



# CEI Petitions EPA to Correct 2009 Endangerment Finding

Myron Ebell • May 17, 2019



The Competitive Enterprise Institute on May 13<sup>th</sup> filed a [Request for Correction](#) under the Information Quality Act (IQA) that asks the Environmental Protection Agency to stop using or disseminating the 2009 Endangerment Finding until it corrects several major procedural errors committed during its preparation.

In 2009, the EPA found that greenhouse gas emissions endanger public health and safety and therefore can be regulated under the Clean Air Act. CEI [argues](#) that “[the] EPA evaded the requirements of the Information Quality Act by refusing to admit that the document was a ‘highly influential scientific assessment’” and was therefore legally required to undergo more rigorous peer review procedures.

The petition takes advantage of a memo sent to all federal departments and agencies by Russell Vought, acting director of the White House Office of Management and Budget, on April 24<sup>th</sup> on “[Improving Implementation of the Information Quality Act](#).” Under the OMB’s improved implementation, agencies must reply to IQA correction requests within 120 days and must share their proposed response with OMB for review before sending it.

CEI’s filing notes several specific ways in which the EPA failed to meet the agency’s own peer review standards for highly influential scientific assessments. These include: failing “to allow the public, including scientific and professional societies, to nominate potential reviewers,” allowing an EPA employee to conduct peer review, using peer reviewers who were reviewing their own work, and relying on United Nations Intergovernmental Panel on Climate Change reports that did not meet federal peer review standards.

Environmental pressure groups and global warming alarmist scientists were naturally outraged. As Devin Watkins, the CEI attorney who prepared the Request for Correction,

told Abby Smith for an article published by Bloomberg, “If they’re so confident [that the science is settled], then that’s what the outcome will be.”