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From: Harry MacDougald
Sent: Thur 7/6/2017 12:46:32 PM
Subject: Second Supplement to CHECC Petition for Reconsideration of CAA GHG Endangerment
Finding
[Second Supplement to Petition FINAL.pdf](#)

Dear Administrator Pruitt:

Attached please find a Second Supplement to the Petition of CHECC, the Concerned Household Electricity Consumers Council, for reconsideration of the Endangerment Finding for Greenhouse Gases under Section 202(a) of the Clean Air Act. This is a second supplement to our petition dated January 20, 2017.

Sincerely,

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BEFORE THE UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

In re:

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

EPA Docket No.

EPA-HQ-OAR-2009-01

SECOND SUPPLEMENT TO PETITION FOR RECONSIDERATION
OF “ENDANGERMENT AND CAUSE OR CONTRIBUTE FINDINGS
FOR GREENHOUSE GASES UNDER SECTION 202(a) OF THE CLEAN
AIR ACT”

Filed by

**Concerned Household Electricity Consumers Council, consisting of
Joseph D’Aleo, Clement Dwyer, Jr., Russell C. Slanover, Scott M. Univer,
James P. Wallace III, Robin D. Weaver, and Douglas S. Springer**

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**SECOND SUPPLEMENT TO PETITION FOR
RECONSIDERATION OF “ENDANGERMENT AND
CAUSE OR CONTRIBUTE FINDINGS FOR
GREENHOUSE GASES UNDER SECTION 202(A) OF THE
CLEAN AIR ACT”**

Pursuant to Section 307(d) of the Clean Air Act, 42 U.S.C. § 7607(d) and 5 U.S.C. § 553(e), the Concerned Household Electricity Consumers Council (“CHECC”), consisting of Joseph D’Aleo, Clement Dwyer, Jr., Russell C. Slanover, Scott M. Univer, James P. Wallace III, Robin D. Waver and Douglas S. Springer, hereby submit this second supplement to their January 20, 2017 Petition (“Petition”) to the U.S. Environmental Protection Agency (“EPA” or “the Agency”) to convene a proceeding for reconsideration of the “Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act” published by the Agency on December 15, 2009 (74 F.R. 66496, Dec. 15, 2009) (original EPA Docket No. Docket EPA-HQ-OAR-2009-171) (“the Endangerment Finding”), by submitting the following:

CHECC and its members submit this Second Supplement to their Petition to provide new information that is relevant to the credibility of the three lines of evidence upon which EPA relies to attribute observed global warming to human emissions of greenhouse gases.¹

We submit herewith a new June 2017 Research Report by Dr. James P Wallace III, Dr. Joseph S. D’Aleo (honorary) and Dr. Craig D. Idso, titled “On the Validity of NOAA, NASA and Hadley CRU Global Average Surface Temperature Data & The Validity of EPA’s CO2 Endangerment Finding, Abridged Research Report. (Wallace (2017 (b))). This report is available at <https://thsresearch.files.wordpress.com/2017/05/ef-gast-data-research-report-062817.pdf> and is incorporated herein by reference.

Wallace (2017 (b)) analyzes the credibility of the Global Average Surface Temperature (“GAST”) data sets from NOAA, NASA and Hadley CRU. The adjustments applied to surface temperature records in these datasets remove a

¹ At 74 C.F.R. page 66,518, EPA sets out the three “lines of evidence” upon which it has attributed “observed climate change” to “anthropogenic activities.” They are the “basic physical understanding” of the climate system, temperature records, and climate modeling.

clear cyclical pattern in global temperatures that was present in prior iterations of these data sets. As explained in the abstract:

In this research report, the most important surface data adjustment issues are identified and past changes in the previously reported historical data are quantified. It was found that each new version of GAST has nearly always exhibited a steeper warming linear trend over its entire history. And, it was nearly always accomplished by systematically removing the previously existing cyclical temperature pattern. This was true for all three entities providing GAST data measurement, NOAA, NASA and Hadley CRU.

Wallace (2017(b)), p. 4. The removal of the cyclical temperature pattern is inconsistent with multiple other published credible temperature data sets in which the cyclical pattern is clearly present. “[T]he magnitude of their historical data adjustments, that removed their cyclical temperature patterns, are **totally inconsistent** with published and credible US and other temperature data .” (Emphasis in original). *Id.*

Adjustments that impart an ever steeper upward trend in the data by removing the natural cyclical temperature patterns present in the data deprive the GAST products from NOAA, NASA and Hadley CRU of the credibility required for policymaking or climate modeling, particularly when they are relied on to drive trillions of dollars in expenditures.

Temperature records are one of EPA’s three lines of evidence upon which it relies to attribute observed warming to human GHG emissions. Valid and reliable temperature records of long duration are a logical prerequisite to forming the “basic physical understanding” of climate, and to developing and validating climate models. *See, e.g., U.S. Climate Change Science Program, Synthesis and Assessment Product 1.3, § 1.3.2, p. 9; § 3.1.2, pp. 53-54* (describing logical dependence of the physical understanding of climate, modeling and attribution on accurate temperature records). It is therefore inescapable that if the GAST products from NOAA, NASA and Hadley CRU are invalid, then both the “basic physical understanding” of climate and the climate models will also be invalid.

The Petition for Reconsideration should be granted because all three lines of evidence on which EPA relied to attribute observed warming to human GHG emissions and find “endangerment” are invalid.

Respectfully submitted, this 6th day of July, 2017.

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permission*