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# United States Senate

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

WASHINGTON, DC 20510-6175

RICHARD M. RUSSELL, MAJORITY STAFF DIRECTOR  
GABRIELLE BATKIN, MINORITY STAFF DIRECTOR

March 13, 2017

The Honorable Scott Pruitt  
Administrator  
U.S. Environmental Protection Agency  
William J. Clinton Building, Room 3000  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Dear Administrator Pruitt:

I write today in support of the Environmental Protection Agency's (EPA) Endangerment Finding, Carbon Pollution Standards and Clean Power Plan. Your recent comments on climate science and press reports that the Administration intends to roll back these EPA actions are deeply troubling. These actions to reduce carbon pollution are scientifically justified and long overdue. I urge you to reject any direction to repeal them.

For over fifty years, U.S. scientists have collected data that show a clear link between greenhouse gas emissions and climate change. According to NASA, global warming is occurring at a rate that is "unprecedented in the past 1,300 years." Ninety-seven percent of climate scientists agree that climate change is occurring and that human activities contribute to the problem.<sup>1</sup> At the same time, more than one hundred and ninety countries have committed themselves to taking actions to address it.<sup>2</sup>

Scientists link climate change to more frequent and intense extreme weather events, high temperatures, increased ground-level ozone and allergens in the air, and the introduction of new pests and diseases – all of which are having negative impacts on human health.<sup>3</sup> That is why so many of our nation's leading public health organizations, including the American Lung Association, American Academy of Pediatrics, American Thoracic Society, and National Medical Association, support the Clean Power Plan.<sup>4</sup> In 2007, the Bush Administration first proposed a formal finding that greenhouse gas pollutants are dangerous, stating that "Carbon dioxide is the most important GHG (greenhouse gas) directly emitted by human activities, and is the most significant driver of climate change."<sup>5</sup> The Bush Administration did not finalize its proposed Endangerment Finding, but a review of the associated documents demonstrates that EPA accepted the determination of its scientists that the scientific evidence required such an action.

After reviewing thousands of peer-reviewed scientific studies, former EPA Administrator Lisa Jackson issued a final Endangerment Finding in December 2009 determining that six greenhouse

<sup>1</sup> <https://climate.nasa.gov/evidence/>

<sup>2</sup> <https://obamawhitehouse.archives.gov/the-press-office/2015/12/12/us-leadership-and-historic-paris-agreement-combat-climate-change>

<sup>3</sup> <https://health2016.globalchange.gov/>

<sup>4</sup> <http://www.lung.org/our-initiatives/healthy-air/outdoor/climate-change/declaration-on-climate-change.html>

<sup>5</sup> [https://insideclimatenews.org/sites/default/files/2007\\_Draft\\_Prsoposed\\_Endangerment\\_Finding.pdf](https://insideclimatenews.org/sites/default/files/2007_Draft_Prsoposed_Endangerment_Finding.pdf)

gas pollutants may reasonably be anticipated to endanger public health or welfare.<sup>6</sup> Of the six greenhouse gas pollutants included in the 2009 Endangerment Finding, the EPA determined that carbon dioxide (CO<sub>2</sub>) is the “primary greenhouse gas emitted through human activities” and accounts for about “80.8% of all U.S. greenhouse gas emissions from human activities.”<sup>7</sup>

In a *per curiam* opinion, the U.S. Circuit Court of Appeals for the District of Columbia affirmed the Endangerment Finding and the U.S. Supreme Court declined to issue a writ of certiorari on the D.C. Circuit’s decision. The Endangerment Finding set in motion EPA’s legal obligations to set greenhouse gas emissions standards for mobile and stationary sources, including those established by the Carbon Pollution Standards and Clean Power Plan in August 2015.<sup>8</sup>

During your confirmation hearing before the Environment and Public Works Committee, you stated, in an exchange with Senator Gillibrand, “I believe that the EPA, because of the *Massachusetts v. EPA* case and the Endangerment Finding, has obligations to address the CO<sub>2</sub> issue.” In another exchange with Senator Markey, you stated in regards to a scientific review of the endangerment finding, “there is nothing that I know that would cause a review at this point.”<sup>9</sup> Statements like these clearly led me and others to believe that you would carry out your duties as EPA Administrator in accordance with both the Endangerment Finding and with the general views of the scientific community.

Needless to say, I was deeply disappointed to hear your March 9, 2017, comments on CNBC, where you stated: “So no, I would not agree that it’s (carbon dioxide) a primary contributor to the global warming that we see.”<sup>10</sup> Claiming carbon dioxide is not a primary contributor to global warming is scientifically false and is in direct contradiction to your responses to scores of questions asked in the hearing and for the record by Democratic Senators during your confirmation process. This was precisely the type of denial of climate science and of the basis for the EPA’s Endangerment Finding about which I and the other Committee Democrats were concerned.

Ignoring climate change, or the science underpinning it, will not make it go away; instead it will only make solving the problem even more difficult and expensive. I urge you to reject calls to roll back the Endangerment Finding, Carbon Pollutions Standards and the Clean Power Plan which are based on credible science. Instead, I hope you will spend more time with EPA’s scientific experts, climate and public health researchers, and the local communities across the country that are already experiencing the impacts of climate change.

Sincerely yours,



Tom Carper  
Ranking Member

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<sup>6</sup> <https://www.epa.gov/climatechange/endangerment-and-cause-or-contribute-findings-greenhouse-gases-under-section-202a>

<sup>7</sup> <https://www.epa.gov/ghgemissions/overview-greenhouse-gases>

<sup>8</sup> [https://www.cadc.uscourts.gov/internet/opinions.nsf/52AC9DC9471D374685257A290052ACF6/\\$file/09-1322-1380690.pdf](https://www.cadc.uscourts.gov/internet/opinions.nsf/52AC9DC9471D374685257A290052ACF6/$file/09-1322-1380690.pdf)

<sup>9</sup> <https://www.epw.senate.gov/public/index.cfm/hearings?ID=1FC50BFE-C59F-4815-86F8-E463582935A6>

<sup>10</sup> <http://www.cnbc.com/2017/03/09/epa-chief-scott-pruitt.html>