



Understanding Government

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Explaining EPA's Extraordinary Regulatory Powers

By Matthew Blake

The Nation's Christian Parenti provocatively argues that the Obama administration should rely on the Environmental Protection Agency — as opposed to waiting for Congressional legislation — to reduce the greenhouse gases that cause climate change. “If the Environmental Protection Agency were to act robustly,” Parenti writes. “It could achieve significant and immediate greenhouse gas emissions.”



Parenti points out the agency's strong regulatory powers:

From a legal perspective, the EPA has all the tools it needs to respond adequately to the climate crisis. In fact, “the United States has the strongest environmental laws in the world,” says Kassie Siegel, an attorney with the Center for Biological Diversity. The center specializes in suing the government when it violates green laws. “We don’t need new legislation. The Clean Air Act can achieve everything we need: a 40 percent reduction of greenhouse gas emissions over 1990 levels by 2020.”

EPA has announced that starting in 2012 they'll regulate tailpipe emissions from automobiles. However, no date has been set for the agency to regulate stationary sources — like coal-fired power plants — that cause the majority of America's greenhouse gas emissions. Here pressure from the coal industry and coal-state lawmakers like West Virginia Sen. Jay Rockefeller may keep Obama's EPA from making regulations absent Congressional approval. However, Parenti is right to point out what EPA can do if it decides outlining stationary source regulations is more important than the political controversy and industry lawsuits that would accompany regulatory action.