



Legal Expert: EPA's CO₂ Rule Violates Federal Data Quality Law

Michael Bastasch

The Environmental Protection Agency's new rule limiting carbon dioxide emissions from existing power plants doesn't meet federally mandated data quality rules, according to legal experts, as the agency has failed to show how it resolved apparent conflicts of interest in the major climate studies relied upon to justify its new rule.

The new power plant rules rely on scientific work from the EPA's 2009 endangerment finding and the Third National Climate Assessment, which was released earlier this year. Both of these reports, however, violate the Information Quality Act (IQA) and federal data quality guidelines, **according to the Institute for Trade, Standards and Sustainable Development (ITSSD) — a legal research nonprofit...**

...The EPA did not immediately respond to The Daily Caller News Foundation's request for comment.

Update: An EPA spokeswoman sent out the following statement in response to TheDCNF's article:

"History has shown that EPA writes solid rules and they stand up in court—courts have reaffirmed our science and reasoning time and time again. And it's important to remember—the Supreme Court made clear in 2007, that EPA has obligation to limit carbon pollution because it's a harm to human health. We are doing our jobs, as directe[d], to protect public health and the environment."

APPARENTLY, THIS IS A ‘CANNED’ EPA RESPONSE TO PRESS QUERIES, SINCE IT ALSO HAS BEEN PROVIDED IN RESPONSE TO THE FOLLOWING REPORTED ARTICLES:

<https://stateimpact.npr.org/oklahoma/2014/08/06/oklahoma-attorney-general-scott-pruitt-sues-epa-over-federal-clean-power-plan/>

Oklahoma Attorney General Scott Pruitt Sues EPA Over Federal Clean Power Plan

AUGUST 6, 2014 | 4:53 PM

BY **LOGAN LAYDEN**

...But EPA spokeswoman **Jennifer Colaizzi** told *The Oklahoman* the agency has a good track record when it comes to staying within the laws as passed by Congress:

“History has shown that EPA writes solid rules and they stand up in court — the courts have reaffirmed our science and reasoning time and time again,” Colaizzi said in an email. “The Supreme Court made clear in 2007, and just recently confirmed, EPA has an obligation to limit carbon pollution because it’s a harm to human health.”

<http://washingtonexaminer.com/coal-company-uses-glitch-to-swing-for-the-fences-against-epa-rule/article/2550362>

Coal company uses glitch to swing for the fences against EPA rule

BY **ZACK COLMAN** | JULY 1, 2014 | 1:49 PM

...“History has shown us that EPA writes solid rules and they stand up in court — courts have reaffirmed our science and reasoning time and time again,” EPA spokeswoman **Liz Purchia** said in an email.

<http://www.politico.com/morningenergy/0614/morningenergy14352.html>

POLITICO MORNING ENERGY

By **ALEX GUILLÉN** | 06/19/14 10:02 AM EDT

MURRAY ENERGY SUES OVER EPA RULE:

— EPA is confident that its proposed greenhouse gas rule for existing power plants will hold up in court, the agency said. “History has shown us that EPA writes solid rules and they stand up in court — courts have reaffirmed our science and reasoning time and time again,” said EPA spokeswoman **Liz Purchia**. “And let’s not forget — the Supreme Court made clear in 2007, that EPA has obligation to limit carbon pollution because it’s a harm to human health.”