From: McFadden, Angela
To: Kinslow, Sara
Sent: 8/2/2013 10:01:18 AM
Subject: headlines

From: Smith, Bonnie
Sent: Thursday, August 01, 2013 10:11 AM
To: R3 EVERYONE
Subject: EPA's Mid-Atlantic Regional Headlines, THURSDAY, August 1, 2013

EPA Region III

Office of Public Affairs

Mid-Atlantic Headlines

Thursday, August 1, 2013

*** DAILY HOT LIST ***

Court upholds EPA rule forcing Pa. plant to cut emissions that drift to N.J.

GREENWIRE

A federal appeals court has upheld a U.S. EPA rule that required a large coal-fired power plant in Pennsylvania to cut down on its emissions because they contribute to air pollution across the Delaware River in New Jersey. The rule, issued in 2011, marked the first time EPA had asked a single facility to reduce emissions because of pollution that drifted across state lines. The agency said monitoring and modeling showed that GenOn Energy Inc.'s 427-megawatt Portland Generating Station near Allentown was responsible for air quality violations in Warren County, N.J. GenOn, which is based in Houston, quickly challenged the rule, which requires the plant to reduce sulfur dioxide, or SO2, emissions by 81 percent within three years. The energy company claimed the rule was arbitrary and capricious because it singled out one facility and forced it to make reductions more quickly than other emitting sources in the area. The issue may be less relevant now, however, because the new owner of the Portland facility has indicated it will switch to natural gas for fuel, which would burn more cleanly. Nevertheless, the 3rd U.S. Circuit Court of Appeals said earlier this month that the Clean Air Act is "unambiguous" in giving EPA authority to issue the rule. "The plain language of the relevant portions of the statute and the context in which such language is used convey that Congress intended [the law] as a means for the EPA to take immediate action when downwind states are affected by air pollution from upwind sources," Judge Julio Fuentes wrote on behalf of the unanimous three-judge panel, which is based in Philadelphia.

In Dimock, opponent neither surprised nor hopeful over EPA leak

SCRANTION TIMES

DIMOCK TWP. - Ray Kemble was neither surprised nor hopeful to hear that Environmental Protection Agency officials learned of the potential of methane contamination from drilling activity before declaring his well water safe to drink last year. He holds little faith in the federal agency that gave a clean bill of health to the murky, smelly water he says comes from his home's water well, directly across the street from Costello 1, a well developed by Cabot Oil & Gas Corp. A slideshow presented to regional EPA officials in early 2012 and recently leaked to news media suggested the possibility of drilling-related methane contamination of groundwater. In its analysis into Dimock water, EPA did not test for methane. Cabot officials say its drilling and fracking did not contaminate Dimock water and that methane and other contaminants naturally occur in the Dimock area. They also say the issue has been thoroughly

investigated and that the company has been cleared. The leaked EPA presentation gave new life to the debate over the environmental safety of fracking and invigorated local opponents and environmental groups. Drilling opponent Craig Stevens of Silver Lake Twp. said he's mobilizing sympathetic groups to start a petition drive to demand the EPA re-open its investigation into the water at Dimock. The plan is to present the signatures to the EPA in Washington D.C. at a press conference protest later this year. "They need to really do the investigation," Mr. Stevens said. Mr. Kemble's view of the natural gas industry began with skepticism, evolved into disappointment, and is now in opposition. He never thought he would get rich from his six-acre mineral rights lease to Cabot at the dawn of the Marcellus rush in 2008. He remembers his first check, for $5,100, which was nice. For several years, he even drove a truck for a contractor serving the natural gas industry. The royalty checks shrank. His last royalty check, for $3, arrived about two years ago. His is one of the 19 Dimock households whose water was found by the state to be tainted with methane tied to faulty gas wells in 2009. Drilling is still on hold in a section of the township because the state is evaluating whether methane levels are low enough in residential water wells to lift the ban. His front yard is full of the anti-fracking signs. Recently, he did an interview with a Russian television station. The staff brought him a few jugs of water for his time.

Judge Bailey Denies Motion to Intervene in Alt v EPA

WEST VIRGINIA STATE JOURNAL

U.S. District Court Judge John Preston Bailey denied on July 30 the Chesapeake Bay Foundation's request to be an intervenor in the case between Lois Alt and the EPA, according to the West Virginia Farm Bureau. Bailey wrote in his ruling that CBF wanted to present "an entirely different perspective to the Court," and allowing CBF to intervene would slow the judicial process or possibly add prejudice to the case. The original lawsuit was brought by Lois Alt in 2012 after the EPA visited her Hardy County poultry operation. The EPA claimed that Alt needed a National Pollutant Discharge Elimination System permit for her farm's stormwater runoff under the Clean Water Act, because the runoff came in contact with dust, feathers or manure from the ground. Alt argued that agricultural stormwater is exempt from permitting under the Clean Water Act, and her runoff was normal for farming. According to the Farm Bureau, Alt was threatened by the EPA with fines of as much as $37,500 per day if she did not obtain a permit. The court previously allowed the Farm Bureau to intervene in the case. After that, the EPA withdrew its original order, petitioning the court to dismiss the case. At that point, the court granted a request from Alt and the West Virginia Farm Bureau as well as the American Farm Bureau Federation to continue the case. The EPA is expected to answer Alt's motion Aug. 1, according to the Farm Bureau, which represents more than 24,000 members.

Another green group joins effort to promote president's action plan

ENERGY & ENVIRONMENT DAILY

The Natural Resources Defense Council Action Fund yesterday became the latest environmental group to launch an advertising campaign in support of the president's Climate Action Plan with a new spot linking climate change to childhood asthma. The 30-second spot will run through Aug. 2, when Congress' annual August recess is set to begin. It is aimed at "galvanizing opposition to any efforts to derail President Obama's climate and clean air plan" through amendments to a bipartisan energy efficiency bill that Senate leaders hope to bring to the floor for a vote this fall. Several Senate Republicans have expressed interest in offering amendments to the efficiency bill sponsored by Sens. Jeanne Shaheen (D-N.H.) and Rob Portman (R-Ohio) that would slash U.S. EPA's authority to regulate greenhouse gas emissions or approve the controversial Keystone XL oil pipeline (see related story). But the ad, which features children -- and senators -- wearing defibrillators, argues that the amendments would increase man-made warming and put children's health at risk. "When we protect the air from carbon pollution, we protect children's lives," the ad says. The NRDC Action Fund joins several other environmental organizations that have also launched ads aimed at supporting the president's climate change agenda, which includes curbs on power plant greenhouse gas emissions. Some groups, including Organizing for Action and the League of Conservation Voters, plan to target lawmakers skeptical of man-made climate change in their home districts with rallies or ads.

Marcellus Shale hospitals claw toward better data on gas field health issues

ENERGYWIRE(E&E)

SAYRE, Pa. -- Two young engineers wanted to impress their boss. The crew had worked 17 days straight to produce a natural gas well in Wyoming that looked like a giant energy find on the front end of an emerging oil bust. That night in 1982, as their boss celebrated over dinner 100 miles away, the enthusiastic 25-year-old engineers started dismantling

the gas flares. A big job would already be done by the time their boss returned, they reasoned. "We had no cellphones, no radio and no TV," said Theodore Them, at the time a 31-year-old chemist working in some of the nation's most remote gas fields. Later, Them and dozens of others watched with horror as a miscalculation caused the flare's 65-foot tower to tip and fall, crushing and killing the men. "That incident directed the rest of my life," said Them, who today heads up a team of occupational medicine specialists at Guthrie Health in northern Pennsylvania. "It was jarring and catastrophic and inspiring at the same time, because those kids didn't have a chance. They just didn't have a chance."

PENNSYLVANIA

PITTSBURGH POST-GAZETTE

Pittsburgh Water and Sewer Authority project inundates planners *PWSA begins process to answer decree* The Pittsburgh Water and Sewer Authority and communities surrounding Pittsburgh face a daunting and costly challenge: how to reduce the amount of untreated stormwater and sewage that's released into rivers when its outdated infrastructure is overwhelmed following a rainstorm. But it's a challenge they'll have to answer as part of a consent agreement and order from the state's Department of Environmental Protection and the Allegheny County Health Department. The Allegheny County Sanitary Authority, also known as Alcosan, is under a consent decree from the federal Environmental Protection Agency to reduce its sewage overflows. In addition to Pittsburgh, 82 other communities were required to submit plans and all featured a collaborative approach that will lessen the costs that will inevitably be borne by ratepayers. But, without a collaborative approach ratepayers would face a much larger price tag, according to John Schombert, executive director of 3 Rivers Wet Weather, which has worked with the city and municipalities to facilitate a cooperative approach to solving the region's sewer overflow problems. The PWSA has been a leader among municipalities in promoting a collaborative approach to the region's sewer issues, he said. PWSA began that lengthy process Wednesday when it submitted a feasibility study to the DEP and to the county health department, the first of many requirements of the consent decree. The Wet Weather Feasibility Study, which ran thousands of pages and weighed nearly 30 pounds, proposes conventional infrastructure upgrades, such as construction of a water tower and widening of pipes. The submission of the feasibility plans met an end of July deadline set by the U.S. Environmental Protection Agency and are another step toward meeting a federal mandate to significantly reduce the 9 billion gallons of storm-caused sewage overflows into the region's rivers and streams. The sewer system improvement plans are expensive. Alcosan sent a $2.8 billion package of sewer system improvements to the EPA in January and the PWSA's plan will cost $165 million to implement. The feasibility study also commits the city to consideration of so-called "green infrastructure," such as permeable asphalt, rain gardens and landscaped swales, that retain stormwater and reduce its flow into overburdened sewers. Jim Good, executive director of PWSA, said the authority could have met the requirements solely with "grey" infrastructure including expansion of pipes. But it went above and beyond by not only considering green solutions but also making preliminary plans to actually implement and test them in the Saw Mill Run area.

Company claims to make commercial quantities of ethanol from vegetative waste (New York Times story)WASHINGTON -- After months of frustrating delays, a chemical company announced Wednesday that it had produced commercial quantities of ethanol from wood waste and other nonfood vegetative matter -- a long-sought goal that, if it can expanded economically, has major implications for providing vehicle fuel and limiting greenhouse gas emissions. The company, INEOS Bio, a subsidiary of the European oil and chemical company INEOS, said it had produced the fuel at its $130 million Indian River BioEnergy Center in Vero Beach, Fla., which it had hoped to open by the end of last year. The company said it was the first commercial-scale production of ethanol from cellulosic feedstock, but it did not say how much it had produced. Shipments will begin this month, the company said. The process begins with wastes -- wood and vegetative matter for now, municipal garbage later -- and cooks it into a gas of carbon monoxide and hydrogen. Bacteria eat the gas and excrete alcohol, which is then distilled. Successful production would eliminate some of the "food versus fuel" debate in the manufacturing of ethanol, which comes from corn. "Biomass gasification has not been done like this before, nor has the fermentation," INEOS Bio chief executive Peter Williams said. The plant, which uses methane gas from a nearby landfill, has faced a variety of problems. One was getting the methane, which is a greenhouse gas if released unburned, to the plant's boilers. Another was its reliance on the electrical grid. The plant usually generates more power than it needs -- selling the surplus to the local utility -- and is supposed to be able to operate independently. But when thunderstorms knocked out the power grid,

the plant unexpectedly shut down, and it took weeks to get it running again, INEOS Bio chief operating officer Mark Niederschulte said. "We've had some painful do/undo loops," he said. The plant has produced "truckloads" of ethanol, Mr. Williams said, but still has work to do to improve its yield. Mr. Niederschulte said, "Now, we want to produce more ethanol from a ton of wood, rather than just making ethanol from a ton of wood."

We must protect waterways from pollution (Letter to the Editor) No link, full letter
According to a study of 386 U.S. coal-fired power plants conducted by a group of environmental organizations including the Sierra Club, of the 247 facilities in the nation that discharge wastewater, 188 have no limits on the amounts of toxic metals like arsenic, lead and mercury that they are allowed to dump into our public waters. For the first time in 30 years, the Obama administration and the Environmental Protection Agency proposed updating standards for toxic water pollution from coal plants. Coal plants represent the number one source of toxic water pollution in the country. Exposure to the dangerous metals they dump in our water can lead to birth defects, cancer and even death, according to a report recently released by a coalition of environmental organizations. But coal companies, their lobbyists and their politician friends are opposing these proposed protections for our waterways. They claim it's about protecting jobs. I grew up in the lower Mon Valley and understand what jobs mean to individuals, families and communities. But just as our society agrees that jobs should not be paid for by the health and safety of the worker, neither should jobs be paid for by the health and welfare of those living downstream, downwind or in future generations. Efficient, cost-effective technology exists to eliminate these dangerous toxins from power plant wastewater discharges. It is time that we demand that our waterways and water supplies be protected.
KENNETH P. YONEK

MORNING CALL

States worry that federal action could limit their control of chemicals (McClatchy)WASHINGTON - It sounds good: the Chemical Safety Improvement Act, a proposed law with bipartisan support giving the Environmental Protection Agency more authority to regulate dangerous chemicals. The bill aims to give the EPA more tools to collect health and safety information on chemicals, screen them for safety and require risk management when chemicals cannot be proven safe. But consumer groups and health advocates say it doesn't go far enough, and that it could undermine efforts in some states to enact stronger laws that screen potentially toxic chemicals even as federal standards lag. The industry, regulators and consumer groups will press for chemical policy reform on Wednesday at a Senate Committee on Environment and Public Works hearing. The session is to focus on potential health threats posed by exposure to toxic chemicals and how to update the Toxic Substances Control Act. California regulators, in particular, say the legislation could pre-empt tougher state laws there to protect consumers from toxins. It could "seriously jeopardize public health and safety by preventing states from acting to address potential risks of toxic substances and from exercising state enforcement powers," wrote California Attorney General Kamala Harris. She was joined in her letter by attorneys general in Connecticut, Delaware, Hawaii, Oregon, Maryland, Massachusetts, Washington and Vermont. States historically have been at the forefront of protecting against the harms from toxic chemicals and driving innovation in the development of safer products, the attorneys general wrote, often acting before the federal government. They're concerned the proposed law would pre-empt states from enforcing existing laws or from adopting new laws regulating chemicals that the EPA designates as "high priority" months or even years before any federal regulations become effective.

SCRANTON TIMES TRIBUNE

In Dimock, opponent neither surprised nor hopeful over EPA leak DIMOCK TWP. - Ray Kemble was neither surprised nor hopeful to hear that Environmental Protection Agency officials learned of the potential of methane contamination from drilling activity before declaring his well water safe to drink last year.He holds little faith in the federal agency that gave a clean bill of health to the murky, smelly water he says comes from his home's water well, directly across the street from Costello 1, a well developed by Cabot Oil & Gas Corp. A slideshow presented to regional EPA officials in early 2012 and recently leaked to news media suggested the possibility of drilling-related methane contamination of groundwater. In its analysis into Dimock water, EPA did not test for methane. Cabot officials say its drilling and fracking did not contaminate Dimock water and that methane and other contaminants naturally occur in the Dimock area. They also say the issue has been thoroughly investigated and that the company has been cleared. The leaked EPA presentation gave new life to the debate over the environmental safety of fracking

and invigorated local opponents and environmental groups. Drilling opponent Craig Stevens of Silver Lake Twp. said he's mobilizing sympathetic groups to start a petition drive to demand the EPA re-open its investigation into the water at Dimock. The plan is to present the signatures to the EPA in Washington D.C. at a press conference / protest later this year. "They need to really do the investigation," Mr. Stevens said. Mr. Kemble's view of the natural gas industry began with skepticism, evolved into disappointment, and is now in opposition. He never thought he would get rich from his six-acre mineral rights lease to Cabot at the dawn of the Marcellus rush in 2008. He remembers his first check, for $5,100, which was nice. For several years, he even drove a truck for a contractor serving the natural gas industry. The royalty checks shrank. His last royalty check, for $3, arrived about two years ago.His is one of the 19 Dimock households whose water was found by the state to be tainted with methane tied to faulty gas wells in 2009. Drilling is still on hold in a section of the township because the state is evaluating whether methane levels are low enough in residential water wells to lift the ban. His front yard is full of the anti-fracking signs. Recently, he did an interview with a Russian television station. The staff brought him a few jugs of water for his time.

WASHINGTON, D.C.

WASHINGTON POST

Bob Perciasepe staying put at EPA

Bob Perciasepe is no sore loser. As the deputy administrator of the Environmental Protection Agency, some observers figured he might have been in line to get the job heading the agency when it came open this year (though the fact that as a white guy, he didn't add any diversity to the cabinet probably didn't help him). But he's obviously not letting getting passed over bug him.

He's sticking around, says EPA Administrator Gina McCarthy — who did get the job. She tells our colleague Juliet Eilperin that she couldn't be happier that Perciasepe is staying put, where he'll be her No. 2. “Thank God,” she added. “I tell him he's one of my most precious resources that I have to protect.” Perciasepe served as the acting director during McCarthy's confirmation process. McCarthy, who won Senate confirmation last month, also gave her deputy a shout-out during a speech on Tuesday at Harvard University in which she outlined the EPA's agenda.

WALL STREET JOURNAL

DC Mayor Vincent C. Gray Presents CoStar Group With 2013 Mayor's Sustainability Award

Award Winners Recognized for Outstanding Commitment in Sustainable Practices. CoStar Group, Inc., the primary provider of websites for commercial real estate information, analytics and marketing services, today announced that District of Columbia Mayor Vincent C. Gray presented a 2013 Mayor's Sustainability Award to CoStar Group, recognizing the company for outstanding commitment in sustainable practices. Mayor Gray presented the awards to nine individuals, businesses and civic organizations in a ceremony held on Thursday, July 25, 2013, at the National Museum of Women in the Arts in Washington, DC. The Mayor was joined by Congresswoman Eleanor Holmes Norton, U.S. EPA Regional Administrator Shawn Garvin, District Department of the Environment (DDOE) Director Keith A. Anderson and numerous business and community leaders. Sheila C. Johnson, founder and CEO of Salamander Hotels and Resorts and co-owner of the Washington Mystics, Wizards, and Capitals, served as Mistress of Ceremonies. "It is a great honor to be recognized by Mayor Gray for our company's dedication to sustainability," said CoStar Group Founder and CEO Andrew C. Florance. "CoStar has a long-standing commitment to sustainable business practices throughout our company, and also within the built environment that our business serves. We are proud to call Washington, DC our home, and to support the Mayor's vision for making the District a model for achieving a healthier environment, job creation and expanded prosperity." Since 2009, the Mayor's Sustainability Awards (previously the Mayor's Environmental Excellence Awards) have been awarded through a competitive selection process to recognize individuals, businesses and organizations that are moving the District toward a more sustainable future. This year's winners represent a range of innovative endeavors to improve the lives of residents, the quality of our environment, and access to healthy and affordable food and housing. "The District is taking its place as a national and international leader in urban sustainability, because of the innovative ideas and civic commitment of people who care deeply about our community and our environment," said Mayor Vincent Gray. "Our Sustainable DC Plan outlines the key challenges we face as a community: growing jobs and our economy; ensuring health and wellness; promoting equity and diversity; and protecting the climate and our local environment. The actions of our award winners will ensure we meet these challenges--they are creating a greener, healthier, and more livable city today, and for generations to come." Summaries and case studies on each award winner become part of an online library of best practices in the District, which is posted on DDOE's website, www.ddoe.dc.gov. More information on

implementation of the Mayor's Sustainable DC Plan can be found at www.sustainabledc.org.

WASHINGTON TIMES

House Republicans see pseudo-science in Obama's 'cost of carbon' metrics House Republicans launched an all-out attack Wednesday on what they say are the secretive, pseudo-scientific "cost of carbon" metrics that the Obama administration is using to justify increasingly harsh environmental regulations. At least three pieces of legislation to dismantle the metric, or at least greatly limit how it can be used, are moving through Congress. The measures represent the latest Republican attempt to slow the ambitious climate change agenda laid out by President Obama last month. Critics say the cost of carbon figures represent, at best, pseudo-science used to further a crackdown on fossil fuels. At worst, some argue, they are a back door to an eventual carbon tax on American businesses. "The administration's track record offers no reassurances that the necessary clarity will be provided and there's every reason to assume that efforts will be made to justify regulations with a social cost of carbon estimate that hasn't been validated or even solidly reviewed," said Rep. Duncan Hunter, California Republican. Mr. Hunter introduced legislation Wednesday to bar the Environmental Protection Agency and other arms of the government from using cost-of-carbon metrics until they have been subject to comment and review by Congress and the American public. Also Wednesday, the House Appropriations Committee cleared an amendment, put forth by Rep. John Abney Culberson, Texas Republican, that would prohibit the EPA from implementing any rule that relies on the cost-of-carbon formula. It also would require the agency to follow the normal rule-making procedure — complete with a public comment period — before the metric can be used. A third bill to be offered by Rep. Tim Murphy, Pennsylvania Republican, calls for explicit congressional approval before cost-of-carbon estimates can used in environmental regulations. Social cost-of-carbon estimates have been in place since 2010 but have come into the spotlight only in recent months. In May, an administration "working group," comprised of officials from the EPA, the Energy Department and other agencies, quietly raised their estimated social cost of carbon from $21 per ton of emissions to $35 per ton. The dramatic increase greatly alters cost-benefit analyses offered by the EPA when floating rules, allowing the agency to claim that billions of dollars will be saved over a period of decades as a result of its proposed limits on power plant emissions, tougher fuel economy standards and other steps. The increase wasn't debated in Congress, nor was it available for public review. Instead, it was buried in an unrelated Energy Department regulation on microwave ovens. Some analysts say the lack of transparency is only part of the problem. A secondary goal of the system is to establish the baseline for a carbon tax, whereby businesses could be charged $35 for each ton of emissions, said Robert Murphy, an economist with the conservative Institute for Energy Research. "If it's politically impossible for them to impose an outright carbon tax, this is a way for them to achieve a lot of the same results by having it done through the regulatory process," he said.

DELAWARE

DELAWARE CAPE GAZETTE

Markell joins O'Mara to honor Delaware's 2013 Young Environmentalists in Delaware State Fair ceremony

At the Delaware State Fair July 25, Gov. Jack Markell, Department of Natural Resources and Environmental Control Secretary Collin O'Mara and U.S. EPA Region III Administrator Shawn M. Garvin announced and honored five Delaware students as DNREC's 2013 Young Environmentalists of the Year. "These five exceptional young Delawareans are becoming the conservationists, naturalists and environmental stewards who will help preserve our environment for tomorrow," Markell said. "We appreciate their interest, their talent and the promise they bring for Delaware's future." "Age is no deterrent for these young students who want to protect our environment and improve our quality of life," said O'Mara. "This year's award winners deserve our praise and admiration." Established in 1993 in honor of former DNREC Secretary Dr. Edwin H. Clark II, the Young Environmentalist of the Year Awards are presented annually to Delaware students who have worked to protect, restore or enhance our state's natural resources through environmental stewardship, innovative projects and promoting public awareness. Judges for the program's 20th year were Jennifer Holmes, educator, Delaware National Estuarine Research Reserve; Michelle Jacobs, educator and DNREC Small Business Ombudsman; Kent County Wildlife Area Manager Wayne Lehman,

Division of Fish and Wildlife; and Environmental Scientist Patty Murray, DNREC Division of Water. DNREC's 2013 Young Environmentalists of the Year are: • High School - Emma Rider of Milton • Middle School - Kyle Spillane of Harrington • Elementary - Sara Figurski of Georgetown • Honorable Mention Group - the Zero Waste Team, Hockessin

Rehoboth youth takes honors at 27th annual fishing tourney

At the Delaware State Fair July 25, Gov. Jack Markell, Delaware Department of Natural Resources and Environmental Control Secretary Collin O'Mara, U.S. EPA Region III Administrator Shawn M. Garvin and Division of Fish and Wildlife Director David Saveikis honored the winners of the Division of Fish and Wildlife's 27th annual Youth Fishing Tournament held June 8. The Sussex County winner, second place statewide, is 14-year-old Will Geppert of Rehoboth Beach, who caught 7.2 pounds of fish in Ingrams Pond. This year's tournament drew a total of 194 young anglers and their families. The New Castle County location, Lums Pond in Bear, drew 88 children and teens casting lines, while at Kent County's Wyoming Pond, 42 youngsters turned out. Sussex County reeled in 64 young anglers at Ingrams Pond in Millsboro. Winners received fishing rods and tackle boxes as well as trophies, and all participants received prizes. All of the fish caught in the tournament were weighed and released. The biggest fish of the day was a largemouth bass weighing 1.11 pounds, caught by Zach Rowe of Greenwood. Olivia Marzullo of Georgetown caught the smallest fish of the day, a 0.44-ounce bluegill. Another interesting catch was a snapping turtle caught by Ian Rieley of Millsboro...The Youth Fishing Tournament was established to introduce youth to the sport of fishing and to teach the catch-and-release approach to conservation. The free tournament, held annually in June, is open to youth ages 4 to 15. The Division of Fish and Wildlife-sponsored tournament is entirely organized and run by the officers of the Division of Fish and Wildlife Enforcement Section, with a fisheries biologist serving as official weigh master at each of the three ponds during the event. For more information on the Youth Fishing Tournament, call 302-739-9913 or go to www.fw.delaware.gov/Info/YouthFishing.htm.

Lewes children's learning gardeners celebrate opening

The Lewes Children's Learning Garden is producing fruits, vegetables and flowers, and some of those who helped create the garden celebrated with a July 10 ribbon cutting. In April, Lewes in Bloom established the garden in Stango Park near the Lewes Public Library. The learning garden shows families through hands-on experience how fruits, vegetables and flowers are grown. Lewes In Bloom and community volunteers supervise gardening activities on Mondays and Thursdays, May through August. Garden Story Hour is 10:30 to 11 a.m., Monday; and cooking, music, yoga and Zumba are 4 to 5 p.m., Thursday. Special events and planting days will be posted at www.lewesinbloom.org, where online donations are also accepted.

DELAWARE ONLINE

Delaware rallies push climate change initiatives

Delaware officials gathered in Wilmington and Rehoboth Beach on Wednesday as part of a nationwide chain of rallies supporting the Obama administration's new climate change initiatives, producing both calls for action and ominous warnings. "We need to think through the various tradeoffs, the economics, but the only way we can do that is to keep it at the top of the agenda," Department of Natural Resources and Environmental Control Secretary Collin P. O'Mara said. "The only way we can keep it at the top of the agenda is if all of you and all of us keep bringing it up over and over again." O'Mara's comment came at the end of a small group meeting at Wilmington's Riverfront, supported by a coalition of business, labor, government, health and environmental groups backing Obama's proposal last month to curb power plant emissions of carbon dioxide. That proposal immediately came under fire from skeptics and conservative politicians, with a Senate committee releasing a report earlier this month questioning the science behind Obama's initiative. Supporters have focused on a need for action to deal with growing evidence that human-caused pollution and fossil-fuel burning has set the stage for disastrous global warming and climate shifts before the century ends.Threats range from sea-level rise and more intense storms, to flooding, extreme weather, longer and more-intense droughts, and changing agricultural and water supply conditions that Defense Department officials warn could increase global suffering and political instability.

WEST VIRGINIA

CHARLESTON GAZETTE

Some states leery of chemicals bill backed by Manchin

A major rewrite of the way the nation regulates toxic chemicals is under fire from states that say the bill -- co-sponsored by Sen. Joe Manchin, D-W.Va. -- usurps their authority to set their own safety standards. The debate over which level of government should take the lead on chemical safety comes after Manchin's repeated complaints that the U.S. Environmental Protection Agency oversteps its authority on mountaintop removal and other coal industry issues. Manchin said Wednesday that his bill "forces the federal government to finally step up and protect the health and safety of all Americans, including those in smaller states like West Virginia, where there are just not sufficient resources to test and regulate the chemicals that need to be regulated. "It will allow the EPA to take meaningful action against chemicals that pose a threat to human health and safety," Manchin told fellow lawmakers, "and it will allow state and local governments to weigh in on the whole process." West Virginia environmental regulators are backing Manchin's chemical bill, a bipartisan but controversial effort the senator helped broker earlier this year to reform the long-criticized federal Toxic Substances Control Act, or TSCA.

On Wednesday, Mike Dorsey, chief of homeland security and emergency response at the West Virginia Department of Environmental Protection, testified in Washington, D.C., in support of the Chemical Safety Improvement Act. "The public, the regulated community and those in state and local government need and deserve the most accurate and scientifically defensible information on chemicals that we can possibly have," Dorsey told lawmakers. "I think that is possible with this bill." The bill would, for the first time, require the EPA to review the safety of all chemicals used in commerce. Currently, the TSCA allows the vast majority of chemicals to remain on the market without any evidence of their safety. The EPA has tested only about 200 of the 84,000 chemicals in the agency's inventory.

Gauley River PSD issues boil-water advisory

Gauley River Public Service District has issued a boil-water advisory for the areas of Brownsville, Alta, Dixie, Bentree, Bell Creek, Mount Olive, Beech Glen, Jodie, Rich Creek, Swiss, Lyon Creek, Peters Creek and Drennen. The advisory followed a water main break.Customers in those areas should boil their water for at least one full minute prior to use until further notice.

State awards grants for litter control programs

The West Virginia Department of Environmental Protection is awarding grants to help fund litter-control programs. The state agency said Tuesday 26 applicants have been approved for a total of $63,195 in grants. The money was awarded to state solid waste authorities, county commissions and municipalities. It will help pay for the razing of dilapidated structures, fund community cleanups in places and pay for trash receptacles and other supplies for litter control.

CHARLESTON DAILY MAIL

Thousands of illegal dumping sites plague West Virginia

Your tax dollars are helping clean up trash dumped by someone illegally. They dump near roads. They dump in parks. They dump near streams. West Virginia contains as many as 15,000 illegal dumping sites, consuming resources of local governments and the state Department of Environmental Protection. Greg Rote, program manager for the DEP's Rehabilitation Environmental Action Plan (REAP), said the DEP cleans up to 1,100 illegal dumpsites across West Virginia each year. "The biggest reason is they don't want to pay to get rid of it," he said. In Charleston, illegally dumped trash is causing drainage issues and keeping the public works department busy. Public Works Director Gary Taylor said the trash is usually confined to more isolated areas of town with few homes nearby, like along Garrison Avenue and Amity Drive. When it rains, the trash dumped down hillsides is swept into drains and streams. "I think it's coming from outside the city," he said. "People in the city know if (their trash) is on the curb, we're going to pick it up."

Deadline lingers for W.Va. drilling blast report

Antero Resources is facing a Wednesday deadline to tell West Virginia regulators what it believes caused a fatal

explosion at a Doddridge County gas drilling site and explain how it plans to prevent similar tragedies. Two workers died of burns after the July 7 blast near New Milton, which injured three others. The state Department of Environmental Protection ordered Antero to submit a report by July 31, but DEP spokeswoman Kathy Cosco said it hadn't been submitted as of Tuesday. Colorado-based Antero must explain how it plans to safely resume operations at the site, which was shut down for separate examinations by state, federal, company and independent investigators. It's unclear what caused methane gas to ignite as work was wrapping up on the Hinterer 1H well.

COAL TATTOO

West Virginia vs. EPA: What about climate change?

It was billed as big news yesterday, when the new Obama administration EPA administrator — Gina McCarthy — delivered her first public speech since being confirmed and sworn in. But was there really anything surprising in what she had to say, at least regarding coal and climate change? The Washington Post reported: The new head of the Environmental Protection Agency told an audience at Harvard Law School on Tuesday that cutting carbon pollution will "feed the economic agenda of this country" and vowed to work with industry leaders on shaping policies aimed at curbing global warming. "Climate change will not be resolved overnight," EPA Administrator Gina McCarthy told the 310-member audience. "But it will be engaged over the next three years. That I can promise you." According to The Boston Globe: Speaking to an enthusiastic crowd at Harvard Law School — which included friends from McCarthy's years as a top state environmental official under Mitt Romney and other governors — the Massachusetts native known for her blunt talk and pronounced Boston accent also said it was time to dispel the myth that environmental regulation hurts the economy. "Can we stop talking about environmental regulations killing jobs?" she asked to loud applause from 310 attendees. "We need to cut carbon pollution to strengthen the economy; let's talk about this positively." West Virginia's response? Well, the speech was barely over when this statement from U.S. Sen. Joe Manchin, D-W.Va., popped into my email inbox: I completely agree with Ms. McCarthy that clean energy technology will spur economic growth. Clean coal technology already is being used and it's having a direct impact on our environment and our economy. In the last ten years, U.S. coal emissions have been reduced by 50 percent and coal-fired electric plants are expected to spend at least $80 billion by 2015 on new technologies to further reduce emissions. These investments would have an even greater impact on our economy and environment if we had a partner instead of an adversary in the federal government. Our own Energy Department says coal will generate nearly 36 percent of our electricity through 2040, so it just makes common sense to me, the people of West Virginia and the American people that, while we invest in renewable and biofuel technology, we also invest in making our most abundant natural resources cleaner. And then, between the "Friends of Coal" ads on MetroNews, Hoppy Kercheval offered his thoughts in his daily commentary focused on the planned visit by West Virginia Democratic leaders to meet with Obama officials about coal policies: House Speaker Tim Miley, state Democratic Party Chairman Larry Puccio and others in the delegation believe it is significant that they will get face time with the new head of the EPA. Such a meeting would have been unthinkable with McCarthy's predecessor, Lisa Jackson. McCarthy deserves credit for granting an audience with what she knows will be a hostile crowd because of the agency's increased regulatory pressure on the coal industry. Then again, McCarthy, a straight-talking Bostonian, might just give our folks an earful herself.

Suit to challenge U.S. funding for coal exports

Here's some interesting news from the Chesapeake Climate Action Network: Environmental groups today filed the first-ever lawsuit challenging the federal government's financing for the export of Appalachian coal from the United States. The U.S. government approved this financial support for coal exports without considering the increased toxic air and water pollution that could affect communities near the mines and ports, and along the railways that connect them. The groups filing the lawsuit charge that the U.S. Export-Import Bank (Ex-Im Bank) violated federal law by providing a $90 million loan guarantee to Xcoal Energy & Resources without reviewing the environmental impacts as required under the National Environmental Policy Act (NEPA). According to Ex-Im Bank, the taxpayer-backed financing, approved on May 24, 2012, will help leverage a billion dollars in exports of coal mined in Appalachia. The coal will be shipped from ports in Baltimore, Maryland and Norfolk, Virginia to markets in Japan, South Korea, China and Italy. As readers well know, with cheap natural gas pushing coal into a much smaller part of the domestic steam coal market, Appalachian mine operators are increasing interested in pumping up their share of the export market, on top of the increases that we've already seen. A press release about the new lawsuit explains: While U.S. coal consumption has declined gradually over the past 10 years, U.S. coal exports have risen. The array of air, water,

safety, health, biodiversity, and other impacts on local communities and ecosystems — which face a chain reaction of increased mining, rail traffic, and port activity — remains woefully unaddressed by state and federal regulators. "From the mine mouth to the smokestack, from Appalachia to Beijing, Ex-Im's failure to account for the environmental impacts of U.S. coal exports not only violates the law, but it flies in the face of the agency's own environmental policy and its Carbon Policy," said Michelle Chan, Director of Economic Policy Programs at Friends of the Earth.

WEST VIRGINIA STATE JOURNAL

Judge Bailey Denies Motion to Intervene in Alt v EPA

U.S. District Court Judge John Preston Bailey denied on July 30 the Chesapeake Bay Foundation's request to be an intervenor in the case between Lois Alt and the EPA, according to the West Virginia Farm Bureau. Bailey wrote in his ruling that CBF wanted to present "an entirely different perspective to the Court," and allowing CBF to intervene would slow the judicial process or possibly add prejudice to the case. The original lawsuit was brought by Lois Alt in 2012 after the EPA visited her Hardy County poultry operation. The EPA claimed that Alt needed a National Pollutant Discharge Elimination System permit for her farm's stormwater runoff under the Clean Water Act, because the runoff came in contact with dust, feathers or manure from the ground. Alt argued that agricultural stormwater is exempt from permitting under the Clean Water Act, and her runoff was normal for farming. According to the Farm Bureau, Alt was threatened by the EPA with fines of as much as $37,500 per day if she did not obtain a permit. The court previously allowed the Farm Bureau to intervene in the case. After that, the EPA withdrew its original order, petitioning the court to dismiss the case. At that point, the court granted a request from Alt and the West Virginia Farm Bureau as well as the American Farm Bureau Federation to continue the case. The EPA is expected to answer Alt's motion Aug. 1, according to the Farm Bureau, which represents more than 24,000 members.

SPIRIT OF JEFFERSON

What's on the other side of the ledger?

When writing news stories, one of the challenges is to accurately judge how much prior knowledge about the given subject readers already possess. If you assume that readers are more knowledgeable than they actually are, the story will confuse more than inform. And, if you underestimate readers' knowledge, space that would otherwise be used to provide new facts and insights is instead wasted on information they already know. That's why stories about West Virginia's governor and attorney general criticizing the Environmental Protection Agency usually omit explanations of their primary reason for doing so – their belief that EPA regulations cause major job losses in the coal industry. That this belief is false is neither here nor there, but more about that in a moment. There's another omission from most stories about criticisms of the EPA and it's an odd one because, whereas readers can be assumed to understand that politicians fear job losses, they cannot be assumed to understand a primary counterweight that causes the EPA to issue its regulations: the degree to which the burning of coal damages our health. It's a subject rarely mentioned in news stories and, as far as I can determine, never mentioned by Gov. Earl Ray Tomblin and Attorney General Patrick Morrisey. In the dozens of speeches, press releases, and tweets issued by both, I have been unable to find a single instance in which either man has acknowledged, never mind discussed, the health consequences of burning coal. So, in the interest of informed debate, let's summarize those consequences so they can be placed on the other side of the scale as we try to judge whether EPA regulations are or are not worthwhile.

MARYLAND

BALTIMORE SUN

Bank sued over coal export financing at Baltimore, Hampton Roads Above the harbor in Curtis Bay is a 1-acre urban farm. "Look out over the harbor and you can see piles and piles of coal," says Jason Reed, a community organizer who works there. That coal is the subject of a lawsuit filed Wednesday by a coalition of environmental groups against the U.S. Export-Import Bank, challenging the federal agency's financing of fossil fuel exports from ports in Baltimore and Hampton Roads, Va.The lawsuit, filed in a federal court in California, targets a $90 million loan guarantee the bank made last year to Xcoal Energy & Resources, a Pennsylvania coal broker, to sell coal from Appalachian mines to customers in Asia and Italy. The plaintiffs say the bank failed to conduct a required environmental review before providing the guarantee. They want to block a portion of the $90 million that hasn't yet been disbursed through Xcoal's intermediary, PNC Bank. The U.S. Export-Import Bank makes loans and loan guarantees to private companies to

encourage the export of U.S. products by assuming the financial risks involved in international trade. The bank has been increasing its support for domestic and foreign fossil-fuel projects, according to Doug Norlen, policy director for Pacific Environment, one of the plaintiffs. Norlen attributes the increase to an effort to meet President Barack Obama's stated goal of doubling U.S. exports by 2015. In a speech on climate change last month, Obama announced that the bank would no longer support the construction of new coal-fired power plants overseas. Fumes from coal combustion are particularly heavy in carbon dioxide, which contributes to global warming.

VIRGINIA

NORFOLK VIRGINIAN PILOT

Suit objects to loan that helps region's coal

Environmental groups on Wednesday filed a federal lawsuit challenging the U.S. government's backing of a loan that facilitates the export of some Appalachian coal through the ports of Hampton Roads and Baltimore.The lawsuit, filed in San Francisco, alleges that the U.S. Export-Import Bank broke federal law by approving a $90 million loan guarantee in support of Latrobe, Pa.-based coal broker Xcoal Energy & Resources LLC without first preparing an "environmental impact statement."The taxpayer-backed financing, approved on May 24, 2012, will help leverage $1 billion in coal exports from Appalachia to markets in Japan, South Korea, China and Italy through coal terminals in Hampton Roads and Baltimore, the groups said. "Ex-Im Bank turned a blind eye to the toxic coal dust, heavy train traffic and disruptive noise that our members living near ports and railways experience on a daily basis," said Diana Dascalu-Joffe, senior general counsel with the Chesapeake Climate Action Network, one of the plaintiffs. The groups that filed the complaint, which also include the Center for International Environmental Law, Friends of the Earth, Pacific Environment, Sierra Club and West Virginia Highlands Conservancy, stated that it is the first lawsuit to challenge the federal government's financing of the export of coal from Appalachia. The lawsuit requests that the court declare that the government bank's approval of the $90 million loan guarantee supporting Xcoal - without first conducting an environmental review - is a violation of the National Environmental Policy Act.

MISCELLANEOUS

HUFFINGTON POST

Revenge By Default

House Appropriations Committee chairman Hal Rogers, R-Ky, recently asserted in behalf of his cost-cutting party that "President Obama's priorities are going nowhere." Fleshing out the GOP's intentions, he added that "we'll hold back overly zealous, unnecessary environmental regulations" and we need to scale back big spending "lower priority or nice-to-have programs" that hurt the economy. What are the lower priority or nice-to-have programs that would take a hit under the proposed Republican budgetary legislation? Look for an 83 percent cut in upgrading dilapidated drinking water systems, a 69 percent decrease in loans to repair waste water facilities, and elimination of Brown Fields, a hazardous waste site cleanup program. What are the unnecessary regulations that Rogers is talking about? The House Republican bill would weaken protective language in the Clean Water and Clean Air Acts. Regulations would be relaxed that prohibit dredged tailings from mountaintop surface mining being dumped into pristine streams. The proposed legislation would also bar the Environmental Protection Agency (EPA) from regulating greenhouse gas emissions and lowering the sulfur content in gasoline. To drive home the chairman's point about thwarting Obama's priorities, Rogers' committee is seeking to cut funding of Obama's EPA budget by 34 percent. That includes a 30 percent reduction in the EPA administrator's office fund, a 20 percent cut in the Agency's operational account, and a continued cap on EPA personnel at 1992 levels despite greater 2013 enforcement obligations.

EPA's IT'S OUR ENVIRONMENT (Blog)

http://blog.epa.gov/blog/2013/07/suburban-chickens-sustainability-at-work-in-my-home/?utm_source=rss&utm_medium=rss&utm_campaign=suburban-chickens-sustainability-at-work-in-my-home

As a child, I hung out at my grandparents' farm outside of Ville Platte, LA, where they had chickens, pigs, cows, guinea fowl, a garden, a smokehouse, fruit trees, etc. Now, my house sits on about 1/64th of an acre just outside the city limits of Philadelphia. And just as my grandparents did, every morning I put on my barn coat and walk about 30 steps to feed my two chickens. The chickens, Marshmallow and Speedy, live in a coop tucked discreetly behind my garage. Since the spring, my hens have provided me with one or two eggs daily: sage green from Marshmallow and speckled brown from Speedy. How did a former country kid, who grew up to be a scientist living in the suburbs, start keeping chickens? As a child, I loved to feed the chickens and gather their eggs. While living outside of Philadelphia, one day my nephew offered me his hens because he was moving and had no place to keep them. I jumped at the opportunity to return to my farm roots and put more of my sustainability views into practice. I was fortunate: thanks to an enlightened elected official who was a fellow chicken lover, my township allowed residents to keep chickens. The space behind my garage had a nice 6×18-foot fenced-in area that was perfect for keeping my girls safe. Aside from the fresh eggs, one of the delights of owning suburban chickens is that neighbors and their children stop by to visit my hens. Because of my work at EPA, I know the importance of keeping food waste out of landfills. My hens know something about that, too, because they get excited about the old rice, carrot peelings, food scraps, toast crusts, etc., that I feed to them.

GREENWIRE

Panel begins intense battle over Interior, EPA spending

The House Appropriations Committee has begun a daylong fight over fiscal 2014 funding for U.S. EPA, the Interior Department and the Forest Service, facing an expected 40 or more amendments from panel members on both sides of the aisle. "This markup is going to be long and it's going to be ugly," Interior and Environment Appropriations Subcommittee ranking member Jim Moran (D-Va.) said at its start. "I feel that it's our responsibility to make it so. If we're going to go down on the things we care about, we're not going to make it easy." Committee aides say they expect nearly four dozen amendments offered throughout the day. Most are not available yet, but they are likely to target a variety of high-profile issues from new greenhouse gas rules for new and existing power plants to zeroed-out conservation programs. Democrats on the committee say the $24.3 billion Interior and Environment spending bill is a "death by a thousand cuts" for the environmental, cultural and resource management programs it funds. The measure -- which represents a $4 billion cut even compared with post-sequestration fiscal 2013 levels -- would fund EPA at $5.5 billion and Interior at $9.7 billion.

Moran said the panel's GOP leaders are using a manufactured crisis over spending to "eat our seed corn," opting not to make key investments in natural resources management in order to extend tax cuts for wealthy Americans. He pledged to fight. But subpanel Chairman Mike Simpson (R-Idaho) said the bill is an exercise in making "tough choices" on spending. The measure, which would zero out funding for EPA's brownfields mitigation grant program and make sharp cuts to popular water infrastructure revolving loan programs, is a symptom of a larger battle over how to manage the federal debt, he said.

Court upholds EPA rule forcing Pa. plant to cut emissions that drift to N.J.

A federal appeals court has upheld a U.S. EPA rule that required a large coal-fired power plant in Pennsylvania to cut down on its emissions because they contribute to air pollution across the Delaware River in New Jersey. The rule, issued in 2011, marked the first time EPA had asked a single facility to reduce emissions because of pollution that drifted across state lines. The agency said monitoring and modeling showed that GenOn Energy Inc.'s 427-megawatt Portland Generating Station near Allentown was responsible for air quality violations in Warren County, N.J. GenOn, which is based in Houston, quickly challenged the rule, which requires the plant to reduce sulfur dioxide, or SO2, emissions by 81 percent within three years. The energy company claimed the rule was arbitrary and capricious because it singled out one facility and forced it to make reductions more quickly than other emitting sources in the area. The issue may be less relevant now, however, because the new owner of the Portland facility has indicated it will switch to natural gas for fuel, which would burn more cleanly. Nevertheless, the 3rd U.S. Circuit Court of Appeals said earlier this month that the Clean Air Act is "unambiguous" in giving EPA authority to issue the rule. "The plain language of the relevant portions of the statute and the context in which such language is used convey that Congress intended [the law] as a means for the EPA to take immediate action when downwind states are affected by air pollution from upwind sources," Judge Julio Fuentes wrote on behalf of the unanimous three-judge panel, which is based in Philadelphia. Exposure to high levels of SO2 can cause a host of respiratory problems, and New Jersey residents in Knowlton Township have long claimed that the Portland plant sent ash and soot into their town. In September 2010, New Jersey asked EPA to force the plant to cut its SO2 emissions. Several months later, EPA issued the rule (Greenwire, Nov. 1, 2011).

However, the pollution may now be moot. After threatening that it would have to close the plant because of the rule's costs, GenOn sold the facility to NRG Energy Inc. That company has since said the plant will stop burning coal,

presumably to switch to natural gas, which will emit less SO2.

CLEANENERGYAUTHORITY.COM

Environment America names 'Dazzling Dozen' solar states

A dozen states that account for about 28 percent of the United States population, have about 85 percent of the country's installed solar photovoltaic capacity. The Environment America Research & Policy Center released a report this week naming the "Dazzling Dozen" states that are leading the way in solar energy policy for the country and providing examples of how other states can fall in line to help the country get 10 percent of its electricity from the sun by 2030. The 12 states blazing a trail for solar policy are Arizona, California, Colorado, Delaware, Hawaii, Maryland, Massachusetts, Nevada, New Jersey, New Mexico, North Carolina and Vermont. "Those states possess strong policies that are enabling increasing numbers of homeowners, businesses, communities and utilities to go solar," the report reads. "The pathway to a solar future laid out by the Dazzling Dozen is open to every state." Solar energy in the United States has seen wildly rapid expansion and Environment America predicts that the explosive growth will continue – at least in the states with progressive policies.

NEW YORK TIMES

Company claims to make commercial quantities of ethanol from vegetative waste (New York Times) WASHINGTON — After months of frustrating delays, a chemical company announced Wednesday that it had produced commercial quantities of ethanol from wood waste and other nonfood vegetative matter, a long-sought goal that, if it can be expanded economically, has major implications for providing vehicle fuel and limiting greenhouse gas emissions. The company, INEOS Bio, a subsidiary of the European oil and chemical company INEOS, said it had produced the fuel at its $130 million Indian River BioEnergy Center in Vero Beach, Fla., which it had hoped to open by the end of last year. The company said it was the first commercial-scale production of ethanol from cellulosic feedstock, but it did not say how much it had produced. Shipments will begin in August, the company said. The process begins with wastes — wood and vegetative matter for now, municipal garbage later — and cooks it into a gas of carbon monoxide and hydrogen. Bacteria eat the gas and excrete alcohol, which is then distilled. Successful production would eliminate some of the "food versus fuel" debate in the manufacturing of ethanol, which comes from corn. "Biomass gasification has not been done like this before, nor has the fermentation," said Peter Williams, chief executive of INEOS Bio. The plant, which uses methane gas from a nearby landfill, has faced a variety of problems. One was getting the methane, which is a greenhouse gas if released unburned, to the plant's boilers. (The plan is to eventually run the plant on garbage that now goes to landfills.) Another problem was its reliance on the electrical grid. The plant usually generates more power than it needs — selling the surplus to the local utility — and is supposed to be able to operate independently. But when thunderstorms knocked out the power grid, the plant unexpectedly shut down and it took weeks to get it running again, said Mark Niederschulte, the chief operating officer of INEOS Bio. "We've had some painful do/undo loops," he said.

The plant has produced "truckloads" of ethanol, said Mr. Williams, but still has work to do to improve its yield. Mr. Niederschulte said, "Now we want to produce more ethanol from a ton of wood, rather than just making ethanol from a ton of wood." The Department of Energy hailed the development as the first of a kind, and said it was made possible by research work the department had sponsored in recent years. The energy secretary, Ernest Moniz, said in a statement, "Unlocking the potential for the responsible development of all of America's rich energy resources is a critical part of our all-of-the-above energy strategy."

THE HILL (blog)

OVERNIGHT ENERGY: *Carbon battle reaches House floor*

The House will debate legislation that would effectively allow the Energy Department (DOE) to block energy-related EPA rules.

The bill, which allows DOE to thwart rules it believes would adversely affect the economy, became a magnet for controversial amendments. Among them: GOP measures that would thwart EPA's power to weigh the benefits of curbing carbon dioxide emissions when crafting regulations. Click here for more on the "social cost of carbon" amendments.

But that's not all: The House may begin debate on GOP legislation that would require congressional approval of many federal regulations. The Hill's Ben Goad has more here on that bill and why the White House has threatened a veto.

ENERGYWIRE (E&E)

Marcellus Shale hospitals claw toward better data on gas field health issues SAYRE, Pa. -- Two young engineers wanted to impress their boss. The crew had worked 17 days straight to produce a natural gas well in Wyoming that looked like a giant energy find on the front end of an emerging oil bust. That night in 1982, as their boss celebrated over dinner 100 miles away, the enthusiastic 25-year-old engineers started dismantling the gas flares. A big job would already be done by the time their boss returned, they reasoned. "We had no cellphones, no radio and no TV," said Theodore Them, at the time a 31-year-old chemist working in some of the nation's most remote gas fields. Later, Them and dozens of others watched with horror as a miscalculation caused the flare's 65-foot tower to tip and fall, crushing and killing the men. "That incident directed the rest of my life," said Them, who today heads up a team of occupational medicine specialists at Guthrie Health in northern Pennsylvania. "It was jarring and catastrophic and inspiring at the same time, because those kids didn't have a chance. They just didn't have a chance."

ENVIRONMENT & ENERGY DAILY

Another green group joins effort to promote president's action plan
The Natural Resources Defense Council Action Fund yesterday became the latest environmental group to launch an advertising campaign in support of the president's Climate Action Plan with a new spot linking climate change to childhood asthma.The 30-second spot will run through Aug. 2, when Congress' annual August recess is set to begin. It is aimed at "galvanizing opposition to any efforts to derail President Obama's climate and clean air plan" through amendments to a bipartisan energy efficiency bill that Senate leaders hope to bring to the floor for a vote this fall. Several Senate Republicans have expressed interest in offering amendments to the efficiency bill sponsored by Sens. Jeanne Shaheen (D-N.H.) and Rob Portman (R-Ohio) that would slash U.S. EPA's authority to regulate greenhouse gas emissions or approve the controversial Keystone XL oil pipeline (see related story). But the ad, which features children -- and senators -- wearing defibrillators, argues that the amendments would increase man-made warming and put children's health at risk.When we protect the air from carbon pollution, we protect children's lives," the ad says. The NRDC Action Fund joins several other environmental organizations that have also launched ads aimed at supporting the president's climate change agenda, which includes curbs on power plant greenhouse gas emissions. Some groups, including Organizing for Action and the League of Conservation Voters, plan to target lawmakers skeptical of man-made climate change in their home districts with rallies or ads.

House lawmakers, agency trade barbs ahead of data subpoena hearing U.S. EPA and lawmakers on the House Science, Space and Technology Committee continued to make their cases today ahead of tomorrow's hearing on whether to authorize subpoenas for scientific data the agency used to claim health benefits in a host of rules instituted under the Clean Air Act.Republicans specifically want EPA to provide data from cohort studies by the American Cancer Society and Harvard Six Cities on PM 2.5 -- or particulate matter that is less than 2.5 micrometers in diameter -- and ozone pollution that have been used in revisions of the National Ambient Air Quality Standards, or NAAQS. The panel has demanded that the agency stop relying on those studies for its decisionmaking, in part because the data are not public."American taxpayers paid for this data to be collected, and researchers have come forward to the committee to express their concerns that they have been denied access to review this data," panel Chairman Lamar Smith (R-Texas) said in a letter to the top Democrat on the panel today."Open access improves science," Smith said. "EPA should abide by its own policies and its own promises to make this de-identified data available to the public. It's unfortunate that we've reached this point" after requesting the data for two years.

Science panel to vote on bill requiring EPA to address water pollution chances in studyThe House Science, Space and Technology Committee today will mark up a bill that would require U.S. EPA to estimate the likelihood of drinking water pollution from hydraulic fracturing as part of a long-running study.The bill from Science Chairman Lamar Smith (R-Texas) addresses concerns voiced at a recent hearing on the EPA fracking study, which Republicans said should focus on the probability of water pollution occurring rather than just examining what would be possible (*E&E Daily*, July 25).Smith's bill, H.R. 2850, would require EPA to include in its report "objective estimates of the probability, uncertainty, and consequence of each identified impact, taking into account the risk management practices of states and industry." Reps. Chris Stewart (R-Utah) and Cynthia Lummis (R-Wyo.), who lead the environment and energy subcommittees, are co-sponsoring the bill.Congress ordered EPA to study the effect of fracking on drinking water in 2010, when Democrats controlled both chambers, and the agency plans to release a draft next year. Republicans and industry officials worry that EPA's efforts are a precursor to stricter federal regulation of the relatively novel drilling technique, which has unlocked massive new supplies of oil and natural gas in states such as North Dakota and Pennsylvania.

HOUSTON CHRONICLE

US bank sued over pollution from coal exports

Environmental activists sued the federal government Wednesday over the exports of Appalachian coal to Europe and Asia, arguing it approved a $90 million loan guarantee to one company without considering the implications for air and water pollution along the transportation route. The lawsuit filed in U.S. District Court in San Francisco says communities near the mines, ports and railways that connect them are all affected, and the U.S. Export-Import Bank was required to review the environmental impacts of its financing decision under the National Environmental Policy Act. The bank provided a loan guarantee last year to Xcoal Energy & Resources, headquartered in Latrobe, Pa., but shipping from ports in Baltimore and Norfolk, Va., to Japan, South Korea, China and Italy. Chesapeake Climate Action Network says citizens affected by toxic coal dust, heavy train traffic and noise should have a say over how their tax dollars are spent. Other plaintiffs are the Center for International Environmental Law, Friends of the Earth, Pacific Environment, Sierra Club and West Virginia Highlands Conservancy. The National Mining Association called the case "a nuisance lawsuit replete with hyperbole" and based on sweeping, inaccurate and undocumented claims. Spokeswoman Nancy Gravatt said the intent appears to be to frighten the public and cause the industry economic harm. Railroads have been hauling coal for more than 100 years without harming public health or the environment, she said, and technology has reduced coal dust loss by at least 85 percent.

VIRTUALSTRATEGY.COM

Should You Wear Sunscreen Today?

It only takes a few hours of strong summer sun to cause a painful sunburn, and to regret forgetting the sunscreen. Using data from NOAA and the EPA, MySafetySign.com has developed a fresh new way to help you stay safe while enjoying the best days of the summer, with shouldiwearsunscreentoday.com. The fun, simple interface makes it easy to see whether you need to apply sunscreen before you leave the house. (Hint: you almost always do.) "Everyone knows how important it is to protect yourself from harmful UV rays, but research shows really low rates of sunscreen use, particularly in teens," said Alex Roitman, Outreach Manager at MySafetySign, "so there is clearly still a large gap between knowing the dangers and preventing them." According to CDC data, only 15 percent of teen girls and 8 percent of teen boys reported using sunscreen when in the sun for an hour or more. The site uses your location to find the current UV index and weather. Whether you're preparing for your daily commute or hitting the beach, shouldiwearsunscreentoday.com displays a bold "Yes!" or "Nah!" and provides helpful recommendations on the importance of protecting your skin. The cheerful, informative site works equally well across web and mobile devices.

EPA Strengthens Chemical Assessment Process To Protect Public Health

The U.S. Environmental Protection Agency (EPA) recently announced changes to its Integrated Risk Information System (IRIS) Program to improve the scientific foundation of assessments, increase transparency in the program and the process and allow the agency to produce more IRIS assessments each year. IRIS is a human health assessment program that evaluates information on health effects that may result from exposure to environmental contaminants. These high quality, science-based health assessments are used to inform decisions to protect public health and the environment. “EPA is committed to producing high quality scientific assessments in a timely and transparent manner,” said Lek Kadeli, principal deputy assistant administrator of EPA’s Office of Research and Development. “The improvements announced today will further strengthen our IRIS assessments and enable the agency to better protect human health and the environment by completing more health assessments for chemicals that are being used across our country every day.”

INTERNATIONAL SUPERMARKET NEWS

E-World Online Tapped by EPA to Guide Developing Nations on E-Waste

Countries Looking to Develop Successful Electronics Take-Back Programs Turn to US Pioneers E-World Online, the nation’s leading provider of comprehensive e-waste take-back programs, shared insights into successful and sustainable national e-waste take-back solutions with developing countries from Asia, Africa and the Americas at this year’s Global E-Waste Management (GEM) Network meeting in San Francisco earlier this month. The GEM Network is a collaborative effort between the United States Environmental Protection Agency (EPA) and the Environmental Protection Administration of Taiwan (EPAT) to build global capacity for the environmentally sound management of waste electrical and electronic equipment (WEEE), or e-waste, by bringing environmental officials from different nations together to exchange experiences and best practices. The meeting is an invitation-only event with speakers individually selected by the EPA. During the “Certified and Compliant” roundtable discussion, E-World Online CEO Bob Erie outlined guidelines for sustaining an expansive national network of certified-responsible recyclers.

FOSTERS.COM

Conservationists ask EPA to better regulate storm water runoff

A coalition of conservation groups have submitted a joint petition asking the Environmental Protection Agency to use its authority to regulate the runoff of pollutants and storm water contaminants into state-designated impaired bodies of water. The Conservation Law Foundation, a New England-based environmental protection group, and a coalition of other conservation groups are asking the EPA to exercise its Residual Designation Authority over these water bodies, which would give it the ability to regulate all future local land use decisions and force property owners and communities to find a way to reduce contaminants from runoff. "We have waters that are suffering as a result of too much pollution," CLF Vice President Christopher Kilian said. "It is a significant water quality problem, one that needs to be dealt with. The petitions are really intended to bring fairness into the system and create a more equitable situation." The New Hampshire Department of Environmental Services has designated more than 6,000 bodies of water as impaired, including the Great Bay. According to Dover City Manager Michael Joyal, this is because the state claims that there are certain portions of the Great Bay where nitrogen levels are too high. According to Joyal, however, a coalition of communities, including Dover, Portsmouth and Rochester, are arguing that the science used to establish this measurement was faulty.

SMALL BUSINESS NETWORK

How the EPA's QAP program will impact the renewable fuel industry

"America likes cheap gasoline," says Sandra Dunphy, director of Energy Compliance Services at Weaver. "But as much as we want cheap gasoline, we also want clean gasoline and clean air — and they are not necessarily mutually exclusive." In the balancing act between the two, Renewable Identification Numbers (RINs), which are attached to gallons of renewable fuel as it is produced, have become very valuable to the oil companies required to own them. "If you bought 1 million RINs on Jan. 1, it would have cost you about $70,000," Dunphy says. "Today, that same purchase would cost about $1 million." Because there's so much money in RINs, there's also the potential for fraud. After a handful of fraud cases rocked the market, the Environmental Protection Agency (EPA) has stepped in with a solution — Quality Assurance Plans (QAPs).*Smart Business* spoke with Dunphy about the EPA's Renewable Fuel Standards program and how QAPs fit in.

Bonnie Smith, Press Officer
USEPA mid-Atlantic region
Philadelphia regional office
215-814-5543