

Congress of the United States
Washington, DC 20515

February 6, 2018

The Honorable Scott Pruitt
Administrator, U.S. Environmental Protection Agency
William Jefferson Clinton Building
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Dear Administrator Pruitt:

We seek clarification of your statement¹ last week, in testimony before the Senate Environment and Public Works Committee, that there has been “no decision or determination” on whether the Environmental Protection Agency will “take any steps to repeal or replace the [greenhouse gases] endangerment finding.” This position appears inconsistent with statements you have made in the past; during your confirmation hearing, for example, you told² senators that the endangerment finding “is there, and it needs to be enforced and respected,” adding, “There is nothing that I know that would cause it to be reviewed.” We would like to know whether you stand by the comments you made during your confirmation hearing; if not, we would like to understand why your position has changed.

As you know, the EPA in 2009 concluded³ that current and projected atmospheric concentrations of carbon dioxide (CO₂) and five other greenhouse gases “endanger both the public health and the public welfare of current and future generations,” in part because those gases “are the root cause of recently observed climate change.” This determination—an “endangerment finding”—effectively required that the EPA act to limit emissions of those six pollutants. The agency’s finding was the culmination of a lengthy process involving careful and extensive review of relevant science, as well as hundreds of thousands of public comments. In 2012, the U.S. Court of Appeals for the D.C. Circuit upheld⁴ the legitimacy of that finding—a conclusion that the Supreme Court declined to review.

Already, the greenhouse gas endangerment finding has enabled the EPA to seek emissions reductions from fossil fuel-fired power plants; from passenger cars and trucks; from buses and commercial trucks; and from sources within the oil and natural gas industry. The basic need for emissions reductions is urgent and indisputable; pursuing such reductions will become vastly more difficult if the endangerment finding is compromised or revoked.

The need for decisive climate action is clearer today than it was even at the time of your confirmation. According to scientists at the National Oceanic and Atmospheric Administration, 2017 was⁵ the third-warmest year on record; seventeen of the eighteen warmest years on record have now occurred⁶ since 2001. 2017 was also a record-setting year for the kind of extreme weather events to which climate change directly contributes:

¹ <https://insideclimatenews.org/news/30012018/scott-pruitt-epa-senate-hearing-trump-abuse-constitution-climate-science-emissions-lead-drinking-water>

² <https://www.nytimes.com/2017/04/12/climate/scott-pruitt-epa-endangerment-finding.html>

³ https://www.epa.gov/sites/production/files/2016-08/documents/federal_register-epa-hq-oar-2009-0171-dec.15-09.pdf

⁴ [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)

⁵ <http://www.noaa.gov/news/2017-was-3rd-warmest-year-on-record-for-us>

⁶ <https://www.nytimes.com/interactive/2018/01/18/climate/hottest-year-2017.html>

NOAA has determined that damage from major weather and climate disasters cost⁷ our nation more than \$306 billion.

Last year was not an anomaly; it was part of an accelerating trend. In addition to warmer temperatures and increasingly severe, unpredictable weather, we are already dealing with problems like rising sea levels and recurrent flooding in coastal communities; destructive changes to fragile, irreplaceable, and economically crucial ecosystems; localized crop failures or fall-offs in production; worsening air quality; and increased incidence of respiratory and other illnesses. Unchecked, these trends will only worsen—with potentially catastrophic consequences.

According to the National Climate Assessment, “the magnitude of climate change beyond the next few decades depends⁸ primarily on the amount of heat-trapping gases emitted globally, and how sensitive the Earth’s climate is to those emissions.” Predictably, “higher emissions levels will result in more warming, and thus more severe impacts.” If we want our children to inherit a healthy, livable world, we need to stop polluting that world with greenhouse gases. We need to make responsible, sometimes-difficult choices. Maintaining the endangerment finding, and using it as a basis to further reduce emissions, is an easy and essential step. We urge you to take that step, in keeping with your previous comments.

Sincerely,



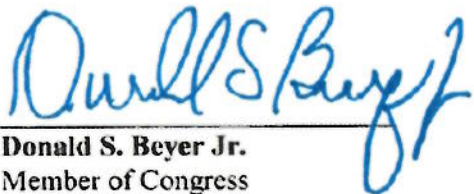
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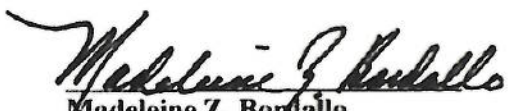
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⁷ <https://www.ncdc.noaa.gov/billions/>


⁸ http://s3.amazonaws.com/nca2014/low/NCA3_Full_Report_02_Our_Changing_Climate_LowRes.pdf?download=1

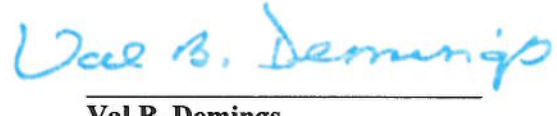

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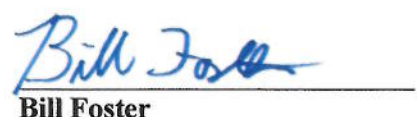

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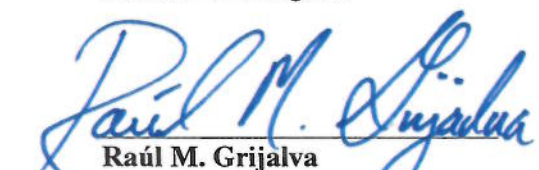

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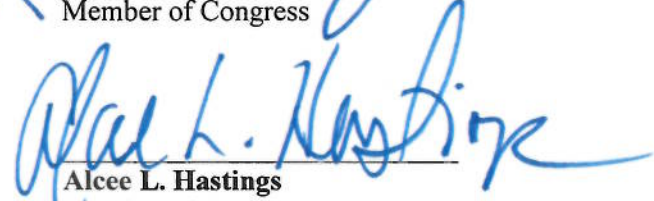

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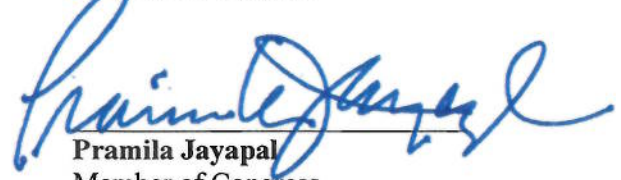

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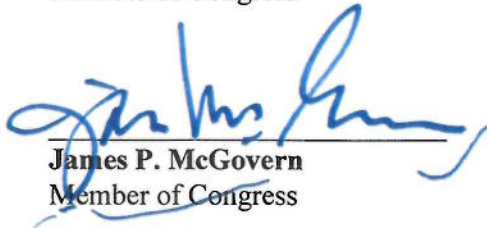
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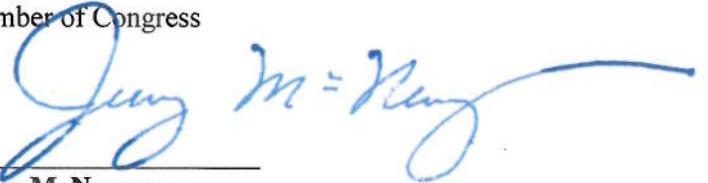
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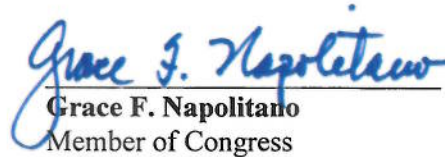
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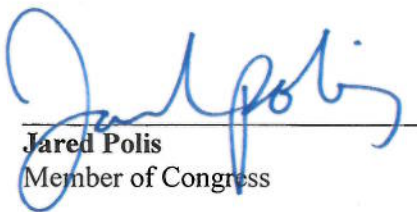
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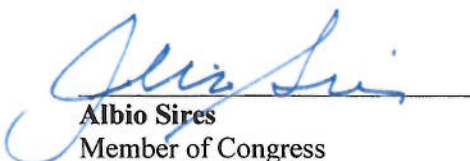
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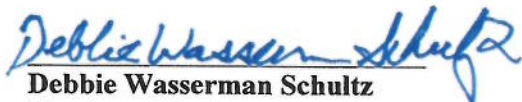
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