

To: Pruitt, Scott[Pruitt.Scott@epa.gov]
Cc: Jackson, Ryan[jackson.ryan@epa.gov]; Francis Menton[francismenton@icloud.com]
From: Harry MacDougald
Sent: Tue 10/17/2017 11:57:58 AM
Subject: Reconsideration of the GHG Endangerment Finding
[LT Pruitt 10-17-17.pdf](#)
[Scientists' Letter to Pruitt signed FINAL 101617.pdf](#)

Dear Administrator Pruitt:

Attached please find correspondence relating to reconsideration of the 2009 Greenhouse Gas Endangerment Finding.

Sincerely,

Harry W. MacDougald
Caldwell Propst & DeLoach, LLP
Two Ravinia Drive
Suite 1600
Atlanta, Georgia 30346
404-843-1956

CALDWELL, PROPST & DELOACH, LLP

ATTORNEYS AT LAW

TWO RAVINIA DRIVE

SUITE 1600

ATLANTA, GEORGIA 30346

HARRY W. MACDOUGALD

hmacdougald@cpdlawyers.com
www.cpdlawyers.com

TELEPHONE 404-843-1956

FACSIMILE 404-843-2737

October 17, 2017

Via email Pruitt.Scott@EPA.gov and Regular Mail

The Honorable Scott Pruitt
Administrator
Environmental Protection Agency
Office of the Administrator, Mail Code 1101A
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

RE: Petition for Reconsideration of Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act

Dear Administrator Pruitt:

As you know, Francis Menton and I represent the Concerned Household Electricity Consumers Council. On their behalf we have filed an administrative petition for reconsideration of the 2009 Endangerment Finding for Greenhouse Gases, and have supplemented it twice.

We further supplement our petition with the attached letter from 64 distinguished scientists. They characterize the 2009 Endangerment Finding as "fundamentally flawed" and urge you to conduct an honest and unbiased reconsideration in accordance with governing law. These scientists are also offering to assist EPA in the reconsideration process. Considering the depth and breadth of expertise in this group, you would do well to accept their offer.

Should you have any questions or comments, please let us know.

Sincerely,

Caldwell, Propst & DeLoach, LLP


Harry W. MacDougald

cc Francis Menton (w/ enclosure)
Ryan Jackson via email Jackson.Ryan@EPA.gov (w/ enclosure)
Ken Haapala (w/o enclosure)
CHECC Membership (w/ enclosure)

October 16, 2017

The Honorable Scott Pruitt
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator Pruitt:

You have pending before you two science-based petitions for reconsideration of the 2009 Endangerment Finding for Greenhouse Gases, one filed by the Concerned Household Electricity Consumers Council, and one filed jointly by the Competitive Enterprise Institute and the Science and Environmental Policy Project.

We the undersigned are individuals who have technical skills and knowledge relevant to climate science and the GHG Endangerment Finding. We each are convinced that the 2009 GHG Endangerment Finding is fundamentally flawed and that an honest, unbiased reconsideration is in order.

If such a reconsideration is granted, each of us will assist in a new Endangerment Finding assessment that is carried out in a fashion that is legally consistent with the relevant statute and case law.

We see this as a very urgent matter and therefore, request that you send your response to one of the signers who is also associated with a petitioner, SEPP.

Thank you,

Kenneth Haapala, President
Science and Environmental Policy Project
P.O. Box 1126
Springfield, VA 22151
One of the Petitioners

Supporting Petitions – Expertise in Climate Science and Related Fields

Dr. Ralph B. Alexander
Former Associate Professor, Wayne State University, Detroit
Author, “Global Warming False Alarm”
Ph.D., Physics, University of Oxford
B.S., Physics, University of Western Australia
El Dorado Hills, CA

William D. Balgord, Ph.D.
President, Environmental & Resources Technology, Inc.
Ph.D. geochemistry, Pennsylvania State University
M.A., geology, University of Missouri
B.S., chemistry, Millsaps College

Dr. Tim Ball
Ph.D., Historical Climatology
MA, University of Manitoba
BA, University of Winnipeg
Victoria, Canada

James R. Barranté, Ph.D.
Emeritus Professor of Physical Chemistry
Southern Connecticut State University
Author: "Global Warming for Dim Wits"

Joe Bastardi
BS Meteorology Penn State University
Chief Long Range Forecaster, Accuweather
Advisor on climate and weather issues for media and industry
Co-founder and Chief Meteorologist, Weatherbell Analytics LLC

David J. Benard
Co-inventor of the Chemical Oxygen-Iodine Laser
Ph.D., Physics, University of Illinois
Newbury Park, CA

Dr. Edwin X Berry
Climate Physics, LLC
Certified Consulting Meteorologist
PhD, Physics, University of Nevada
MA, Physics, Dartmouth College
BS, Engineering, California Institute of Technology
Bigfork, Montana

John Blethen, Retired
Following climate science closely since the 1970s.
Ph.D., Physics, Stanford University

David Boleneus
Consulting geologist, geophysicist, and wheat grower (current)
U.S. Geological Survey research geologist (retired)
MS Geology, Louisiana State University
Thesis: Calcium carbonate precipitation in tropical oceans
BS Geology, Eastern Washington University

Vice Admiral Edward S. Briggs
United States Navy (Retired)

David J. Bufalo, P.E.
Retired Licensed Professional Engineer, Missouri and Colorado
BS Civil Engineering, Missouri University of Science and Technology
Denver, Colorado

Dr. Roger Burtner
Principle, Remote Sensing Exploration
Retired Senior Research Associate, Chevron Oil Field Research Company
Ph.D., Geology, Harvard, M.S., Geology, Stanford University
B.S., Geology, Franklin & Marshall College
Fullerton, CA

Dr. Alan Carlin
Retired Senior Analyst and manager, US Environmental Protection Agency, Washington, DC.
Author, *Environmentalism Gone Mad*, Stairway Press, 2015.
Ph.D., Economics, Massachusetts Institute of Technology, Cambridge, MA.
BS, Physics, California Institute of Technology, Pasadena, CA.

John Coleman
Retired, Former Professional Member of the American Meteorological Society
Broadcast Meteorologist of the Year in 1982, Founder of The Weather Channel
Meteorologist on Television for 61 years including Good Morning America
BS Journalism, University of Illinois
Las Vegas, Nevada

William F. Condon, Ph. D.
Professor Emeritus and Past Chair of Chemistry, Southern Connecticut State University

Joseph S. D'Aleo
Certified Consulting Meteorologist, AMS Fellow
Chair AMS Committee on Weather Analysis and Forecasting
ABD, Air Resources, New York University
BS, MS Meteorology, University of Wisconsin

Dr. Harold H. Doiron
Retired VP-Engineering Analysis and Test Division, InDyne, Inc.
Ex-NASA JSC, Aerospace Consultant
B.S. Physics, University of Louisiana - Lafayette
M.S., Ph.D., Mechanical Engineering, University of Houston

Terry W. Donze
Geophysicist for 46 years, Author - *Climate Realism: Alarmism Exposed*, Xulon Press
BS - Geological Engineering, Missouri Univ. of Science and Technology

John Droz, jr.
Physicist
Founder of Alliance for Wise Energy Decisions (AWED)
Morehead City, NC

Dr. Don J. Easterbrook
Emeritus Professor of Geology, Western Washington University
Author, editor of 10 books, over 150 journal publications
Ph.D., Geology, University of Washington, Seattle
M.S., Geology, University of Washington, Seattle
B.S., Geology, University of Washington, Seattle

Robert W. Endlich, Lt Col USAF, (Ret)
Advanced Weather Officer, Chi Epsilon Pi, Meteorology Honor Society
M.S., Meteorology, The Pennsylvania State University
Basic Meteorology, Texas A&M University
B.A, Geology, Rutgers University
Las Cruces, NM

Dr. Neil Frank
Former Director, National Hurricane Center
Ph.D. Meteorology, Florida state University
Fulshear, Texas

Dr. Gordon J. Fulks
Gordon Fulks and Associates
PhD Physics, The University of Chicago Laboratory for Astrophysics and Space Research
MS Physics, The University of Chicago
BS Physics, The University of Chicago
Corbett, Oregon

Melin O. Glerup
BS and MS Geological Engineer and Petroleum Geologist
Retired Texaco, Inc. Executive and Consulting Geologist
Member of two Climate Study Groups (last 12 years) and geologist for 47 years
San Tan Valley, AZ

Steve Goreham
Executive Director, Climate Science Coalition
Author, Outside the Green Box: Rethinking Sustainable Development, New Lenox Books
BS and MS, Electrical Engineering, University of Illinois, Urbana
MBA, University of Chicago

Laurence I. Gould, PhD
Professor of Physics, University of Hartford
Past Chair (2004) New England Section of the American Physical Society

Dr. William Happer
Professor of Physics Emeritus, Princeton University
Ph.D., Physics, Princeton University, 1964
BS, Physics, University of North Carolina, Chapel Hill, 1960

Dr. Howard C. Hayden
Prof. Emeritus of Physics, UConn
Ph.D., Physics, University of Denver
M.S., Physics, University of Denver
B.S., Physics, University of Denver
Pueblo West, CO

Admiral Thomas B. Hayward (ret)
Chief of Naval Operations

Joe Hennessey
Consulting Meteorologist, Sacramento, California
Provided meteorological advice, data analyses, wind farm planning and WindPro modelling to National Power which had over 2,000 MW of projects in Australia and Hawaii.
MS Atmospheric Science, Oregon State University
BS Meteorology, University of Utah,
BS Mathematics, Marquette University

Dr. Richard A. Keen (Emeritus)
Instructor of Atmospheric and Oceanic Sciences, University of Colorado, Boulder
PhD, Geography/Climatology, University of Colorado

William W. Little, Ph.D.
Professor of Geology at Brigham Young University, Idaho
Owner of W.W. Little Geological Consulting
Ph.D. in geology, University of Colorado, Boulder
M.S. in geology, Brigham Young University
B.S. in geology, Brigham Young University
Rexburg, ID

Dr. David R. Legates
Professor of Geography, University of Delaware, CCM, American Meteorological Society
Ph.D., Climatology, University of Delaware
M.S., Geography, University of Delaware
B.A., Mathematics & Geography, University of Delaware

Jay Lehr
Science Director, The Heartland Institute, Author/editor 30 books on science
Ph.D., University of Arizona Environmental Science
B.S.E. Princeton University
Ostrander Ohio

Richard E. McFarland
Retired recursive computing expert
40 years NASA, ARC SimLab
Graduate studies in Math, Stanford
BA Physics, UC Berkeley
Banning, CA

Dr. Troy Milliken
Chemistry Professor, Holmes Community College
Ph.D., Polymer Chemistry, University of Massachusetts
BS, Polymer Science, Penn State University
Jackson, MS

H. Michael "Mike" Mogil
How the Weatherworks
NCIM Past President (2015-2017)
Certified Consulting Meteorologist
Certified Broadcast Meteorologist

Cliff Ollier
Emeritus Professor, Geologist
University of Western Australia
B.Sc., M.Sc., D.Sc., Bristol

James M. Peacock
Charter Member of The Right Climate Stuff Research Team
NASA JSC Aerospace Engineer (Apollo Missions)
USAF R&D, Air Force Special Weapons Center
B.S. in M.E. Texas A & M University

Ron W. Pritchett
Professional Geological Scientist (AIPG) #7063
Lone Tree, CO

Tom Quirk
Nuclear physicist, board member of electricity, gas and transport businesses
MSC Melbourne,
D Phil MA Oxford, fellow of three Oxford colleges
SMP Harvard Business School Melbourne
Victoria, Australia

Dr. Arthur G. Randol III
Co-Founder, VA Scientists and Engineers for Energy and Environment
Ph.D., Nuclear Engineering Sciences, University of Florida
M.S.E., Nuclear Engineering Sciences, University of Florida
B.S., Mechanical Engineering-Nuclear Option, University of Notre Dame

Dr. Chad Rodekoeh
Professor of Physics, Presbyterian College
Ph.D. Mechanical Engineering, Auburn University
M.S. Physics, Auburn University
B.S. Aviation Management, Auburn University
Clinton, South Carolina

Richard L. Sauer, PE, MASCE, Col, Ret, USAR
M.S. in Environmental Engineering, UC Berkeley
B.S., Civil Engineering, University of Notre Dame
S/C Environmental Systems Engineer, NASA, Retired, TRCS Member
League City, TX

Dr. Thomas P. Sheahan
Ph.D., Physics, M.I.T.
B.S., Physics, M.I.T.

Dr. Willie Soon
Independent Scientist, 26+ years' experience in Sun and Climate Science research
Ph.D., University of Southern California, Aerospace Engineering, "Nonequilibrium kinetics in high-temperature gases"

John Turner
B.Sc.; Dip. Ed.; M.Ed. (Hons); Grad. Dip. Ed. Studies
Australia

Dr. James P. Wallace III
Jim Wallace & Associates LLC
Ph.D., Economics, Minor in Engineering, Brown University
M.S., Mechanical Engineering, Brown University
B.S., Aeronautical Engineering, Brown University

George T. Wolff, Ph.D.
Principal Scientist, Air Improvement Resource, Inc.
Former Chair of the Clean Air Scientific Advisory Committee
Ph.D., (Environmental Sciences), Rutgers University
M.S., (Meteorology), New York University
B.S., (Chemical Engineering), New Jersey Institute of Technology
Macatawa, MI

Dr. Kenneth C. Young
Faculty member, Department of Atmospheric Sciences, University of Arizona
Ph.D., Geophysical Sciences, University of Chicago
M.S., Geophysical Sciences, University of Chicago
B.S., Chemistry, Arizona State University
Petrolia, CA

Supporting Petitions – Expertise in Energy or Public Health and Welfare, and Related Fields

Jerome C. Arnett, Jr., M.D.
Pulmonologist in private practice
Doctor of Medicine, WVU School of Medicine
Board Certified, Internal Medicine
Board Certified, Pulmonary Diseases
Helvetia, W. Va.

E. Calvin Beisner, Ph.D., Founder and National Spokesman
The Cornwall Alliance for the Stewardship of Creation
Author of numerous books regarding Climate Policy and the Poor.
Expert witness on the ethics and economics of climate and energy policy, U.S. Senate
Environment & Public Works Committee, 2006, and Energy & Environment Subcommittee,
U.S. House of Representatives Committee on Energy & Commerce, 2009
Ph.D., History, University of St. Andrews, 2003
M.A., Economic Ethics, International College, 1983
B.A., Religion and Philosophy, University of Southern California, 1978

Dr. Roger H. Bezdek
President, MISI, Washington, D.C.
Founding Member, Cavendish Energy LLC, Fort Worth, Texas. Previously served as Senior
Advisor in the Office of the Secretary of the U.S. Treasury
Research Director at the U.S. Department of Energy.
Author of four books and over 100 published papers on the economics of climate change and
related issues.
Ph.D., Economics, University of Illinois at Urbana-Champaign

Donn Dears
Retired, General Electric Company senior executive, expert on energy issues
Author, Clexit, Nothing to Fear, and Carbon Folly
Graduate, GE's three-year Manufacturing Management Program
Multiple general manager assignments including, GM of Engineering Department providing
technical support to worldwide network of GE facilities.
USN Veteran Korean War
BS, with honors, United States Merchant Marine Academy
The Villages, Florida

John Dale Dunn, MD, JD
Lecturer, retired Clinical Instructor, Department of Emergency Medicine, Carl R Darnall Army
Medical Center.
Clinical Instructor Uniform Services University of the Health Sciences, Bethesda, Maryland.
Policy advisor, American Council on Science and Health of New York City and Heartland
Institute of Chicago.
Member, Louisiana and Texas Bar; Medical Officer, Sheriff, Brown County, Texas.

James E. Enstrom
Interests include important effects of ozone and PM 2.5
MPH, Epidemiology, University of California, Los Angeles
M.S. and Ph.D., Physics, Stanford University
B.S., Physics, Harvey Mudd College

Thomas D. Hennigan
Associate Professor of Ecology and Organism Biology
M.P.S. Environmental Science and Forest Biology, SUNY, Syracuse, NY
B.S. Natural Resources Management, University of Alaska, Fairbanks, AK

Paul D. Hoffman
Publicist, Hope Springs Media
Former Deputy Assistant Secretary of the Interior for Fish and Wildlife and Parks
Led the US Delegation to the World Heritage Committee, 2002-06
B.A., Economics/Biology, University of California at San Diego, Revelle College

Dr. Craig D. Idso
Chairman, Center for the Study of Carbon Dioxide and Global Change
Co-Editor, Nongovernmental International Panel on Climate Change (NIPCC)
Ph.D. Geography, Arizona State University, Tempe, AZ
M.S. Agronomy, University of Nebraska, Lincoln, NE
B.S. Geography, Arizona State University, Tempe, AZ

Steve Milloy
Publisher, JunkScience.com
LLM, Securities Regulation, Georgetown University Law Center
JD, University of Baltimore School of Law
MHS, Biostatistics, Johns Hopkins University School of Public Health
B.A., Natural Sciences, Johns Hopkins University

Franklin E. (Ed) Payne, M.D.
Associate Professor of Family Medicine (retired)
Medical College of Georgia, Augusta University
Augusta, GA

Cornelis J. F. Smit,
Founder and CEO (now retired), Environmental Health Services (Aust) Pty. Ltd
Co-founder and Director, The Galileo Movement
B.Sc., University of Melbourne,
Certified Industrial Hygienist (AIHA)
Noosaville, Qld., Australia

H. Leighton Steward

Geologist, environmentalist, author, and retired energy industry executive.

Regional EPA Administrator's Award for environmental excellence.

Chairman of the Board of The Institute for the Study of Earth and Man at SMU

Past Chairman of the National Wetlands Coalition

Twice Chairman of the Audubon Nature Institute.

Serves on the boards of the M. D. Anderson Cancer Center, EOG Resources, The Buffalo Bill Historical Center, and the Southwest Research Institute.

Dr. S. Stanley Young

Worked in the pharmaceutical industry on all phases of pre-clinical research.

Member of the American Council on Science and Health Board of Scientific Advisors.

Authored or co-authored over 50 papers including six "best paper" awards.

Fellow of the American Statistical Association, American Association for the Advancement of Science.

Adjunct professor of statistics at North Carolina State University, the University of Waterloo and the University of British Columbia where he co-directs thesis work.

B.S., M.S. and a Ph.D., North Carolina State University.