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EPA: 'Overwhelming' Cause to Regulate Greenhouse-Gas Emissions

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By Keith Johnson

As expected, the Environmental Protection Agency [ruled](#) that greenhouse gases endanger public health and welfare. The question was and remains: By flexing its muscles, is the EPA angling to regulate the entire U.S. economy, or is it simply waving a threatening stick at Congress to prod legislators into passing climate-change legislation?

The 133-page [endangerment finding](#) dedicates scores of pages to summarizing the scientific evidence on climate change and agonizing over how much leeway the EPA has in using its judgment to determine what's good and bad. That, it seems, was overkill:

The case for finding that greenhouse gases in the atmosphere endanger public health and welfare is compelling and, indeed, overwhelming. This is not a close case in which the magnitude of the harm is small and the probability great, or the magnitude large and the probability small. In both magnitude and probability, climate change is an enormous problem.

In a nutshell: greenhouse-gas concentrations in the atmosphere are largely due to man's activities; greenhouse gases are bad; therefore, the EPA has to regulate their emission. Just not yet.

For all the bombast of the historic decision, it doesn't actually give the EPA any extra regulatory authority. In fact, the EPA bent over backward to stress the action it isn't taking: "The action, if finalized, would not itself impose any requirements on industry or other entities."

Other than the requirements that the EPA is currently planning to impose on certain industries, such as the auto industry, the source of the whole mess in the first place: "EPA is currently developing proposed emissions standards related to today's proposal. EPA expects that these proposed standards will be ready to propose for public comment several months from now."

Environmentalists across the board cheered the decision and nearly ran out of adjectives to describe it; conservative commentators also strained to describe the move, but for different reasons.

One argument in particular is interesting. Marlo Lewis, of the pro-business Competitive Enterprise Institute, [figures](#) the EPA's ruling amounts to a "suicide note." That is, far from prodding Congress to pass climate-change legislation, the new finding gives conservatives the perfect opportunity to sit on the sidelines and watch the Obama administration jack up energy prices and generally derail the economy—and take all the blame for doing so.

Even if that were true, that does raise a question: Has salvaging the economy really taken a back seat to scoring political points?

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