



# THE WEEKLY CLOSER

U.S. SENATE ENVIRONMENT AND PUBLIC WORKS COMMITTEE  
MAJORITY PRESS OFFICE

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VOLUME 2, NUMBER 12

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## DON'T MISS IT...

# FOX NEWS SPECIAL

## [Global Warming: The Debate Continues](#)

10:00 pm (ET), Sunday, May 21, 2006



Featuring an Interview with United States Senator James Inhofe,  
Chairman of the United States Senate Committee on  
Environment and Public Works

## THE PAST TWO WEEK IN REVIEW...

### DEMOCRATS' ENERGY PLAN: MORE RHETORIC, HIGHER PRICES

Chairman Inhofe responded to the energy plan released by Senate Democrat leadership this week by dismissing the proposal as "more empty political rhetoric at the expense of the American people."

"Today's Democrat energy proposal is nothing more than their same old empty political rhetoric that does nothing to address today's high gas prices or

## NEXT WEEK...

**May 22, 2006**

**EPW Business Meeting**  
9:30 am

**SD-628**

**May 25, 2006**

**Round Table Discussion on  
Climate Change  
Technology**

**8:30 am**

**SD-628**

## EPW RESOURCES

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our nation's energy needs. Opposition by Senate Democrats over the past twenty years to reasonable solutions like expanding domestic refining capacity, increasing domestic supply by drilling for oil in Alaska and off our nation's coasts, and opposition to local projects is the primary reason for the high price of energy today, both at the pump and in our homes.

"It's disingenuous for Senate Democrats on Capitol Hill today to tout the need for alternative domestic sources of energy, only for these same Democrats to race home this weekend to their respective states and protest many of these very projects. Consider Senate Democrats' opposition to building LNG terminals in Massachusetts, wind turbines in Cape Cod, and nuclear energy, period. Democrats can't have it both ways.

"If Senate Democrats were serious about reducing our dependence on foreign oil and bringing down the price of gas at the pump, they would end their obstruction of legislation crafted to increase expanding domestic refining capacity, like my Gas PRICE Act. Instead, they offered only one alternative, which was to essentially socialize refining capacity by placing the Environmental Protection Agency (EPA) in charge of designing, constructing and operating refineries. Clearly this is not a solution. Thankfully, the Democrat alternative was defeated straight down a party line vote in committee last year. "

### **"NIMBY" Democrats Record of Obstruction at Home**

#### **Weaver's Cove, Falls River MA**

The Weaver's Cove LNG terminal was approved by FERC commissioners on June 30, 2005 with a 3-1 vote. FERC reaffirmed its decision January 29, 2006. James McGovern, D-Worcester obstructed the project by inserting a sneaky provision into the recent highway bill.

Although he has yet to offer alternatives for regional natural gas supplies, Rep. McGovern has fought the project tooth and nail, "We are not a cheap date and we will do anything possible to stop it. This facility will not be built here. We will not allow it to be built here."

According to Senator John Kerry, "We need fuel, we need the offload capacity where the demand is high, and we need to find a way to get it to us less expensively." Despite this admission, Mr. Kerry opined, "The LNG project down in Fall River is not a smart project."

At a recent rally, Democratic Attorney General and Gubernatorial Candidate Tom Reilly criticized the project as a mistake by the Bush Administration and vowed, "We are going to use every tool we have to stop this project"

Weaver's Cove is opposed by Sen. Kerry, U.S. Rep. James P. McGovern, D-Mass.; Attorney General Tom Reilly, a Democrat running for governor; Mayor Edward Lambert; state Reps. Philip Travis, D-Rehoboth, and David Sullivan, D-Fall River, and state Rep. Ray Gallison of Rhode Island.

The Weaver's Cove LNG terminal has the capacity to process 800 million cubic feet of natural gas a day for the region. Natural gas is a necessity to meet much of its winter heating needs and low supply levels lead to exorbitant consumer prices.

#### **Cape Wind Project, Cape Cod, MA**

Despite support from numerous local and national environmental groups, on April 6, 2006 a closed-door congressional conference committee signed off on an amendment to a bill that would grant veto power over the Cape Wind offshore project to the governor of Massachusetts. Sen. Ted Kennedy and other rich land owners on Cape Cod continue their attacks on a proposed wind turbine power plant on Nantucket Sound. Another major obstructionist of the project is environmental lawyer Robert F. Kennedy Jr. The Cape Wind Project has enjoyed nothing but praise from environmental groups.

According to the National Resources Defense Council, "As the first offshore wind energy undertaking in the nation, Cape Wind would set a precedent for similar facilities that could improve air quality, public health and global warming emissions."

In a statement from Greenpeace USA, "it will serve as a model for clean energy products throughout the country," the group asks, "What's not to like?"

The Cape Wind project would provide 420 megawatts of electricity from 130 emissions-free turbines." That is enough to supply 75 percent of power needed on Cape Cod, Nantucket and Martha's Vineyard. Supporters of the project say the wind farm would save millions of dollars in energy costs.

#### **Transcontinental Pipeline, NJ**

A 90 mile natural gas pipeline in New Jersey was approved by FERC on April 25, 2000. The pipeline was meant to transfer 700 million cubic feet of gas a day to the New Jersey and New York City area to combat spot shortages and season heating oil prices. Democratic Congressman from Paterson, Bill Pascrell, said called the project "ill conceived and speculative" and warned "This battle is far from over."

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## **NOMINATIONS HEARING: OPENING STATEMENT**

On Wednesday the committee conducting a hearing to consider two highly qualified nominees: Molly O'Neill to be the Assistant Administrator at EPA for Environmental Information, and Dr. Dale Klein to be a Member of the Nuclear Regulatory Commission.

Molly O'Neill appeared before the committee having served as the State Director of the National Environmental Information Network for the Environmental Council of the States. She certainly understands what EPA's

Office of Information is all about and she will be able to hit the ground running.

I would like to applaud the EPA's recent efforts to find ways to reduce the compliance burden associated with the Toxic Release Inventory, or TRI. Last fall, EPA proposed allowing certain TRI reporters to use the shorter TRI Form. This move would save an estimated 165,000 hours of burden each year while retaining 99% of current long form data at a national level. This is the type of streamlining the Agency should consider and I encourage you, Ms. O'Neill, to continue to look for other areas where you can create efficiencies and reduce burdens while maintaining environmental protection. Dale Klein has been nominated to be a Member of the Nuclear Regulatory Commission and the President has announced his intention to designate Dr. Klein as Chairman of the NRC. Dr. Klein is currently the Assistant to the Secretary of Defense for Nuclear, Chemical and Biological Defense Programs. Dr. Klein has significant experience in the nuclear world. He is a tenured professor at the University of Texas where he has worked in its nuclear program for nearly 30 years and has served on the Texas Radiation Advisory Board. He has been a regulator; he has been part of the regulated community where he oversaw the licensing of a university nuclear reactor; and he has managed a large federal government office with enormous responsibilities. He is the perfect fit to be Chairman of the NRC.

In 1998, as chairman of the nuclear subcommittee, I began a series of oversight hearings of the NRC. The hearing I held in 1998 was the first held by this committee in years. When I began conducting oversight of the NRC, I did so with the goal of changing the bureaucratic atmosphere at the NRC. By 1998, the NRC had become an agency of process, not results. If the agency was to improve it had to employ a more results-oriented approach - one that was risk-based and science-based. I am pleased that in the last eight years, we have seen tremendous strides. This approach has made the NRC a lean and more effective regulatory agency. I do want to take a moment to acknowledge the service of the current Chairman of the NRC, Nils Diaz, as he has been a driving force behind much of the positive changes at the agency. After nearly a decade of serving on the Commission, Chairman Diaz has decided to step down. He will be missed and I want to publicly thank him for his service. It will now be up to Dr. Klein to continue that progress. If nuclear, and more specifically NEW nuclear, is going to play an increasing role in this nation's energy mix, the NRC must do its job effectively. They need to continue the effort at risk-based regulations, enforcement actions and programs. It is not only important that we continue the progress on relicensing, we have to make sure that the NRC can handle licenses for new plants. These are major challenges facing the Commission.

We need a full and confirmed Nuclear Regulatory Commission. When the committee votes on Dr. Klein's confirmation, we will also include on that agenda both Commissioners Lyons and Jaczko. Dr. Lyons and Dr. Jaczko are currently serving under recess appointments that will expire at the end of this Congress. The NRC has significant challenges ahead and we cannot ask for the Commission to function up to our expectations if we do not have a full and confirmed commission in place.

I want thank the nominees for being here today and for your willingness to serve. It is my hope that we can have your confirmed in the very near future.

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## **WASTEWATER SECURITY BILL INTRODUCED**

Chairman Inhofe and Senator Chafee, chairman of the subcommittee on Fisheries, Wildlife and Water and Senator Lisa Murkowski, last week introduced the “Wastewater Treatment Works Security Act.” The bill will enhance and strengthen security at wastewater treatment facilities.

“Wastewater security is an essential part of a broad, concerted effort to bolster the nation’s defenses against terrorism. I am pleased to introduce this bill today along with my colleague Senator Chafee. We at the federal level must continue to work with state and local government to provide support to publicly owned wastewater facilities by not imposing one-size fits all, heavy-handed unfunded federal regulations. A recent Government Accountability Office’s (GAO) report confirms that the approach advocated in our bill, similar to previous legislation passed by our Committee and by an overwhelming majority in the House, is the right approach.”

### **Wastewater Treatment Works Security Act:**

- Defines several terms including a “disruption of service event”, “emergency response plan” and “vulnerability assessment” to include not only intentional harmful acts but natural disasters that might also impact a publicly owned treatment works (POTW)
- According to Government Accountability Office’s (GAO) report on security at wastewater treatment plants 74% of the largest wastewater utilities had either completed, were in the process of completing, or planned to complete a vulnerability assessment. To provide an incentive to the remainder of POTWs, the Wastewater Treatment Works Security Act authorizes the Administrator to provide grants to State, municipality, intermunicipal or interstate Agency or privately owned utility that principally treats municipal wastewater to conduct vulnerability assessments.
- For those communities that have completed a vulnerability assessment and to provide additional incentive to those who have not, upon certification that a vulnerability assessment has been completed, applicants are eligible for grants to address security needs identified in the assessment.
- The bill further authorizes funds to be used for the development, expansion or upgrading of an emergency response plan, and the voluntary creation by a State or network of treatment works, or the voluntary participation in, a mutual aid and emergency network preparedness agreement.

- Maintains local control over security information
- Provides technical assistance to small treatment works to conduct vulnerability assessments and meet needs identified in the assessments
- Authorizes funds to update the VSAT, a vulnerability assessment tool used by many wastewater utilities
- Authorizes a total of \$220 million to fund these initiatives
- Responds to concerns raised in the GAO report about the lack of attention given to collection systems
- The bill also authorizes EPA to research the affordability, effectiveness and limitations of each treatment technology.

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## **INHOFE INTRODUCES PRESIDENT BUSH'S "GOOD SAMARITAN CLEAN WATERSHED ACT"**

Last week, Chairman Inhofe introduced, by request, President Bush's "Good Samaritan Clean Watershed Act" to help facilitate the cleanup of abandoned hard-rock mines and improve our nation's environment.

"I am pleased to introduce the "Good Samaritan Clean Watershed Act" at the request of the Administration. President Bush's proposal incorporates key components of the Administration's successful Cooperative Conservation Initiative that brings stakeholders together to work to improve our nation's environment. The President's proposal, similar to the bi-partisan legislation sponsored by Senators Allard and Salazar pending before the Committee, ensures that communities, industry partners, non-profit organizations and individuals will not be penalized for their good deeds in seeking to clean up abandoned hard-rock mines and improve environmental quality.

"Too often, liability concerns have prevented Good Samaritans, who have not contributed to the mining waste, from cleaning up the abandoned mining sites and restoring neighboring waterbodies. Both proposals before the Committee address those liability concerns.

"I look forward to working with the Administration and my colleagues from Colorado, Senators Allard and Salazar, on this important initiative. With the Administration's bill and the Allard-Salazar bi-partisan bill, now is the time to pass legislation that will help promote and facilitate the cleanup of the estimated 500,000 abandoned hard-rock mines that litter our country."

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## IN CASE YOU MISSED IT...

### Investor's Business Daily

ISSUES & INSIGHTS; PERSPECTIVE; Pg. A13

### Media Run Hot, Cold On Climate Change

By Dan Gainor

May 19, 2006

For 110 years, the media have told us the climate was changing. But after two nonexistent ice ages and one false alarm about global warming, journalists have come to resemble the little boy who cried wolf.

Look at this New York Times headline: "America in Longest Warm Spell Since 1776; Temperature Line Records a 25-Year Rise." That's typical for the modern Times. But it appeared on the front page on March 27, 1933 – nearly 75 years ago.

That was nothing new. Since 1895, reporters have warned about imminent climate catastrophe, only they haven't made up their minds whether the Earth will be fried or frozen – whether we should fear global warming or an ice age.

Some in the media would probably argue that they merely report what scientists tell them, but that would be only half true. Journalists decide not only what they cover; they also decide whether to include opposing viewpoints...

#### Can't Be Wrong

Some warming stories combine the concepts and claim the next ice age will be triggered by rising temperatures – the theme of the 2004 movie "The Day After Tomorrow." That guarantees the media will be right. No matter what happens – global warming, an ice age, floods, drought or a plague of locusts – journalists can blame it on "climate change."

Regardless of the weather, reporters deliver the news of temperature transformation with absolute certainty. That is, of course, until they deliver a completely different conclusion – with equal certainty. The Times forecast an impending ice age decades before and decades after its 1933 warming claims. As the paper put it on Feb. 24, 1895: "Geologists Think the World May Be Frozen Up Again."

Eighty years later, after about two decades of warming warnings, a May 21, 1975, article proclaimed: "Scientists Ponder Why World's Climate is Changing; A Major Cooling Widely Considered to Be Inevitable." And the Times was the tip of the iceberg. In 1902, the Los Angeles Times told its readers the glaciers

in the Alps would soon melt away. Then, when those same glaciers came back, it told a similar story . . . in 2005...

Reporters couldn't even decide which would be worse – warm weather or cold. So they made both seem equally bad, as if any change was a crisis. Journalists warned in the 1970s that global cooling posed a major threat to the world food supply. Now, remarkably, global warming is also considered a threat to the very same food supply.

### Which Is It?

Newsweek magazine's gloomy outlook scared readers with "the earth's climate seems to be cooling down" on April 28, 1975. "The drop in food output could begin quite soon, perhaps only 10 years from now," the magazine predicted. Despite the failure of that forecast, 30 years later Newsweek cautioned, "Livestock are dying. Crops are withering." Was global warming to blame? "Evidence is mounting to support just such fears," was the answer.

That "evidence" has changed drastically from decade to decade. But the media keep playing on our fears as if they think we won't remember that the entire story seesawed several times. If we don't remind them that we know better, they'll keep telling us grim fairy tales of the Earth's destruction for centuries to come.

Click [here](#) for the full text of the column. (Subscription Required)

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## National Review Online

### Energy-Price Idiocy

By Jonathan H. Adler

May 18, 2006

Congressional leaders are rushing to “do something” about near-record gasoline prices, and the looming threat of further price spikes this summer. With little political support for another pork-laden energy bill like that already signed into law by President Bush, House Republican leaders plan a series of votes on a wide range of energy-policy measures. Unfortunately, many of the ideas on the table, including new energy-conservation mandates and measures to combat “windfall profits,” could do more harm than good.

A case in point is the bipartisan stampede against “price gouging.” Despite the lack of evidence oil companies or anyone else is manipulating gasoline prices, this month the House voted 389-34 to criminalize “price gouging.” The House did not bother to define the crime, delegating that job to the Federal Trade Commission. Nonetheless, a vast majority congressmen were sure service-station owners should face jail time and fines up to \$2 million if they charged

“too much” for gas. This is sheer lunacy.

Criminalizing “price gouging” will do more to encourage gas shortages than control price increases. Whether politicians like to admit it or not, the profit motive plays a key role in calibrating supply and demand. Limit the ability of companies to profit from energy-related investments, and they will make fewer of them. Limiting the potential for profit will limit future supply. Threaten companies with prosecution should they respond to market conditions by raising prices, and shortages are the inevitable result...

Consider the shortfall in domestic refining capacity. While gasoline prices are largely a function of global crude markets, the lack or surplus-refining capacity makes temporary price spikes more likely because refiners are unable to respond to regional changes in demand. Some of the gap between domestic demand and domestic-refining capacity can be made up through imports, but here the U.S. is at a disadvantage due to our more stringent environmental requirements for domestic fuels.

Regulatory impediments, combined with traditionally thin profit margins, have combined to discourage capacity-increasing investments. The lion’s share of recent investment in the refining sector has gone to meet various environmental and other regulatory mandates, rather than increasing output. Siting and permitting new facilities is particularly difficult. If it took the Arizona Clean Fuels project a reported five years to obtain air-quality permits for a proposed refinery project, few companies will be encouraged to follow their lead.

Last year, Sen. Inhofe proposed modest legislation to streamline permitting requirements for refineries. Such a modest step could reduce the cost and uncertainty involved with environmental compliance without sacrificing environmental protection. Yet like other modest and sensible policy proposals, the bill fell victim to political posturing. A similar measure was proposed in the House, but it is far more heavy-handed than necessary to do the job. Ideally, Congress would not only streamline the permit process but also authorize the EPA to waive applicable environmental requirements where there are more cost-effective means to meet the same environmental goals.

Another source of gas-price volatility is the balkanization of gasoline markets by the proliferation of gasoline-formula requirements. Under the Clean Air Act, different parts of the country now require the use of various “boutique fuel” blends at various times of the year. By segmenting national gasoline markets, these requirements have made some regions more vulnerable to supply disruptions and price spikes. In the past, if a pipeline went down or refinery closed for repairs, the resulting regional shortfall could be met by gasoline from virtually anywhere else in the country. No longer, as different places require different types of fuels. The Bush administration recently authorized the suspension of such rules under certain conditions, but Congress needs to act as well to prevent the adoption of additional boutique fuel requirements and, over time, reduce the variety of fuels required today...

It would also be helpful if political leaders would acknowledge that most changes in prices are due to factors well beyond their control. The global

demand for energy is on the rise, and will continue to increase regardless of what Congress does. India and China are not about to curb their appetites for carbon-based fuels.

On the bright side, the importance of energy to U.S. economic growth is on the wane. Gasoline prices may be near-record highs, but the affordability of gasoline—measured as a function of income—has increased significantly over the past 25 years. Equally important, the energy intensity of the U.S. economy is dropping, as American companies learn how to squeeze greater output out of each unit of energy. Thus the economic repercussions of increased prices are less severe.

Markets respond naturally to price fluctuations when they are able to do so. Higher prices signal to investors that there are potential profit-making opportunities. Where markets are free to operate, price increases should spur investments to increase supply (and should encourage consumers to reduce consumption). Government interventions in commodity markets, whether direct or indirect, tend to short-circuit the market's natural feedback mechanisms. This is as true of regulations that balkanize gasoline markets as it is of ill-conceived efforts to combat "price gouging. Myriad government policies already retard energy markets' ability to respond to changes in supply and demand, and thereby increase price volatility and likelihood of temporary supply disruptions. If Congress is unwilling or unable to improve on this situation, the last thing it should do is anything to make it worse.

Click [here](#) for the full text of the column.

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## DID YOU KNOW?

### KRUGMAN'S "CONSPIRACY"

Paul Krugman of the *New York Times* wrote in his column last week that conservatives who agree with Senator Inhofe that "man-made global warming is the greatest hoax ever perpetrated on the American people," believe in a "bizarre conspiracy theory." In other words, according to Krugman, it's unconscionable to even raise questions about the science behind climate change, and those who do risk alienation by at least one liberal columnist.

**FACT:** Senator Inhofe called man-made global warming a hoax, not a conspiracy. To perpetrate a hoax is to actively promote a falsehood for some purpose, while a conspiracy requires secrecy. But there is nothing secretive about global-warming alarmists' claims that the science is settled, and those claims are false. In an open letter sent last month from 60 top climate scientists to Prime Minister Harper of Canada is simply more proof that there is no consensus regarding the science behind climate change. In part, that letter reads:

While the confident pronouncements of scientifically unqualified environmental groups may provide for sensational headlines, they are no basis

for mature policy formulation. The study of global climate change is, as you have said, an 'emerging science,' one that is perhaps the most complex ever tackled...

'Climate change is real' is a meaningless phrase used repeatedly by activists to convince the public that a climate catastrophe is looming and humanity is the cause. Neither of these fears is justified. Global climate changes all the time due to natural causes and the human impact still remains impossible to distinguish from this natural 'noise.'

Furthermore, while Senator Inhofe has given several speeches about the science behind climate change, Mr. Krugman simply resorts to name-calling instead of offering a single rebuttal in his columns. From what New York Times ombudsman Daniel Okrent wrote in his column on May 22, 2005 it's not surprising: "Op-Ed columnist Paul Krugman has the disturbing habit of shaping, slicing and selectively citing numbers in a fashion that pleases his acolytes but leaves him open to substantive assaults." Therefore it's laughable when Krugman writes, "Instead of facing up to hard questions, they (conservatives) try to suggest that anyone who asks those questions is crazy." With that said, it appears Krugman should be his own biggest critic.

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**Matthew Dempsey, Press Secretary**

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