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**Sent:** 2/20/2018 3:58:57 PM  
**To:** Myron Ebell [Myron.Ebell@cei.org]  
**Subject:** Cooler Heads Coalition: new supplement to Endangerment Finding Petition

Reminder: the Cooler Heads Coalition will hold its next monthly strategy meeting on Monday, 5<sup>th</sup> March, beginning at 12 noon at CEI, 1310 L Street, N. W., Seventh Floor. Please e-mail or ring me at **Ex. 6** with agenda items or questions.

Pasted below is a press release from the Concerned Household Electricity Consumers Council about the latest supplement to their petition to the EPA for reconsideration of the Endangerment Finding. It has lots of useful links.

## **Electricity Consumers File New Study in Their Call for EPA to Reopen its Endangerment Finding**

### **Key Points:**

- 1. Just Released, new research findings demonstrate that Ten Frequent Climate Alarmists' Claims have each been Rebutted by true experts in each Field by simply citing the most relevant and credible empirical data.**
- 2. The new results invalidate 10 very frequent Alarmist Claims in recent years, and thereby also invalidate the so-called "lines of evidence" on which EPA claimed to base its 2009 CO<sub>2</sub> Endangerment Finding.**
- 3. If the Endangerment Finding is not vacated, whether the current administration likes it or not, it is certain that electric utility, automotive and many other industries will face ongoing EPA CO<sub>2</sub> regulation.**
- 4. This scientifically illiterate basis for regulation will raise U.S. energy prices thereby reducing economic growth, jobs and national security.**

February 20, 2018

On February 9, 2018, The Concerned Household Electricity Consumers Council (CHECC) submitted a fifth Supplement to their Petition to provide additional new highly relevant and credible information. (See: [EF CPP Fifth Supplement to Petition for Recon FINAL020918](#) ) It relates to variables other than temperature describing the Earth's Climate System. With each of EPA's three Lines of Evidence purporting to support their 2009 Endangerment Finding already shown in the CHECC petition and its first 2 Supplements to be invalid, EPA has no proof whatsoever that CO<sub>2</sub> has had a statistically significant impact on global temperatures.

## The Council's original Petition

(see <https://thsresearch.files.wordpress.com/2017/04/ef-epa-petitionforreconsiderationof-ef-final-1.pdf>) and First Supplement to Petition (see <https://thsresearch.files.wordpress.com/2017/05/ef-checc-suppl-pfr-of-ef-050817-final.pdf>) demonstrated that the Endangerment Finding is nothing more than assumptions that have each been disproved by the most relevant empirical evidence from the real world. The original Petition was substantially based on a major peer-reviewed 2016 scientific paper by James Wallace, John Christy and Joseph D'Aleo (Wallace 2016) that analyzed the best available temperature data sets and "failed to find that the steadily rising atmospheric CO<sub>2</sub> concentrations have had a statistically significant impact on any of the 13 critically important tropical and global temperature time series data sets analyzed." The full text of Wallace 2016 may be found at: <https://thsresearch.files.wordpress.com/2016/09/ef-cpp-sc-2016-data-ths-paper-ex-sum-090516v2.pdf>.

First Supplement to Petition was substantially based on a new April 2017 peer reviewed scientific paper, also from the same authors (Wallace 2017A). Wallace 2017A can be found at: <https://thsresearch.files.wordpress.com/2017/04/ef-data-research-report-second-editionfinal041717-1.pdf>. Wallace 2017A concluded that once impacts of natural factors such as solar, volcanic and ENSO activity are accounted for, there is no "natural factor adjusted" warming remaining to be attributed to rising atmospheric CO<sub>2</sub> levels.

The Second Supplement to the Petition relied on a third new major peer reviewed scientific paper from James Wallace, Joseph D'Aleo and Craig Idso, published in June 2017 (Wallace 2017B). Wallace 2017B analyzes the GAST data issued by U.S. agencies NASA and NOAA, as well as British group Hadley CRU. (Wallace 2017B can be found at: <https://thsresearch.files.wordpress.com/2017/05/ef-gast-data-research-report-062817.pdf>) In this research report 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, this result was nearly always accomplished by each entity systematically removing the previously existing cyclical temperature pattern. This was true for all three entities providing GAST data measurement, NOAA, NASA and Hadley CRU.

The Second Supplement to Petition states: 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.

The invalidation of the adjusted GAST data knocked yet another essential pillar out from under the lines of evidence that are the claimed foundation of the Endangerment Finding. As the Second Supplement to Petition stated: It is therefore inescapable that if the official GAST data 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 scientific invalidity of the Endangerment Finding becomes more blindingly obvious and undeniable with each day’s accumulation of reliable empirical data -and, the willingness of more scientists to come forward with such new evidence. (See:

<https://thsresearch.files.wordpress.com/2017/10/pruitt-letter-press-release-1-pm-101617final-4.docx> )

Perhaps recognizing this fact, Climate Alarmist have over time gone from focusing on Global Warming, to Climate Change to simply fear of Carbon. Thus, this research sought to determine the credibility of Ten (10) very frequently cited Climate Alarmists Claims.

Below are Rebuttals to each of these ten typical climate alarmists’ claims. **The rebuttal authors are all recognized experts on their topic and each rebuttal demonstrates the claim fallacy by merely citing the most credible empirical data.**

***Claim #1: Heat Waves are increasing at an alarming rate and heat kills***

**For Rebuttal and Author Credentials See: [EF RRT AC - Heat Waves](#)**

***Claim #2: Global warming is causing more hurricanes and stronger hurricanes***

**For Rebuttal and Author Credentials See: [EF RRT AC - Hurricanes](#)**

***Claim #3: Global warming is causing more and stronger tornadoes***

**For Rebuttal and Author Credentials See: [EF RRT CA - Tornadoes](#)**

***Claim #4: Global warming is increasing the magnitude and frequency of droughts and floods.***

**For Rebuttal and Author Credentials See: [EF RRT AC - Droughts and Floods](#)**

***Claim #5: Global Warming has increased U.S. Wildfires***

**For Rebuttal and Author Credentials See: [EF RRT AC - Wildfires](#)**

***Claim #6: Global warming is causing snow to disappear***

**For Rebuttal and Author Credentials See: [EF RRT CA - Snow](#)**

***Claim #7: Global warming is resulting in rising sea levels as seen in both tide gauge and satellite technology***

**For Rebuttal and Author Credentials See: [EF RRT CA - Sea Level](#)**

***Claim #8: Arctic, Antarctic and Greenland ice loss is accelerating due to global warming***

**For Rebuttal and Author Credentials See: [EF RRT AC - Arctic, Antarctic, Greenland 123117](#)**

**Claim #9: Rising atmospheric CO<sub>2</sub> concentrations are causing ocean acidification, which is catastrophically harming marine life**

**For Rebuttal and Author Credentials See:** [EF RRT CA - Ocean pH](#)

***Claim #10: Carbon pollution is a health hazard***

**For Rebuttal and Author Credentials See:** [EF RRT AC - Health](#)

## **THE CONCLUSION OF THE FIFTH SUPPLEMENT**

The invalidation of the three lines of evidence upon which EPA attributes global warming to human GHG emissions breaks the causal link between human GHG emissions and global warming. This in turn necessarily breaks the causal chain between human GHG emissions and the alleged knock-on effects of global warming, such as loss of Arctic ice, increased sea level, and increased heat waves, floods, droughts, hurricanes, tornadoes, etc.

Nevertheless, these alleged downstream effects are constantly cited to whip up alarm and create demands for ever tighter regulation of GHG emissions involving all fossil fuels, not just coal. EPA explicitly relied on predicted increases in such events to justify the Endangerment Finding. But there is no evidence to support such Alarmist Claims, and copious empirical evidence that refutes them. The enormous cost and essentially limitless scope of the government's regulatory authority over GHG emissions cannot lawfully rest upon a collection of scary stories that are conclusively disproven by readily available empirical data.

The scientific invalidity of the Endangerment Finding becomes more blindingly obvious and undeniable with each day's accumulation of reliable empirical data. It is time for an honest and rigorous scientific re-evaluation of the 2009 CO<sub>2</sub> Endangerment Finding. The nation has been taken down a tragically foolish path of pointless GHG/CO<sub>2</sub> regulations and wasteful mal-investments to "solve" a problem which does not actually exist. Our leaders must summon the courage to acknowledge the truth and act accordingly.

The legal criteria for reconsidering the Endangerment Finding are clearly present in this case. The scientific foundation of the Endangerment Finding has been invalidated. The parade of horrible calamities that the Endangerment Finding predicts and that a vast program of regulation seeks to prevent have been comprehensively and conclusively refuted by empirical data. The Petition for Reconsideration should be granted.

The Council brought its Petition because the Obama-era greenhouse gas regulations threaten, as President Obama himself conceded, to make the price of electricity "skyrocket." But clearly CO<sub>2</sub> regulation does not just raise electricity prices, it raises all fossil fuel prices. America can have, and must have, the lowest possible energy costs in order to attain and maintain its energy, economic and national security.

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