

EPA says greenhouse gases endanger human health

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Environmental Protection Agency Administrator Lisa Jackson makes announcement on climate during a news conference in Washington, Monday, Dec. 7, 2009. The EPA took a major step Monday toward regulating greenhouses gases, concluding that climate changing pollution threatens the public health and the environment. (AP Photo/Manuel Balce Ceneta)

(AP) -- The Environmental Protection Agency took a major step Monday toward regulating greenhouses gases, concluding that climate changing pollution threatens the public health and the environment.

The announcement came as the Obama administration looked to boost its arguments at an international climate conference that the United States is aggressively taking actions to combat global warming, even though Congress has yet to act on climate legislation. The conference

opened Monday in Copenhagen.

The EPA said that the scientific evidence surrounding climate change clearly shows that greenhouse gases "threaten the public health and welfare of the American people" and that the pollutants - mainly carbon dioxide from burning fossil fuels - should be regulated under the Clean Air Act.

"These long-overdue findings cement 2009's place in history as the year when the United States government began addressing the challenge of greenhouse-gas pollution," said EPA Administrator Lisa Jackson at news conference.

The action by the EPA, which has been anticipated for months, clearly was timed to add to the momentum toward some sort of agreement on climate change at the Copenhagen conference and try to push Congress to approve climate legislation.

"This is a clear message to Copenhagen of the Obama administration's commitments to address global climate change," said Sen. John Kerry, D-Mass., lead author of a climate bill before the Senate. "The message to Congress is crystal clear: get moving."

Under a Supreme Court ruling, the so-called endangerment finding is needed before the EPA can regulate carbon dioxide and five other greenhouse gases released from automobiles, power plants, and factories under the federal Clean Air Act.

The EPA signaled last April that it was inclined to view heat-trapping pollution as a threat to public health and welfare and began to take public comments under a formal rulemaking. The action marked a reversal from the Bush administration, which had refused before leaving office to issue the finding, despite a conclusion by EPA scientists that it

was warranted.

Business groups have strongly argued against tackling global warming through the Clean Air Act, saying it is less flexible and more costly than the cap-and-trade bill being considered before Congress. On Monday, some of those groups questioned the timing of the EPA's announcement, calling it political.

"The implications of today's action by EPA are far-reaching...individual Americans and consumers and businesses alike will be dramatically affected by this decision," said Charles T. Drevna, the president of the National Petrochemical & Refiners Association. Drevna, in a statement, said "it is hardly the time to risk the remainder of the U.S. industrial sector in an attempt to achieve a short-term international public relations victory."

Any regulations are also likely to spawn lawsuits and lengthy legal fights.

The EPA and the White House have said regulations on greenhouse gases will not be imminent even after an endangerment finding, saying that the administration would prefer that Congress act to limit such pollution through an economy-wide cap on carbon dioxide and other greenhouse gases.

Nevertheless, the EPA has begun the early stages of developing permit requirements on carbon dioxide pollution from large emitters such as power plants. The administration also has said it will set the first-ever greenhouse gas emissions standards for automobiles and raise fuel economy to 35 miles per gallon by 2016 to reduce carbon dioxide emissions.

The EPA's readiness to tackle climate change is expected to give a boost to U.S. arguments at the climate conference opening in Copenhagen this

week, where the United States offer a provisional target to reduce greenhouse gases.

While the House has approved climate legislation that would cut emissions by 17 percent by 2020 and about 80 percent by mid-century, the Senate has yet to take up the measure amid strong Republican opposition and reluctance by some centrist Democrats.

Sen. John Kerry, D-Mass., lead author of the Senate bill, has argued that if Congress doesn't act, the EPA will regulate greenhouse gas emissions. He has called EPA regulation a "blunt instrument" that would pose a bigger problem for industry than legislation crafted to mitigate some of the costs of shifting away from carbon emitting fossil fuels.

The way was opened for the EPA to use the Clean Air Act to cut climate-changing emissions by the Supreme Court in 2007, when the court declared that carbon dioxide and other greenhouse gases are pollutants under the Act. But the court said the EPA must determine if these pollutants pose a danger to public health and welfare before it can regulate them.

Industry reacts to EPA climate ruling

(AP) -- Political, costly, and likely to choke off growth. That's how the energy industry and companies that use a lot of energy describe the Environmental Protection Agency's announcement Monday that greenhouse gas emissions are a danger and must be regulated.

Almost all energy and energy intense industries hope that Congress will step in with new climate laws, namely through a cap-and-trade system that limits greenhouse gas emissions while allowing companies to buy or sell emissions credits.

If not, companies say, jobs will be lost, an economic recovery will be hamstrung and everyone will pay more for energy.

Here's what some are saying about the EPA announcement:

U.S. Chamber of Commerce

Chamber President and CEO Thomas J. Donohue said EPA regulations could lead to "a top-down command-and-control regime that will choke off growth by adding new mandates to virtually every major construction and renovation project."

"The devil will be in the details," Donohue said.

The U.S. Chamber of Commerce represents 3 million businesses and is dominated by small companies with 100 or fewer employees.

National Association of Manufacturers

Keith McCoy, Vice President of Energy and Resources Policy, said an EPA regulation on its own would make energy more expensive and force manufacturers to cut jobs.

"Unemployment is hovering at 10 percent and many manufacturers are struggling to stay in business," McCoy said. "It is doubtful that the endangerment finding will achieve its stated goal, but it is certain to come at a huge cost to the economy."

The National Association of Manufacturers represents about 11,000

companies worldwide.

The American Petroleum Institute

The main lobbying group for oil and gas companies called the EPA announcement a political maneuver, burnishing President Obama's environmental record ahead of the Copenhagen climate summit. The Clean Air Act was not meant to regulate greenhouse gases, said API President Jack Gerard.

U.S. oil and natural gas companies spent \$58 billion between 2000 and 2008 on technologies to reduce greenhouse gas emissions, Gerard said. That's "more than either the federal government or all other U.S.-based private industry combined," he said.

API represents oil and natural gas companies, which supply more than 60 percent of the nation's energy.

National Petrochemical & Refiners Association

President Charles T. Drevna also attacked the timing of the announcement, saying that the EPA based its decision on "selective science" that fails to account for the impact on the economy.

"It is hardly the time the risk the remainder of the U.S. industrial sector in an attempt to achieve a short-term international public relations victory," Drevna said in a statement.

NPRA represents nearly all U.S. refiners and petrochemical companies

that supply filling stations with gasoline and their products make up everything from diapers to auto parts.

Edison Electric Institute

EEI says that Congressional climate legislation could achieve the same results without wreaking economic harm to industries and consumers. Congressional climate bills include a cap-and-trade system that would allow utilities to ease into the carbon market, buying carbon allowances to help meet emissions targets.

In pending House and Senate bills, "emissions cuts are made where they are the cheapest. That can't happen under the Clean Air Act," EEI spokesman Dan Riedinger said.

EEI represents power companies that provide the majority of the electricity generated in the U.S.

National Mining Association

The main lobbying group for mining companies hasn't stated a preference for EPA regulation or new federal laws that govern carbon emissions.

"There are clearly pitfalls with each approach, but we've never thought the Clean Air Act was well suited for a sweeping regulatory program that some envision," association spokesman Luke Popovich said.

Coal mining companies provide the primary energy source for powering

America's electricity grid.

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