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IG raps EPA for procedural issues with endangerment finding

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The EPA's inspector general is taking the agency to task for some procedural issues related to its review of scientific data when determining its greenhouse gas endangerment finding in 2009.

An IG report<<https://www.politicopro.com/f/?f=5059&inb>> released today faults the EPA for not treating its summary of previously peer-reviewed research as a "highly influential scientific assessment," which requires stricter independent review and would have to be made public.

The report notes that the EPA "met statutory requirements for rulemaking and generally followed requirements and guidance related to ensuring the quality of the supporting technical information." It also does not address whether the scientific information and data supported the endangerment finding.

The EPA has used the endangerment finding to begin regulating greenhouse gases under the Clean Air Act, drawing the ire of congressional Republicans and the fossil fuel industry. The IG report was prompted by a request from Sen. Jim Inhofe (R-Okla.).

EPA and Office of Management and Budget staff said they did not designate the data as highly influential "because it only summarized existing findings and conclusions and provided no new findings or conclusions."

The IG came to a different conclusion.

"In our opinion, the TSD [technical support document] was a highly influential scientific assessment because EPA weighed the strength of the available science by its choices of information, data, studies and conclusions included in and excluded from the TSD," the report says. (Highly influential assessments are defined by the OMB as having a potential impact of more than \$500 million in one year or being "novel, controversial or precedent-setting.")

In its initial response in the IG's report, the EPA defended its actions, arguing that "the TSD does not meet the OMB definition of a scientific assessment in that no weighing of information, data and studies occurred in the TSD." Instead, the agency says, the TSD was merely a compilation of previous research used as background material.

The report also found that the EPA violated OMB policy when a panel of 12 federal climate scientists who reviewed the document included one who worked at the EPA.

The IG recommends establishing minimum requirements for evaluating data from outside organizations; altering the EPA's peer review guidelines to accurately reflect OMB requirements; and specifying whether future rules are backed by highly influential assessments or merely influential assessments.

The report does not address the scientific information and data used to support the endangerment finding, which was conducted by the U.S. Global Change Research Program, the Intergovernmental Panel on Climate Change and the National Research Council.

Inhofe was especially interested in examining the scientific contributions from the IPCC, linking its reports to the so-called Climategate emails stolen from the University of East Anglia in 2009.

The EPA stated in the original document that it was convinced the IPCC research had been thoroughly vetted by both the climate change community and the federal government. And several investigations have found no evidence of fraud or misconduct related to the stolen emails.

The IG report concludes that the IPCC research was vetted in the same way the EPA reviewed the rest of the research. The agency "noted the breadth and scope of IPCC's review process, in interviews and in the endangerment finding itself, as a characteristic that helped to include all viewpoints," the report says.

Inhofe plans to call for a Senate Environment and Public Works hearing on the IG report.

"EPA needs to explain to the American people why it blatantly circumvented its own procedures to make what appears to be a predetermined endangerment finding," he said.