

Trump administration axes Obama-era climate regulations

By Daniel de Vries
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The Trump administration Tuesday moved forward with its agenda of environmental deregulation by formally scrapping the Clean Power Plan, a prominent Obama-era rule controlling carbon pollution from power plants. Environmental Protection Agency (EPA) administrator Scott Pruitt, who as Oklahoma attorney general led the legal challenge to the rule, signed the revocation while delaying a decision on whether to replace it with narrower set of standards.

Pruitt's move is one of dozens already taken by the Trump administration aimed at removing health and environmental rules for industry and expanding access for oil drilling.

According to a recent tally by the *New York Times*, EPA, the Interior Department and other agencies have either overturned or begun the rollback process for 48 separate rules. At least half of them affect fossil fuel extraction, transport or use—industries with close ties to the Trump administration. Among the rules overturned to date include the removal of restrictions on dumping coal mining debris in streams, revoking flood protection standards for federally funded infrastructure, and reopening areas of the Atlantic and Arctic for drilling.

Pruitt announced the revocation of the Clean Power Plan Monday at an event with coal miners in Eastern Kentucky. Pitching it as a reversal of the “war on coal” and a step towards reviving lost coal mining jobs, he echoed the pseudo-populist statements made by President Trump when the latter announced the withdrawal from the Paris climate accord in June.

Environmental safeguards, the administration argues, are a chief culprit of endemic unemployment and deteriorating living conditions, particularly in areas with a declining industrial base. Yet the real motive of the administration is transparent: not to create jobs but

rather to remove any constraints on corporate profits.

The nixing of the Clean Power Plan, like many of the other dismantled rules, followed intense coordination with major business interests. Throughout the summer a variety of utilities and business associations, including the National Association of Manufacturers and the US Chamber of Commerce, negotiated with the EPA and the Office of Management and Budget on the future of the Clean Power Plan.

The delay in announcing whether the rule will be replaced reflects divisions within industry circles and among the various right-wing political forces holding together the Trump administration.

The divisions follow the pattern that emerged ahead of the Paris agreement withdrawal, with “establishment” right-wingers such as Trump's chief economic adviser Gary Cohn battling for the line put forward by the Chamber of Commerce and other industry groups to replace the Clean Power Plan with an “inside the fence line” approach. While carbon pollutants would continue to be regulated under this approach, the rules would effectively be transformed into exceedingly weak efficiency standards for each type of existing power plant.

A smaller section of industry, allied with climate denial “think tanks,” ousted White House strategist Stephen Bannon, and several former officials on Trump's EPA transition team, argue for eliminating carbon regulations altogether by overturning the determination by EPA that greenhouse gases are a danger to human health and welfare.

The Supreme Court ruled in 2007 that greenhouse gases are pollutants under the Clean Air Act. EPA found two years later, citing the overwhelming body of scientific evidence assembled in national and international climate assessments, that climate

pollutants are indeed harmful. Consequently, the agency is required to regulate them under the existing law.

Challenging this determination is risky from a legal standpoint. Many of the big trade organizations would prefer paper regulations to prolonged legal uncertainty. On the other hand, there is speculation that Pruitt may use a “red team-blue team” climate debate in the works to provide a justification for overturning the endangerment finding. Both paths are a means to a common end, however, of gutting protections for health and risks to wildlife in the service of profit interests.

The Clean Power Plan, notwithstanding unhinged denunciations by the Republican Party, has always been a political smoke screen, characteristic of environmental rules put in place by the Obama administration. Presented as a landmark accomplishment, the 2015 rule set a goal of 32 percent reductions in greenhouse gas emissions from power plants in 2030 compared to a 2005 baseline. However as of last year, with the rule held in abeyance by the Supreme Court, power plant emissions had already declined nearly 25 percent from the baseline.

According to a recent analysis by the Rhodium Group, market forces may result in meeting the Clean Power Plan target, absent the actual rule, as early as 2020. The American Petroleum Institute, the trade organization of oil and gas companies, reexamined the cost of complying with the rule last year and found that under one scenario it would cost industry nothing in 2030.

Obama’s plan did little more than formalize a shift in power production that was already under way, primarily toward expanded use of natural gas. Gas prices for power plants have fallen more than 70 percent over the past decade as domestic production surged. This was enabled by hydraulic fracturing, horizontal drilling and, notably, lax environmental policies to protect water and air resources. An aging fleet of coal plants, many of which were built mid-century, were retired and replaced by natural gas fired plants.

Other shifts have also played a role in driving out coal use, the most damaging fuel from a climate change perspective. Electricity demand has flattened, contrary to expectations prior the financial collapse of 2008. Renewable energy, in particular solar, has fallen in

price as technology has developed. Furthermore, export markets for coal have dried up as demand from China has leveled off.

The rhetorical denunciations by Trump and his cabinet of a regulatory offensive against coal use are a means to direct social anger in the service of boosting the interests of large corporations. None of the rules put in place by the Obama administration offered more than a modicum of environmental protection and financial burden for industry. Trump’s move to overturn the Clean Power Plan and other Obama era rules are intended for a bigger target: the entire framework of environmental regulations put in place since the 1970s.

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