.

In short, it’s easy for politicians and climate activists to vilify hydrocarbons, hype renewables, and talk about quitting coal. But economics matter, as the Rhodium Group’s report makes clear. The United States and other countries aren’t suddenly going to quit using coal or natural gas to produce electricity. Doing so would be too expensive. If policymakers are serious about decarbonizing the electric grid, they need to get serious about nuclear energy. And they need to do so now.

Robert Bryce (Twitter: @pwrhungry) is the host of the “Power Hungry Podcast,” coproducer of the documentary Juice: How Electricity Explains the World, and author of A Question of Power: Electricity and the Wealth of Nations. This article was originally published in The Hill and is reprinted with permission of its author.
Each month, Environment & Climate News updates the global averaged satellite measurements of the Earth’s temperature. These numbers are important because they are real—not projections, forecasts, or guesses. Global satellite measurements are made from a series of orbiting platforms that sense the average temperature in various atmospheric layers. Here, we present the lowest level, which climate models say should be warming. The satellite measurements are considered accurate to within 0.01°C. The data used to create these graphs can be found on the Internet at nsstc.uah.edu/climate. All past data were revised when the methodology was updated in April 2015.

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