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A War on Coal, or a War on Climate

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Change?

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ABOUT

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greenhouse gas (GHG) emissions from existing power plants. This is the latest salvo in what some Texans (and others) call the "war on coal." It is more likely a reluctant act born of political gridlock a second-best option for a president who has been unable to secure congressional action addressing climate change. War on Coal?

There is no longer any reasonable dispute over whether human activity is driving climate change.

The Obama administration announced on Tuesday its plan to regulate carbon dioxide and other

Reasonable experts do disagree, however, about the rate of global warming and the magnitude of the costs and benefits of regulating GHG emissions. Even before Tuesday's speech, the Obama Administration had already proposed GHG rules that will effectively prevent construction of new coalfired power plants (unless and until carbon capture technology becomes much less expensive than it is now). The new proposals announced Tuesday would address emissions from existing power plants. Meanwhile, other developments — cheap natural gas, state policies aimed at climate change and

promoting renewables, and cost reductions in renewable generation — were already putting the squeeze on coal-fired power. Aren't these new rules just piling on an already-struggling industry?

No, because coal-fired power has never paid its way in the United States. To the contrary, it has

benefited from economic and political advantages that other electric generation fuels do not enjoy – at least, not to the same degree. Coal's significant economic benefits are reflected in the price of coal, but its significant health and environmental costs are not. Instead, those costs are shifted to society in the form of pollution causing enormous health and environmental damage.

The weight of expert opinion tells us that the costs of climate change exceed the costs of addressing

climate change; and the case for action is even stronger when one considers the more toxic (non-GHG) emissions we currently accept from coal-fired power. Congress came close to addressing the climate change impacts of coal-fired power in legislation passed by the House in 2009 and nearly passed by the Senate one year later, but ultimately failed to pass anything. Gridlock, Agencies and Courts

In a way, Congress's inability or unwillingness to address climate change is not surprising. In fact,

political scientists have measured and documented the increasing ideological polarization of Congress, which makes it increasingly difficult for Congress to agree on legislative responses to emerging problems. Moderates can facilitate cross-party discussion and agreement; ideologues and partisans resist the compromises necessary for legislation, particularly in an era of frequently- and easily-employed filibusters. Using "ideological scores" calculated for all members of Congress by political scientists Keith Poole

and Howard Rosenthal, the following chart shows how the parties in Congress have grown ideologically further apart during the modern regulatory era. And while ideological polarization makes any congressional action that much more difficult, the political characteristics of the climate change issue exacerbate the problem. Poole and Rosenthal Ideology Scores for Members of Congress, By Party, 1970-present

Poole and Rosenthal

Dut simply all of	these who hear the costs of CLIC regulation already have a voice in	the America
	those who bear the costs of GHG regulation already have a voice in some of those who reap the benefits do not. First, because the costs	

of people living in other countries, creating a free rider problem at the national level. Second, the effects of those emissions will be borne by future generations, as GHGs emitted today exert their warming effects for as long as 100 years. Similarly, those who will die prematurely 20 years from now because of exposure to other, more toxic emissions cannot identify their killer today.

change are felt globally, any action to regulate emissions in one country will inure partly to the benefit

but only if today's policymakers and voters are willing to represent them. Right now, they seem disinclined to do so. So federal agencies like EPA are left to address the problem on their own. Viewed in this context, the EPA's war on coal looks more like a reasoned response to an important policy problem. But in the absence of congressional endorsement, regulatory action can sometimes stretch statutory mandates

So the policy debate is skewed. Future generations have no vote today except, perhaps, by proxy;

Most of the rules the EPA has already proposed to address coal emissions are being challenged in the courts as actions in excess of the agency's statutory authority. The stakes are high, and these kinds of challenges are likely to continue.

and present difficult interpretation questions for agencies and courts alike.

wasn't designed to address pollutants that cause harm indirectly. The Supreme Court rejected that argument. Now opponents are challenging the Administration's decision to regulate GHGs from new power plants, arguing that the way the EPA is defining the "source category" (the type of plant to be

regulated) is inconsistent with the Clean Air Act scheme. Similar claims that "EPA lacks the power to

act" are likely to follow on the heels of the just-announced rules addressing GHGs from existing

For example, opponents of GHG regulation first argued that GHGs weren't like other pollutants,

exposure to which causes direct (if not always immediate) harm. The Clean Air Act, they argued,

power plants. No doubt, the Administration would have preferred a congressional response to the pressing problem of climate change. Regulatory action in the absence of congressional action is a less neat, secondbest option, not a war on coal.

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