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Subject: [SPAM] First Move: Pruitt's Science Margin for Error • Coal Country Debate • Undersea Robots Study Dead Zone

What you need to know to start your day

Bloomberg Environment

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Pruitt's Science Margin for Error • Coal Country Debate • Undersea Robots Study Dead Zone

By Chuck McCutcheon

Scott Pruitt drew lots of attention when he declared limits on "secret science" in policymaking. But it's no secret to lawyers watching the EPA chief that he has no room for error in crafting the policy.

The proposed open-data policy would enable the EPA head to issue waivers, David Schultz writes in a story being published today. Environmental attorneys say the waiver provision actually makes the proposal even more vulnerable to legal challenges.

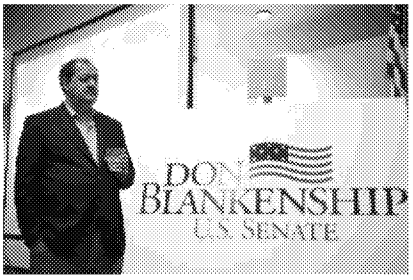
"How is EPA choosing when to waive and when not to waive?" asks Amanda Leiter, a law professor at American University in Washington. "Does that give the EPA too much discretion? Will they just be cherry-picking?"

COAL COUNTRY DEBATE: The West Virginia Republican Senate race goes

nationwide tonight, with the three top contenders squaring off in a nationally televised Fox News debate.

All three candidates want the same things for coal—to get the government out of the way, to open more mines, to burn more coal for energy, to export more coal to foreign countries, and to create more jobs at home.

The splashiest name is former coal mogul and ex-convict Don Blankenship. So far, Blankenship has concentrated on criticizing the Mine Safety and Health Administration, which he says is the real culprit for the mine disaster that landed him in jail. Blankenship wants to split MSHA into two agencies, one responsible for regulating and the other for enforcement.



West Virginia Republican U.S. Senate candidate Don Blankenship appears at a town hall campaign event in Huntington in February.
Photographer: Luke Sharrett/Bloomberg via Getty Images

Rival Evan Jenkins walks into the debate with three and a half years' experience in the House and two decades before that as a state lawmaker. If elected, he'd be a reliable vote to pare back the EPA's budget and staffing. He's worked to give money to Appalachian states to clean up abandoned mines and backs funding research to extract rare earth elements from coal.

The third candidate, state Attorney General Patrick Morrisey, shares some similarities to Scott Pruitt. Like the EPA chief when he was Oklahoma's attorney general, Morrisey sued the Obama EPA several times, and both Morrisey and Pruitt are strong believers in deregulation. Stephen Lee is watching.

OMAN DEAD ZONE: It sounds like bad science fiction: Undersea robots spent eight months exploring a marine dead zone off the coast of Oman.

But the robot research yielded scary real-life results, Matthew Kalman writes in a story being published today. Scientists found that the zone of oxygen-starved waters, mapped in the 1960s, had grown and crept closer to the coast of Oman, squeezing valuable tuna, lanternfish, and other fish into a shrinking layer of oxygen-rich water close to the surface.

Dead zones are a "disaster waiting to happen, made worse by climate change, as warmer waters hold less oxygen, and by fertilizer and sewage running off the land into the seas," says Bastien Queste, a research fellow at the U.K.'s University of East Anglia.

OTHER STORIES WE'RE COVERING

- The National Hydropower Association continues its Waterpower Week. Today's speakers include Federal Energy Regulatory Commission Chairman Kevin McIntyre and Tim Welch, hydropower program manager for the Energy Department's Water Power Technologies Office. Bloomberg News is covering.
- The Federalist Society is holding a teleconference on Arizona's recent decision to eliminate legal deference to agencies in state courts. Kimberly Robinson is monitoring.
- The latest episode of Bloomberg Environment's podcast, Parts Per Billion, follows up with Sylvia Carignan on her recent story about locating a bitcoin mine at a contaminated site in New York, where General Motors once manufactured parts for its ill-fated Corvair. Could this be the Superfund program's future?

QUOTE OF THE DAY

"Clean water is a basic right. We won't allow a pipeline to put that at risk."
—New York Attorney General Eric Schneiderman, tweeting about the U.S. Supreme Court's decision not to hear an appeal from four natural gas companies seeking to build a natural gas pipeline to New York from the Marcellus Shale in Pennsylvania.

AROUND THE WEB

- The federal government helped turn Nevada rancher Cliven Bundy into an anti-public lands hero.
- Penn State researchers are joining an international effort to better understand the "doomsday glacier," an Antarctic glacier about the size of Pennsylvania that's at risk of collapsing and contributing significantly to global sea-level rise.
- Minneapolis becomes the 65th U.S. city to adopt an all-renewables goal.

- Pruitt's low-wattage, lawyerly demeanor helped him deal with last week's hearings in which lawmakers aggressively questioned his ethics and spending decisions.

TODAY'S EVENTS

- **All Day • Renewable Energy/Smart Grid** • The U.S. Agency for International Development holds a forum on renewable energy and smart grid suppliers in Denver as a prelude to the National Renewable Energy Laboratory's Emerging Markets Day and the NREL Industry Growth Forum.
- **10 a.m. • Carbon Pricing** • Center for Strategic & International Studies holds forum on carbon pricing.
- **2 p.m. • Pesticides and Mosquitoes** • The EPA holds webinar on how pesticide resistance testing can help manage mosquitoes.

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