



Written by [Rebecca Terrell](#) on February 16, 2010

## EPA Under the Greenhouse Gas Gun

Several organizations are petitioning Obama's EPA to reconsider its December 2009 endangerment finding regarding greenhouse gases. The finding permits EPA to regulate carbon dioxide and other allegedly dangerous emissions under the Clean Air Act. But recent disclosures have revealed the UN data on which EPA based its decision was fraudulently manipulated and therefore completely unreliable. The source document, the Intergovernmental Panel on Climate Change (IPCC) 2007 Fourth Assessment Report (AR4), has been under harsh scrutiny over the past weeks for a number of blunders, including the Climategate scandal, bogus claims about Himalayan glacier melt, false assertions The Netherlands are drowning, deceptive hysteria over conditions in the Amazon, exaggerations of vanishing polar ice caps, and fraudulent cover-up of Chinese temperature data.



On February 12, three organizations filed a *Petition for Reconsideration* in which they stated, "EPA's Endangerment Finding is based on non-scientific reports by the IPCC and scientifically indefensible global temperature datasets." The three petitioners are the Nongovernmental International Panel on Climate Change ([NIPCC](#)), the Science and Environmental Policy Project ([SEPP](#)), and the Competitive Enterprise Institute ([CEI](#)).

Their petition goes on to explain EPA's data was highly compromised, likely to contain political bias, and never independently verified. A CEI press release also warns the endangerment finding opens the door for EPA to impose crippling regulations on tens of thousands of previously unregulated small businesses.

SEPP Executive Vice President Kenneth Haapala charged, "EPA's Endangerment Finding is based on politics, not science. It is time to see the rigorous physical science, rather than speculation from computer models."

Days before these groups filed their petition, the Pacific Legal Foundation (PLF) filed a nearly identical request with EPA. The PLF petition focuses attention on [Climategate](#) as making it legally necessary for EPA to revisit its regulatory process regarding the endangerment finding. Ted Hadzi-Antich, PLF attorney, explained, "When reasons come to light that cast doubt on the reliability of a regulatory finding, the Clean Air Act requires reassessment by the agency's Science Advisory Board." According to PLF, if the advisory board determines EPA data was unreliable, it should advise EPA to reconsider and possibly overturn its ruling.



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“EPA’s greenhouse-gas ruling could trigger a massive expansion of federal command-and-control regulations over virtually every nook and cranny of our economy,” Hadzi-Antich warned. “This is an unprecedented assertion of federal power over the most minute details of our national economy. It must at least be based on a firm foundation of reliable data ... in the context of a regulatory process that everyone can trust.”

Even before the Climategate scandal broke last November and prior to the EPA’s endangerment-finding announcement in December, CEI had petitioned EPA to reopen its proceedings. It based the request on the fact that a key AR4 research institution had admitted destroying raw data for its global surface temperature data set due to supposed lack of storage space. The institution was none other than the University of East Anglia’s Climate Research Unit (CRU), which one month later would make headlines at the center of Climategate. CEI claimed the destruction of data “severely undercuts the credibility of those studies,” and asked EPA to postpone a decision. EPA ignored the request.

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*Photo of Environmental Protection Agency Administrator Lisa Jackson: AP Images*



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