Message

From: InsideEPA.com [insideepa-alerts@iwpnews.com]
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Subject: The Morning Headlines from InsideEPA.com -- February 7, 2020

February 7, 2020

The Weekly Focus

‘Once In’ Air Ruling May ‘Haunt’ Industry By Limiting Suits On EPA Guides

The recent appellate court decision dismissing environmentalists’ suit over an EPA guidance that ended the agency’s longstanding “once in, always in” air toxics policy could “come back to haunt” industries that backed the guidance, an attorney says, because it sets a precedent severely limiting when groups can sue over informal EPA policy changes. FULL STORY

Latest News

EPA 'Probably' To Do Asbestos Analysis In Two Parts After Appellate Ruling

EPA will “probably” do a supplemental risk evaluation on legacy uses of asbestos under the Toxic Substances Control Act (TSCA), according to the agency’s toxics chief, in an effort to address the recent appellate decision requiring officials to assess such uses while not delaying work agency staff have already done analyzing asbestos' ongoing uses. FULL STORY

House Appropriators Weigh Boosting EPA Recycling Funds In FY21 Bill

With the Trump administration slated to release its fiscal year 2021 budget request Feb. 10, House appropriators are signaling that they could use their next spending bill to give more resources to EPA’s recycling program, although waste chief Peter Wright downplayed any need for a funding boost at a recent hearing on the subject. FULL STORY

Facing Deadlines, CSB Issues Chemical Release Rule Over Industry Claims

Facing legal and administrative deadlines, the U.S. Chemical Safety Board (CSB) has finalized a first-time rule that mandates reports from chemical facilities in the wake of accidental chemical releases, despite industry

claims that the rule is unnecessary or that the board should rely on other accident reports that facilities submit to other federal entities such as EPA or OSHA. FULL STORY

Texas Wins EPA Approval Of 'Affirmative Defense' For Air Law Violations

EPA has issued a final rule approving Texas' Clean Air Act compliance plan that includes an "affirmative defense" shielding industrial facilities from civil liability for excess emissions that violate agency air standards, an effort critics say is part of a broader strategy to undo an Obama-era policy forcing states to stop using the exemptions. FULL STORY

EIP Cites Air Monitoring Data In Bid For Stricter EPA Refinery Enforcement

The Environmental Integrity Project (EIP) is urging EPA to strengthen its enforcement of Clean Air Act toxic emissions rules for refineries after a review of refinery fenceline monitoring data shows air toxics at levels exceeding the agency's "action level" that requires facilities to correct excess pollution. FULL STORY

Daily Feed

Former EPA air official spars with Trump critics over MATS proposal

EPA's proposal faults the Obama administration for relying on "co-benefits" of reducing criteria air pollutants to justify its rule limiting mercury and other air toxics from power plants. FULL STORY

California lowers PFAS thresholds triggering agency actions

The state's water board will lower the threshold levels of the two most-studied PFAS in drinking water that trigger responses by local water systems. FULL STORY

EPA seeks to dismiss slaughterhouse ELG suit

EPA argues a federal appeals court lacks jurisdiction over environmentalists' suit because the agency has yet to make a final decision on whether to update effluent limitation guidelines for the meat and poultry sector. FULL STORY

BLM may exempt land-use planning from NEPA

If such plans were exempt from NEPA, however, the Bureau of Land Management would no longer need to report on the environmental effects of a plan proposing to open public lands to energy development. FULL STORY

Ewire: EPA Region 9 chief sacked

In today's Ewire: Region 9 chief Mike Stoker, who was tapped for the role in May 2018, attracted controversy almost immediately over his desire not to work out of the region's San Francisco headquarters. FULL STORY

EPA mulls rehearing request, high court appeal of RFS waiver ruling

The agency is considering either appeals court rehearing or a Supreme Court appeal against a ruling that could require a significant overhaul of its policy on refiners' RFS exemptions. FULL STORY

Environment Next

Researchers urge greater biodiversity protection in revised U.N. pact

University researchers from the United States and other countries are urging policymakers to increase protections for marine areas and tropical forests as they revise the United Nations' Convention on Biological

Diversity (CBD), saying it is vital to guard against "multiple interacting threats" to those areas, including climate change and local pressures such as land use. FULL STORY

Amazon employees renew critiques of firm's sustainability plan

Amazon employees are renewing criticism of the firm's climate sustainability commitments as inadequate despite the company's threats to fire staff members voicing such attacks, signaling that even companies like Amazon that embrace voluntary environmental programs may face push-back from their own workforce and other critics. FULL STORY

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