# Pruitt New York Times Podcast 2/2/18

<https://www.nytimes.com/podcasts/the-daily>

## Rhetoric: The Role Of The EPA Is To Administer The Statutes Given By Congress

### Reality: EPA Mission Is to Protect Environment And Create Regulations To Implement Environmental Law

**EPA Mission Is To Protect Americans From “Significant Risks To Human Health And The Environment.”** According to the EPA, the mission of the agency is to ensure that, “all Americans are protected from significant risks to human health and the environment where they live, learn and work; national efforts to reduce environmental risk are based on the best available scientific information.” [EPA, Our Mission, accessed [2/2/18](https://www.epa.gov/aboutepa/our-mission-and-what-we-do)]

**EPA Mission Is To Ensure “Federal Laws Protecting Human Health And The Environment Are Enforced Fairly And Effectively.”** According to the EPA, the mission of the agency is to ensure that, “federal laws protecting human health and the environment are enforced fairly and effectively.” [EPA, Our Mission, accessed [2/2/18](https://www.epa.gov/aboutepa/our-mission-and-what-we-do)]

**EPA Mission States That The Agency Implements Environmental Law By Writing Regulations**. According to the EPA, “When Congress writes an environmental law, we implement it by writing regulations. Often, we set national standards that states and tribes enforce through their own regulations. If they fail to meet the national standards, we can help them. We also enforce our regulations, and help companies understand the requirements.” [EPA, Our Mission, accessed [2/2/18](https://www.epa.gov/aboutepa/our-mission-and-what-we-do)]

## Rhetoric: Congress Must Change Law So EPA Can Act On Climate Change

### Reality: Three Supreme Court Cases Ruled EPA Could Regulate Carbon

**2014 Supreme Court: EPA Can Regulate Greenhouse Gas Emissions**. According to an article in the Washington Post, “The Supreme Court on Monday mostly validated the Environmental Protection Agency’s plans to regulate major sources of greenhouse-gas emissions such as power plants and factories but said the agency had gone too far in interpreting its power. The court’s bifurcated opinion on one hand criticized the agency for trying to rewrite provisions of the Clean Air Act. But it nevertheless granted the Obama administration and environmentalists a big victory by agreeing that there are other ways for the EPA to reach its goal of regulating the gases that contribute to global warming.” [Washington Post, [6/23/14](https://www.washingtonpost.com/politics/supreme-court-limits-epas-ability-to-regulate-greenhouse-gas-emissions/2014/06/23/c56fc194-f1b1-11e3-914c-1fbd0614e2d4_story.html?utm_term=.6471ba6b5807)]

**2011: “Supreme Court Directly Addressed EPA’s Authority To Establish Carbon Pollution Standards For Existing Power Plants.”** According to EDF, “In 2011, the Supreme Court directly addressed EPA’s authority to establish carbon pollution standards for existing power plants under Section 111(d) of the Clean Air Act.. In American Electric Power Co. v. Connecticut” [EDF, [5/30/14](http://blogs.edf.org/climate411/2014/05/30/the-supreme-court-has-been-clear-epa-has-authority-to-address-carbon-pollution/)]

**Supreme Court Ruled Clean Air Act Could Be Used To Regulate Carbon Dioxide In 2007 Massachusetts Versus EPA**. According to the Department of Justice, “In this case, the Supreme Court found that the Environmental Protection Agency (EPA) can regulate greenhouse gases, such as carbon dioxide, as ‘air pollutants’ under the Clean Air Act. In section 202(a)(1) of the Clean Air Act, Congress stated that EPA is to issue standards applicable to the emission of ‘air pollutants’ from new motor vehicles, which in EPA’s ‘judgment cause, or contribute to, air pollution which may reasonably be anticipated to endanger public health or welfare…’” [DOJ, EDS Cases in the Supreme Court, accessed [3/9/17](https://www.justice.gov/enrd/massachusetts-v-epa)]

**No Merits Decision Was Made By DC Circuit Court**. According to EE News, “In other words, because the Supreme Court's order envisions one side petitioning the court for certiorari to review a D.C. Circuit decision, there's a possibility the Supreme Court will have to handle such a petition before the stay can be dissolved. But without a merits decision from the D.C. Circuit, anyone seeking Supreme Court action could be in the unusual position of appealing the court's potential remand order — a procedural move the justices would not typically weigh in on.” [EE News, [5/8/17](https://www.eenews.net/stories/1060054177/)]

**Utility Dive: DC Circuit Court Reminded EPA Of Statutory Obligation To Regulate Greenhouse Gases**. According to Utility Dive, “But the court’s order, in addition to requiring monthly reports from the federal government, included a stark reminder that the Trump administration will need to replace the rule — not simply rescind it. The court’s order reminded the Trump administration of the 2009 endangerment finding, which means the EPA has an ‘affirmative statutory obligation to regulate greenhouse gases.’” [Utility Dive, [8/9/17](https://www.utilitydive.com/news/dc-circuit-extends-delay-on-clean-power-plan-litigation/448928/)]

## Rhetoric: What Part Of CPP Had Any Effect On Environmental Outcomes? Zero

### Reality: Clean Power Plan and WOTUS Rule Would Protect Environment

**Clean Power Plan Would Cut Emissions From Power Sector By 30 Percent**. According to the EPA, “Nationwide, by 2030, the Clean Power Plan will help cut carbon pollution from the power sector by approximately 30 percent from 2005 levels. It will also reduce pollutants that contribute to the soot and smog that make people sick by over 25 percent.” [Environmental Protection Agency, Clean Power Plan Benefits, accessed [4/24/17](http://www2.epa.gov/carbon-pollution-standards/fact-sheet-clean-power-plan-benefits)]

Reality: CPP Would Have Prevented Thousands of Asthma Attacks, Heart Attacks and Deaths

**Instituting Clean Power Plan Would Prevent 100,000 Asthma Attacks And Up To 2,100 Heart Attacks**. According to a June 2014 report by the White House, “Putting EPA’s proposed guidelines for carbon pollution from power plants in place will not only help reduce the health impacts from climate change; it will also lead, through the measures implemented to achieve the carbon reductions, to reduction in emissions of other air pollutants that are directly harmful to human health… From the soot and smog reductions alone, for every dollar invested through the Clean Power Plan, American families will see up to $7 in health benefits. In the first year that these standards go into effect, up to 100,000 asthma attacks and up to 2,100 heart attacks will be prevented. These standards will also help more kids to be healthy enough to show up to school – with up to 72,000 fewer absences in the first year. The benefits increase each year from there.” [White House, Health Impacts of Climate Change on Americans, June [2014](http://www.whitehouse.gov/sites/default/files/docs/the_health_impacts_of_climate_change_on_americans_.pdf)]

According to a June 2014 report by the White House, by 2030 the Clean power Plan would Prevent:

* 2,700 to 6,600 premature deaths;
* more than 1,800 visits to the hospital for cardiovascular and respiratory illnesses;
* 3,700 cases of bronchitis in children;
* 310,000 lost work days; and
* 180,000 school absences.

[White House, Health Impacts of Climate Change on Americans, June [2014](http://www.whitehouse.gov/sites/default/files/docs/the_health_impacts_of_climate_change_on_americans_.pdf)]

Reality: Clean Power Plan Would Save As Much As $93 Billion In Health Costs

**EPA: Clean Power Plan Would Save As Much As $93 Billion In Health Costs**. According to the EPA, “The Clean Power Plan will lead to climate and health benefits worth an estimated $55 billion to $93 billion in 2030, including avoiding 2,700 to 6,600 premature deaths and 140,000 to 150,000 asthma attacks in children.” [EPA, Clean Power Plan Fact Sheet, [6/2/14](http://www2.epa.gov/sites/production/files/2014-05/documents/20140602fs-overview.pdf)]

## Rhetoric: There Are Things We Know And Things We Don’t Know About Climate Change, We Ought To Have The Debate

### Reality: 97% of Climate scientists Agree Climate Change Is Due To Human Activity

**97% Of Climate Scientists Agree Climate Change Is Due To Human Activity**. According to NASA, “Ninety-seven percent of climate scientists agree that climate-warming trends over the past century are very likely due to human activities,1and most of the leading scientific organizations worldwide have issued public statements endorsing this position. The following is a partial list of these organizations, along with links to their published statements and a selection of related resources.” [NASA, Global Climate Change Consensus, accessed [3/19/15](http://climate.nasa.gov/scientific-consensus/)]

* **3% Of Scientists Who Disagree: “The One Thing They Seem To Have In Common Is Methodological Flaws Like Cherry Picking, Curve Fitting, Ignoring Inconvenient Data, And Disregarding Known Physics.”** According to an article in the Guardian, “You may have noticed another characteristic of contrarian climate research – there is no cohesive, consistent alternative theory to human-caused global warming. Some blame global warming on the sun, others on orbital cycles of other planets, others on ocean cycles, and so on. There is a 97% expert consensus on a cohesive theory that’s overwhelmingly supported by the scientific evidence, but the 2–3% of papers that reject that consensus are all over the map, even contradicting each other. The one thing they seem to have in common is methodological flaws like cherry picking, curve fitting, ignoring inconvenient data, and disregarding known physics.” [The Guardian, [8/25/15](http://www.theguardian.com/environment/climate-consensus-97-per-cent/2015/aug/25/heres-what-happens-when-you-try-to-replicate-climate-contrarian-papers)]
* **Study Found That 3% Of Climate Scientist That Do Not Agree With Climate Change Often ‘Cherry Pick’ Data.** According to an article in the Guardian, “This new study was authored by Rasmus Benestad, myself (Dana Nuccitelli), Stephan Lewandowsky, Katharine Hayhoe, Hans Olav Hygen, Rob van Dorland, and John Cook. Benestad (who did the lion’s share of the work for this paper) created a tool using the R programming language to replicate the results and methods used in a number of frequently-referenced research papers that reject the expert consensus on human-caused global warming. In using this tool, we discovered some common themes among the contrarian research papers. Cherry picking was the most common characteristic they shared. We found that many contrarian research papers omitted important contextual information or ignored key data that did not fit the research conclusions.” [The Guardian, [8/25/15](http://www.theguardian.com/environment/climate-consensus-97-per-cent/2015/aug/25/heres-what-happens-when-you-try-to-replicate-climate-contrarian-papers)]