Message

From: Hassell, Emily [hassell.emily@epa.gov]
Sent: 4/5/2018 8:44:47 PM
To: AO OPA OMR CLIPS [AO_OPA_OMR_CLIPS@epa.gov]
Subject: News Clips - 5 April 2018

(Full stories, highlights, and details are listed further down in the email, and can be jumped to by clicking on any of the links below.)

Renewable Fuel Standard

Politico - EPA: 25 refiners received RFS waiver

Washington Examiner - EPA's free pass for refiners could land it in court

Reuters - Philadelphia Energy Solutions gets court nod over RINs burden relief

Bloomberg - EPA Waiving Biofuel Quotas Spurs Rebuke From Ethanol Supporters

Reuters - U.S. ethanol groups bristle as EPA frees refiners from biofuels law

Samantha Dravis

InsideEPA - Fired White House Aide Reportedly A Source Of Leaks Over Pruitt's Ethics

The Hill - Top Pruitt aide resigns from EPA amid controversies

Politico - Top Pruitt policy aide Samantha Dravis resigns

Bloomberg - Top Pruitt Ally Resigns From EPA as Ethical Questions Mount

Minoli's Memo

AP - The Latest: EPA lawyer says he didn't have full facts

CNN - EPA ethics official says he didn't have all the facts on Pruitt's lease

Politico - EPA ethics official says he didn't have all 'factual information' on Pruitt's lease

Bloomberg - Ethics Memo Raises Fresh Questions for Embattled EPA Chief

CBS - EPA ethics official argues Scott Pruitt's condo rental wasn't ethics breach

Administrator Pruitt Coverage

Washington Examiner - John Kelly asked Scott Pruitt to come clean on possibility of more controversies: Report

The Hill - GOP lawmaker calls on Pruitt to resign

Daily Caller - Pruitt Allies Warn Trump — Fire Him And Your Agenda Comes To A Grinding Halt

USA Today - With President Trump in his corner, Scott Pruitt's job at EPA looks safe — for now

The Hill - Trump says he has confidence in Pruitt

Politico - Pruitt and allies launch campaign to save his job

Bloomberg - Army of Conservative Allies Rallying to Save Embattled EPA Chief

NPR - Dogged By Scandal, EPA's Pruitt Turns To Damage Control

New York Times - Pressure Mounts on Scott Pruitt, E.P.A. Chief, as Top Advisers Eye the Exit

Washington Examiner - Rush Limbaugh, Ted Cruz back Scott Pruitt, 'single biggest target of left'

Washington Times - EPA's Scott Pruitt says progress on Trump agenda at 'bastion of liberalism' behind attacks

Daily Caller - Pruitt Went A Month Without A Place To Live In DC

Washington Post - After leaving $50-a-night rental, EPA's Scott Pruitt had no fixed D.C. address for a month

The Hill - Pruitt has always been a weak link on Trump's team (*Op-Ed)

New York Times - A Trip to Morocco. A Condo Rental. Here's Why Scott Pruitt Is Under Fire.

Washington Examiner - Scott Pruitt's condo lease initially listed energy lobbyist as landlord

Politico - EPA inspector general investigating Pruitt rental

ABC News - Pruitt's EPA should not have paid for busted condo door, congresswoman says

General

E&E Greenwire - EPA walks back Pruitt statement on executive order

BNA - EPA Water Permitting Decisions Now Flow Through Pruitt

The Hill - Scott Pruitt does his part to help Donald Trump drain the swamp (*Op-Ed)

E&E Greenwire - Pruitt event showed 'disrespect for the free press' — groups

Mother Jones - EPA Brags About Transparency to Reporters It Has Blacklisted

Politico - AGs sue EPA for not regulating methane from oil, gas wells

Wall Street Journal - Coffee Won't Kill You, But CAFE Might (*Op-Ed)

BNA - EPA Weighs Chemical Policy That May Backfire on Industry: Critics

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Politico
https://www.politicopro.com/energy/whiteboard/2018/04/epa-25-refiners-received-rfs-waiver-953153
EPA: 25 refiners received RFS waiver
By Eric Wolff, 4/4/18, 4:53 PM

EPA spared 25 small oil refineries from having to comply with the federal biofuel mandate last year, an agency spokeswoman said today.

The agency declined to identify the companies that received the Renewable Fuel Standard waivers in 2017 but said they were based on the same factors as in past years.

"The criteria used to grant waivers has not changed since previous administrations. EPA follows a long-standing, established process where the Agency uses a DOE analysis to inform decisions about refiner exemptions/waivers. These waivers are only considered for refineries that submit applications and that are below the blending threshold," EPA spokesperson Liz Bowman said in a statement.

Under the laws establishing the RFS, EPA can grant small refineries, defined as having a capacity under 75,000 barrels of crude oil a day, a waiver from RFS compliance for a given year. There are 57 refineries that meet that standard with a total capacity of 2 million barrels a day, according to data from the Energy Information Administration.

The number of refineries receiving exemptions in 2017 was first reported by Reuters.

Reuters also reported that EPA granted refining giant Andeavor a waiver for three refineries for the 2016 compliance year, and SEC documents show that EPA last year granted waivers to refineries owned by HollyFrontier and Delek for the 2016 compliance year.

Washington Examiner
https://www.washingtonexaminer.com/policy/energy/epas-free-pass-for-refiners-could-land-it-in-court
EPA's free pass for refiners could land it in court
By John Siciliano, 4/4/18, 7:43 PM

The corn ethanol camp is gearing up for a new legal fight with the Environmental Protection Agency at a time when President Trump was supposedly negotiating a "win-win" deal between ethanol producers and oil refiners.

The emerging fight stems from a decision that was made under the "cover of darkness," with no oversight, according to Bob Dinneen, the ethanol industry's top lobbyist in Washington, who assailed news that the EPA exempted Andeavor, the fifth-largest refinery company in the country, from having to comply with the Renewable Fuel Standard.

On top of that, a bankruptcy court in Delaware approved a settlement between the EPA and the big East Coast refinery Philadelphia Energy Solutions, exempting it from all outstanding obligations to blend ethanol under the RFS. The company filed for bankruptcy protection in January, blaming the hundreds of millions of dollars in ethanol credits it had to spend to comply with the RFS for its economic woes.

The ethanol industry blasted the court for not considering its concerns, saying the decision sets a harmful precedent inflicting harm on demand for corn-based fuels. But that appears to be only the beginning of EPA's strategy of setting refiners free from the RFS.

The EPA exempted three of Andeavor's smallest refinery facilities, which one refining industry lobbyist called a tenth of the company's production and not worth the outrage of ethanol groups that are calling on EPA Administrator Scott Pruitt to explain himself.

The total production is "so small after all" and not worth the "hair on fire" response by ethanol groups. The industry source promised that the Andeavor move was just the beginning of EPA exemption process. Even larger integrated oil companies, such as Exxon Mobil, are expected to seek RFS waivers for their smaller refineries, the lobbyist said.

But the ethanol industry doesn't see these refiners as fitting the bill for being granted exemptions. Even if they have small refiners as part of their fleet, overall they just don't fit the definition of a small refinery under the law.

"Any claims the RFS is negatively impacting the oil industry are absurd, much less the fifth-largest refiner in the country which posted a profit of nearly $1.5 billion last year," Dinneen said.

"Suffice it to say we are exploring all our options to return the RFS to what the statute intended and what the president has supported," Dinneen said in a statement issued by the organization he heads, the Renewable Fuels Association.

"All options" typically includes considering lawsuits and court action, which the ethanol industry isn't shy in doing when it thinks the EPA is falling short of its legal obligations under the RFS.

The program mandates the blending of corn ethanol, primarily, along with other biofuels into the nation's gasoline and diesel supplies.

Even a more glaring hint at legal action came from the rest of Dinneen's statement detailing the shortcomings in EPA's legal interpretation of its authority to give refiners, especially very large ones, exemptions under the program's "hardship waiver" clause for small refineries.

The waiver is meant for refiners that produce less than 75,000 barrels per day of fuel and "may only be granted if EPA determines, based on supporting evidence in the petition, that compliance with Renewable Fuel Standard obligations will impose disproportionate economic hardship on the refinery in the year for which the exemption is requested," Dinneen pointed out, citing EPA's own interpretation of the law.

Another top ethanol lobbyist, Emily Skor, the president and CEO of the group Growth Energy, raised those problems and more in a strongly worded letter sent to Pruitt Wednesday.

Both she and Dinneen fear that the Andeavor decision was just the tip of the iceberg, with more refiners seeking exemptions than are publicly known.

"To date, EPA has still not disclosed which refiners received exemptions from 2016 or 2017," Dinneen said. "No one really knows how far these exemptions go, or how many total companies have received these waivers."

Skor was more to the point in her letter, asking Pruitt to cease and desist from issuing, or even considering, any new waiver applications until it opens the process to public scrutiny and comment. That would help "to help assure all stakeholders that the new expansion of small refinery waivers are consistent with the goals of the RFS," Skor wrote.

Skor also wants Pruitt to hand over information on the number of refineries that have applied for this waiver since the RFS' rules were finalized eight years ago. She also wants the EPA's plan on how it will make up for the lost ethanol gallons blended in gasoline because of the exemptions.

And she wants assurances from Pruitt the the timing of the exemptions "is not intended to shroud the process in secrecy and prevent stakeholders from commenting about lost gallons through the annual RFS rulemaking process."

Reuters
https://www.reuters.com/article/us-usa-biofuels-pes/philadelphia-energy-solutions-gets-court-nod-over-rins-burden-relief-idUSKCN1HC02Z
Philadelphia Energy Solutions gets court nod over RINs burden relief
4/4/18, 9:06 PM

A federal bankruptcy judge approved a settlement on Wednesday between Philadelphia Energy Solutions and the U.S. Environmental Protection Agency allowing the refiner to shed a significant portion of financial obligation under the nation's biofuel laws.

The approval marks the end of a break-neck-pace bankruptcy that began in late January, when the Carlyle Group-backed company sought Chapter 11 relief and blamed the costs of complying with the U.S. Renewable Fuel Standard (RFS) for its financial woes.

"This is another important milestone in our quest to strengthen our financial foundation and ensure that PES can successfully emerge from the restructuring process," the company said in a statement.

The RFS requires refiners to blend biofuels such as ethanol into their fuel or buy credits, known as RINs, from those that do.

PES needed to submit some 470 million credits to the EPA to prove compliance for 2016 and 2017, but only had 210 million on hand. The refiner said it did not have the money to go into the market and buy the additional credits.

Under the settlement agreement, PES was only required to turn in the credits it had acquired to prove compliance, including a portion of this year's credits, saving close to $200 million.

Reuters reported that other factors may also have played a role in the company's bankruptcy, including the withdrawal of more than $590 million in dividend-style payments from the company by its investor owners.

The settlement angered the biofuel industry, which said it rewarded a company for ignoring the law. Growth Energy, a pro-biofuels trade group, sought to intervene in the bankruptcy and force Carlyle (CG.O) to pay the outstanding compliance costs.

"The EPA's sue-and-settle-style settlement will give the Carlyle Group a free pass for skirting the law, even after they neglected the refinery while pocketing hundreds of millions of dollars in cash payouts" Emily Skor, Growth Energy's chief executive officer, said in statement.

Bloomberg
https://www.bloomberg.com/news/articles/2018-04-04/epa-waiving-biofuel-quotas-spurs-rebuke-from-ethanol-supporters
EPA Waiving Biofuel Quotas Spurs Rebuke From Ethanol Supporters
By Jennifer A Dlouhy, Mario Parker, and Laura Blewitt, 4/4/18, 3:13 PM, Updated 4/5/18, 12:01 AM

The Environmental Protection Agency has given more than two dozen small refiners permission to ignore the nation's renewable fuel mandate, angering competitors as well as farm-state lawmakers who say the exceptions undermine the program.

Roughly 30 refineries are seeking waivers from the Renewable Fuel Standard for the 2017 compliance year, and so far at least 25 have won them, according to two people familiar with the process.

Allowing refineries to escape annual blending quotas "fundamentally undermines" the mandate requiring refiners and fuel importers to mix ethanol and other biofuels into gasoline and diesel, said Senator Chuck Grassley, a Republican from Iowa and fierce defender of the U.S. renewable fuel requirement.

"It appears EPA granted a secret waiver that is legally reserved for small refiners to one of the largest oil refining companies in the country," Grassley said in an emailed statement.

The waivers are being issued under a program Congress established in the Renewable Fuel Standard law that allows small refineries to be granted temporary exemptions if they can prove complying with the quotas would cause them to suffer hardship.

'Established Process'

"The criteria used to grant waivers has not changed since previous administrations," EPA spokesperson Liz Bowman said by email. "EPA follows a long-standing, established process where the agency uses a DOE analysis to inform decisions about refiner exemptions."

The American Petroleum Institute, which has members including Royal Dutch Shell Plc, BP Plc, and other large oil companies, has warned against refinery-specific exemptions, arguing they create uncertainty and distort a "level playing field."

To qualify for a waiver, such small refineries must have processed no more than 75,000 barrels per day of crude in 2006.

Until 2010, 59 eligible refiners received the exemptions automatically each year. Later, the EPA began vetting applications individually, guided by Energy Department recommendations.

Secretive Program

Now, 38 refineries are eligible under the program -- and roughly 30 of them formally asked for relief from the 2017 biofuel quotas, one person said. The people asked to speak anonymously so they could candidly discuss the biofuel waiver program Congress designed to be secretive, with company-specific information shielded from public view.

The agency is still working through applications, so more than 25 refineries ultimately may win the valuable exemptions for the 2017 compliance year. The agency is granting those requests more liberally, following a federal court ruling last year that rejected the EPA's previous, stricter approach.

Among the 2017 waiver recipients: some of Andeavor's 10 refineries, according to a person familiar with the approval, and Calumet Specialty Products Partners LP, which said in an April 2 filing that the EPA had granted its refineries hardship exemptions for 2017 and 2016.

Andeavor

Exxon Mobil Corp. also may be eligible to receive a waiver for its 61,500 barrel-a-day facility in Billings, Montana. Company spokeswoman Sarah Nordin couldn't immediately be reached by email or phone for comment.

The EPA granted exemption for 14 refineries for the 2016 compliance year. In addition to Calumet and Delek, HollyFrontier Corp., said in regulatory filings that waivers it received last year helped it pare $57.8 million in compliance costs.

When the EPA grants exemptions after setting annual biofuel quotas, it doesn't redistribute the requirements to other refiners -- so each waiver effectively lowers the overall amount of renewable fuel required nationwide.

Emily Skor, head of the Growth Energy coalition of renewable fuel advocates, said the exemption rush "is not tenable," and are "wholly inconsistent" with the Trump administration's pledge to uphold the biofuel mandate. "It's gravely concerning."

Reuters
https://www.reuters.com/article/us-usa-biofuels-epa-refineries/u-s-ethanol-groups-bristle-as-epa-frees-refiners-from-biofuels-law-idUSKCN1HB2AH
U.S. ethanol groups bristle as EPA frees refiners from biofuels law
By Jarrett Renshaw and Chris Prentice, 4/4/18, 11:46 AM, Updated 7:00 PM

NEW YORK (Reuters) - The U.S. Environmental Protection Agency has approved the request of 25 small refineries to be exempted from the nation's biofuels laws, an agency source said on Wednesday, marking a big increase from previous years and triggering an outcry from farm groups worried the move will hurt ethanol demand.

The expansion of the waiver program represents the Trump administration's latest clash with the powerful corn lobby, as it seeks to help merchant refiners that claim the U.S. Renewable Fuel Standard costs them hundreds of millions of dollars a year.

The decade-old law requires refiners to blend increasing amounts of biofuels like corn-based ethanol into the nation's fuel each year, or purchase blending credits from other companies - a policy intended to provide a boost to Midwestern corn growers, reduce pollution and cut fuel imports.

In the past, the EPA has issued between six and eight waivers from the RFS per year to small refining operations of less than 75,000 barrels per day that can demonstrate they are struggling financially to comply, according to a former official familiar with the waiver program under past administrations.

This time that number has ballooned.

"While the applications continue to come in, EPA has granted roughly 25 so far," said the EPA source, who asked not to be named discussing the waivers. The source said the waivers cover the refineries' obligations for 2017, which would come due this year.

A spokeswoman for the EPA, Liz Bowman, said nothing had changed under the administration of President Donald Trump. "The criteria used to grant waivers has not changed since previous administrations," she said.

Reuters had reported on Tuesday that Andeavor, one of the nation's biggest refining companies, recently won exemptions from the EPA covering its 2016 obligations at three of its smallest refineries - the first evidence of the agency providing relief to a large and profitable company.

Biofuel groups blasted the EPA for apparently expanding the use of the hardship waivers, with two of them calling on the agency to immediately halt issuing new exemptions until the public gets a chance to review the agency's actions.

EPA does not disclose the waiver recipients, arguing the information is business confidential.

"EPA appears to be operating under the cover of night in a secretive process where the agency acts as judge, jury, and executioner to effectively reduce the overall demand for biofuels in this country absent any public discourse," said Emily Skor, CEO of biofuel producer Growth Energy.

The National Farmers Union said it was particularly incensed by the waiver Andeavor had acquired.

"Hardship waivers were not designed for large corporations who net billions in profit each year. The National Farmers Union (NFU) is deeply disturbed by these reports, and requests that EPA cease granting these waivers," it said in a letter to EPA Administrator Scott Pruitt.

The news of the number of waivers EPA has granted drove down prices for biofuel blending credits to their lowest levels since 2015, on fears that refiners that typically have to buy them would sell them instead, traders said.

Lower demand for ethanol could hurt biofuel and agricultural companies like Archer Daniels Midland Co, POET and Green Plains Inc.

MORE APPLICATIONS
Refiners have applied for the waivers in larger numbers after a federal appeals court ruling last year that said the EPA must expand the guidelines for approving them.

They have also been encouraged to apply by the Trump administration's recent efforts to broker a deal between the oil and corn industries to reduce the costs of the RFS, industry sources said. Those talks have not yielded a deal.

Refiners granted exemptions win in two ways: They no longer have to blend biofuels or buy credits to comply with the law, and they can sell any credits they had previously purchased to use for compliance.

Prices of U.S. renewable fuel (D6) credits plunged to as low as 29 cents each on Wednesday, the first time they fell below 30 cents since September 2015, according to the Oil Price Information Service.

U.S. Senator Chuck Grassley, a Republican who represents Iowa - the nation's largest corn-growing state - and who backs the biofuels industry, said late on Tuesday that the expansion of the waiver program raised legal questions.

Giving Andeavor "a free pass when other companies are required to follow the law of the land isn't just unfair, it may be illegal," Grassley told Reuters late Tuesday.

Brooke Coleman, head of the Advanced Biofuels Business Council, said he was concerned EPA's Pruitt was using the waivers to gut a program he dislikes.

"Mr. Pruitt is eviscerating a law the president supports – in complete secrecy," he said, pointing out Trump had campaigned on a promise to support the RFS.

InsideEPA
https://insideepa.com/daily-news/fired-white-house-aide-reportedly-source-leaks-over-pruitts-ethics
Fired White House Aide Reportedly A Source Of Leaks Over Pruitt's Ethics
By Dawn Reeves, 4/5/18

Rob Porter, a top former aide to President Donald Trump who was fired earlier this year over domestic abuse allegations, is reportedly a source of information about EPA Administrator Scott Pruitt's ethical transgressions that are threatening his future at the agency, after Porter's relationship with a top former Pruitt aide soured, sources say.

Porter did not respond to requests for comment but two sources say he leaked information about Pruitt after Samantha Dravis, his former girlfriend who resigned last week as head of EPA's policy office, leaked information about his assaults on his two former wives to White House Counsel Don McGahn.

Press reports have indicated that Dravis leaked the information to the White House counsel's office after finding out that Porter had been having an affair with now-departed White House Communications Director Hope Hicks.

One source calls the leaks “tit for tat” and the result of a love affair gone bad.

The Daily Mail reported that Dravis played a role in Porter's firing, including that she told McGahn last November of the abuse allegations against Porter.

A second source says after Dravis caught Porter with Hicks, she kicked him out of the apartment they shared. “She was the source for the news that Porter was beating his ex-wives. . . . And Porter had the goods on Pruitt via Dravis.”

The first source notes that Dravis likely did not intend to harm Pruitt when she shared information with Porter, and that Porter's access to the information -- including that he lived for a time last year in a below-market-rate, lobbyist-owned Capitol Hill townhouse -- was due to their relationship.

However, the source says that Dravis was angry after being crossed, and that Porter did not know what he had coming after he cheated.

The source tells Inside EPA that Dravis had wanted to be Pruitt's chief of staff, rather than policy chief, and had not been expected to stay in the job long.

This source adds that Porter may not be the only source providing information about Pruitt's questionable behavior and notes that there are EPA officials who have been treated badly by him who may also be leaking information.

Politico, for example, citing an administration source who supports Pruitt, reported April 4 that a “recently dismissed EPA political appointee is behind a string of controversial stories about Pruitt that have come to light in recent weeks.”

The administration source told Politico that the former staffer “would have had access to key details about Pruitt’s travel and living arrangements. But that staffer rejected the accusations when contacted by Politico -- and suggested that the agency is trying to shift attention to leaks while attacking former employees who have questioned some of Pruitt’s decisions.”

Alleged Ethical Violations

The alleged ethical violations that have emerged over the past few days include Pruitt's lease of a Capitol Hill townhouse at below-market rates from the wife of an energy industry lobbyist and the agency's awarding two close aides pay raises even after they were rejected by the White House.

In an April 4 interview with Fox News, Pruitt denied that he knew about the pay raises for the aides, who had come from Oklahoma, saying it was done without his knowledge by lower level staff. However, the first source says there is “no way” staff would have made the move without Pruitt's approval.

The new allegations are in addition to a slew of other alleged ethical violations, many of which are under investigation by the EPA Inspector General or the Government Accountability Office, over his first-class travel, his security detail and more.

While Pruitt has sought to defend himself -- and has renewed his pledge to advance President Donald Trump's deregulatory agenda -- he appears to be on thin ice with the White House. “The president is not” OK with reports about

Pruitt's controversial lease of a Capitol Hill condo linked to an energy lobbyist, said White House Press Secretary Sarah Sanders during her April 4 daily briefing.

“We are reviewing the situation. When we have had the chance to have done a deeper dive on that we will let you know the outcomes of that."

EPA did not address questions about Porter but confirmed Dravis' departure. “After serving for over a year as EPA's head of policy, Samantha Dravis has decided to pursue other opportunities. She has been integral in the Agency's successful implementation of the President's environmental agenda and the agency wishes her success in her future endeavors.”

Porter's current job is unknown and he did not respond to an email to his LinkedIn page.

Michael Glassner, chief operating officer for Trump's 2020 campaign, denied press reports this week that Porter has been hired by the campaign.

The Hill
http://thehill.com/policy/energy-environment/381773-top-pruitt-aide-resigns-from-epa-amid-controversies
Top Pruitt aide resigns from EPA amid controversies
By Miranda Green, 4/5/18, 10:30 AM

A top aide and close friend of Environmental Protection Agency (EPA) Administrator Scott Pruitt has issued her resignation in the midst of various scandals plaguing the agency chief.

Samantha Dravis, the senior counsel and associate administrator in EPA's Office of Policy, tenured her resignation last week, the agency confirmed to The Hill on Thursday.

The sudden departure is described by one source with close knowledge of Dravis’s relationship with Pruitt as a “five-alarm story.”

Dravis has a long history with Pruitt, the former attorney general of Oklahoma.

She previously worked with Pruitt as policy director and general counsel at the Republican Attorneys General Association. She was also president of the Rule of Law Defense Fund, affiliated with the same organization, and before that legal counsel at Freedom Partners Chamber of Commerce — an organization of conservative political donors led by the billionaire brothers Charles and David Koch.

The source described the relationship between Pruitt and Dravis as a close friendship, saying the aide was Pruitt's "best friend" and someone he had dinner with "several times every week."

Dravis did not return requests for comment surrounding the nature of her resignation. Two sources told The Washington Post that her resignation was unrelated to Pruitt’s recent onslaught of ethics issues and that she is leaving to join the private sector.

Dravis has found herself tied to at least one other controversy during her time at the administration: She is reportedly an ex-girlfriend of former senior White House aide Rob Porter.

Dravis was responsible for a call made to White House counsel Don McGahn in November 2017, informing him of abuse allegations made by both of Porter's ex-wives, CBS reported.

Porter was later fired from the White House.

Pruitt has recently come under fire for a number of scandals, including a decision to significantly raise the salaries of two close EPA political appointees. The salaries of Sarah Greenwalt and Millan Hupp — who had both come to Washington with Pruitt from Oklahoma — were raised from $107,435 to $164,200, and from $86,460 to $114,590, respectively, The Atlantic reported.

Pruitt denied his knowledge of the raises in an interview with Fox News on Wednesday, and said the appropriate person who had signed off on the raises would be dealt with.

The EPA head has also weathered a storm of controversy involving his living arrangements, as well as a number of questionable decisions he has made at the agency.

Last week, ABC News first reported that Pruitt rented a two-bedroom condo on Capitol Hill for $50 each night he slept there. Pruitt's daughter also lived for a period of time in the condo, which was owned by the wife of a prominent energy lobbyist. On Monday, The Washington Post reported that the EPA considered leasing a private jet for Pruitt for $100,000 a month.

The news has led to a number of calls from members of Congress for Pruitt to step down or be fired -- including from two GOP House members.

Trump on Tuesday downplayed the likelihood that Pruitt could soon be fired, telling reporters, "I hope he's going to be great."

However on Wednesday, White House press secretary Sarah Huckabee Sanders declined to answer directly when asked by reporters if President Trump has confidence in Pruitt.

"The president thinks that he's done a good job, particularly on the deregulation front," Sanders said.

Politico
https://www.politicopro.com/energy/whiteboard/2018/04/top-pruitt-policy-aide-samantha-dravis-resigns-955177
Top Pruitt policy aide Samantha Dravis resigns
By Emily Holden and Daniel Lippman, 4/5/18, 9:05 AM

Samantha Dravis, senior counsel and associate administrator of EPA's Office of Policy, submitted her resignation early last week, according to a source familiar with her plans.

People close to the situation said she had been planning to leave for some time, and that her decision is not because of a series of recent negative headlines for Administrator Scott Pruitt, including news that he rented a $50-a-night condo from a lobbyist and clarification from an ethics official late last night that he didn't have all the facts when he suggested the deal might not violate rules.

Dravis is one of Pruitt's top aides and she had been tasked with numerous new responsibilities, including a regulatory reform task force, and the offices for environmental reviews and environmental justice.

Dravis, who previously was policy director and general counsel of the Republican Attorneys General Association, will pursue opportunities in the private sector.

Bloomberg
https://www.bloomberg.com/news/articles/2018-04-05/top-scott-pruitt-ally-leaves-epa-as-ethical-questions-mount
Top Pruitt Ally Resigns From EPA as Ethical Questions Mount
By Jennifer A Dlouhy and Jennifer Jacobs, 4/5/18, 9:30 AM

A longtime ally of Environmental Protection Agency Administrator Scott Pruitt has resigned, amid mounting ethical questions surrounding the agency chief, said a person familiar with the decision.

Samantha Dravis left her role as an associate administrator of the EPA Office of Policy as Pruitt, the former Oklahoma attorney general, faces scrutiny for his unorthodox rental of a bedroom from a lobbyist last year and boosting the salaries of two aides over the objections of the White House. The person describing Dravis' resignation asked for anonymity to discuss a private personnel matter.

Dravis came to the EPA after serving with Pruitt as general counsel of the Republican Attorneys General Association. At the EPA, she helped revive a program for seeking regulatory advice from miners, oil companies and manufacturers.

The EPA administrator is under fire for renting a bedroom in a Capitol Hill condo from a lobbyist under unusually agreeable terms that permitted him to pay $50 only on the days he stayed there. And Pruitt has drawn fresh scrutiny for reports that he used an obscure law to grant raises to two close advisers, even after the White House objected to boosting their salaries.

Pruitt told Fox News on Wednesday that he didn't know about the raises until Tuesday. "I corrected the action and we are in the process of finding out how it took place and correcting it," he said.

AP
https://apnews.com/7860a3f78be649788798bfc3e097030a/The-Latest:-EPA-lawyer-says-he-didn't-have-full-facts
The Latest: EPA lawyer says he didn't have full facts
4/5/18

WASHINGTON (AP) — The Latest on President Donald Trump and Environmental Protection Agency Administrator Scott Pruitt (all times local):

9:15 a.m.

An Environmental Protection Agency lawyer says he wasn't provided the full facts when he ruled there was no ethics violation in Administrator Scott Pruitt's lease of a bargain-priced condo.

EPA ethics lawyer Kevin Minoli issued an opinion last week saying Pruitt was paying fair-market value. In a letter dated Wednesday, Minoli says that was based on the assumption that Pruitt occupied only one bedroom for $50 a night, as outlined in the lease.

Media reports later disclosed that Pruitt's college-aged daughter occupied a second bedroom while she interned at the White House last summer. Minoli said he did not consider the value of a second room in his analysis.

Pruitt paid about $1,000 a month, less than a third of what other nearby two-bedroom homes list for.

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1:05 a.m.

In a marked change in tone, the White House says President Donald Trump is not OK with recent revelations involving the embattled head of the Environmental Protection Agency.

For his part, EPA Administrator Scott Pruitt is denying he knew about big raises given to two of his closest aides and insisting he did nothing wrong in renting a bargain-priced condo tied to an energy lobbyist.

Pruitt spoke in a series of interviews with Fox News and other conservative media outlets in an attempt to shore up his eroding position in an administration that has seen other top officials depart after ethical missteps.

Trump spokeswoman Sarah Huckabee Sanders was asked if Trump was OK with Pruitt's actions, Sanders replied: "The president's not."

CNN
https://www.cnn.com/2018/04/04/politics/pruitt-lease-epa-ethics-decision/index.html
EPA ethics official says he didn't have all the facts on Pruitt's lease
By Cristina Alesci, 4/5/18, 5:55 AM

The Environmental Protection Agency's top ethics watchdog clarified his earlier analysis of whether Administrator Scott Pruitt's rental arrangement broke the federal gift rule, saying he didn't have all the facts when evaluating the lease, according to a memo provided to CNN.

The official also made clear that he didn't evaluate whether Pruitt had violated other ethics rules, according to the memo obtained by the Campaign Legal Center and shared with CNN.

Last week, Designated Agency Ethics Official Kevin Minoli determined that Pruitt's rental was within federal ethics regulations regarding gifts, which despite being issued after the fact seemed to clear Pruitt of wrongdoing. His conclusion was based on the assumption that Pruitt followed the lease terms as written.

The new document makes clear that the old opinion doesn't cover facts that were excluded from the legal contract between Pruitt and the landlord.

"Some have raised questions whether the actual use of the space was consistent with the terms of the lease. Evaluating those questions would have required factual information that was not before us and the Review does not address those questions," Minoli wrote in the memo.

When reached by CNN, Minoli confirmed the authenticity of the document but wouldn't comment further.

CNN reviewed the lease, which was attached to Minoli's memo. The agreement states that the tenant is limited to "one bedroom that cannot be locked. All other space is controlled by the landlord."

"This memo reassures Friday's memo from EPA career ethics officials, who determined that the condo lease was lawful, based on market information for similar rentals on Capitol Hill," said EPA spokesperson Liz Bowman.

"As we have explained in regard to earlier inquiries, there is no connection between decisions Administrator Pruitt has made at EPA and any place he has lived. Any attempt to draw that link is patently false."

Minoli's clarification came after Walter Shaub, the former head of the Office of Government Ethics who now runs the Campaign Legal Center's government ethics program, sent the agency watchdog a series of questions.

Pruitt has been facing criticism for renting a room in a condo from Vicki and Steven Hart, lobbyists whose firm has lobbied the EPA on behalf of an Oklahoma energy company, ABC News and Bloomberg reported. His daughter also reportedly lived there while she was interning in Washington.

"If it turns out Pruitt's daughter was staying in the other room, that's not covered by the ethics opinion because it's outside the scope of the lease," Shaub said. "It would raise a factual question as to whether the landlord knew and permitted his use of the second room, which would be a gift."

In addition, Minoli says he didn't consider whether Pruitt may have violated the impartiality rule. That regulation, Shaub said, would prohibit Pruitt from meeting with anyone from the landlord's lobbying firm.

Politico
https://www.politico.com/story/2018/04/05/scott-pruitt-ethics-memo-503641
EPA ethics official says he didn't have all 'factual information' on Pruitt's lease
By Louis Nelson, 4/5/18, 7:34 AM

An ethics official at the Environmental Protection Agency who signed off on Administrator Scott Pruitt's $50-per-night condo lease said he approved the contract based only on federal gift rules and did not consider other issues that the housing arrangement may have presented.

Ethics official Kevin Minoli maintained in a memo released Wednesday that Pruitt's living arrangements — a Capitol Hill condo owned by a prominent lobbyist for which Pruitt paid $50 per night — were within the bounds of rules regarding gifts based on the rental rates of other nearby units.

Minoli, in the memo, stressed that he did not have access to some information.

"Some have raised questions whether the actual use of the space was consistent with the terms of the lease. Evaluating those questions would have required factual information that was not before us and the Review does not address those questions," he wrote.

But Minoli also said he had not considered Pruitt's housing situation in the context of a federal impartiality rule, which the Office of Government Ethics says "requires an employee to consider appearance concerns before participating in a particular matter if someone close to the employee is involved as a party to that matter."

"Today's memorandum shares the factual analysis done by the career ethics officials and how that analysis supports the conclusion reached in the March 30th Memorandum that the lease did not constitute a prohibited gift," Minoli said in a statement. "In Reaffirming the original decision, the Memorandum also responds to the misunderstanding or mischaracterization of the March 30 memo by explaining what the conclusion covers and what was beyond its scope."

Pruitt has been the source of intense speculation in recent days amid reports that he could be the next to be swept up in a recent wave of departures from President Donald Trump's administration. While Pruitt is considered by multiple people close to the president as being among the most effective administration officials in terms of policy making, he has also created a slew of negative headlines, including his condo arrangement but also his travel expenses and high security costs.

Bloomberg
https://www.bloomberg.com/news/articles/2018-04-05/ethics-memo-raises-fresh-questions-for-embattled-epa-chief
Ethics Memo Raises Fresh Questions for Embattled EPA Chief
By Jennifer A Dlouhy and Jennifer Jacobs, 4/5/18, 7:45 AM

A government review of Environmental Protection Agency Administrator Scott Pruitt's unorthodox bedroom rental from a lobbyist last year failed to examine whether the arrangement violated ethics regulations governing impartiality, according to the agency's top ethics officer.

The EPA's initial review last week of Pruitt's rental of the condo from the spouse of an energy lobbyist whose firm has clients with matters before the agency was limited to the terms of the lease only -- not "whether the actual use of the space was consistent" with the agreement, according to a 24-page memo from the ethics officer dated April 4.

Kevin Minoli, the EPA's principal deputy general counsel and designated agency ethics official, says in the memo obtained by Bloomberg News that his assessment only scrutinized whether the lease ran afoul of federal ethics regulations prohibiting certain gifts. He concluded it didn't. But he didn't examine whether the arrangement violated other ethics rules, such as those on impartiality.

"A federal employee must comply with the standards of ethical conduct, including those related to impartiality, at all times," Minoli writes.

Under federal ethics laws, government employees are required to act impartially and prohibited from giving preferential treatment to any private organization or individual. They also are barred from accepting gifts or other items of value from people or entities seeking official action or conducting business with the employee's agency.

The unconventional lease terms permitted Pruitt to pay $50 only on days his bedroom in the condo -- located just steps from the U.S. Capitol -- was actually occupied. He paid a total of $6,100 over a roughly six-month period last year. Pruitt had to leave his bedroom door unlocked and did not have use of common areas, which continued to be a venue for dinner parties and meetings during his stay.

In an interview with Fox News Wednesday, Pruitt was indignant when asked if a low-priced condo rental arrangement with a lobbyist friend was in sync with President Donald Trump's "drain the swamp" campaign vow. "I don't think that that's even remotely fair to ask that question," Pruitt told Fox.

The memo asserts that there are seven comparable private bedrooms within a six-block radius of Pruitt's temporary quarters that can be rented for $55 or less per night, a basis for the ethics officer's conclusion that last year's rental was fair "market value" and did not constitute a prohibited gift. While Pruitt was allowed to leave "limited" personal belongings, such as some clothing, at the site even on nights he was not paying $50 to occupy the room, under the lease, that did not appear to factor into the ethics analysis.

The April 4 memorandum reaffirms the original decision while clarifying what was beyond the initial review's scope, Minoli said in an emailed statement.

The disclosure of the condo rental, followed by other revelations that the EPA used an obscure law to boost the pay of two Pruitt aides over the White House's objections, have spurred both Republicans and Democrats to call for the administrator's ouster. Although Trump assured Pruitt his job was safe on Monday, the White House is conducting its own review of the rental arrangement.

CBS News
https://www.cbsnews.com/news/epa-ethics-official-argues-scott-pruitts-condo-rental-wasnt-ethics-breach/
EPA ethics official argues Scott Pruitt's condo rental wasn't ethics breach
By Jacqueline Alemany, 4/4/18, 11:53 PM, UPDATED 11:57 PM

In a memo obtained by CBS News, the Environmental Protection Agency's Ethics Official and Deputy Counsel concluded that EPA Administrator's Scott Pruitt's housing arrangement did not breach any ethical violations or constitute a gift.

The memo, signed by EPA Deputy Counsel Kevin Minoli, says that the EPA's investigation determined that "when checked against the price of traditional month-to-month rentals that would most likely offer increased privacy and exclusivity of use, a converted amount of $1,500 for Tenant's portion of the rent under the lease is within the range of amounts charged for locations no further than three blocks away."

The EPA told CBS News in a statement that the April 4 memo provides the reasoning and documentation for Friday's memo from EPA career ethics officials, "who determined that the condo lease was lawful, based on market information for similar rentals on Capitol Hill."

First reported by ABC News, Pruitt came under new scrutiny last week after it was revealed that he lived in a Capitol Hill apartment owned by the wife of a fossil fuels lobbyist. Pruitt rented the space for $50 a night but only paid for nights that he slept there.

"There is no connection between decisions Administrator Pruitt has made at EPA and any place he has lived. Any attempt to draw that link is false," The EPA said in a statement to CBS Wednesday night.

EPA ethics officials ruled that the rental agreement was in compliance with ethics regulations, though administration officials privately admit the deal was unusually favorable to the tenant.

CBS News first reported that the president spoke with Pruitt Monday night to offer his support, and that Chief of Staff John Kelly called Tuesday morning to reiterate the president's sentiments.

As recently as this weekend, administration officials told CBS News that Pruitt would likely survive the onslaught of bad press.

The tide changed on Wednesday when White House Press Secretary Sarah Huckabee Sanders commended Pruitt on his performance but would not say that the president had confidence in the administrator.

"We're reviewing the situation," Sanders told reporters at the White House briefing. Asked whether Mr. Trump still had confidence in Pruitt, Sanders replied that the president "thinks he's done a good job, particularly on the deregulation front, but again we take this seriously and we're looking into it."

"I'm dumbfounded that that's controversial," Pruitt told the Washington Examiner in an interview on Wednesday morning.

"When you think of the townhouse, the rent last year, the owner of that is an Oklahoman," Pruitt added. "I've known him for years. He's the outside counsel for the National Rifle Association, has no clients that are before this agency, nor does his wife have any clients that have appeared before this agency.

"I've had ethics counsel here at the agency, the office of general counsel and ethics officials review the lease. They've actually looked at the lease. Most of the people who are criticizing me haven't. If you look at the lease it's very clear it's market value."

Here's the memo, including the lease, obtained by CBS News:

Pruitt also acknowledged another scandal on Wednesday, which had been first reported by The Atlantic – that his office skirted the White House to give two of his staffers significant pay raises by exploiting a quirk in the Safe Drinking Water Act that allows the EPA to hire staff without external approval.

"My staff did and I found about that yesterday, and I changed it," Pruitt told Fox News.

Washington Examiner
https://www.washingtonexaminer.com/news/john-kelly-asked-scott-pruitt-to-come-clean-on-possibility-of-more-controversies-report
John Kelly asked Scott Pruitt to come clean on possibility of more controversies: Report
By Daniel Chaitin, 4/4/18, 9:52 PM

White House chief of staff John Kelly reportedly asked embattled Environmental Protection Agency Administrator Scott Pruitt this week if he expected any more controversies to come to light.

During the call, Kelly informed Pruitt that he may have the confidence of President Trump for now, but warned him about failing to stop the flow of negative stories tainting his office.

Kelly also asked if there was anything else that "hasn't come out" yet, sources told the Daily Beast. His answer was not reported.

Kelly's phone call to Pruitt came one day after Trump's phone chat with his EPA administrator amid unflattering headlines related to his travel on first-class flights, his living arrangements, and use of his EPA-funded security detail

Trump told Pruitt, "We got your back."

The Hill
http://thehill.com/policy/energy-environment/381840-gop-lawmaker-calls-on-pruitt-to-resign
GOP lawmaker calls on Pruitt to resign
By Timothy Cama, 4/5/18, 3:19 PM

Rep. Elise Stefanik (R-N.Y.) is calling on Environmental Protection Agency (EPA) head Scott Pruitt to resign.

Stefanik is the third Republican lawmaker to ask Pruitt to leave amid a recent spate of scandals over an apartment he rented from a lobbyist and big raises he gave to two aides despite White House disapproval.

"Congresswoman Stefanik believes it's in the best interest of the EPA for Mr. Pruitt to resign," spokesman Tom Flanagin told The Hill Thursday.

Stefanik first spoke about her desire for Pruitt to quite earlier Thursday at a constituent event, according to WTEN.

On Tuesday, Florida GOP Reps. Carlos Curbelo and Ileana Ros-Lehtinen called on Pruitt to resign or be fired.

Pruitt's "corruption scandals are an embarrassment to the Administration, and his conduct is grossly disrespectful to American taxpayers. It's time for him to resign or for [Trump] to dismiss him," Curbelo tweeted.

"I agree with my colleague, Carlos, that the EPA administrator should resign," Ros-Lehtinen said in a statement. "When scandals and distractions overtake a public servant's ability to function effectively, another person should fill that role."

Like the other two lawmakers, Stefanik represents a very centrist district and has taken numerous positions at odds with the Trump administration on areas like climate change and taxes.

And like Curbelo, Stefanik is likely to face a close reelection battle this year.

Daily Caller
http://dailycaller.com/2018/04/05/pruitt-allies-warn-trump-firing-him/
Pruitt Allies Warn Trump — Fire Him And Your Agenda Comes To A Grinding Halt
By Michael Bastasch, 4/5/18, 4:52 AM

Allies of Environmental Protection Agency (EPA) Administrator Scott Pruitt have a stark message for President Donald Trump: Remove Pruitt and your agenda will come to a grinding halt, emboldening your opponents.

Democrats and environmental activists are increasingly calling for Pruitt's removal over mounting ethics concerns, including his previous living arrangement and giving employees raises over White House objections.

Trump and Pruitt have enjoyed a close working relationship. Trump called Pruitt on Monday to tell him "we've got your back," but since then the White House said Trump is "not" okay with the administrator's short-term lease with the wife of a D.C. lobbyist.

"We're reviewing the situation. When we have had a chance to have a deeper dive on it, we'll let you know the outcomes of that," press secretary Sarah Huckabee Sanders told reporters on Wednesday. Axios reports Trump has his "finger in the wind" on the matter.

But conservatives are rallying to Pruitt's defense, pointing out that, should he leave EPA, Trump's deregulatory agenda would grind to a halt — playing into the hands of anti-Trumpers.

"That is really what would happen if Pruitt was asked to leave," Tom Pyle, president of the American Energy Alliance, told The Daily Caller News Foundation. Pyle headed Trump's Energy Department transition team in 2016.

"It would take months for the Senate to confirm somebody, and whoever they confirm would be more like Christine Todd Whitman than Pruitt," said Pyle, referring to the former New Jersey governor and EPA chief under President George W. Bush.

"It'd be like removing your star wide receiver in the middle of the game. It would slow down the process and make it harder for the administration to achieve their objectives," Pyle said.

Pruitt has aggressively rolled back Obama administration EPA regulations, including the Clean Power Plan and Waters of the U.S. rule. EPA's year-in-review report claimed up to $1 billion in regulations were repealed in Pruitt's first year.

Conservative pundits also came to Pruitt's defense, pointing out the administrator's success in rolling back regulations and reforming EPA science policies make him a prime target for Democrats.

"Scott Pruitt and his team are doing an outstanding job implementing President Trump's ambitious de-regulatory agenda, which is designed to restore robust growth to resource and energy-intensive manufacturing industries that have been stagnant for the past decade," said Myron Ebell, director of energy and global warming policy at the Competitive Enterprise Institute.

Should Pruitt be removed, he has no Trump-appointed successor in place. Andrew Wheeler, the nominee to be Pruitt's number two, still awaits Senate approval, and the career official acting in Wheeler's place is also set to retire.

"You'd have a caretaker who'd be less emboldened to unwind the previous president's climate power grab," Pyle said.

Ebell said Pruitt's departure would "definitely slow down the progress being made" on clawing back Obama-era climate and energy regulations.

"That's why I don't think Scott Pruitt is going anywhere," Ebell told TheDCNF. Ebell headed Trump's EPA transition team in 2016.

However, news reports suggest more negative headlines could change Trump's mind about Pruitt. Pruitt opponents in the White House and the bureaucracy suggest more negative stories are coming.

Democrats and activists behind the "Boot Pruitt" campaign are just getting started. They will file more records requests and work with EPA employees to push any negative news about the former Oklahoma attorney general.

"The environmental movement in total is all in for the removal of Scott Pruitt," Lukas Ross, a campaigner at Friends of the Earth, told Bloomberg. "I think you are going to see escalating pressure in the coming days, especially on the Senate side, to get members to commit publicly that Pruitt should be fired."

Bloomberg reports that environmentalists "are scouring Pruitt's real estate transactions, records from his time as Oklahoma's attorney general and documentation of his travel for any tantalizing detail."

"What is clearly taking place is a smear campaign by the environmental left and mainstream media, in part," said Pyle.

USA Today
https://www.usatoday.com/story/news/politics/2018/04/04/president-trump-his-corner-scott-pruitts-job-epa-looks-safe-now/485083002/

With President Trump in his corner, Scott Pruitt's job at EPA looks safe — for now
By Ledyard King, 4/4/18, 4:56 PM, Updated 4/5/18, 8:10 AM

WASHINGTON — On Tuesday, the very day Scott Pruitt faced mounting calls for his firing over what critics call a cozy arrangement with a lobbyist, the EPA administrator was at agency headquarters with car dealers announcing the reversal of yet another Obama-era environmental regulation — this one targeting auto emissions.

If Pruitt survives a wave of ethical lapses and keeps his job, it will be largely because he's ferociously spearheaded the Trump administration's deregulatory agenda.

In the 14 months he's been the nation's top environmental rulemaker, the former Oklahoma attorney general who sued the EPA more than a dozen times has rolled back the Clean Power Plan, delayed the Waters of the U.S. rule, and helped convince the president to back out of the Paris Accord on climate change, among a number of changes.

Lately, that's been overshadowed by revelations that Pruitt received a below-market rate for the use of a condo on Capitol Hill last year owned by the wife of an energy lobbyist, the most recent in a string of controversies embroiling the administrator.

Unlike VA Secretary David Shulkin and Health and Human Services Secretary Tom Price, Trump cabinet members whose ethical baggage sent them packing, Pruitt has a robust resume of actions that have made him a favorite of Trump's, according to White House insiders.

A climate change skeptic, Pruitt has tried to transform the culture of an agency that Trump savaged on the campaign trail.

He is doing away with the "sue-and-settle" approach that he said improperly allowed the Obama administration to circumvent laws by rewriting regulations behind closed doors with friendly environmental groups who filed lawsuits.

The EPA also rewrote membership rules for the agency's advisory boards, so that both industry advocates and academics from Midwestern and Mountain states — which Pruitt said were under-represented — have greater influence when counseling agency leaders on new rules.

"Why go and replace someone who's doing a very good job (carrying out) the president's agenda," said Jason Miller, a former senior communicators adviser to the Trump campaign and transition team. "It hasn't gone unnoticed that Administrator Pruitt is accomplishing a lot for the president and in a much quicker time period than anyone thought possible."

Trump himself reached out to Pruitt Monday night, telling the EPA chief to "keep your head up ... keep fighting ... (and) we've got your back," according to an administration official who asked to remain anonymous because he was not authorized to speak on the record. And White House Chief of Staff John Kelly called Pruitt Tuesday morning "to reinforce the president's message." the official said.

On Wednesday White House Press Secretary Sarah Sanders reiterated that Trump "thinks he's doing a good job, particularity on the deregulation front." But she said the situation involving the lobbyist's Capitol Hill condo is something "we take this seriously and we're looking into it."

A few Republicans have joined environmental groups and Democratic lawmakers in asking the president to fire Pruitt over the condo arrangement.

"I don't know how you survive this one," Chris Christie, the former GOP governor of New Jersey said on ABC's "This Week" Sunday. "And if he has to go — it's because he never should have been there in the first place."

Pruitt faced increasing public criticism in recent months when the large amount of public funds he has spent on his own security, first-class flights and a sound-proof communications system came to light.

But the calls reached a new pitch this week following revelations about the condo.

Pruitt paid $50 a night to rent a room on Capitol Hill in an apartment owned by health care lobbyist Vicki Hart, who is married to energy lobbyist J. Steven Hart. He used it beginning in February 2017 when he became EPA administrator and paid only on the nights he stayed until he moved out in July of that year.

Overall, the tab over six months was approximately $6,100, well below what most renters would pay because he didn't have to pay rent when he wasn't there, according to Bloomberg.

EPA's senior ethics counsel reviewed the deal — after Pruitt had moved out — and deemed that the arrangement did not violate agency rules. That's not enough for the White House, which has launched its own investigation.

In addition, The Atlantic reported Tuesday the EPA bypassed the White House to give large raises to favored aides who had come with him from Oklahoma, where he was attorney general. Pruitt told Fox News Wednesday that he was unaware of the back-door raises and put an immediate stop to them.

That prompted Rep. Carlos Curbelo, R-Fla., one of the most endangered GOP incumbents in Congress, to join in the calls for his resignation.

"Major policy differences aside, @EPAScottPruitt's corruption scandals are an embarrassment to the Administration, and his conduct is grossly disrespectful to American taxpayers. It's time for him to resign or for @POTUS to dismiss him," Curbelo tweeted Tuesday.

> @RepCurbelo
> Major policy differences aside, @EPAScottPruitt's corruption scandals are an embarrassment to the Administration, and his conduct is grossly disrespectful to American taxpayers. It's time for him to resign or for @POTUS to dismiss him. https://twitter.com/jtsantucci/status/980963422534848512 ...

But It doesn't appear there's much of a groundswell among congressional Republicans to push Pruitt out in part because the EPA administrator has shrewdly cultivated allies on Capitol Hill.

in October, he announced his plan to roll back the Clean Power Plan in front of Kentucky coal miners with Majority Leader Mitch McConnell, R-Ky, at his side. Last week, he was in Wyoming touring a coal mine with Sen. John Barrasso, the Republican chairman of the Environment and Public Works Committee.

Aides close to the administrator said the mood around the office has improved since Tuesday, adding to the sense that Pruitt will weather this storm as he has others.

Despite the drumbeat of unfavorable publicity concerning Pruitt's personal conduct, Trump seems to admire the job EPA is doing taking apart environmental regulations. During a March 29 speech in Ohio to tout his infrastructure initiative, the president praised the agency for moving to speed up environmental reviews of large projects.

"We've really streamlined the system; where we have really made it possible for people to get things done," Trump told the crowd of union laborers in Richfield, Ohio. "So many projects are under construction right now that would never, ever in a million years have gotten built."

That doesn't mean a president known for his unpredictability couldn't change his mind and toss Pruitt aside. But Miller said Trump, a builder who often tangled with the bureaucracy to complete real estate projects, realizes that dismissing Pruitt would not make his economic agenda easier to achieve.

"The president is cognizant of the fact that even if he were to bring in somebody else at the EPA and they were to push forward with a similar policy agenda, that the political left would continue attacking just as much," Miller said. "And that's why you have to focus on getting the agenda done."

The Hill
http://thehill.com/homenews/administration/381805-trump-says-he-has-confidence-in-pruitt
Trump says he has confidence in Pruitt
By Jordan Fabian and Timothy Cama, 4/5/18, 1:09 PM

President Trump said Thursday he has confidence in embattled Environmental Protection Agency (EPA) Administrator Scott Pruitt.

“I do,” Trump said when asked before boarding Air Force One.

The president and his allies, however, have sent mixed signals about the standing of Pruitt, who is under fire for a growing number of missteps.

Administration officials were not pleased with a series of media interviews Pruitt gave on Tuesday and Wednesday in which he admitted no wrongdoing and blamed the controversies on his political opponents.

“I can’t speak to the future of Scott Pruitt,” White House spokesman Hogan Gidley told Fox News on Thursday, just hours before Trump gave the EPA chief a vote of confidence.

"I can just talk about where we are now and that is that the White House is aware of these reports and we’re obviously looking into those,” Gidley added.

Pruitt is facing an internal investigation and a congressional probe into low rent he paid on a Washington condo owned by the wife of an energy lobbyist. He paid only $50 for each night he slept at the Capitol Hill property, and let his adult daughter stay there too for a time period. But EPA officials have defended the arrangement and say it was above-board.

He is also under scrutiny for raises authorized for two of his top staffers and hundreds of thousands of taxpayer dollars spent on foreign travel.

Lawmakers in both parties are calling for Pruitt’s ouster over the scandals.

Rep. Carlos Curbelo (R-Fla.) said Tuesday that Pruitt’s “corruption scandals are an embarrassment to the Administration, and his conduct is grossly disrespectful to American taxpayers. It's time for him to resign or for [Trump] to dismiss him.”

The administrator’s conservative allies have been standing up for him, telling Trump that Pruitt is one of the most effective allies in the Cabinet and that it would be difficult to replace him.

Pruitt embarked on a media tour to defend himself. But Fox News’s Ed Henry was combative in a 25-minute interview with a defensive Pruitt, asking how he could not have known about the controversial raises, among other topics.

Ethics controversies surrounding members of Trump’s Cabinet have become a headache for the Trump administration.

The president ousted Veterans Affairs Secretary David Shulkin last week after a blistering internal report found that taxpayers picked up the bill for his wife to accompany him on a European business trip.

Later, aboard Air Force One as Trump was flying to West Virginia to tout the GOP's tax reform law, Gidley said it will be clear if Trump's mind changes on Pruitt.

"We all serve at the pleasure of the president. You guys know that. And when he’s not pleased, you’ll know it," he told reporters. "Obviously reports are in the news that we’re aware of and we’re looking into, but the president himself said he has confidence, so that’s where we stand today."

Gidley said he hasn't discussed with Trump whether the president saw Pruitt's recent media interviews, including the one on Fox News.

"And the president demands the highest levels of ethical standards for his entire staff, that includes Cabinet, and we expect him to adhere to that," he said.

Politico
https://www.politicopro.com/energy/article/2018/04/pruitt-and-allies-launch-campaign-to-save-his-job-456900
Pruitt and allies launch campaign to save his job
By Emily Holden, Alex Guillen, and Andrew Restuccia, 4/4/18, 5:58 PM

EPA chief Scott Pruitt and his allies in the administration are on a mission to save his job — offering a blitz of interviews to friendly media outlets while separately accusing a former agency staffer of a cascade of damaging leaks.

But the White House made it clear Wednesday that President Donald Trump is not pleased with all the negative headlines surrounding him.

Pruitt's challenges appeared to deepen when White House press secretary Sarah Huckabee Sanders — asked why Trump is "OK" with the leader of the Environmental Protection Agency renting a condo from a lobbyist for $50 a night — responded that "the president's not."

"We're reviewing the situation," she said, adding: "The president thinks that he's done a good job, particularly on the deregulation front. But again, we take this seriously and we're looking into it and we'll let you know when we finish."

An administration official called the White House's view of the Pruitt situation "fluid." The official said Trump is hesitant to make a change at the top of the EPA, which is why he hasn't made a decision yet.

That appeared to complicate Pruitt's defensive strategy, which combines exclusive interviews with Fox News, The Washington Times and other conservative media, supportive statements in the broader press from trusted allies, and deflection that compares his activities and spending with past EPA administrators'. It's all part of a larger campaign from Pruitt and his defenders at the EPA to create a narrative that he's the victim of Washington forces fighting Trump's agenda.

His staff has also taken steps to keep mainstream reporters away from him — declining or ignoring requests from numerous news organizations, including POLITICO, to attend an event at EPA headquarters Tuesday announcing a major rollback of Obama-era car and truck regulations.

After several days of silence about Pruitt's Capitol Hill condo deal, agency discussions of leasing a private plane and unorthodox raises given to political staffers, Pruitt went on defense late Tuesday and Wednesday. He told a columnist at the Washington Examiner that the furor is part of a "toxic" Washington, D.C., atmosphere, spurred by critics who oppose his efforts to roll back regulations.

In an interview Wednesday with Fox News, Trump's favorite news channel, Pruitt likened his condo rental to "an Airbnb situation" and denied knowing about the raises until this week. When Fox's Ed Henry asked him whether the rental contradicted Trump's promise to "drain the swamp," Pruitt bristled: "I don't think that that's even remotely fair to ask that question."

In a live interview Wednesday afternoon with The Washington Times that focused mostly on his usual policy talking points, Pruitt briefly dismissed his personal controversies as a "distraction" and said he was under siege in an agency he described as a "bastion of liberalism."

He made fun of a Washington Post story for inquiring about a weekslong stint in August during which he resided in Oklahoma while he said he was having knee surgery. He joked that next, reporters would start asking what color shoes he preferred.

"We are getting things done and that's what's driving these folks crazy, and I will tell you, the truth and the facts are on our side," he said. "And we're just going to keep pushing and keep telling the story and trusting the American people get it."

Meanwhile, an administration source who supports Pruitt told POLITICO that a recently dismissed EPA political appointee is behind a string of controversial stories about Pruitt that have come to light in recent weeks. The administration source said the former staffer would have had access to key details about Pruitt's travel and living arrangements. But that staffer rejected the accusations when contacted by POLITICO — and suggested that the agency is trying to shift attention to leaks while attacking former employees who have questioned some of Pruitt's decisions.

The former employee and the administration source both requested anonymity to discuss internal deliberations at the agency. POLITICO is declining to identify the former staffer because it could not verify the accusations.

The administration source did not dispute any facts in recent stories on Pruitt's travel expenses or living arrangements, but argued that the coverage is not distracting the EPA chief from his policy wins for the president.

"It's not just been a recent phenomenon we have received some negative press. It's a little more piled on now than in the past," the Pruitt defender said. "We've taken 24 deregulatory actions over his last 14-15 months here. I think we're leading the Cabinet on deregulatory actions."

The latest example came Tuesday with Pruitt's announcement that he would roll back Obama-era auto emissions standards. The announcement — an invite-only broadcast from EPA's headquarters — received wide coverage Tuesday, and Pruitt used his remarks to praise Trump's "tremendous courage" to "put America first."

But Pruitt is clearly still on shaky ground with the White House.

The White House has so far declined to come to Pruitt's defense on the record, despite reports from at least one anonymous administration official that Trump and chief of staff John Kelly reassured the EPA chief in a pair of phone calls earlier this week. Sanders confirmed to POLITICO only that the president and Kelly had spoken to Pruitt, but declined to characterize the substance of the conversations.

The final decision on Pruitt's fate rests with Trump, who has no public events on his schedule Wednesday. Aides expect him to spend a lot of time watching cable news, which could further inflame his frustrations with the negative headlines about Pruitt.

Trump has fired multiple top administration officials in recent weeks, including former Secretary of State Rex Tillerson, national security adviser H.R. McMaster and Veterans Affairs Secretary David Shulkin. While his frustrations with the three men were no secret, the timing of their ousters often surprised even some of his top aides.

One White House official said it remains unclear whether Trump will fire Pruitt, whose allies call him perhaps the most effective Cabinet member in carrying out the president's agenda of dismantling Obama-era regulations. The official added that the final decision could hinge on whether the media uncover more damaging information about him in the coming days.

"Fox and Friends," one of Trump's favorite programs, does not appear to have mentioned Pruitt at all Wednesday morning — a potential bit of good news for the embattled administrator. Trump's trade crackdown and its effect on the stock markets have dominated cable news.

Pruitt first spoke about the condo rental this week with Examiner reporter Paul Bedard for a blog called "Washington Secrets." Pruitt also sat down with The Daily Signal, a conservative website run by The Heritage Foundation.

EPA spokesman Jahan Wilcox pushed back on the idea that the agency was limiting press access to Pruitt, listing a number of outlets EPA invited to the auto emissions announcement, including Bloomberg, CBS, Daily Signal, Detroit

News, Fox, Gray TV, Sacramento Bee, USA Today and The Wall Street Journal. Other outlets showed up unannounced and were welcomed, he said.

Among Pruitt's small cadre of public advocates is David B. Rivkin Jr., an attorney at BakerHostetler who represented Pruitt in his Obama-era lawsuit against EPA's big climate regulation for power plants. He took to NPR on Wednesday to defend Pruitt as a loyal Trump lieutenant.

"This is a man who is absolutely unassuming and austere in his personal habits," Rivkin told NPR. He also dismissed concerns about Pruitt's first-class travel. "The notion that flying these days whether in coach or first class is somehow pleasant, that you do it for personal enjoyment, is just silly," he said.

GOP donor Dan Eberhart, the CEO of oilfield services company Canary, said Pruitt's housing arrangements "seem misguided," but added he would like to see the EPA chief stick around because he's been a "tireless advocate" of Trump's agenda.

"I worry about the level of turnover the administration is experiencing," he added. "Does Trump have the political capital to move yet another Cabinet official through the confirmation process?"

Multiple sources in industry and conservative circles expressed an unwillingness to vouch for Pruitt personally but praised his work.

Josiah Neeley, energy policy director for the free market R Street Institute, called Pruitt "one of the more effective members in the Trump administration," saying that stories about Pruitt don't seem to have distracted from policy work at EPA.

"We try and stay out of the personality stuff pretty across the board," Neeley said. "I think that that is a very good policy these days."

Defenders also argue that Pruitt's bad headlines make for Beltway fodder but have little impact in the rest of the country.

But the news does appear to be breaking through in Pruitt's home state, where the Tulsa World on Wednesday published a cartoon showing Pruitt sitting in the "special seat" on an airplane — an ejection seat.

EPA has also sought to redirect attention on Pruitt's travels.

In recent weeks, before news of his rental broke, EPA had sent reporters from multiple outlets details on travel spending by his Democratic predecessors. Although contrasting such data is difficult because of Pruitt's comparatively short time at EPA, conservative outlets like The Washington Free Beacon presented the data under headlines such as "Obama EPA Administrators Spent Eight Times More Than Pruitt on International Travel." (Obama's EPA administrators were in office for eight years, while Pruitt has been there for just over one — a fact that was downplayed in the Free Beacon's report. And it provided no comparison with Pruitt's expensive, domestic first-class travel, a luxury his predecessors did not routinely take advantage of.)

Ultimately, Pruitt's most important audience is Trump.

And in announcing the rollback of the Obama-era car emissions rules, the EPA administrator made sure to leave room in his brief remarks to heap praise and credit on his boss.

"This president has shown tremendous courage to say to the American people that America is going to be put first," he said at the gathering of industry officials at EPA headquarters. With the auto rule rollbacks, Pruitt said, "the president is again saying America is going to be put first."

Bloomberg
https://www.bloomberg.com/news/articles/2018-04-05/army-of-conservative-allies-rallying-to-save-embattled-epa-chief

Army of Conservative Allies Rallying to Save Embattled EPA Chief
By Jennifer A Dlouhy and Ari Natter, 4/5/18, 4:00 AM

Conservative activists and industry allies are mounting an aggressive campaign to keep Scott Pruitt at the helm of the Environmental Protection Agency as he confronts a storm of ethical allegations that have critics calling for his ouster.

CEOs are calling President Donald Trump to argue against firing the man they see as a champion of deregulation. Senators are warning that getting an equally business-friendly replacement confirmed won't be easy. And aides have been booking him for a series of conservative-media appearances.

"We are very much in support of him and making it known," said Tom Pyle, who heads the American Energy Alliance, an influential free-market advocacy group. "Obviously, he is an ideal administrator."

The unusual campaign aims to overcome Trump's inclination to dispatch top officials with little warning. Other recent departures -- including Secretary of State Rex Tillerson and Veterans Affairs Secretary David Shulkin -- haven't benefited from a similarly coordinated outpouring of external support.

Pruitt's supporters are up against formidable opponents. Environmental groups are stepping up a "boot Pruitt" campaign on Twitter and opposition research. The Sierra Club broadcast an ad on "Fox and Friends," which counts the president among its most loyal viewers.

Booth, Flights, Landlord
The deluge of bad news for Pruitt has been relentless. He was already under fire for installing a secure soundproof booth in his office and for flying first-class on official business. Then came last week's revelations that he rented a Capitol Hill condo on unusually agreeable terms from the wife of a prominent energy lobbyist. This week brought reports that the agency had used an obscure law to award substantial raises to aides over White House's objections.

EPA officials responded by trying to buttress their boss, arranging events that highlight Pruitt's friendliness to business. Other supporters leaked word that Trump -- and his chief of staff, John Kelly -- had telephoned Pruitt to offer support.

On Capitol Hill, Senate Republicans are warning the White House that it would be tough -- if not impossible -- to confirm a replacement. Given bruising confirmation fights expected for Trump's picks to lead the Central Intelligence Agency, Department of Veterans Affairs and the State Department, there isn't much appetite for a fourth, said a senior Republican Senate aide who asked for anonymity to discuss strategy.

"I think he will be forced to nominate someone who is more moderate on the environment or he will get tattooed in the Senate," said Dan Eberhart, chief executive officer of the Colorado-based drilling services company Canary LLC.

Limited-Government Star
Pruitt has emerged as the limited-government star of the Cabinet, methodically working to dismantle environmental restrictions. No Senate-confirmable replacement would work as hard and be as effective an advocate for the president's policy agenda, said Mike McKenna, a Republican energy strategist.

"Because you can't get anyone else through the Senate, you will wind up with the modern-day equivalent of Christine Todd Whitman, who will spend every second of every day trying to obstruct the president's agenda," McKenna said, referring to a former New Jersey governor and moderate Republican who led the EPA under President George W. Bush.

Prominent conservatives are drafting a letter to Trump offering similar dire warnings. And Pruitt defenders are taking the message to business leaders who have Trump's ear -- such as billionaire Oklahoma oil man Harold Hamm and confidant Chris Ruddy, the chief executive of Newsmax.

Supportive executives are being armed with talking points that include the threat that billions of dollars of potential investment could be put in jeopardy by a disruption at the EPA.

David Rivkin. a Washington lawyer, is among the EPA chief's most ardent defenders.

"I've known him for a number of years and worked with him closely," said Rivkin, a partner at the law firm Baker Hostetler LLP who represented the Oklahoma attorney general's office when Pruitt held that post.

Rivkin described Pruitt as a man with an exceptional work ethic and strong faith, and said the criticism directed at him is "driven by hostility toward his agenda."

"He is carrying out the president's policy agenda within the bounds of the law," Rivkin said in an interview, adding that the job Pruitt has done gives him "tremendous strength and staying power." No one else could do it as successfully, Rivkin said.

Pruitt has been making the round of conservative news outlets in hopes of finding a friendly audience -- with mixed results. On Wednesday, the Washington Times interviewed him, with all but five minutes of the 35-minute interview devoted to policy matters, from an obscure biofuel mandate to auto emissions, before there was a question about the current headlines: "Do you believe they are using these issues to try to get rid of you?"

Pruitt labeled the reports as "noise" mounted by detractors angry that the EPA is no longer "a bastion of liberalism" under his watch. "We are getting things done and that's what's driving these folks crazy, and I will tell you the truth, and the facts are on our side."

The media strategy appeared to backfire during a Fox News interview, when Pruitt appeared caught off guard by questions about the effort to increase the salaries of two aides by tens of thousands of dollars. He pleaded ignorance of the matter before an incredulous correspondent and promised "accountability" for whomever was responsible.

It's not clear the broad pro-Pruitt campaign will succeed. The White House is reviewing Pruitt's rental arrangement, Press Secretary Sarah Huckabee Sanders said Wednesday. Trump thinks Pruitt "has done a good job, particularly on the deregulation front," but "we take this seriously and are looking into it," she said.

Trump himself seemed less than convinced of Pruitt's staying power when asked about him before meeting with Baltic leaders Tuesday. "I hope he's going to be great," Trump said.

Pruitt supporters fret that he might not survive if there are any more damaging disclosures.

And environmentalists are working around-the-clock to unearth them. Activists are scouring Pruitt's real estate transactions, records from his time as Oklahoma's attorney general and documentation of his travel for any tantalizing detail.

"The environmental movement in total is all in for the removal of Scott Pruitt," said Lukas Ross, a campaigner with the group Friends of the Earth. "I think you are going to see escalating pressure in the coming days, especially on the Senate side, to get members to commit publicly that Pruitt should be fired."

NPR
https://www.npr.org/2018/04/04/599591486/dogged-by-scandal-epas-pruitt-turns-to-damage-control
Dogged By Scandal, EPA's Pruitt Turns To Damage Control
By Scott Horsley and Jessica Taylor, 4/4/18, 5:47 PM, UPDATED 8:01 PM

The nation's top environmental official kept busy Wednesday trying to clean up his own reputation, while a White House spokeswoman offered only a tepid defense.

EPA Administrator Scott Pruitt gave interviews to Fox News and the Daily Signal in which he defended a controversial housing arrangement and insisted he was unaware that two top aides had been given pay raises over the objection of the White House personnel office.

The efforts at damage control come during a high-profile week for Pruitt, who has led the administration's push to unravel much of the Obama administration's climate agenda.

On Monday, Pruitt announced plans to roll back automotive fuel economy standards, even as he was ducking questions about what appeared to be a sweetheart housing arrangement in an apartment owned by the wife of an energy lobbyist. The deal, first reported by ABC and Bloomberg, allowed Pruitt to live in the apartment for several months last year while paying $50 a night.

Pruitt insists the arrangement was vetted by EPA ethics officials, and the agency produced a memo last week justifying the lease as fair-market rent. Others have questioned that because Pruitt paid only for the nights he was actually in residence. Reps. Don Beyer, D-Va., and Ted Lieu, D-Calif., have asked the agency's inspector general to investigate. Two Republican lawmakers from Florida, Carlos Curbelo (who is running for re-election) and Ileana Ros-Lehtinen (who is retiring from Congress), have joined Beyer in calling for Pruitt's resignation.

White House press secretary Sarah Sanders was asked during Wednesday's press briefing why the president, who campaigned on a promise to "drain the swamp," would be satisfied with a Cabinet member enjoying such a favorable rental arrangement with a lobbyist.

"The president's not," Sanders said. "We're reviewing the situation. When we have had the chance to have a deeper dive on it, we'll let you know the outcomes of that, but we're currently reviewing that here at the White House."

Trump spoke to Pruitt by telephone Monday night, but White House officials declined to describe the details of the call.

"The president thinks he's done a good job, particularly on the deregulation front," Sanders said. "But again, we take this seriously, we're looking into it and we'll let you know when we finish."

In his interview with Fox News, Pruitt maintained there was no conflict of interest, describing it as "an Airbnb situation."

Pruitt is also under scrutiny for pay raises granted to two staffers who previously worked for him in Oklahoma and followed him to the EPA. According to the Atlantic, the White House personnel office vetoed the raises, but they were granted anyway under authority from the Safe Drinking Water Act — a move that also allowed an EPA staffer to skirt limits on former lobbyists.

Speaking on Fox News, Pruitt said he was not involved in granting the pay raises and that he had taken steps to reverse them.

"I found out about this yesterday, and I corrected this action. ... It should not have happened," Pruitt said.

Pruitt was previously a favorite of the president's. The EPA leader has promoted fossil fuel development and encouraged Trump's decision to withdraw the U.S. from the Paris climate accord.

Pruitt, who is skeptical of the scientific consensus surrounding climate change, has felt the heat himself on numerous ethical fronts. Watchdogs have questioned his first-class travel habits, his round-the-clock security detail and his frequent visits to Oklahoma, where he is believed to have further political ambitions.

Pruitt's argument for why he is coming under fire? Because he has been so successful at the EPA.

"Anytime you do transformational things, there are critics and people that come out against you," he also said in his Fox News interview Wednesday.

New York Times
https://www.nytimes.com/2018/04/05/climate/epa-chief-scott-pruitt-pressure.html?hp&action=click&pgtype=Homepage&clickSource=story-heading&module=first-column-region&region=top-news&WT.nav=top-news
Pressure Mounts on Scott Pruitt, E.P.A. Chief, as Top Advisers Eye the Exit
By Coral Davenport and Lisa Friedman, 4/5/18

WASHINGTON — Scott Pruitt, the administrator of the Environmental Protection Agency, is under increased White House scrutiny over his housing and travel arrangements as some of his own senior staff are expressing growing frustration with the public criticism of their boss, according to four people, including an E.P.A. official, who have spoken with the staff members.

Mr. Pruitt has emerged as one of President Trump's top lieutenants as well as a conservative hero for his aggressiveness in loosening or undoing dozens of environmental regulations while weakening many of the agency's clean-air and water-enforcement programs. But the series of ethical questions is threatening both his good standing with the president and driving away some senior staffers.

Samantha Dravis, Mr. Pruitt's top policy adviser, has recently told him she is resigning, according to two E.P.A. officials who spoke on condition of anonymity because the news has not been made public. And his chief of staff, Ryan Jackson, has grown frustrated enough with his boss that he has considered resigning, according to people in whom Mr. Jackson has confided.

Mr. Jackson and Ms. Dravis did not respond to requests for comment.

Both Ms. Dravis and Mr. Jackson are seasoned Washington insiders who have worked for years among the capital's top conservative Republicans and industry lobbyists.

Among the allegations surrounding Mr. Pruitt is that the E.P.A. chief created the appearance of impropriety for an arrangement in which he paid $50 a night for a room in a Capitol Hill apartment that was owned in part by the wife of a top energy lobbyist.

In an interview with Fox News on Wednesday, Mr. Pruitt pushed back on suggestions he had committed an ethical violation by renting the apartment. Asked if renting from the wife of a Washington lobbyist violated Mr. Trump's mantra of "draining the swamp," Mr. Pruitt responded, "I don't think that's even remotely fair to ask that question."

On Wednesday, Sarah Huckabee Sanders, the White House press secretary, was asked whether Mr. Trump was "O.K." with Mr. Pruitt's apartment arrangement. "The president's not," she said. "We're reviewing the situation. When we have had a chance to have a deeper dive on it, we'll let you know the outcomes of that, but we're currently reviewing that here at the White House."

The E.P.A. made public a memo last week from the agency's ethics counsel stating that the price Mr. Pruitt paid for the use of the apartment was reasonable market value. But in a new memo made public on Thursday, the same lawyer concluded that he did not have all the facts available when making that initial assessment.

Walter J. Shaub, a senior ethics official under President Barack Obama, said the original ethics opinion was predicated on the understanding that Mr. Pruitt was leasing only one room, but new reports have surfaced that his daughter, McKenna Pruitt, stayed there while she was a White House Intern.

The Campaign Legal Center, a watchdog group for which Mr. Shaub now works, obtained the memo, which was first reported by CNN.

"If it turns out Pruitt's daughter was allowed to stay in the other room, he had both rooms in the residence. There's a big difference in what you'd pay to stay in a flop house with strangers and what you'd pay to have a place to yourself," Mr. Shaub said in an interview.

On Thursday morning, Hogan Gidley, a White House spokesman, said on Fox News, "I can't speak to the future of Scott Pruitt."

In Mr. Pruitt's interview Wednesday on Fox News, he also denied responsibility for significant pay raises that were given to two staff members and which have subsequently been questioned.

The aides, Sarah Greenwalt and Millan Hupp, had both worked for Mr. Pruitt in Oklahoma, where he served as attorney general before coming to the E.P.A. Ms. Greenwalt's salary was raised to $164,200 from $107,435, while Ms. Hupp's was raised to $114,590 from $86,460.

"My staff did and I found out about that yesterday and I changed it," Mr. Pruitt said. "The officials that were involved in that process should not have done what they did."

A Pruitt Primer

Over the course of Scott Pruitt's first year as E.P.A. administrator, there have been a series of questions raised about his practices and management of the agency. Here is a primer:

Housing

During the first half of 2017, the E.P.A. chief paid $50 a night for a room in a Capitol Hill apartment that was owned in part by the wife of a top energy lobbyist.

A chorus of lawmakers, mostly Democrats, are demanding an investigation of Mr. Pruitt's living arrangements, and at least one Republican, Representative Carlos Curbelo of Florida, has called for Mr. Pruitt to step down.

The E.P.A. made public a memo from the agency's ethics counsel stating that the price Mr. Pruitt paid was reasonable market value, and in an interview with a columnist for The Washington Examiner, Mr. Pruitt said he was under attack because he was implementing Mr. Trump's agenda. The E.P.A. ethics counsel, however, has since revised his view and suggested that he didn't have all the facts available to him when making the initial assessment.

Travel

Mr. Pruitt remains under fire for first-class and business-class travel.

Records obtained by the Environmental Integrity Project and reviewed by The New York Times showed that two weeks of travel in June for the administrator and his aides cost taxpayers more than $120,000. The House Oversight and Government Reform Committee is reviewing Mr. Pruitt's travel, as is the E.P.A.'s inspector general.

On Tuesday, Senator Sheldon Whitehouse, Democrat of Rhode Island, wrote to Mr. Pruitt asking him to explain a $40,000 five-day trip to Morocco with staff in December. Mr. Whitehouse cited the administrator's calendar for the trip, which showed one full workday and two other days with one hourlong meeting each.

The E.P.A. did not respond to a request for comment.

Raises
Amid the scrutiny of Mr. Pruitt's travel and personal finances, other issues are brewing inside the agency.

The Atlantic published an article this week showing that the administrator bypassed the usual White House procedures to give political appointees substantial raises. The aides, Sarah Greenwalt and Millan Hupp, had both worked for Mr. Pruitt in Oklahoma, where he served as attorney general before coming to the E.P.A. Ms. Greenwalt's salary was raised to $164,200 from $107,435, while Ms. Hupp's was raised to $114,590 from $86,460.

Citing anonymous sources, the article outlines how Mr. Pruitt reappointed the aides with higher salaries under a provision of the Safe Drinking Water Act after the White House did not approve the raises. The E.P.A. did not dispute the story.

Washington Examiner
https://www.washingtonexaminer.com/washington-secrets/rush-limbaugh-ted-cruz-back-scott-pruitt-single-biggest-target-of-left
Rush Limbaugh, Ted Cruz back Scott Pruitt, 'single biggest target of left'
By Paul Bedard, 4/5/18, 1:16 PM

Conservatives, led by top talker Rush Limbaugh and Sen. Ted Cruz, went on offense Thursday for embattled EPA Administrator Scott Pruitt, charging that he is being targeted by liberals because he is pulling back the overreach of Obama-era environmental rules.

"You know there's an old saying," said Limbaugh, opening his daily three hour show. "When you're taking a lot of flak, you must be over the target. Well I think Scott Pruitt is over the target," he said.

"He's basically just taking a knife and whacking things from the EPA that were implemented during the eight years of Obama and he has become, outside of Trump, the single biggest target of the left," added Limbaugh.

Cruz, in a tweet, called Pruitt's critics "Obama groupies."

Pruitt has come under fire for his travel and housing arrangements, and some reports have suggested that President Trump is not happy with the controversy. Other reports, though, said that Trump has called Pruitt to offer support.

In a Secrets interview this week, Pruitt said that he is the target of the left and that critics are seizing on his travel and lease to rent a room temporarily in a lobbyist-friend's house.

"There are people that have long in this town done business a different way and this agency has been the poster child of it. And so do I think that because we are leading on this agenda that there are some who want to keep that from happening? Absolutely. And do I think that they will resort to anything to achieve that? Yes," he told us.

"It's toxic here in that regard," said Pruitt, one of a handful of President's Trump's agency heads who is scoring wins on his pro-jobs, anti-regulatory campaign.

Limbaugh's support was full throated. He said that the liberal "deep state" was leading the attack.

"Scott Pruitt is himself unraveling a whole lot of regulations that Obama's EPA implemented," said the top conservative radio host.

Other conservatives, notably Tea Party Patriots head Jenny Beth Martin, and several major groups, including Heritage Action, the Club for Growth, and Americans for Prosperity have also backed Pruitt this week, especially after he stalled the Obama plan to dramatically raise car gas mileage.

Washington Times
https://www.washingtontimes.com/news/2018/apr/4/scott-pruitt-says-implementing-trump-agenda-epa-ha/
EPA's Scott Pruitt says progress on Trump agenda at 'bastion of liberalism' behind attacks
By Ben Wolfgang, 4/4/18

Embattled Environmental Protection Agency Administrator Scott Pruitt fired back at critics Wednesday and said controversies over his travel and living accommodations are being used as weapons to distract from the progress he has made implementing President Trump's agenda.

"I think it's a focus of distraction. I think it's noise. It's been noisy and competitive since Day One, because this agency has been a bastion of liberalism since Day One," Mr. Pruitt told the "Mack On Politics" podcast at The Washington Times.

"As we are making progress there and also reducing the regulatory burden, it is infuriating to those that have dominated and controlled the agency for years," he said.

"Focus on results. Keep your head down, stay focused, and I have to tell myself that today," he said. "We are getting things done, and that's what's driving these folks crazy, and I will tell you the truth, and the facts are on our side."

Mr. Pruitt has come under increasing pressure to resign — including calls from two House Republicans this week — amid revelations that he rented a $50-per-night condo room from the wife of a prominent oil industry lobbyist, and for his use of first-class flights and a private taxpayer-funded security detail for personal family vacations.

He also has faced criticism for sidestepping the White House and pushing for raises for two top aides — though he denied knowing about those raises until news broke this week.

The EPA chief appeared confident in his future during his interview with The Times, but White House press secretary Sarah Huckabee Sanders said Mr. Trump is not OK with Mr. Pruitt's reported condo deal and that the situation is being examined.

"We're currently reviewing that here at the White House," she told reporters. "The president thinks he's done a good job, particularly on the deregulation front, but again, we take this seriously."

Indeed, Mr. Pruitt has by all accounts been one of the most successful members of the Trump Cabinet. He has undone the Clean Power Plan, Waters of the U.S. rule, and other major pieces of environmental regulation undertaken by the Obama administration. He was also one of the loudest voices pushing Mr. Trump to pull out of the Paris climate accord, and his side of the debate ultimately won out when the president scrapped the deal in June.

Just this week, Mr. Pruitt announced that the EPA would nullify the Obama administration's update to the fuel efficiency program known as Corporate Average Fuel Economy, or CAFE standards, axing the requirement that car and light truck fleets average 54.5 miles per gallon by 2025.

"What has happened over the years as these CAFE standards have been instituted, they've been instituted to try to coerce … people into buying vehicles they don't want to buy," he said. "We're going to get it right."

But even amid the policy movement he has made in a little over 12 months since his confirmation, Mr. Pruitt's opponents on Capitol Hill and in the environmental movement have zeroed in on his ethical controversies in an effort to push him out.

More than dozen members of the House, including Carlos Curbelo and Ileana Ros-Lehtinen, both Florida Republicans, have said he should resign.

A coalition of 13 environmental and liberal groups this week also have ramped up calls for Mr. Pruitt to step aside.

"The scandals surrounding Scott Pruitt are a pressure cooker waiting to burst," said Sara Chieffo, vice president for government affairs at the League for Conservation Voters. "His D.C.-lobbyist power-couple landlords aside, any other Cabinet official would be shown the door for going around the White House's back to give exorbitant raises to two top aides that the president had previously declined. Scott Pruitt's days running the EPA should be numbered. But if he does manage to survive, that's dark evidence of how deep in industry's pocket this administration truly is."

On the housing question, Mr. Pruitt rented the condo at well below market value for about six months from Vicki Hart, the wife of Steven Hart, a lobbyist who advocates for Exxon Mobil and other powerful companies in the oil and gas industry.

That arrangement has led to questions about whether he got the deal in exchange for favorable treatment of the oil sector. Indeed, Mr. Pruitt has taken a host of deregulatory actions that the oil industry had sought.

But the EPA chief stressed that the agency's ethics office reviewed and signed off on the deal and that it was simply a temporary situation as he moved from Oklahoma to Washington.

"I was living out of a suitcase," he said. "And I literally had access to one room in a unit. … It was like an Airbnb situation, where I paid for it when I was there, I paid for the small space I had, everything else was common area access."

Inside the EPA, Mr. Pruitt said, there are officials more sympathetic to the Obama-era view of the energy sector and of environmental protection, which he said focuses more on the "prohibition" of fossil fuels than on tackling real issues such as lead contamination in water.

"There are individuals — their worldview on these matters are different, and that can cause delay, and I've had to push through," he said. "Prohibition is never what we've been as a country. … Our goal should be stewardship, not prohibition. I believe to whom much is given, much is required."

Daily Caller
http://dailycaller.com/2018/04/05/pruitt-no-dc-housing-for-a-month/
Pruitt Went A Month Without A Place To Live In DC
By Tim Pearce, 4/5/18, 11:32 AM

Environmental Protection Agency (EPA) Administrator Scott Pruitt went without a Washington, D.C., residence for roughly a month in 2017 after moving out of a $50-a-night rental bedroom, The Washington Post reports.

Pruitt ended his contract with Vicki Hart, a health care lobbyist and wife of top energy lobbyist J. Steven Hart, on Aug. 4. Pruitt moved into his second D.C. residence on Sept. 5, leasing an apartment in a newly constructed complex that took its first residents Aug. 29.

Throughout the month of August, Pruitt spent little to no time in the nation's capital. He traveled extensively, visiting officials across five states. He also took an extended vacation to recover from knee surgery at his home in Oklahoma. Pruitt still received regular briefings from his staff during that time, according to WaPo.

Pruitt allegedly asked his staff to schedule his travels in early August and informed them he would be out of D.C. for most of the month.

During this trip, Pruitt took a couple of charter flights across his home state that drew scrutiny. Pruitt booked a private plane to transport him from his hometown of Tulsa to a small farming community 330 miles away, then from there to Oklahoma City to meet with reporters and state officials. The EPA justified the expense saying Pruitt's schedule did not allow for what would have been about nine-and-a-half hours driving between the three locations.

For nearly a week, Pruitt and the EPA have been dealing with backlash over recent revelations that the administrator rented a bedroom from Washington lobbyists at a below market value.

Pruitt has dismissed the criticism as partisan sniping and driven by opponents who disagree with him rolling back Obama-era environmental regulations.

"This agency has been a bastion of liberalism since day one," Pruitt told The Washington Times. "As we are making progress there and also reducing the regulatory burden, it is infuriating to those that have dominated and controlled the agency for years."

The controversy prompted a White House review of Pruitt's rental deal.

"The President thinks he is doing a good job, particularly on the deregulation front. But again, we take this seriously and we are looking into it," White House Press Secretary Sarah Huckabee Sanders told reporters Wednesday.

Washington Post
https://www.washingtonpost.com/news/energy-environment/wp/2018/04/04/after-leaving-50-a-night-rental-epas-scott-pruitt-had-no-fixed-d-c-address-for-a-month/?utm_term=.e7dc788a2e8b
After leaving $50-a-night rental, EPA's Scott Pruitt had no fixed D.C. address for a month
By Juliet Eilperin and Brady Dennis, 4/4/18, 6:16 PM

After moving out of the Capitol Hill condo apartment he rented for $50 a night last summer, Environmental Protection Agency Administrator Scott Pruitt appears to not have maintained a Washington residence for a month, instead traveling extensively for work and remaining for weeks at his Tulsa home.

Pruitt ended his housing arrangement with lobbyist Vicki Hart on Aug. 4. At that point, he already had embarked on a more than week-long trip across five states to visit with elected officials and farmers about the Trump administration's deregulatory agenda, with a weekend at home in Tulsa along the way.

He then took an extended vacation, according to agency records, during which time officials said that he underwent knee surgery and recuperated at home while receiving staff briefings. After another round of meetings in Oklahoma and a visit to Texas to survey the damage from Hurricane Harvey, Pruitt returned to EPA headquarters Sept. 5, according to

his public calendars. Members of his round-the-clock security detail remained with him while he was away from Washington.

While EPA has declined to disclose when the administrator began renting his second Washington apartment in the U Street area, the new building was under construction much of the summer, and no residents moved into the complex before Aug. 29, according to the property.

Multiple agency employees, who spoke on the condition of anonymity to discuss internal deliberations, said Pruitt had instructed his staff to arrange the extensive travel schedule during early August. Another individual involved in his housing search said Pruitt continued to consider different rental options and made clear he would be away much of the month.

Since he took office 14 months ago, EPA has not divulged much in advance about Pruitt's schedule or his whereabouts when traveling on government business.

A statement Wednesday from agency spokesman Jahan Wilcox noted Pruitt's surgery in Tulsa last August and said he "remained there for recovery. During that time he had a number of staff briefings."

In an interview Wednesday with The Washington Times, Pruitt complained about The Washington Post's inquiry about his living situation eight months ago, saying it was an example of "how crazy" the scrutiny surrounding him has become.

"It was during recess, while the president was in Mar-a-Lago, etcetera. And so I scheduled this [surgery]. I had complications. I had physical therapy," he said. "The next thing ... is going to be, 'Do you like brown shoes or black shoes?' So, it gets frustrating."

Pruitt dismissed the recent attention on his ethics decisions as "a distraction" from critics trying to undermine the effective job he has done rolling back Obama-era regulations. "It's been noisy and competitive since day one, because this agency has been a bastion of liberalism since day one."

His travel plans also had included a 10-day trip to Australia that was slated to begin Aug. 31, but it was canceled after Hurricane Harvey struck the Gulf Coast. "The official trip to Australia was canceled as soon as Hurricane Harvey hit the U.S., and the administrator instead traveled to Texas for hurricane briefings and EPA responsiveness," Wilcox added.

Pruitt's decision not to maintain a fixed address in the city where he was leading a major federal agency underscores how he has operated during his tenure — crisscrossing the country and parts of the world to tout the president's agenda but regularly returning to Oklahoma, often at taxpayer expense.

In recent weeks, Pruitt has been dogged by revelations that he took dozens of first-class flights during his government travels, which EPA officials have argued was necessary due to security concerns, as well as by the disclosure of a housing agreement he struck during his early months in Washington with the wife of a lobbyist he knew from Oklahoma. Under that arrangement, Pruitt paid for a room in the condo a block from the Capitol but only paid for the nights he stayed. Both his living and travel arrangements have drawn inquiries from lawmakers and government investigators.

"We're reviewing the situation," White House spokeswoman Sarah Huckabee Sanders said Wednesday when asked about the controversies surrounding Pruitt. "The president thinks that he's done a good job, particularly on the deregulation front. But again, we take this seriously, and we're looking into it. And we'll let you know when we finish."

Environmental Integrity Project Executive Director Eric Schaeffer said Pruitt's month away from Washington last August raises additional cost and transparency questions.

"Since Mr. Pruitt has insisted on round-the-clock protection, every day he spends in Oklahoma means taxpayers are covering hotel and food bills for his security detail," Schaeffer said. "EPA needs to come clean and give us a full

accounting of where Mr. Pruitt was, how his time was spent and how much it cost for him to operate out of Tulsa instead of the office of the agency he heads."

Pruitt has given interviews in the past 24 hours to several conservative media outlets, arguing that he has come under fire for his housing and travel logistics by people who oppose the president's policies.

"Do I think that because we are leading on this agenda that there are some who want to keep that from happening?" he told the Washington Examiner on Tuesday. "Absolutely. And do I think that they will resort to anything to achieve that? Yes."

Referring to his rental arrangement with Vicki Hart, Pruitt said he "was living out of a suitcase for the first four or five months I was here." He said he had known her husband, J. Steven Hart, whose law firm lobbies on energy as well as other matters, long before moving to Washington.

"I'm dumbfounded that that's controversial," Pruitt said of the condo rental.

In an interview with Fox News on Wednesday, Pruitt elaborated on the arrangement. "This was like an Airbnb situation. … When I was not there, the landlord, they had access to the entirety of the facility," he said. "When I was there, I only had access to a room."

He also told Fox he had learned Tuesday that his senior counsel, Sarah Greenwalt, and his director of scheduling and advance, Millan Hupp, had gotten raises in March of 52 percent and 33 percent respectively. Hupp had overseen Pruitt's housing hunt last year. Her and Greenwalt's pay increases went through after the two were reappointed under an obscure provision of the Safe Drinking Water Act.

"I found out this yesterday, and I corrected the action, and we are in the process of finding out how it took place and correcting that going forward," Pruitt said.

"So, hang on. Both of these staffers who got these large pay raises are friends of yours. I believe from Oklahoma, right?" Fox's Ed Henry asked.

"They are staffers here in the agency," Pruitt replied.

"They are friends of yours," Henry said.

"Well, they serve a very important person," Pruitt replied.

"And you did not know that they got these large pay raises?" Henry asked.

"I did not know that they got pay raises until yesterday," Pruitt said.

The Hill
http://thehill.com/opinion/energy-environment/381638-pruitt-has-always-been-a-weak-link-on-trumps-team
Pruitt has always been a weak link on Trump's team (*Op-Ed)
By Jeremy Symons, 4/4/18, 3:15 PM

In Washington, it's hard to have a week as bad as EPA Administrator Scott Pruitt. And for the town that inspired "House of Cards," that says a lot. Of the many news stories questioning his ethics and shifting explanations, the most notable revelation was that he has literally been sleeping in the bed of industry lobbyists, with a sweetheart condo deal of $50

per night for him and his family in the expensive heart of Capitol Hill. Even Republicans are ditching him, with two GOP members of Congress calling for his ouster, and Republican strategist Steve Schmidt tweeted that Pruitt is "a grifter and an ethical superfund site."

White House reporters note that it is hard to find anyone to defend Pruitt. When asked about his confidence in Pruitt, Trump responded "I hope he is going to be great," which sounds like the words of encouragement you give your kids before a game despite knowing they are about to get squashed.

Some, however, speculate that he is protected because he is doing exactly what the president wants him to do. Is that true? Probably not.

Pruitt has consistently been the weakest member of Trump's cabinet where it matters most to Trump: public opinion. According to March polling by Gallup, public views of Trump's handling of the environment is underwater at just 31 percent approval, well below Trump's overall approval rating of 39 percent. Why? Because Scott Pruitt is tone deaf to the views of the vast majority of Americans who favor strong public health protections and understand that environmental protection and economic growth can go hand in hand.

Former governor Chris Christie got it right when he declared on ABC's "This Week" Sunday that Pruitt "should never have been there in the first place." Prior to his nomination, Pruitt has seemingly built his public service career to benefit energy lobbyists who regularly contributed to his political ambitions and first-class lifestyle.

When it comes to Pruitt's inherent weaknesses, alarm bells should have rung at the White House in April, 2017, when he was attacked on Breitbart, whose White House stock was still high at the time. James Delingpole, a Breitbart writer and cheerleader of Trump's EPA agenda, criticized Pruitt for getting "eaten alive" by Chris Wallace on Fox News Sunday as Wallace pressed him about public health and climate change. Pruitt "can't even answer a few basic and obvious questions," wrote Delingpole. "It's an embarrassment and a shambles. Worst of all, it's an entirely needless concession to the enemy."

In the coming months, Pruitt successfully lobbied Trump to withdraw from the Paris climate accord. Pruitt sold the White House on an economic message that simply never reverberated with voters. When the dust settled from Pruitt's media tour, only 28 percent of voters supported Trump's decision. To avoid further unforced errors from Pruitt, the White House later shut down his "red team versus blue team" proposal to challenge whether fossil fuel pollution is the driving force behind climate change.

Pruitt's weakness extends beyond public opinion. Congress firmly rejected Pruitt's effort to sell Trump's massive budget cuts to EPA. In fact, they increased funding to EPA in the recent budget deal.

Pruitt is a consistent loser in the courts, which may seem odd given his experience as attorney general for Oklahoma. But at the time of his nomination, Pruitt had lost six of the seven lawsuits he filed against EPA that had been ruled on by the courts. Lisa Heinzerling, Professor of Law at Georgetown University, writes that Pruitt's repeated losses on attempts to reverse or delay rules on lead paint, methane emissions from oil and gas facilities, and other matters are the result of "elementary legal mistakes." Pruitt has eagerly pursued his anti-regulatory agenda by press release rather than sound legal and analytical work, leaving most of his actions vulnerable to court reversal whether he stays or go.

If Pruitt thinks he is protected because he is doing Trump's bidding, it is only because he lacks self-awareness of the problems his weakness causes the White House. To underscore the degree to which Pruitt operates in a sound-proofed bubble, he responded to this week's news by saying he is "dumbfounded" that renting a condo from top energy lobbyists is controversial.

Whether Pruitt stays or goes is anyone's guess, but the long-term prospects are dim for Pruitt. The mid-term elections loom, bringing with them the potential for long-overdue congressional oversight. In the meantime, as the White House frets, Pruitt has become the main meal for political pundits and media that devour weakness in Washington.

Jeremy Symons is vice president for political affairs at the Environmental Defense Fund in Washington, DC. He served as an advisor on climate change and energy policy at the U.S. Environmental Protection Agency during the Clinton and George W. Bush administrations.

New York Times
https://www.nytimes.com/2018/04/04/climate/scott-pruitt-condo-travel.html?rref=collection%2Ftimestopic%2FEnvironmental%20Protection%20Agency&action=click&contentCollection=timestopics&region=stream&module=stream_unit&version=latest&contentPlacement=1&pgtype=collection
A Trip to Morocco. A Condo Rental. Here's Why Scott Pruitt Is Under Fire.
By Lisa Friedman, 4/4/18

This week, we're tracking the ethics issues surrounding the chief of the Environmental Protection Agency. And we're thanking our newsletter subscribers — all 100,000 of them.

Scott Pruitt, the head of the Environmental Protection Agency, made a big announcement this week: The E.P.A. will reconsider, and most likely roll back, Obama-era automobile standards for greenhouse gas emissions and fuel efficiency. The decision goes beyond what even the automakers had asked for, and sets up a showdown with California over air pollution rules.

But headlines in recent days have focused on Mr. Pruitt himself as he faces a growing list of potential ethics scandals. It can be hard to follow every development, so let us catch you up on some of the biggest ones dogging Mr. Pruitt this week.

Travel: Mr. Pruitt is still under fire for extensive first-class and business-class travel. Records obtained by the Environmental Integrity Project and reviewed by The New York Times showed that two weeks of travel in June for the administrator and his aides cost taxpayers more than $120,000. The House Oversight and Government Reform Committee is reviewing Mr. Pruitt's travel, as is the E.P.A.'s inspector general. On Tuesday Senator Sheldon Whitehouse, Democrat of Rhode Island, wrote to Mr. Pruitt asking him to explain a $40,000 five-day trip to Morocco with staff in December. Mr. Whitehouse cited the administrator's calendar for the trip, which showed one full workday and two other days with one hourlong meeting each. The E.P.A. did not respond to a request for comment.

Housing: If you're looking for a $50-per-night room near the United States Capitol, you'd better be ready to sleep in a bunk bed or on a floor mattress. That is, unless you're Mr. Pruitt. That's the price the E.P.A. chief paid during the first half of 2017 for a room in a Capitol Hill apartment that was owned in part by the wife of a top energy lobbyist. A chorus of lawmakers, mostly Democrats, are demanding an investigation of Mr. Pruitt's living arrangements, and at least one Republican, Representative Carlos Curbelo of Florida, called for Mr. Pruitt to step down. The E.P.A. released a memo from the agency's ethics counsel stating that the price Mr. Pruitt paid was reasonable market value, and in an interview with a columnist for The Washington Examiner, Mr. Pruitt said he was under attack because he was implementing President Trump's agenda.

Raises: Amid all the scrutiny of Mr. Pruitt's travel and personal finances, other issues are brewing inside the agency. The Atlantic broke a story Tuesday showing that the administrator bypassed the usual White House procedures to give political appointees substantial raises. The aides, Sarah Greenwalt and Millan Hupp, had both worked for Mr. Pruitt in Oklahoma, where he served as attorney general before coming to the E.P.A. Ms. Greenwalt's salary was raised to $164,200 from $107,435, while Ms. Hupp's was raised to $114,590 from $86,460. Citing anonymous sources, the article outlines how Mr. Pruitt reappointed the aides with higher salaries under a provision of the Safe Drinking Water Act after the White House did not approve the raises. The E.P.A. did not dispute the story.

On Wednesday, Sarah Huckabee Sanders, the White House press secretary, was asked whether Mr. Trump was "O.K." with Mr. Pruitt's apartment arrangement. "The president's not," she said. "We're reviewing the situation. When we have had a chance to have a deeper dive on it, we'll let you know the outcomes of that, but we're currently reviewing that here at the White House."

Washington Examiner
https://www.washingtonexaminer.com/policy/energy/pruitts-condo-lease-initially-listed-energy-lobbyist-as-landlord
Scott Pruitt's condo lease initially listed energy lobbyist as landlord
By Josh Siegel, 4/5/18, 2:07 PM

Environmental Protection Agency Administrator Scott Pruitt's condo lease with an energy lobbyist originally included the name of the lobbyist, J. Steven Hart, as the landlord, even though he doesn't own the condo.

J. Steven Hart's wife, Vicki Hart, owns the condo.

But, on Pruitt's lease, which the Washington Examiner obtained, J. Steven Hart's name was originally typed as "landlord" but was scratched out. The name of his wife, Vicki Hart, was scribbled over his name in pen.

Asked why J. Steven Hart's name was crossed off retroactively from the lease, EPA spokesman Jahan Wilcox told the Washington Examiner: "As we have always said, Vicki Hart is the sole owner of this unit."

Vicki Hart is also lobbyist, but she does work for the healthcare industry and does no lobbying before the EPA, her husband said.

J. Steven Hart, however, is the CEO of Williams and Jensen. His firm has clients with businesses relevant to the EPA's regulatory efforts, including Cheniere Energy and Exxon Mobil. Cheniere is the largest natural gas exporter in the U.S.

Pruitt's EPA granted a favorable ruling to a pipeline company represented by J. Steven Hart's company.

Hart also donated to Pruitt's campaigns to be attorney general of Oklahoma, according to campaign finance records.

He recently told the Washington Post that he "had no lobbying contact with EPA in 2017 or 2018" and referred to Pruitt as a "casual friend."

In recent interviews, however, Pruitt has said he has known Hart for years.

Federal ethics rules say government officials must be impartial when making regulatory decisions. Pruitt signed an ethics pledge when joining the Trump administration promising not to accept gifts from lobbyists.

The top ethics official of the EPA, Kevin Minoli, said Wednesday he did not have all the facts when he ruled that the lease agreement reflected fair market value and did not violate federal gift rules.

Pruitt, from late February to early August of last year, paid $50 per night for a single bedroom in the Capitol Hill condo. He was charged only for the nights he stayed there.

Minoli said he did not evaluate J. Steven Hart's business interests, or his firm's, when making his determination that the condo was fair and not a gift.

In other words, he did not consider whether renting from the wife of an energy lobbyist would violate ethics rules.

Pruitt on Wednesday denied J. Steven Hart had business before the EPA.

"Mr. Hart has no clients that had business before this agency," Pruitt told Fox News.

The White House and the EPA's inspector general are both investigating the condo lease.

Politico
https://www.politicopro.com/energy/whiteboard/2018/04/epa-inspector-general-investigating-pruitt-rental-955074
EPA inspector general investigating Pruitt rental
By Alex Guillen, 4/5/18, 9:04 AM

EPA's inspector general is reviewing Administrator Scott Pruitt's $50-a-night lease agreement, a spokesman confirmed today.

Democrats from the House and Senate this week called on the IG to review Pruitt's rental of a room in a condo co-owned by the wife of a lobbyist with energy clients.

This is at least the fourth IG investigation into Pruitt's specific activities at EPA. The IG is also investigating his travel, his use of a special Safe Drinking Water Act hiring authority and his spending on a soundproof phone booth for his office.

WHAT'S NEXT: It is unclear how long the investigation will require. IG probes often take months to complete.

ABC News
http://abcnews.go.com/Politics/pruitts-epa-paid-busted-condo-door-congresswoman/story?id=54244645
Pruitt's EPA should not have paid for busted condo door, congresswoman says
By Benjamin Siegel, 4/5/18, 6:02 AM

Rep. Betty McCollum has a strong opinion about the Environmental Protection Agency's decision to reimburse the owners of Administrator Scott Pruitt's rented Capitol Hill condo for the cost of a busted door -- and not just because she sits on the subcommittee that looks over the EPA's budget.

McCollum, a Minnesota Democrat, owns a condo downstairs and was on hand when Pruitt's protective detail broke down the door because they could not reach him -- an episode that occurred a year ago, but only came to light in an ABC News report last week.

"I know that Congress appropriates money for the EPA to protect human health and the environment -- not for repairs to the administrator's residence," McCollum wrote in a letter to the EPA this week demanding answers.

McCollum asked Pruitt if he has reimbursed the agency for the door broken down by his security detail at his condo last year. The repairs cost $2,460, according to sources familiar with the payment EPA made to a Capitol Hill condo association.

Pruitt was renting a room at the time for $50 per night from the wife of a veteran Washington lobbyist, J. Steven Hart, with energy company clients, ABC News reported last week. Pruitt has defended the arrangement in interviews this week, saying it was blessed by EPA ethics officials. Hart said in a statement said he did not lobby the EPA in 2017 or 2018.

McCollum said she wants to know more about the reimbursement and is asking the EPA to specify which funds in the agency's budget were used to fix the door.

She was at home on March 29, 2017, when Pruitt's security guards, concerned that the administrator was unresponsive, summoned Capitol Police to the scene. When McCollum was unable to help them find a key to access Pruitt's unit, local law enforcement called by Pruitt's detail and Capitol Police broke down the door the condo.

Pruitt was inside, where he had been taking a nap, two sources tell ABC News.

"The American people deserve to know if and why their tax dollars have been spent repairing damage to your residence caused by your failure to respond to your security detail in a timely matter," McCollum wrote.

EPA spokesman Jahan Wilcox told ABC News the agency "will respond to Congresswoman McCollum through the proper channel."

E&E Greenwire
https://www.eenews.net/greenwire/stories/1060078275/search?keyword=EPA
EPA walks back Pruitt statement on executive order
By Sean Reilly, 4/5/18

During a stop on embattled U.S. EPA Administrator Scott Pruitt's tour of conservative-leaning media outlets, Pruitt yesterday appeared to break some big news at the end of a Washington Times podcast interview.

"On Friday, we've got an executive order on additional changes on the NAAQS program," he said, using a common acronym for the National Ambient Air Quality Standards, a cornerstone of the Clean Air Act.

But in response to inquiries from E&E News, EPA spokeswoman Liz Bowman said today that Pruitt's statement was "incorrect" and referred other questions to the White House.

Bowman declined to address a follow-up query asking why Pruitt had made the statement. A White House spokeswoman did not respond to questions on whether a NAAQS-related executive order is in fact in the works, but The Washington Post cited an unnamed administration official as saying that a presidential event scheduled for tomorrow to herald a change in the air quality standards had been scrapped. The newspaper suggested that the cancellation was related to a "deluge" of news about Pruitt's financial dealings.

The standards apply to ozone, particulate matter and four other criteria pollutants listed in the Clean Air Act. Under the statute, EPA is supposed to review those benchmarks every five years to determine whether any changes are warranted in light of the latest scientific evidence on their health and environmental effects.

Business groups have cited those lapses as grounds for stretching out the review timetable to once every decade.

A House-passed bill, H.R. 806, sponsored by Rep. Pete Olson (R-Texas), would make that change, as well as delay implementation of EPA's 2015 ozone standard until 2025. An Olson spokeswoman said today that she had no

information on an upcoming executive order. The bill, which is strongly opposed by Democratic lawmakers and environmental groups, is seen as having little chance of passing the Senate.

BNA
http://esweb.bna.com/eslw/display/no_alpha.adp?mode=si&frag_id=131211279&item=408&prod=deln&cat=AGENCY
EPA Water Permitting Decisions Now Flow Through Pruitt
By David Schultz, 4/5/18

EPA Administrator Scott Pruitt has wrested authority over water pollution permitting decisions from the agency's regional offices, according to internal documents posted April 4 by a federal employee advocacy group.

All decisions on whether waterways are protected by the Clean Water Act, or whether to approve a project to dredge or fill a waterway, must now go through Pruitt's office.

Pruitt outlined this change in a March 30 memo to the Environmental Protection Agency's Office of Water and to its regional offices, which was then posted online by the group Public Employees for Environmental Responsibility.

Under Pruitt, the EPA is rewriting an Obama-era rule that redefined which waterways are covered by the landmark water pollution law. Pruitt said in the memo that, until this rewrite concludes, he will get the final say on whether a project requires a water pollution permit.

Liz Bowman, a spokeswoman for the agency, said the memo is meant to ensure that decisions on whether a body of water is covered by the Clean Water Act are "handled in a consistent and uniform manner, particularly during the [rewrite]."

"Regions will absolutely be involved in the process," Bowman added in an email to Bloomberg Environment.

The Hill
http://thehill.com/opinion/white-house/381687-scott-pruitt-does-his-part-to-help-donald-trump-drain-the-swamp
Scott Pruitt does his part to help Donald Trump drain the swamp (*Op-Ed)
By Jenny Beth Martin, 4/5/18, 7:00 AM

President Trump's unexpected victory in 2016 was in no small part due to his promise to "drain the swamp" in Washington. And among members of the White House Cabinet, no agency head has done more to follow the president's lead in draining the swamp than Scott Pruitt, who leads the Environmental Protection Agency. Make no mistake, that's why the left and its allies in the media are working overtime to smear him.

They know he's being effective — perhaps the most effective member of Trump's Cabinet when it comes to actually translating rhetoric into reality — and they know they cannot stop him, so in typical swamp fashion, they are intent on destroying him. After eight years under President Obama, Americans were fed up with being ordered around by liberal elites in a distant capital city, and by bureaucrats who put in place job-killing regulations and pushed policies that steadily reduced the number of Americans looking for work year after year, all while calling it "progress."

President Trump has reversed that. He has led the way on draining the swamp, with a White House directive to agencies to cut two regulations for every new regulation proposed, with tax reforms that simplify the tax code and allow

Americans to keep more of their hard-earned paychecks, and with decisions like the one he made to remove the United States from the unfair and ineffective Paris climate accord.

At the EPA, one of the very worst of the alphabet soup bureaucratic fiefdoms that make up the swamp, Pruitt took charge and immediately focused on returning the agency to its stated goals of improving air quality, shoring up our water infrastructure, and cleaning up contaminated areas. This was a huge change after the Obama administration, which used the EPA to issue volumes of job-killing regulations to mollify environmental extremists. Among its most egregious efforts, it utilized "sue and settle" practices to abuse legal limits on rulemaking and reward ideological allies.

In his first year in charge of the EPA, Pruitt finalized more than 20 deregulatory actions, saving taxpayers more than $1 billion in regulatory costs. He also ended the "sue and settle" practices. The agency is rescinding and replacing the ridiculous and onerous "Waters of the United States" rule, and acting on President Trump's order to review and overturn the Obama administration's so-called "Clean Power Plan."

Delivering these results has put a "yuge" target on Pruitt's back. The environmental left, liberal bureaucrats and academics, and their allies in the media have been relentlessly attacking him in what appears to be a coordinated media assault, but he won't back down and he won't be intimidated. This year, Pruitt is ensuring the EPA adheres to the rule of law and continues to remove burdensome regulations that are harming workers and consumers. Just this week, the EPA announced its decision not to move forward with the Obama administration's anti-consumer fuel efficiency standards, which could have harmed consumers by artificially driving up the price of American cars and trucks.

Likewise, in a huge blow to the environmental left, Pruitt has announced the agency will end the use of "secret science" — data that is not subject to public scrutiny — in crafting new rules for the agency. In a recent interview, Pruitt said, "We need to make sure their data and methodology are published as part of the record. Otherwise, it's not transparent. It's not objectively measured, and that's important." More transparency in decision-making at an agency under as much pressure from activists as the EPA is critical to ensuring taxpayers and consumers aren't harmed by rulemaking gone amok.

In spite of his coming under attack from the radical left and their allies in the liberal media, Pruitt is making real progress for the American people at an agency that the left believes it alone should run and control. President Trump unified a governing coalition behind the promise of draining the swamp in Washington, and of all his Cabinet members, Scott Pruitt has done the most to help him advance the cause.

Jenny Beth Martin is chairman of Tea Party Patriots Citizens Fund.

E&E Greenwire
https://www.eenews.net/greenwire/stories/1060078261/search?keyword=EPA
Pruitt event showed 'disrespect for the free press' — groups
By Maxine Joselow, 4/5/18

Two of the country's leading professional associations for journalists are sounding the alarm about the exclusion of several media outlets from U.S. EPA Administrator Scott Pruitt's remarks Tuesday.

"It's part of a larger pattern of disrespect for the free press," Society of Environmental Journalists President Bobby Magill told E&E News.

"Press conferences should be open to all media, and the EPA in particular seems to be picking and choosing which media outlets it prefers to cover it at these events," Magill said.

Kathryn Foxhall, a member of the Society of Professional Journalists' Freedom of Information Committee, told E&E News, "We're extremely concerned."

"We can't help but believe that it is manipulation of the news media, and therefore manipulation of the public," Foxhall said.

Pruitt touted EPA's reconsideration of clean car standards during a closed-door gathering in the Rachel Carson Green Room at EPA headquarters (Greenwire, April 3).

Many media outlets — including E&E News — didn't receive press releases about it. And requests to attend went unanswered.

EPA tweeted at 9:33 a.m. the link to a livestream of the event that began at 10:30 a.m.

CNN reported that the agency initially tried to limit television network access to Fox News. But Fox alerted the four other major networks — CNN, ABC, NBC and CBS — and a pool was established.

"Given the fact that Fox News has been seen as more supportive of this administration than other outlets, it has a very bad appearance to it," Foxhall said.

"It is heartening to hear that Fox alerted the other networks," she added. "Even in our most competitive mode, that kind of solidarity for basic access among the press is extremely important. I would congratulate Fox News on this."

After Pruitt spoke for less than six minutes, he didn't take any questions.

Asked about access to the event, EPA spokesman Jahan Wilcox said, "We invited Bloomberg, CBS, Daily Signal, Detroit News, Fox, Gray-TV, Sacramento Bee, USA Today [and] Wall Street Journal, and other outlets that showed up unannounced including The New York Times and ABC were welcomed into our midterm evaluation announcement."

The limited media access comes as Pruitt faces intense scrutiny over reports of premium travel, high-price security and ties to lobbyists (Greenwire, April 3). At least two Republicans have called for the EPA boss to resign (E&E News PM, April 3).

Magill said SEJ's Freedom of Information task force would consider sending the agency another letter expressing concern. The task force already sent EPA spokeswoman Liz Bowman a Monday missive urging her to answer reporters' questions about Pruitt's proposal to limit the use of science in agency rulemaking.

"When it seems that SEJ members are being significantly affected by roadblocks and lack of transparency from federal agencies, if it's a big enough deal, we'll definitely write a letter," Magill said.

Mother Jones
https://www.motherjones.com/environment/2018/04/epa-brags-about-transparency-to-reporters-it-has-blacklisted-scott-pruitt/

EPA Brags About Transparency to Reporters It Has Blacklisted
By Rebecca Leber, 4/5/18, 12:10 PM

As EPA Administrator Scott Pruitt faces a growing set of ethical allegations, he won't be taking many questions—the EPA is continuing to withhold routine information about the administrator's public appearances and schedule.

Despite the questions that remain about the pay raises he approved for staff, his arrangement renting a condo from a lobbyist, and the slew of other questions about his ethics and his policy from the past year, Pruitt has carried on as always, turning to conservative media this week to diffuse a difficult news cycle. He's been interviewed by a Washington Examiner columnist and the Heritage Foundation's blog, the Daily Signal, notes the media watchdog nonprofit Media Matters. On Wednesday, Pruitt went on Fox News to deny he knew about the substantial pay raises to his staff using a clean water law to circumvent the White House (The Atlantic reported that he signed off on the salary orders).

When the EPA held an event Tuesday to announce its reversal of Obama-era fuel economy standards that would have doubled the mileage efficiency of cars by 2025, the agency tweeted a link for its followers to watch the live-streamed event. Most EPA beat reporters were not invited, and the EPA did not answer my emails regarding the event. Fox News was the only network invited, CNN reported. These challenges aren't new to reporters who've been covering the EPA: The agency has stopped sharing the administrator's schedule, and that of his senior staff, which is a departure from past administrations.

As the Society of Environmental Journalists (of which I'm a member) recently reminded the EPA's Office of Public Affairs, this is not the usual standard for a government agency. In a letter sent to the EPA on January 22, SEJ outlined recommendations for how a transparent EPA should function: Holding open press briefings, announcing Pruitt's public appearances, keeping an updated calendar of his schedule, and distributing press releases to all who request them.

"If you make information and staff more available to the press as we suggest, you still aren't likely to be happy with everything you read, see and hear," SEJ writes. "Such is the nature of government—there are always critics. But only through greater transparency and through engaging with journalists can you effectively make your case, and the public get a better understanding of what you are doing and why."

Frustration with the agency's lack of transparency isn't totally unique to the Trump Administration. SEJ had complaints about Obama's EPA in 2013. However, Trump's EPA insists it is more accessible than Obama's EPA at transparency, despite all the evidence to the contrary.

SEJ President Bobby Magill recently sent the EPA a series of questions about the EPA's interactions with reporters, referencing times the EPA has sent reporters to information reported in other outlets, rather than answer their questions directly.

EPA spokesperson Liz Bowman sent this response:

The Trump EPA is one of the most widely reported on agencies in the federal government and the Office of Public Affairs has provided regional and national journalists—from the New York Times to the Daily Caller—with an unprecedented amount of access. This is a vast improvement from four years ago when E&E reported that the Society of Environmental Journalists called that EPA an 'incredibly secretive' agency."

The relatively short statement did not address Magill's primary concern.

I've experienced this firsthand. Last fall, when I asked for a press release and information regarding Pruitt's decision to roll back the Clean Power Plan, EPA's Bowman replied, "All our press statements are posted on our public website; everything is there for the press/public to read at any time and easily searchable." When I sent the EPA a series of questions for my profile of the administrator, the EPA sent me a series of links to other outlets' stories. Some of my questions were about the lack of transparency at the EPA, to which Jahan Wilcox responded by pointing to Talking Points Memo's presence at a roundtable with Pruitt last fall. TPM reporter Cameron Joseph noted in his story on the event that fewer than a dozen reporters were invited. "Some of them," he wrote, "including TPM, rarely if ever cover the environmental beat closely—a fact that frustrated some environmental reporters who weren't invited to attend."

As Bush-era EPA chief Christine Todd Whitman told me, Pruitt's penchant for secrecy, surrounded by a constant security presence and his secure phone booth in his office, is not normal or necessary for the EPA. "We're not talking about the FBI," she says. "We're not talking about Homeland Security."

Politico
https://www.politicopro.com/energy/whiteboard/2018/04/ags-sue-epa-for-not-regulating-methane-from-oil-gas-wells-957798
AGs sue EPA for not regulating methane from oil, gas wells
By Alex Guillen, 4/5/18, 1:37 PM

Fifteen Democratic attorneys general today sued EPA for not issuing a regulation curbing methane emissions from existing oil and gas wells.

"The EPA has a clear legal duty to control methane pollution from oil and gas operations, one its largest sources," said New York Attorney General Eric Schneiderman. "Its continued refusal to do so is not only illegal, but threatens our public health and environment and squanders savings of over $100 million annually."

The Obama administration in 2016 issued a rule covering newly built wells, a rule EPA Administrator Scott Pruitt failed to stay and is now reconsidering.

Issuing that rule triggered an obligation under the Clean Air Act for EPA to subsequently issue a regulation covering existing wells. The Obama administration had taken initial steps to collect information to write such a rule, but Pruitt halted that just weeks after taking office following a request from industry. EPA has taken no steps since then to issue a rule covering existing wells. Now the AGs argue the delay has gone on too long.

WHAT'S NEXT: The suit asks the U.S. District Court for D.C. to order EPA to issue such a regulation. The litigation could take months or years to play out.

Wall Street Journal
https://www.wsj.com/articles/coffee-wont-kill-you-but-cafe-might-1522880249?mod=searchresults&page=1&pos=1
Coffee Won't Kill You, But CAFE Might (*Op-Ed)
By Sam Kazman, 4/4/18, 6:17 PM

The federal government's auto fuel economy standards have for decades posed a simple problem: They kill people. Worse, the National Highway Traffic Safety Administration has covered this up. The Environmental Protection Agency, which since 2009 has helped manage the Corporate Average Fuel Economy standards, known as CAFE, also played a role in burying their deleterious effects. But change finally is coming.

On Monday EPA Administrator Scott Pruitt announced he is re-examining the stringent standards set by the Obama administration in 2012. This might finally bring some honesty to the issue of CAFE's lethal effects and push the safety issue to the forefront of the debate over government efficiency mandates. Or it might not.

To call it a coverup isn't hyperbole. CAFE kills people by causing cars to be made smaller and lighter. While these downsized cars are more fuel-efficient, they are also less crashworthy. In 1992 in Competitive Enterprise Institute v. NHTSA, a lawsuit my organization brought with Consumer Alert, a federal appeals court ruled that the agency had "obscured the safety problem" through a combination of "fudged analysis," "statistical legerdemain" and "bureaucratic mumbo-jumbo." In the court's view, nothing in the record "appears to undermine the inference that the 27.5 mpg standard kills people."

How many people? A 1989 Harvard-Brookings study estimated the death toll at between 2,200 and 3,900 a year. Similarly, a 2002 National Academy of Sciences study estimated that CAFE had contributed to up to 2,600 fatalities in 1993. This was at a relatively lenient CAFE level of 27.5 miles per gallon. Under what the Obama administration had in store, CAFE would soon approach levels twice as stringent.

These inconvenient truths should have led the government to change its approach to CAFE. At least the standards didn't get worse for about a decade throughout the 1990s, despite environmentalist demands for a stricter—and therefore more lethal—approach. But then CAFE was swept up in climate-change politics.

Advocates of stringent standards claim that automotive technologies have advanced since that 1992 court ruling, making vehicle mass less significant. But the basic relationship between size and safety has not changed. The Insurance Institute for Highway Safety, which closely monitors crashworthiness, still provides the same advice it has been giving for years: "Bigger, heavier vehicles are safer."

CAFE advocates like Consumer Reports treat lighter cars as merely a question of comfort, not crashworthiness. Car makers and dealers may express concerns about safety in the abstract, but considerations of politics and marketing make them hesitant to discuss hard numbers.

In his announcement, Mr. Pruitt proved admirably blunt in characterizing the Obama CAFE standards as based on "politically charged expediency" and assumptions "that didn't comport with reality." Let's hope he'll be similarly candid about CAFE's risks. A lethal program that's been in effect for decades deserves one thing above all—an accounting.

Mr. Kazman is general counsel of the Competitive Enterprise Institute.

BNA
http://esweb.bna.com/eslw/display/no_alpha.adp?mode=si&frag_id=131211280&item=408&prod=deln&cat=AGENCY
EPA Weighs Chemical Policy That May Backfire on Industry: Critics
By Pat Rizzuto and Dean Scott, 4/5/18

A proposed chemical policy to allow the EPA to narrow its chemical safety reviews could backfire and hurt chemical makers that the Trump administration intends to help, a former agency official told Bloomberg Environment.

But a supporter of the policy disagreed, saying it would reduce redundant regulations.

The Environmental Protection Agency plans to omit from some chemical safety reviews ways people could be exposed that "fall under the purview of other EPA-administered statutes," the agency said in a draft document obtained by Bloomberg Environment. The document would implement the pending policy for one of 10 chemicals the EPA is evaluating.

The agency is assessing the potential health and environmental effects of exposures to 10 chemicals: asbestos, pigment violet 29, seven solvents, and a cluster of flame retardants. Updated agency plans to assess the chemicals are to be released on April 20, current and former EPA staff told Bloomberg Environment.

"I hope it's not really under consideration," Lynn Goldman, who served as assistant administrator of chemical safety and pollution prevention at EPA under President Bill Clinton, told Bloomberg Environment.

Goldman said she had discussed the proposed policy with current agency staff, but she had not seen the language. She recalled times when the staff presented her with a spectrum of policy options, not all of which were serious contenders.

The EPA declined requests to comment on the draft policy to Bloomberg Environment.

'It Will Backfire'
If the agency pursues this option, "it will backfire" on industry, said Goldman, now dean of George Washington University's School of Public Health.

Chemical manufacturers and industries they serve supported the overhaul of the Toxic Substances Control Act in 2016 because they wanted the marketplace to have confidence in the agency's chemical oversight, Goldman said.

But the public will not trust the EPA's oversight if it chooses to ignore ways that communities breathe in, drink, or are otherwise exposed to chemicals, she said.

That mistrust will translate into new state regulations, state or retailers' purchasing policies, and other restrictions that spurred industries to support TSCA reform in the first place, Goldman said.

"We'd be back where we started" before a supermajority of Republicans and Democrats agreed to overhaul the 40-year-old statute, she said.

The American Chemistry Council, which represents manufacturers of industrial and consumer product chemicals, declined to comment.

'Assume Compliance'
But Robert Helminiak, a vice president for the Society of Chemical Manufacturers and Affiliates (SOCMA), said the policy would reduce redundant regulations, which SOCMA strongly supports.

His group represents specialty chemical companies in aerospace, electronics, pharmaceuticals, agriculture, and other markets.

Helminiak told Bloomberg Environment that SOCMA would like to see the agency's policy, but that based on what he's heard, it makes sense.

"When evaluating risk, EPA should assume compliance with all other applicable health, safety, and environmental regulations," Helminiak said.

"For example, EPA's analysis of a chemical should assume that workers in a chemical facility are complying with applicable Occupational Safety and Health Administration requirements for personal protective equipment and respiratory protection and performing their jobs in compliance with all OSHA regulations, as well as any pertinent EPA regulations," he said.

"This provides a more accurate estimation of potential risk, particularly to susceptible populations such as workers," Helminiak said.

'Nothing is 100 Percent Effective'
Richard Denison, lead senior scientist with the Environmental Defense Fund, disagreed with Helminak's point.

"Industry has always argued that if there are any controls, EPA should assume they are used 100 percent of the time, and they are 100 percent effective," Denison told Bloomberg Environment.
"Nothing is 100 percent effective," he said.

The EPA's proposed policy "is industry's wildest dream come true," said Denison, who discussed the agency's plans in an April 3 blog.

The pending policy would presume existing regulations, which could be based on feasibility, available technology, or other criteria, not only reduce all health and environmental risks to acceptable levels required under TSCA, Denison said.

“EPA would essentially assume exposures it will not consider result in zero risk,” he told Bloomberg Environment.

The EPA's draft policy would omit ways people are exposed and likely underestimate chemical risks, Bob Sussman, an attorney for Safer Chemicals, Healthy Families, told Bloomberg Environment.

“TSCA was intended to be a comprehensive law that looked at risk in its entirety and took into account all the contributors to risk—that's how the 2016 amendments were crafted,” said Sussman, a former EPA deputy administrator and senior policy counsel to the EPA administrator.