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HIGHLIGHTS

Seventh Circuit Upholds Illinois EPA Permit for Coal-Fired Power Plant

The U.S. Court of Appeals for the Seventh Circuit denies the Sierra Club's challenge to a clean air permit issued by the Illinois Environmental Protection Agency for the construction of a 1600-megawatt, coal-fired electric power plant in Southern Illinois. In a unanimous decision, the Seventh Circuit affirms an air permit granted to Peabody Energy Corp. to build the Prairie State Energy Campus. The proposed power facility would be sited near a huge seam of high-sulfur Illinois coal. Peabody has estimated that the plant could be fueled for 30 years with 240 million tons of recoverable coal from the site in Washington County, Ill. ... A-4

Court Says Opacity Monitoring Sufficient to Show Particulate Rule Violated

The U.S. District Court for the Northern District of Alabama rules that continuous opacity monitoring is sufficient to establish violations of particulate matter standards at power plants and that it is not necessary also to use visual monitoring. The ruling by Judge Virginia Emerson Hopkins comes in a decision in which she finds the Tennessee Valley Authority liable for 3,389 separate violations of Alabama's 20 percent opacity standard for emissions at its Colbert plant in Colbert County, Ala. In a written statement, TVA says it is reviewing the decision and an order to file a plan to bring the Colbert plant into compliance with the opacity standard. John Walke, director of clean air programs at the Natural Resources Defense Council, says the decision "will greatly aid the ability of citizen plaintiffs in environmental enforcement lawsuits to hold industrial violators liable for repeated violations, especially in instances in which industry's own continuous emissions monitors collect and furnish the damning evidence." ... A-1

EPA to Pressure States to Use Statistical-Based Water Quality Assessments

EPA tells the annual meeting of the Association of State and Interstate Water Pollution Control Administrators that beginning in fiscal 2009, it will withhold monitoring funds from states that refuse to conduct statistical-based water quality assessments of their lakes, streams, ponds, rivers, and wetlands. Susan Holdsworth, EPA's branch chief for monitoring programs, says states that do not participate in a state-level statistical assessment of water quality modeled after a national survey will have their share of the $18.5 million in funding reallocated to states that are participating. ... A-8

Schwarzenegger's Vetoes Shave $110 Million off Environmental Programs

Exercising his veto power, Gov. Schwarzenegger trims $110 million from environmental and natural resources programs in the California budget. The cuts hit the natural resources agencies hardest, shaving $88 million off the $5.6 billion the Legislature had approved. California Environmental Protection Agency programs lost $22 million through the line-item vetoes. The $145 billion budget allocates $7.35 billion for environmental and natural resources programs. ... A-10

U.N. Expects Cost to Cut Greenhouse Gases to Reach $200 Billion by 2030

A new report from the United Nations climate change secretariat estimates it will cost at least $200 billion annually in 2030 to reduce global greenhouse gas emissions to current levels. The study says nearly half of the needed investments should go to developing countries. The findings are to be presented to delegates at the United Nations Framework Convention on Climate Change working group meeting this week in Vienna. ... A-2

EPA Seeks Comment on New Information on Coal-Combustion Waste

EPA is seeking public comment on information about the disposal of coal-combustion waste received since the agency determined in April 2000 that the wastes should not be regulated as hazardous waste. EPA does not say whether it will reconsider its determination made in seven years ago. ... A-3

EPA Proposes to Allocate 4.8 Million Kilograms of Methyl Bromide in 2008

Slightly over 4.8 million kilograms (5,291 tons) of methyl bromide would be allocated for critical uses in agriculture, food processing, and commodity storage in 2008 under a proposed rule issued by EPA. The proposed rule would implement certain provisions in the 1987 Montreal Protocol on Substances That Deplete the Ozone Layer. Methyl bromide is used as an agricultural soil and structural fumigant to control a wide variety of pests. ... A-1

STATE NEWS

NEW JERSEY: Gov. Corzine signs legislation to eliminate the 10-year statute of limitations for criminal offenses arising from violations of certain state environmental laws and for crimes causing widespread injury or damage. ... A-8

NORTH CAROLINA: Nutrient offset fees for certain discharges of phosphorous and nitrogen in North Carolina will increase starting Sept. 1. ... A-6

INTERNATIONAL NEWS

FRANCE: French Minister of State for Sustainable Development Jean-Louis Borloo says the government will draft new framework legislation on genetically modified crops after a national environmental policy summit scheduled for October. Borloo said the new law would seek to end French "hypocrisy" over genetically modified crops, which are being developed and field-tested by many of the country's leading biotechnology firms, but strongly rejected by left-leaning farm and environmental organizations. ... A-5

THAILAND: The Thai government tells the ASEAN Energy Business Forum that it plans to develop nuclear and renewable energy resources to reduce its dependence on imported fossil fuels and coal-fired power plants. ... A-5

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