U. S. Environmental Protection Agency
Blog Round-up

Prepared by the Office of Public Affairs

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PEOPLE ARE TALKING

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With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on Jan. 21, 2010:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Lisa Jackson

@rollingstone - Obama has appointed the most progressive EPA chief in history
Posted by: triplepundit 5:25 pm Full post: http://bit.ly/5JRQOb

The Eco-Warrior: President Obama has appointed the most progressive EPA chief in history -Rolling Stone
Posted by: @enviroblog 5:20 pm Full post: http://bit.ly/4CfBWN

GHG Endangerment Finding And Regulations

Murkowski offers EPA resolution, spars with Boxer: Sen. Lisa Murkowski (R-Alaska) finally introduced her "resoluti...
Posted by: E2Wire 5:10 pm http://bit.ly/5rTzB8

Murkowski resolution attempts to block EPAs endangerment finding - broad ag support but attempt is a long shot
Posted by: Feedstuffs 6:09 pm Full post: http://bit.ly/5RicU3

Between 1880 & 2009, global ocean surface temp.was the 2nd warmest on record for December:
Posted by: usnoaagov 5:41 pm Full post: http://go.usa.gov/lWo

Three Dems ally with Murkowski to oppose EPA regulation of carbon emissions: Lincoln, Nelson, Landrieu.
Posted by: congressorg 5:20 pm Full post: http://bit.ly/84G5eZ

RT @ Mother Jones: Murkowski's EPA Block Gains More Dem Support: Sen. Lisa Murkowski (R-Alaska) announced on the Senate ...
Posted by: TMCMemberFeed 5:00 pm Full post: http://bit.ly/7cltgr
(Note: Will seek to prevent EPA from regulating GHG using an obscure parliamentary maneuver called a resolution of disapproval)

TSCA Section 8(e) Announcement

Shocking article: EPA says 20% of potentially harmful chemicals are considered "trade secrets"
Posted by: YouRenew 6:00 pm http://bit.ly/5VOiQa

EPA is taking the shroud off toxic chemicals used by industry under confidentiality. In opposition, NPRA says that could stifle innovation
Posted by: plattsoil 5:30 pm Full post:

Secret Chemicals: File This Under, "You Gotta Be Kidding!" | EWG's Kid-Safe blog:
Posted by: **enviroblog** 5:00 pm Full post: http://bit.ly/6Et698
(Note: "Except that (are you sitting down?) until now, companies have routinely been allowed to keep secret the actual identity of the dangerous chemical. The only exception: a handful EPA officials get to know the dangerous substance's name. This big fat loophole has been drilled, not surprisingly, under the rubric of "confidential business information." Or "CBI.")

U.S. EPA Cracks Down on Confidential Business Information Claims Under TSCA
Posted by: ChemicalWeek: 4:00 pm Full post: http://bit.ly/7flRiw

Connecting the dots: New report makes the health case for #TSCA reform -
Posted by: **EnvDefenseFund** 12:00 pm Full post: http://bit.ly/5rWdpq

ROUND-UP OF MAJOR BLOGS

AIR

Landrieu, Murkowski Collaborate On Plan To Block EPA (*Huffington Post*)

First Posted: 01-21-10 12:53 PM | Updated: 01-21-10 12:58 PM

***The Hill*:**

Sen. Mary Landrieu (D-La.) told reporters Wednesday that she is working with Sen. Lisa Murkowski (R-Alaska) on Murkowski's efforts to block EPA from regulating greenhouse gases under the agency's current Clean Air Act powers.

CLIMATE CHANGE

A Walk Through the Week's Climate News

The Climate Post: Asian ice granted temporary stay of execution (*Grist*)

21 Jan 2010 1:57 PM
by Eric Roston
First things first: A new U.S. senator and a blip in the post-Copenhagen U.N. negotiations may cause comprehensive global climate policy to melt away faster than the Himalayas-or will they?

Surgeon General's warning: Many points in the 2007 Intergovernmental Panel on Climate Change (IPCC) report have been revealed to be wrong as scientists observe global changes occurring faster than predicted just three years ago. Yet these accelerated changes are little remarked on in the mainstream press in the way a dumb mistake has been remarked on this week. Please keep this general observation in mind through the next section.

The IPCC regrets the error: Readers of this space are likely to posit certain things about the world, that global temperature increases are "unequivocal," that industrial emissions and unchecked land-use change are the major causes, and that we understand these things because the method that scientists don't call the "scientific method" has historically been terrific at weeding out and incinerating errors in our understanding of nature.

And so it is again. The IPCC this week sort of apologized for an error embedded in the 938-page second volume of its 2007 report, one frequently repeated as an alarming glaciological observation: "Glaciers in the Himalaya are receding faster than in any other part of the world and, if the present rate continues, the likelihood of them disappearing by the year 2035 and perhaps sooner is very high if the Earth keeps warming at the current rate."

What the scientific method has revealed here is that this statement is not true. The Himalayan glaciers are receding plenty fast—around the world glaciers are melting more and more quickly—but the projection of 2035 is an error, as explained cogently and thoroughly by the AP's Seth Borenstein ("The year 2350 apparently was transposed as 2035.").

What we have here is a failure to communicate: Unlike the University of East Anglia climate e-mails revealed in November, this Himalayan hiccup is an embarrassing error, rather than just embarrassing, full stop. But this is the way science works: Un-replicable results or, in this case, a plain-old mistake, are weeded out to make our understanding of nature ever more precise. There's always plenty we don't know. Remember Mencken: "Penetrating so many secrets, we cease to believe in the unknowable. But there it sits nevertheless, calmly licking its chops."

However, like the University of East Anglia climate e-mails, this Himalaya hiccup is another case study in poor handling of scientific communication to the public. The IPCC addressed the matter in a statement Wednesday, saying that the Himalaya error "refers to poorly substantiated estimates of rate of recession and date for the disappearance of Himalayan glaciers." The group adds that "IPCC procedures" "were not applied properly." The statement isn't "poorly substantiated." As far as anyone knows, it's false. Scientific communicators might best take a lesson from newspapers, don't be such a scientist, and just say, "IPCC regrets the error."

Changing political climate: The election of Republican Scott Brown to fill the late Sen. Edward Kennedy's (D-Mass.) seat is the first great political story of the new decade, with likely consequences on climate-and-energy legislation. Brown's campaign website states, "I oppose a national cap and trade program because of the higher costs that families and businesses would incur." (Massachusetts already participates in a regional cap-and-trade program.) The Congressional Budget Office and EPA estimates of the House climate bill put the cost of transforming the national energy system at about the same price as a pizza a month.

Some of Brown's new colleagues addressed climate policy this week. Retiring Sen. Byron Dorgan (D-N.D.) said that the Senate is unlikely to take up climate policy this year, suggesting an energy bill without economic mechanisms to close the market's loophole that allows unfettered pollution of heat-trapping gases. Dorgan's comments contradict Senate Majority Leader Harry Reid (D-Nev.), who last week said legislation may come to the floor this spring.

Sen. Lisa Murkowski (R-Alaska) today introduced a bill that would restrict the White House from regulating greenhouse gas pollution. With climate politics (and regular politics) halting action on Capitol Hill, the Obama administration has moved aggressively to impose restrictions through the Environmental Protection Agency. Attacks on the White House's policy are coming from outside offcialdom, too. Leading business groups and firms met last week to decide on a course of action. *The Hill* reports that not everyone in attendance opposes the new regulations.

Polling superpower Frank Luntz, who for a long time was a top GOP adviser, has teamed up with the Environmental Defense Fund to argue that most Americans think climate legislation would help solve a real problem with benefits that reach far beyond it.

Among the findings [pdf]: Poll respondents are uninspired by the phrase "carbon neutral."

The Yvo Empire: The Copenhagen Accord set Jan. 31 as a deadline for developed countries to define 2020 emissions reductions targets and for developing nations to announce mitigation actions. That date is fast approaching but fewer than two-dozen nations have signed off on the Accord itself, which make it a "soft" deadline. A tentative agreement that rich countries disseminate $30 billion in adaptation funds by 2012 still faces challenges, such as "who will donate how much, where the money will go and who will oversee the spending." U.N. climate chief Yvo de Boer says that congressional inaction will not relieve the White House of Obama's commitment in Copenhagen to reduce U.S. emissions 17 percent below 2005 levels by 2020. U.S. climate envoy Todd Stern opened up to Grist about his concerns.

The Himalayan error is not the only item weighing on the IPCC's public reputation, and by extension public appetite for climate policy. Scrutiny of IPCC chief Rajendra Pachauri's business relations is also taking attention away from the robust findings of climate science. With the next big report, the group's fifth edition, due in 2013-2014, some are wondering if there are alternative avenues to codify climate science for policymakers and the public. Economist Richard Tol has written, "For many policy makers, the IPCC reports are the only source of scientific information on climate change. Monopolies are easily seduced into abusing their power. A duopoly may work better, but given the scale of the effort, this may not be feasible" [pdf].

Prasad Kasibhatla, associate professor at Duke's Nicholas School of the Environment, has suggested that national academies might work together to issue climate science synthesis reports.

Climate Post book club: Every now and then it seems worthwhile to share a recent read. This week's news coincides with some of the themes in *Thin Ice*, by Mark Bowen, an adventure-filled biography of rugged, globe-trekking Lonnie Thompson and a sweep through climate science and history.

Applicants must make very few numerical typos: When looking for the Himalaya statement on the IPCC website the first thing you see is this confidence-building item: "The IPCC has started work on the preparation of its Fifth Assessment Report. We are currently looking for experts who can act as authors."

ERIC ROSTON IS SENIOR ASSOCIATE AT THE NICHOLAS INSTITUTE AND AUTHOR OF *THE CARBON AGE: HOW LIFE'S CORE ELEMENT HAS BECOME CIVILIZATION'S GREATEST THREAT*.
READ THE PROLOGUE

MURKY MURKOWSKI

Murkowski's floor speech on EPA regulations was full of deceptions (*Grist*)

This morning Lisa Murkowski took to the floor of Congress to introduce her joint resolution of disapproval, which would overturn the U.S. EPA's endangerment finding deeming greenhouse gas emissions a threat to public health.

It was one of the most spectacular displays of mendacity and misdirection I've ever seen from a U.S. senator, and that's really saying something.

There were lots of little misleading tidbits, but the big lie at the core is this: Murkowski said "this has nothing to do with the science of climate change." That is just flatly false. The point of her resolution is to overturn a judgment by EPA scientists that greenhouse gases are a threat to public health. That is a scientific judgment; it is *precisely* about the science of climate change. It is exactly the same as if a Senator tried to overturn a ruling by the EPA that arsenic, or mercury, or lead paint is a threat. It's a radical attempt by the legislative branch to interfere with executive branch scientists.

Murkowski's deceptions

But that was just the tip of the iceberg. Here are a couple of others:

1. Murkowski referenced the EPA's "tailoring rule," which would raise the threshold for regulated entities from those that emit over 100 tons of CO2 to those that emit over 25,000 tons. That would substantially reduce the number of regulated entities. Murkowski stated flatly that the courts will overturn the tailoring rule. (Ironically, it's polluting businesses that are suing to block the tailoring rule, since they very much *want* EPA regs to be a mess.) This is something she can not possibly know; the legal community generally believes otherwise. Even if the tailoring rule is rejected, nothing says the EPA *has* to regulate small entities the same way they regulate large entities. They can come up with special, expediting permitting processes, etc. (More on EPA regs here.) The notion of EPA regulating churches and bakes sales is just a scare story to spook the public.

2. Murkowski said that EPA regulations would shut down natural gas pipelines, since there is no "best available control technology" for natural gas compressor stations. That's false on two counts. First, nothing *compels* the EPA to simply shut down facilities that have no obvious way to reduce their emissions. EPA regulators are not robots; they can tailor their rules to different classes of emitters.

Secondly, it *is* possible to reduce emissions at compressor stations—the waste heat they emit can be captured and used to create more power to run the stations, increasing efficiency and reducing emissions. (Alternatively, the electricity can be fed into the grid, with the same net effect.) In aggregate there's something like 2GW of potential power

here. FERC chair Jon Wellinghof is all over this—it's a personal mission of his. It's *precisely the kind of thing that regulations might finally kick into action*.

3. Murkowski slathered her comments with a thick layer of concern trolling, saying repeatedly that she and her colleagues are working diligently to find a solution for reducing emissions and that the threat of EPA regulations was only hindering that work. That is, of course, delusional on both counts.

Where to begin? Murkowski noted that she has co-sponsored a climate bill, and it's true. In 2006 she co-sponsored an absurdly weak bill with Jeff Bingaman and Arlen Specter, which would have capped the price of CO2 permits at $12, effectively neutering its effect. Since then she has signed on to none of the many subsequent bills and done her best to undermine all of them. When she listed the efforts underway in the Senate today, she pointedly *left out the main bill under consideration*, passed by the House and the Senate EPW Committee last year. She has not said a single word in support of any bill that actually has a chance of passing.

She made no attempt to outline what kind of solution would actually solve the problem (as opposed to the euphemistic "balancing environment and economy," long-time Republicanspeak for protecting corporate backers). She made a big production of saying that this issue warrants full and extensive (and slooow) debate in the Senate, but made no note of the fact that her party has gone nuts, been unified in opposition to every single thing Democrats have tried to do, and put forward as its principle spokesperson on the issue a senator, James Inhofe, who denies that climate change even exists. The pieties about the sanctity of the democratic process are a bit rich in light of Republicans' serial abuse of Senate rules and procedures.

Finally, the idea that it's the EPA backstop preventing Republicans from engaging with the issue in good faith ... does that bit of fabulism even warrant a response? Can she be serious?

Weak defense

Boxer took the floor after Murkowski to rage against the resolution, pointing out—accurately—that it's an unprecedented attempt by legislators to overrule the work of federal scientists. Would Senators try to tell federal agencies that nicotine isn't harmful if they didn't like the implications? How about arsenic, or lead?

Boxer's speech was fine as far as it went, but it doesn't go far enough. Neither Boxer nor any other legislator is taking on Murkowski's main argument directly. Murkowski says these new environmental regulations would destroy the economy. Why won't Boxer defend them on those grounds? Conservatives have been Chicken Little-ing about environmental regulations for a century now, and every time, without fail, experience proves their fears unfounded. Can't some senator stand up and say clearly that the economic fear-mongering is bankrupt?

Sen. Kirsten Gillibrand (D-NY) came closer in a statement released after Murkowski's speech, in which she says:

If passed, this amendment would send a message that the United States will remain reliant on outdated and inefficient energy technologies and delay investment in new, clean technologies that would spur innovation and create good-paying, American jobs, all across this great nation

Exactly.

David Roberts is staff writer for *Grist*. You can follow his Twitter feed at twitter.com/drgrist.

MOUNTAINTOP MINING

Robert F. Kennedy Jr. takes on mountaintop mining magnate Don Blankenship (*Grist*)

22 Jan 2010 2:47 AM
by David Roberts

On Thursday the University of Charleston in West Virginia hosted a debate between Don Blankenship, CEO of mountaintop-removal mining firm Massey Energy Co., and Robert F. Kennedy Jr., environmental lawyer and founder of the Waterkeeper Alliance. I kept up a running play-by-play that can be accessed by scrolling back through my Twitter feed, but I didn't take notes, so this is from memory and I won't be using direct quotes.

The mystery to me going in was why Blankenship agreed to it. What possible incentive is there for a corporate CEO to put himself in a risky situation, publicly defending a widely reviled product? What's the upside? Why not just buy some ads or hire more lobbyists?

Having watched the debate, I'm more mystified than ever. If that was supposed to be damage control, I'd hate to see damage. Blankenship had every advantage, with a friendly hometown crowd eager to applaud him and a moderator who helpfully read off pro-coal facts during commercial breaks, but he was painfully and obviously outmatched by Kennedy. I guess it's easy to get over-confident when you've effectively purchased a state government and broken the law with impunity for years.

He didn't seem even cursorily prepared. Kennedy reeled off fact after fact about declining mining employment in WV, the age of Appalachian ecosystems and the impossibility of recovering them after MTR mining damage, the enormous health and economic impacts of coal on Appalachia, the size of Chinese investments in clean

energy, the number of Clean Water Act violations from Massey, and on and on and on. Every fact was geared toward a plea to West Virginians: look, this man is making himself rich by making you poor. He's sapping your state of jobs, income, health, and a future.

In response Blankenship had nothing but *ressentiment* and nativism. Over and over he dismissed Kennedy's facts as "rhetoric" and "just false" claims that "you can find on the internet," but not once did he refute or even convincingly contest a particular claim. He asked the audience to dismiss them based purely on crude stereotypes about out-of-state environmentalists.

His very first rebuttal drew on a familiar conservative trope: environmentalists are are overly emotional and rely on extremist rhetoric rather than facts and cool reason. But no sooner had the words left his mouth than he was talking about how the coal industry is really "your neighbors" and "Sunday school teachers," working to create down-home energy so terrorists don't come over and kill us. He warned that pesky regulatory constraints from do-gooders mean "we all better learn to speak Chinese." This is what reasoned, non-emotional rhetoric looks like, I guess: if you criticize my company you hate Sunday school teachers, love terrorists, and want to surrender national sovereignty to Red China.

When Kennedy accused him of leaving behind ghost towns across WV, Blankenship responded that he'd bought up all those homes at fair market value ("those people left voluntarily"). In response to Kennedy's points on water pollution, Blankenship effectively dismissed the threat of mercury as a bunch of hype on the internet. (If mercury is dangerous, he asked, how is it people in India live to be 79? Really, that was his argument. Apparently he's never heard of Minimata disease.) When Kennedy listed the social and health damages done by coal—"externalities" the industry charges to taxpayers—Blankenship mumbled, "do we have some of those externalities? I don't know. Maybe." When Kennedy pointed out that China is dumping trillions into renewable energy, Massey responded that they were only building windmills to appease the UN. When Kennedy pointed out that Massey's own disclosure revealed some 12,000 violations of the Clean Water Act last year, Blankenship responded that they're reducing their violations year to year, now that they've been reminded by the EPA that it would be a good idea.

In short, Kennedy was the encyclopedic superego of environmentalism and Blankenship was the raw id of crony capitalism.

I'll admit I've always been perversely fascinated by Blankenship. Most big corporate CEOs have mastered the art of calorie-free management speak. They've learned how to stay on message and skirt controversy. Not Blankenship. Not only does he openly flaunt the law and buy political access, he remains defiantly unpleasant in person,

speaking in an affectless, heavily accented mumble. Watch toward the end of this video, the archival footage:

He still talks like that. He simply dismissed Kennedy's facts and stuck to his narrative: global warming's a hoax, hippie environmentalists are strangling free enterprise, out-of-staters have no right to question what happens in WV, and China is going to take over if we don't mine and burn all the coal we can as fast as we can. We're crazy to be worried about "parts per million" of pollutants when coal is the only thing keeping our life expectancy above Angola's. We're in a ruthless global competition for dominance and the most productive and efficient win, mountains and poor people be damned.

In sharp contrast to, say, Duke Energy's congenial, folksy CEO Jim Rogers, Blankenship fashions himself a hillbilly John Galt and doesn't give a f*ck what you think about it.

Why he'd want to take that act to a national audience is a true puzzlement.

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Addendum:

By the way, asked what they might agree about, the Blankenship and Kennedy settled on two things: they don't like "free trade" and they think carbon capture and sequestration is nonsense.

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