Message

From: Agarwal, Ilena [agarwal.ilena@epa.gov]
Sent: 11/27/2018 9:36:22 PM
To: AO OPA OMR CLIPS [AO_OPA_OMR_CLIPS@epa.gov]
Subject: Compilation 11/27/2018

Fox Script

Daily Beast: 'Fox & Friends' Fed Interview Script to Trump's EPA Chief, Emails Show
TV Newser: Fox News Provided Former EPA Chief Scott Pruitt With Questions, Let His Team Dictate Script Before Interview
Inquisitr: Fox News Shared Questions With Trump Cabinet Official, 'The Daily Beast' Reports
Think Progress: Emails reveal cozy relationship between 'Fox & Friends' and Pruitt's EPA
Hollywood Reporter: Fox News Claims "Not Standard Practice" After Script Pre-Approval Revealed
Slate: Report- Fox & Friends Let the EPA Approve Script for Scott Pruitt's Appearance on the Show
Huffington Post: 'Fox & Friends' Fed Interview Questions To Trump's EPA Chief Scott Pruitt In Advance
Washington Post: Surprise, Fox News colluded with Trump's then-EPA boss

Politics

Chemical Watch: Senate schedules Dunn nomination hearing amid potential EPA shifts
Washington Post: Trump's war on facts is getting worse. But the new Democratic House majority can fight back.
Politico: McNamee, nominees get committee vote
Mercury News: Opinion- Trump EPA must protect workers from harmful chemicals

Climate Report:

Govexec: Trump Administration Quietly Releases Intact 13-Agency Climate Change Report
The Intercept: EPA PLANS TO ROLL BACK WATER PROTECTIONS DESPITE CLIMATE CHANGE WARNINGS

PFAS

Chemical Watch: Danish study finds high levels of PFASs in cosmetics
MLive: DEQ says four PFAS plumes leaving Wolverine dump

Bio Fuel

OANN: Exclusive: EPA Will Not Reallocate Waived Biofuel Volumes To 2019 – Official
Bloomberg: EPA Said to Hold Biofuel Quotas for Gasoline Steady for 2019
Fleet Owner: Trying to decode the message within EPA's Cleaner Trucks Initiative
Reuters: UPDATE 1-EPA will not reallocate waived biofuel volumes to 2019 mandate -official

WOTUS

Capital Press: Washington judge's ruling on WOTUS muddies waters

Environmental Protection: Ohio EPA Hosting Public Meeting on Modifications to Cracker Plant's Discharge Permit

Daily Beast: 'Fox & Friends' Fed Interview Script to Trump's EPA Chief, Emails Show

The president's favorite cable-news show shared its interview scripts and its oh-so-hard-hitting questions in advance with an embattled Trump official.

https://www.thedailybeast.com/fox-and-friends-fed-interview-script-to-trumps-epa-chief-emails-show

Maxwell Tani- 11.27.18 5:00 AM ET

Former Environmental Protection Agency administrator Scott Pruitt was clearly taken aback last year when occasional Fox & Friends fill-in host Ed Henry grilled him about a number of ethical scandals facing his administration.

And Pruitt had a good reason to be surprised. In past interviews with President Trump's favorite cable news show, the then-EPA chief's team chose the topics for interviews, and knew the questions in advance.

In one instance, according to emails revealed in a Freedom of Information Act request submitted by the Sierra Club and reviewed by The Daily Beast, Pruitt's team even approved part of the show's script.

Fox & Friends has long been a friendly venue for Trump and his allies, but the emails demonstrate how the show has pushed standard cable news practices to the extreme in order to make interviews a comfortable, non-confrontational experience for favored government officials.

Cable news veterans told The Daily Beast that it is common for television producers to discuss topics in advance with their subjects; and, on occasion, producers will ask pre-interview questions to understand what a subject has to offer, and why their information is relevant.

However, it is widely frowned upon to offer public officials pre-interviews, as this can help the official avoid difficult questions.

And providing and seeking approval scripts is even more of a taboo.

"Every American journalist knows that to provide scripts or articles to the government for review before publication or broadcast is a cardinal sin. It's Journalism 101," said David Hawkins, a CBS News and CNN veteran who teaches journalism at Fordham University. "This is worse than that. It would and should get you fired from any news organization with integrity."

"I can't imagine why a high-level newsmaker—like a White House official—would ever receive a formal pre-interview," added Sid Bedingfield, a former CNN executive who now teaches journalism at the University of Minnesota.

"Those are designed to ensure that the interview subject has something relevant to add to the story—that it is worth spending time and resources to conduct the interview. A top White House official who has the power to shape public policy around a particular issue would obviously be relevant. In those interviews, the journalist should force the newsmaker to defend policy decisions, not help sell them."

Pruitt resigned from the EPA earlier this year, after more than a dozen probes were launched into his handling of the agency. But before that, Pruitt's team was set on getting him good press, and they focused much of their attention on securing interviews with Fox News.

In multiple interviews on Fox & Friends, Pruitt was essentially allowed to dictate the terms for the interview and avoid any difficult questions.

In May 2017, Pruitt's staff wanted to set up an interview to discuss how the then-administrator was interested in helping communities his team claimed were "poorly served by the last administration."

And so then-EPA press secretary Amy Graham proposed an interview to Fox & Friends producer Andrew Murray, who quickly agreed to bring Pruitt on the next day to discuss the topic.

Murray then copied producer Diana Aloi, saying she said she would follow up with "pre-interview questions on the agreed upon topic, the new direction of the EPA, and helping communities that were poorly served by the last administration."

In subsequent emails, Aloi repeatedly sought "talking points" and the "top three priorities are for the EPA that Mr. Pruitt would like to discuss specifically."

Once Graham sent over the talking points, Aloi sought the government official's approval for the script introducing Pruitt's segment.

"Would this be okay as the setup to his segment?" producer Diana Aloi asked.

She wrote:

"There's a new direction at the Environmental Protection Agency under President Trump—and it includes a back-to-basics approach. This after the Obama administration left behind a huge mess more than 1,300 super-fund sites which are heavily contaminated—still require clean-ups. So why was President Obama touted as an environmental savior if all these problems still exist?"

The EPA comms shop was pleased.

"Yes — perfect," Graham replied.

And when the segment aired the next day, the network stuck to that exact government-approved script.

"President Trump trying his best to drain the swamp and much of that draining happened at the Environmental Protection Agency after the Obama administration left behind—get this—a huge toxic mess," host Brian Kilmeade said.

"More than 1,300 superfund sites that are heavily contaminated still require clean up," his co-host Ainsley Earhardt added.

"Every American journalist knows that to provide scripts or articles to the government for review before publication or broadcast is a cardinal sin. It's Journalism 101."
— Fordham University's David Hawkins

Before a separate interview in April, a Fox & Friends producer sent an email to Pruitt's staff with three topics the show wanted to cover: a lawsuit from right-wing Judicial Watch claiming EPA employees were working against Trump; a claim that environmentalists said Trump's proposed border wall would kill jaguars; and Pruitt's visit to U.S. coal mines.

When the interview aired the next day, the hosts asked eight questions. Six were related to the topics agreed upon by producers and the EPA. Another question related to the agency's decision to revoke EPA employee gym memberships—a topic the EPA chief's team successfully pitched as an interview topic the previous day on Trump-friendly Fox Business Network.

The only question that a Fox & Friends host asked that was not previously discussed with Pruitt staff did make an incremental amount of news: Pruitt said he believed the U.S. should exit the Paris climate accord, a small change from calling it a "bad deal" in an interview just a month before.

But after Pruitt stated his view, host Steve Doocy did not press Pruitt. Instead, the host quickly transitioned back to the agreed-upon topic: The administrator's upcoming visit with coal miners.

In a statement to The Daily Beast on the apparently semi-scripted interviews, a Fox News Channel spokesperson said, "This is not standard practice whatsoever and the matter is being addressed internally with those involved."

Fox & Friends' friendly emails are just one of many examples of the network's cozy relationship with Trump and his allies.

Fox News hosts have spoken at Trump rallies, openly lobbied or partied at the White House, and taken on roles as unofficial White House advisers, at times being included on Oval Office conference calls about policy decisions. Republican lawmakers have repeatedly made direct appeals to the president by appearing on his favorite television shows on the network. Trump's communications chief of staff is a former Fox News executive who is still being paid by the network, while his former communications director now works as a top spokesperson for Fox News' parent company.

The FOIA'ed emails showed how Pruitt's team valued the network, prioritizing cultivating relationships with Fox News personalities and producers.

In the early months of the administration, Pruitt's staff reached out to numerous Fox News hosts and reporters to set up off-the-record lunches and dinners. When Pruitt had to cancel a Fox & Friends interview last-minute, his team solicited the hosts' addresses to send them personal apologies for cancelling.

And while the former EPA chief's team often passed on the lower-rated daytime shows, his press arm tried to connect with Sean Hannity and offered exclusives to the fervently pro-Trump host.

In April 2018, EPA press secretary Lincoln Ferguson emailed the Fox star's producer to say that Pruitt was "eager to get in the studio with Hannity" to discuss the EPA's accomplishments. Despite the spokesperson's pleas that the producer pass onto Hannity that Pruitt had "really been wanting to make this happen," the top-rated prime-time show passed.

And in July 2017, the administrator's comms team offered to fly Hannity in a private jet with Pruitt to Oklahoma to meet a rural family to discuss the Obama administration's water policy.

But even for Hannity, the opportunity didn't appeal.

"Unfortunately it doesn't look like we can make it work this week with Sean's schedule," a producer said. "Please keep us posted for other opportunities!"

Chemical Watch: Senate schedules Dunn nomination hearing amid potential EPA shifts

https://chemicalwatch.com/72341/senate-schedules-dunn-nomination-hearing-amid-potential-epa-shifts

Lisa Martine Jenkins- 27 November 2018

People – Alexandra Dunn EPA

The US Senate Committee on Environment and Public Works (EPW) will hold a 29 November hearing and vote on the nomination of Alexandra Dapolito Dunn to the role of assistant administrator of the EPA.

Ms Dunn is being considered to lead the agency's Office of Chemical Safety and Pollution Prevention (OCSPP), the EPA confirmed in September. The entire Senate will subsequently vote on the nomination.

Ms Dunn serves as an administrator for Regional Administrator for EPA Region 1 and previously represented state environmental agencies, taught environmental justice and worked as counsel to industry.

Meanwhile, President Donald Trump said he plans to nominate Andrew Wheeler, acting EPA chief, to permanently lead the agency. If nominated, Mr Wheeler will go through a similar Senate confirmation process and vote.

Mr Wheeler started his career at the EPA, where he worked on toxic substances policy. He has also worked as a coal industry lobbyist, which spurred controversy.

"Whether or not he's confirmed by the Senate to be the next administrator, when [Mr] Wheeler's time at EPA ends, more children will have been exposed to dangerous pollutants," the Environmental Working Group (EWG) said.

Environmental Protection: Ohio EPA Hosting Public Meeting on Modifications to Cracker Plant's Discharge Permit

The proposed PTTGCA petrochemical complex would be located on the west bank of the Ohio River in Belmont County.

https://eponline.com/articles/2018/11/27/ohio-epa-hosting-public-meeting.aspx

Nov 27, 2018

The Ohio Environmental Protection Agency will hold a public meeting at 6 p.m. Dec. 12 to present information and accept comments on draft modifications to the wastewater discharge permit related to the proposed PTTGCA petrochemical complex, which would be located at Old Route 7 and Ferry Landing Road (Hwy. 2) in Shadyside, in Belmont County. The site is located on the west bank of the Ohio River at that location.

The information session will be held at Shadyside Community Center, 50 E. 39th St., with the public hearing immediately following. During it, members of the public can submit comments for the record concerning the draft modification. The modifications to the wastewater discharge permit conditions requested by PTTGC America LLC would:

decrease the levels of pollutants to be discharged to the Ohio River
change the locations where stormwater will be discharged
modify limits at an internal monitoring station that does not directly discharge to surface water
The draft modified permit is available here . Comments will be accepted both verbally and in writing at the hearing and may be submitted through Dec. 19, 2018. Written comments may be emailed to epa.dswcomments@epa.ohio.gov or mailed to Ohio EPA-DSW Permits Processing, P.O. Box 1049, Columbus, OH 43216-1049.

The U.S. subsidiary of PTT Global Chemical, PTTGC America, selected the site for the possible construction of an ethane cracker. PTTGC America's board of directors has approved the execution of an agreement between PTTGCA and a subsidiary of Daelim Industrial Co., Ltd., a leading Korean construction and chemical company, to conduct a feasibility study and secure funding for the development of the complex. Information on the company's website indicates PTTGC America chose the site because of its location on the Marcellus and Utica shale region and its access to major highway, rail, pipeline, and port infrastructure that would increase efficiency while reducing the environmental and financial costs of transportation.

If it is built, the project will be capable of producing 1.5 million metric tons of ethylene and its derivative annually. PTTGC America is investing $100 million to conduct detailed front-end engineering design and has signed contracts with Fluor Corporation and Bechtel Enterprises Holding Inc. to conduct front-end engineering design work.

TV Newser: Fox News Provided Former EPA Chief Scott Pruitt With Questions, Let His Team Dictate Script Before Interview

https://www.adweek.com/tvnewser/fox-news-provided-former-epa-chief-scott-pruitt-with-questions-let-his-team-dictate-script-before-interview/385702

By A.J. Katz on Nov. 27, 2018 - 8:45 AM

Fox News' top-rated morning show is under fire this morning for handing out questions in advance to at least one of its interviewees.

According to The Daily Beast, the folks at Fox & Friends would consistently provide former EPA chief Scott Pruitt and his team with the questions in advance before sitting down with the then-Trump Cabinet member.

According to the story, in one instance, "according to emails revealed in a Freedom of Information Act request submitted by the Sierra Club and reviewed by The Daily Beast, Pruitt's team even approved part of the show's script."

It's one thing to want to conduct a seemingly non-confrontational interview, and reporters will often times bring up a couple of topics in advance he or she would like to discuss during the interview.

It's a totally different matter when producers are sending out specific questions in advance and in one stance even approving scripts in order to make the interviewee look good.

Here are the emails, per Tani:

Hi EP,

Thanks for working out the time with us, here are the details for tomorrow, please email me all the names of everyone arriving with the Administrator tomorrow and the best AM FOX, and please enter through the 48th Side Street entrance, they are two double glass doors about 200 feet behind the corner of 6th Avenue and 48th Street. Additional details are below.

"Fox & Friends"

DATE: Thursday, April 13

ARRIVAL: 7:00am ET

LIVE INTERVIEW: 7:20 am ET - 7:28am ET with Steve Doocy, Ainsley Earhardt and Bryan Kilmeade

To: Graham, Amy[graham.amy@epa.gov]
Cc: Bowman, Liz[bowman.liz@epa.gov]
From: Atiz, Diana
Sent: Tue 5/16/2017 9:30:36 PM
Subject: RE: EPA Pruitt reschedule tomorrow in NY

Great thank you

From: Graham, Amy [mailto:graham.amy@epa.gov]
Sent: Tuesday, May 16, 2017 5:30 PM
To: Atiz, Diana
Cc: Bowman, Liz
Subject: RE: EPA Pruitt reschedule tomorrow in NY

Hosts Brian Kilmeade and Ainsley Earhardt stuck to that strict/agreement during Pruitt's appearance the following day.

When asked for comment on The Daily Beast report, a Fox News Channel spokesperson told TVNewser, "This is not standard practice whatsoever and the matter is being addressed internally with those involved."

Govexec: Trump Administration Quietly Releases Intact 13-Agency Climate Change Report

https://www.govexec.com/management/2018/11/trump-administration-quietly-releases-intact-13-agency-climate-change-report/153041/

By Charles S. Clark November 26, 2018

Scientists inside the 13 agencies that prepared the major report on climate change released quietly on Friday are said to be relieved that the Trump administration did not alter their work, but puzzled by the timing of publication.

That's according to soundings taken by colleagues outside government who spoke on Monday to Government Executive.

As required under a 1990 statute, the multi-agency U.S. Global Change Research Program released its quadrennial 1,656-page report "The Fourth National Climate Assessment" with expected but dramatic conclusions. They run counter to the deregulatory policies pursed under President Trump at agencies such as the Environmental Protection Agency.

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"Climate change threatens the health and well-being of the American people by causing increasing extreme weather, changes to air quality, the spread of new diseases by insects and pests, and changes to the availability of food and water," said the fourth edition. "Human health and safety, our quality of life, and the rate of economic growth in communities across the U.S. are increasingly vulnerable to the impacts of climate change."

The report released on the day after Thanksgiving was announced in a press release on the National Oceanic and Atmospheric Administration's website, though not on the website of its parent agency, the Commerce Department.

No mention was made on the website of the EPA, perhaps the agency whose policies are most affected by the controversies over climate change. This contrasts with the active commentary the EPA published on the issue under the Obama administration.

The Trump White House played down the new report's conclusions. A statement on Monday from White House spokeswoman Lindsay Walters said, "To address future risks, the administration supports a strong economy and access to affordable, reliable energy, which are integral to advancing technology and innovation and the development of resilient, modern infrastructure."

The new report, which began under Obama, Walters continued, "assesses potential future effects associated with multiple modeling scenarios. The report is largely based on the most extreme scenario, which contradicts long-established trends by assuming that, despite strong economic growth that would increase greenhouse gas emissions, there would be limited technology and innovation, and a rapidly expanding population."

To better assess the potential future effects of climate change, the statement continued, "we need to focus on improving the transparency and accuracy of our modeling and projections. The Fifth National Climate Assessment gives us the opportunity to provide for a more transparent and data-driven process that includes fuller information on the range of potential scenarios and outcomes."

Rush Holt, chief executive officer of the American Association for the Advancement of Science, said in a statement that the latest report shows that "policymakers can no longer afford to dismiss or ignore the overwhelming scientific evidence of climate change. The science on climate is clear, and we must face the facts in order to address the risks." He also praised the work of scientists at federal agencies, national labs and academic institutions "who provide significant research findings."

John Holdren, White House science adviser under Obama, told Government Executive, "It's clear that, in the end, the White House decided they'd get more grief from trying to alter or delay the report (which had been reviewed by all 13 agencies in the USGCRP as well as by the National Academy of Sciences) than by letting it out unaltered, more or less when ready. Their choice of the afternoon of Black Friday as the time least likely to get attention was clearly not successful, as the study made the front pages of both the [New York Times] and the Washington Post and was headlined on CNN and the major television news networks."

Some in the science advocacy community said the release of the report on the Friday of a holiday weekend was puzzling. Many were expecting it later, perhaps Dec. 7, preceding the fall meeting of the American Geophysical Union, according to Rachel Licker, the senior climate scientist at the nonprofit Union of Concerned Scientists. The agency scientists she spoke to "were unclear on how and why the decision was made to shift the release date," she told Government Executive.

Throughout the research process, "there was concern within the community that there could be political interference with the report, but we are not aware of any that actually took place," she added. "Releasing something this all-important on a holiday," she said, "suggests they are so concerned about its content, they're trying to bury it."

Observers also thought the Trump team would have waited for the probable Senate confirmation of Oklahoma meteorologist Kelvin Droegemeier to be White House science adviser. The earlier release also allowed the White House to express its skepticism before the Dec. 2-14 meeting of the United Nation's climate change panel, the Conference of the Parties, in Katowice, Poland.

The Trump administration was equally hands-off during the November 2017 release of the related "Climate Science Special Report," a pure science document, noted Tamara Dickinson, who led the energy and environment division at the Obama White House Office of Science and Technology Policy. "We released a draft for public comment and National Academies of Science review before the end of the Obama administration so everyone knew what the latest science was," she said on Monday from her current post directing climate change issues for Public Employees for Environmental Responsibility. "The Trump administration didn't make any changes to the science."

Her soundings from inside the government show that "this administration has decided not to mess with the science," she told Government Executive. "Instead they appear to be ignoring the science. Although this is not optimal, it is better than shutting down the science," Dickinson said. "Things will change at some point and we will have the great science to rebuild policy on. "

The federal employees who led the fourth assessment were:

- David Reidmiller, chair, U.S. Global Change Research Program
- Michael Kuperberg, U.S. Global Change Research Program
- Chloe Kontos, executive director, National Science and Technology Council
- Kimberly Miller, Office of Management and Budget
- Benjamin DeAngelo, vice chair, Commerce Department
- Farhan Akhtar, State Department
- Daniel Barrie, Commerce Department
- Virginia Burkett, Interior Department (through December 2017)
- Lia Cattaneo, Transportation Department
- Pierre Comizzoli, Smithsonian Institution
- Daniel Dodgen, Health and Human Services Department
- Noel Gurwick, U.S. Agency for International Development
- Pat Jacobberger-Jellison, NASA

- Rawlings Miller, Transportation Department (May–August 2018)
- Kurt Preston, Defense Department
- Margaret Walsh, Agriculture Department
- Tristram West, Energy Department
- Darrell Winner, Environmental Protection Agency

Washington Post: Trump's war on facts is getting worse. But the new Democratic House majority can fight back.

https://www.washingtonpost.com/blogs/plum-line/wp/2018/11/27/trumps-war-on-facts-is-getting-worse-but-the-new-democratic-majority-can-fight-back/?utm_term=.dfbeaf88c4c1

By Greg Sargent- November 27 at 10:06 AM

Democrats take over the House of Representatives in January. Can they use their new majority to counter, or at least push back on, one of the most destructive aspects of Donald Trump's presidency — that is, his ceaseless war on facts, science, and reality?

This question is thrust upon us by new indications that this war is growing more damaging. We're seeing this in two big stories of the moment — the Trump administration's new conclusion that climate change is accelerating, and President Trump's unhinged handling of the crisis at the border.

First, a comprehensive assessment by more than a dozen federal agencies — within Trump's administration — has concluded that global warming poses a dire threat to U.S. interests over time, one whose severity will be linked to whether we take sufficient action. Trump responded by blithely saying: "I don't believe it."

Now Bloomberg Businessweek reports that one House Democrat intends to fight back against this. Rep. Eddie Bernice Johnson of Texas is expected to become the chairman of the House Science, Space and Technology Committee — which has jurisdiction over the Environmental Protection Agency, the agency that is taking all kinds of steps that are at odds with the administration's new findings.

Johnson plans to use this new perch to shed light on how the EPA is failing to act on the administration's own scientific data, and also on its efforts to make that data disappear — literally. Bloomberg reports that in multiple ways, the EPA is trying to reduce information at its disposal, from dissolving panels designed to synthesize air-pollution research to pushing a rule to limit the science used in developing policy.

As Johnson told Bloomberg: "We've gotten way off course by trying to stifle researchers and their research. I intend to get us back on track."

"I don't believe it"

The degree to which Trump's policies run counter to the administration's new findings on global warming is extraordinary. Trump continues to work to undo the Obama administration's rules curbing greenhouse-gas emissions at power plants and increasing vehicle fuel efficiency. According to a good overview of Trump's efforts in the New York Times, if he gets his way on these, it could mean hundreds of millions of tons more carbon dioxide and greenhouses gases in the atmosphere than if the rules proceed.

As the Times summarizes, Trump is taking "aggressive steps that will increase emissions of heat-trapping greenhouse gases — despite unequivocal scientific evidence that those pollutants are warming the planet to dangerous levels." Emphasis mine.

"I don't believe it," Trump says of that unequivocal scientific evidence. Whatever Trump believes, it's possible this new assessment will help block his rollbacks in court, in effect compelling Trump to act on his own administration's scientific findings about what is in the public interest, against his bad-faith efforts to dismiss or ignore them.

It's a bit unclear what congressional oversight designed to shine light into these deep caverns of bad faith might look like. But one possibility might be hearings designed to illuminate what went into his administration's decisions on climate policy.

No end to the bad faith

Trump's decisions have been at odds with his own administration's findings on other high-profile fronts — and this, too, suggests a role for House Democrats.

Take the current border turmoil. Amid political blowback from the tear-gassing of asylum-seeking migrants, Trump is claiming the tear gas didn't impact children and was necessary because agents were "being rushed by some very tough people." Salvador Rizzo has an excellent debunking, noting that Trump is presenting no proof of this widespread criminal element, and that the evidence shows children were affected.

Meanwhile, Trump's homeland security secretary is asserting that these children were used as "human shields." But as Rizzo notes: "Photos and video taken on site show that these children were with their mothers, not hardened criminals."

Yet the dishonesty run much deeper than this: Much of Trump's broader immigration policy agenda is based on bad-faith dismissal of reality as well. The travel ban went forward despite two internal Homeland Security analyses undercutting its national security rationale. Trump dramatically slashed refugee flows after his administration buried findings showing them to be a net economic positive.

Trump's rationales for restricting asylum seekers are also based on lies about the threat they supposedly pose and absurd exaggerations about the rates at which they don't show up for hearings. These invented motives could lead to much worse to come: Trump is fighting to cruelly restrict the ways people can exercise their legal right to apply for asylum and is considering a total border shutdown.

To be clear, we have only the dimmest sense of what went into these decisions. But one can envision oversight that tries to flesh out the degree to which Trump ignored his own administration's factual findings — and internal advice — in making them. Trump sent in the military to make his fictional horror stories about asylum seekers come true on voters' television sets. Scrutiny could also fall on what went into that decision, too.

For a glimpse of what that might look like, recall that a Congressional hearing revealed that Trump's family separations — one area in which we saw oversight — went forward despite warnings that they could psychologically traumatize children.

I don't want to overstate what oversight can accomplish. But House Democrats must try to use their new majority to get into the fight against Trump's war on empiricism. "I don't believe it" is Trump's answer to "the buck stops here," the four-word phrase that future historians will point to as the catchall phrase that perfectly defines this presidency's extraordinary saturation of bad faith and ongoing abuse of the public trust. We might be only just beginning to learn just how deep those things run.

Inquisitr: Fox News Shared Questions With Trump Cabinet Official, 'The Daily Beast' Reports

Emails show 'Fox & Friends' gave interview questions to Scott Pruitt, the then-EPA head, prior to his appearance on the show earlier this year.

https://www.inquisitr.com/5182383/fox-news-shared-questions-with-trump-cabinet-official-the-daily-beast-reports/

Stephen Silver- November 27, 2018

It's well-known that Fox News' morning show Fox & Friends is somewhat friendly to President Trump and his administration. Trump is known to watch the show religiously, sometimes even live-tweeting what is said by its hosts.

According to a new report, Fox & Friends has gone even further than previously thought in its defense of the president. The Daily Beast's Maxwell Tani reported Tuesday that when Scott Pruitt, then the administrator of the Environmental Protection Agency under the Trump administration, made a series of appearances on Fox & Friends, Pruitt's team "chose the topics for interviews, and knew the questions in advance." The report also stated that Pruitt was "taken aback" when he appeared on the show and a guest host, Ed Henry, asked him surprisingly pointed questions.

The practice was discovered following a Freedom of Information Act request from the environmental group The Sierra Club, which The Daily Beast obtained. In one document, Pruitt's press secretary agreed to send a Fox producer "pre-interview questions on the agreed upon topic, the new direction of the EPA, and helping communities that were poorly served by the last administration." Producers would also request "talking points" that Pruitt would be discussing while appearing on the show. The suggested scripts were followed when the segments aired.

Also in the Beast story, it is revealed that Pruitt's team worked hard to book him for exclusive segments on Sean Hannity's Fox show, at one point even offering to "fly Hannity in a private jet with Pruitt to Oklahoma to meet a rural family to discuss the Obama administration's water policy," but the primetime host was uninterested in having him as a guest.

"This is not standard practice whatsoever and the matter is being addressed internally with those involved."

The piece also quotes journalism professors who agree that the practice is considered unethical.

Pruitt, the former state attorney general in Oklahoma, resigned as EPA administrator in July after 18 months after he was implicated in an unusually long list of scandals for a public official who had been in his position for such a short time. Pruitt was accused of everything from having received a sweetheart lease on a Washington condo to expensive travel arrangements to unusual favors for friends and family members. Pruitt was also frequently criticized during his tenure for his rejection of the scientific consensus on climate change.

Chemical Watch: Danish study finds high levels of PFASs in cosmetics

Some concentrations 'exceed' forthcoming REACH restriction limit

https://chemicalwatch.com/72352/danish-study-finds-high-levels-of-pfass-in-cosmetics

Caterina Tani- 27 November 2018

The Danish EPA has found high levels of perfluoroalkyl and polyfluoroalkyl substances (PFASs) in almost one third of 17 analysed cosmetics products.

PFASs are used in foundations, moisturisers, eye shadows, and shaving creams for their surfactant properties, which help creams to better penetrate the skin.

The EPA recently tested the products and said that, while one or more PFASs were identified in all the analysed products, the levels in six exceed those in forthcoming REACH restrictions.

For two products (both foundations) perfluorooctanoic acid (PFOA) was found in concentrations above the REACH restriction limit of 25 parts per billion (ppb) – or 25 nanograms per gram (ng/g) – which will enter into force on 4 July 2020.

Meanwhile, in six products concentration limits exceeded that of a proposed REACH restriction for C9-C14 perfluoroalkyl acids or perfluorocarboxylic acids (PFCAs).

Echa's Risk Assessment (Rac) and Socio-economic Analysis (Seac) Committees agreed to a restriction proposal for PFCAs last September.

Germany and Sweden submitted the proposal in a bid to prevent industry from switching from using PFOA-based substances to longer-chain PFCAs.

Study findings

The highest concentration of a single substance detected in the study was in a foundation at 3,340 ng/g perfluorohexanoic acid (PFHxA), while the highest concentration of total PFASs was in a concealer (10,700 ng/g).

The EPA's research was developed in three stages: a survey of PFASs in cosmetic products, a chemical analysis of these and analysis of total organic fluorine content in selected of the products.

It focused on the substances:

- perfluorooctanoic acid (PFOA);
- perfluorobutanoic acid (PFBA);
- perfluoropentanoic acid (PFPeA);
- perfluorohexanoic acid (PFHxA); and
- perfluoroheptanoic acid (PFHpA).

Agency head Magnus Løfstedt said the risk for consumers is not posed by "one of the measured concentrations in the products", but rather "if several cosmetics containing PFAS are used at the same time".

He recommended consumers use eco-labelled products.

Besides targeting cosmetics, over the last year Denmark has been raising awareness of the risks related to fluorinated substances in outdoor wear and cake packaging.

In related news, the Norwegian EPA has encouraged industry to prepare to use alternatives, when a restriction on the use of octamethylcyclotetrasiloxane (D4) and decamethylcyclopentasiloxane (D5) in wash-off cosmetic products comes into force in 2020.

Washington Post: Surprise, Fox News colluded with Trump's then-EPA boss

https://www.washingtonpost.com/blogs/erik-wemple/wp/2018/11/27/surprise-fox-news-colluded-with-trumps-former-epa-boss/?utm_term=.52ce249ea5e6

By Erik Wemple- November 27 at 11:07 AM

Believe it or not, "Fox & Friends" is worse than it looks.

The highly rated morning program on Fox News specializes in sweet and supportive interviews with President Trump and his various colleagues and appointees. When Trumpites spray their baseless statements onto the airwaves, a common response from the trio of "Fox & Friends" co-hosts is a group nod, though co-host Brian Kilmeade from time to time adds a dissenting voice.

Pro-Trump messaging, however, may be a bit more institutionalized than previously known, thanks to a fresh story in the Daily Beast by Maxwell Tani. Based on emails fetched by a Sierra Club Freedom of Information Act request, Tani reports that aides for Scott Pruitt, then the administrator for the Environmental Protection Agency (EPA), "chose the topics for interviews, and knew the questions in advance."

In one eye-popping instance, a "Fox & Friends" producer wrote an introduction for an interview with Pruitt — and then passed it along to a Pruitt aide. From the story:

"Would this be okay as the setup to his segment?" producer Diana Aloi asked.

She wrote:

"There's a new direction at the Environmental Protection Agency under President Trump—and it includes a back-to-basics approach. This after the Obama administration left behind a huge mess more than 1,300 super-fund sites which are heavily contaminated—still require clean-ups. So why was President Obama touted as an environmental savior if all these problems still exist?"

The EPA comms shop was pleased.

"Yes — perfect," [then-EPA press secretary Amy] Graham replied.

The Fox News hosts followed that intro when the segment aired the next day.

Before a separate interview in April, a Fox & Friends producer sent an email to Pruitt's staff with three topics the show wanted to cover: a lawsuit from right-wing Judicial Watch claiming EPA employees were working against Trump; a claim that environmentalists said Trump's proposed border wall would kill jaguars; and Pruitt's visit to U.S. coal mines.

When the interview aired the next day, the hosts asked eight questions. Six were related to the topics agreed upon by producers and the EPA. Another question related to the agency's decision to revoke EPA employee gym memberships—a topic the EPA chief's team successfully pitched as an interview topic the previous day on Trump-friendly Fox Business Network.

What's the point here? Why would "Fox & Friends" producers feel compelled to share so much material when their hosts don't ask questions in the first place? Can't they just promise Trump appointees that they'll get the "Fox & Friends" treatment and leave it at that?

Apparently not. The emails reveal that Fox News isn't just skirting ethical boundaries here — that's been clear ever since at least 2011, when "Fox & Friends" gave Trump special time slot to advertise his political and business ambitions; ever

since Sean Hannity participated in a video ad for Trump; ever since Hannity and colleague Pete Hegseth assisted Trump in staging political rallies; and so on. What's new in this correspondence is just how much professional self-respect Fox News is happy to surrender in service of pro-Trump propaganda.

Fairness requires noting that Ed Henry, the network's chief national correspondent, pressed Pruitt in April on the various scandals of his time at the EPA — scandals that prompted more than a dozen probes into his work and that hastened his resignation. "If Scott Pruitt thought Fox News would play softball, someone forgot to tell Ed Henry," this blog wrote at the time. After a few rounds of pounding from Henry, Pruitt said, "I thought we were going to talk about substantive issues."

Fox News PR chief Irena Briganti didn't respond to a request for comment from the Erik Wemple Blog. However, a Fox News spokesperson told the Daily Beast, "This is not standard practice whatsoever and the matter is being addressed internally with those involved."

That PR formulation — we're addressing the matter — makes periodic appearances in Fox News crisis archives. Like when Hannity appeared onstage with Trump at rally ("This was an unfortunate distraction and has been addressed."); or when it was revealed that Fox News anchor Bret Baier had played a round of golf with Trump ("addressed the matter"); or when Andrew Napolitano made evidence-free claims about the alleged wiretapping of Trump ("the matter was addressed internally."); or when "Fox & Friends" ran a four-minute video slamming President Barack Obama ("We've addressed the video with the producers and are not going to discuss the internal workings of our programming any further."); and when the network had to admit a "breakdown" in covering the story of Shirley Sherrod ("will be addressed internally").

Sounds like Fox News needs a CIAO — chief internal-addressing officer.

Think Progress: Emails reveal cozy relationship between 'Fox & Friends' and Pruitt's EPA

Topics, questions, and even one script were all approved in advance.

https://thinkprogress.org/emails-cozy-relationship-fox-news-scott-pruitt-epa-391e1e5ebc79/

KYLA MANDEL- NOV 27, 2018, 11:09 AM

Fox news frequently shared interview questions with Pruitt's EPA press team.

The close relationship between the Fox News network and the Trump administration is no surprise, but new emails reveal the extent of the coordination between the two. Fox coordinated its interviews with former Environmental Protection Agency (EPA) administrator Scott Pruitt with the EPA's press team, according to the emails.

As The Daily Beast reported on Tuesday, Pruitt's team would choose the interview topics, and Pruitt would know the questions in advance. In one instance, his team even approved part of Fox & Friends' script.

While it's common for television producers to discuss topics in advance with interview subjects, allowing them to dictate the questions, topics, and scripts is a big taboo in the news industry.

Scott Pruitt was shamed at a restaurant, and even Fox News was OK with it

According to emails obtained by the Sierra Club through Freedom of Information requests and shared with The Daily Beast, the EPA's press team would contact Fox when Pruitt wanted to appear on the show to discuss an issue.

In one instance, following an exchange last May between Fox and then-EPA press secretary Amy Graham, one of the show's producer, Diana Aloi, repeatedly asked for "talking points" and the top priorities that Pruitt wanted to talk about.

Upon receiving the information, Aloi then "sought the government official's approval for the script introducing Pruitt's segment," The Daily Beast wrote.

Since the beginning of Pruitt's time at the EPA, emails show that his team worked hard to court various people at Fox — including having off-the-record lunches and even offering Sean Hannity the opportunity to fly in a private jet with Pruitt to Oklahoma, where they'd meet a rural family and discuss the previous Obama administration's water policy. Hannity declined the offer.

Scott Pruitt is interviewed on Fox News about pay raise scandal. Source: Screenshot/Fox News

Not even Fox News is buying Scott Pruitt's excuse for pay raise scandal

The close relationship between the EPA and Fox News eroded near the end of Pruitt's term, which was riddled with scandals.

During an April interview with Fox News reporter Ed Henry, Pruitt appeared blindsided by tough questions and fumbled over answers about giving significant pay raises to staff members. Later that month, a Fox News host even called on President Donald Trump to fire Pruitt.

And after a mother confronted Pruitt in a restaurant days before his resignation, the network didn't even come to his defense.

The Intercept: EPA PLANS TO ROLL BACK WATER PROTECTIONS DESPITE CLIMATE CHANGE WARNINGS

https://theintercept.com/2018/11/27/epa-water-protection-climate-change/

Sharon Lerner- November 27 2018, 10:59 a.m.

WHILE ONE BRANCH of the U.S. government issued a report last week outlining the grave threats posed by climate change, another branch was preparing a rollback of water protections that will further exacerbate some of the climate-related problems laid out in the report.

"Water security in the United States is increasingly in jeopardy" warn the authors of the Fourth National Climate Assessment. Issued the day after Thanksgiving, the 1,656-page report was written by a team of more than 300 experts from the government and the private sector, and looks at the wide-ranging impacts of climate change already underway, including its effects on air quality, forests, coasts, transportation, and agriculture.

The report details the role that climate change, including increasing temperatures and more variable precipitation, has played in water quality crises across the country, such as outbreaks of harmful algae in Lake Erie, the reductions of the Pacific salmon population in the Northwest, and droughts in California. In many parts of the country, particularly the Southwest, groundwater has been seriously depleted, causing some rivers and streams to run dry for part of the year.

Yet the Trump administration is poised to issue a regulatory rollback that will make this already alarming situation much worse. The Environmental Protection Agency is expected to release a rule replacing water protections for many waterways across the U.S. The new rule, based on an executive order Donald Trump issued in February 2017, will likely take federal protections away from these tributary rivers, streams, and wetlands that are seasonal and rain-dependent.

Though a growing number of waterways may run only a few months a year, such streams and rivers impact 58 percent of the drinking water in the continental United States, supplying more than 117 million people, according to EPA calculations.

The deregulation of seasonal waterways could also worsen flooding. The water rule put in place in 2015 by the Obama administration, now in effect in 22 states, deters the development of streams and rivers, which absorb rainwater, runoff, and pollution during storms. But without the federal protections, these waters may be more easily filled in and paved over.

Proponents of the rollback, which include oil and gas companies, real estate developers, big agriculture, and the mining industry, have insisted for years that regulating seasonal waterways amounts to government overreach. The oft-repeated industry argument was that the 2015 rule, which sought to clarify which waters were subject to the Clean Water Act, would have applied to a mud puddle, as the Waters Advocacy Coalition, an industry group that has spent more than $1 million on lobbying, has argued.

But scientists say that even if they run only intermittently, seasonal waterways wind up affecting entire watersheds. "When they do run, that water goes downstream to lakes to larger rivers and streams that we do care about because they're sources of drinking water," said Daniel Allen, an assistant professor of biology at the University of Oklahoma, who is among a growing group of researchers who study seasonal streams.

"We're just beginning to understand how they contribute to water quality downstream," said Allen. "And now we're taking that away before we have even figured out how to manage them more effectively."

Meanwhile, our prospective weather forecast is hotter, drier — and scarier. We're already seeing dramatic changes in climate compared to the last century, according to the report. "Paleoclimate analyses and climate projections suggest

persistent droughts and wet periods over the continental United States that are longer, cover more area, and are more intense than what was experienced in the 20th century. An evolving future, which can only be partially anticipated, adds to this risk."

One thing seems clear: Climate change will further threaten our water. Higher temperatures will continue to increase the need for water, both because of human consumption and greater evaporation in farming. And that need will cause more people to tap into groundwater, which is already heavily depleted in parts of the country. Eventually, the report states, "increased future demand due to warming could exceed future supply in some locations."

Asked about the climate assessment, which predicted that climate change will have severe impacts on the economy, Trump said "I don't believe it."

For those who do believe the science and are interested in mitigating the coming disaster, the report also includes a detailed road map for water management that recommends planning for a wide range of possible future climate conditions. The authors recommended updating policies using the best available science. Yet we'll soon see the EPA do just the opposite.

Hollywood Reporter: Fox News Claims "Not Standard Practice" After Script Pre-Approval Revealed

https://www.hollywoodreporter.com/news/fox-news-responds-script-pre-approval-reveal-1164088

by Jeremy Barr- 8:13 AM PST 11/27/2018

In May 2017, a Fox News Channel producer ran a script by a spokesperson for the EPA.
Fox News Channel said on Tuesday morning that "the matter is being addressed internally with those involved" after The Daily Beast reported that a network producer asked an official with the Environmental Protection Agency to approve a script for an interview with then-administrator Scott Pruitt.

"Would this be okay as the setup to his segment," the producer wrote on May 16, 2017 to two EPA officials coordinating Pruitt's interview on the morning show Fox & Friends. The emails were disclosed in response to a Freedom of Information Act request filed by the environmental advocacy group The Sierra Club.

The network quickly clarified that it does not condone script approval. "This is not standard practice whatsoever and the matter is being addressed internally with those involved," a spokesperson said.

Amy Graham, who served as Deputy Associate Administrator for Public Engagement (and has since left the agency), said the script was "perfect."

The network also provided Pruitt's team with "pre-interview questions on the agreed-upon topic, the new direction of the EPA, and helping communities that were poorly served by the last administration." In addition to sending the EPA logistical details, the network included three topics that would be covered in an April 2017 interview with the administrator.

When the May 2017 segment aired, Fox & Friends co-host Brian Kilmeade did not read the script word-for-word, though he incorporated some of the agreed-upon themes.

The EPA has not yet responded to a request for comment on the agency's media interview practices.

Politico: McNamee, nominees get committee vote

https://www.politico.com/newsletters/morning-energy/2018/11/27/mcnamee-nominees-get-committee-vote-427248

By KELSEY TAMBORRINO (ktamborrino@politico.com; @kelseytam)11/27/2018 10:00 AM EST

With help from Alex Guillén, Anthony Adragna and Daniel Lippman

Editor's Note: This edition of Free Morning Energy is published weekdays at 10 a.m. POLITICO Pro Energy subscribers hold exclusive early access to the newsletter each morning at 6 a.m. To learn more about POLITICO Pro's comprehensive policy intelligence coverage, policy tools and services, click here.

HAPPENING TODAY: FERC nominee Bernard McNamee and two other presidential energy picks will get votes this morning at a Senate Energy and Natural Resources Committee business meeting — despite a call by panel Democrats to hold off on McNamee so they can get him to address a video that surfaced last week showing him lambasting renewables and environmental groups.

Peter True, press secretary for committee Democrats, confirmed to ME that the Dems were pushing for a delay, but a spokeswoman for the Energy panel said the meeting will go forward as scheduled. So far, no Republicans have voiced opposition to McNamee, and some told Pro's Anthony Adragna Monday that the video was no reason to delay a vote. ME recalls that the nomination of Ron Binz, former President Barack Obama's FERC pick, floundered in 2013 after he faced accusations that he favored renewable energy over fossil fuels.

Democratic Sen. Joe Manchin told reporters he'd join Republicans in supporting McNamee, and other Democrats said they expected the vote to proceed. "I have serious concerns, but I expect they're going to move to try to slam through a nominee who's pretty far from a free-market approach to the wholesale power market," New Mexico Sen. Martin Heinrich said.

The committee is also slated to vote today on the nominations of Rita Baranwal to be an assistant Energy secretary for nuclear energy and Raymond David Vela to be director of the National Park Service. If you go: The markup begins at 10 a.m. in 366 Dirksen.

WELCOME TO TUESDAY! I'm your host, Kelsey Tamborrino. Bracewell's Frank Maisano knew that Canada is home to the most natural lakes of any other country. For today, a related question: Which U.S. state has no natural lakes? Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy and @POLITICOPro.

Let Women Rule your inbox: The Women Rule Newsletter is a weekly email that shares original content, practical advice, backstage stories, special events and impactful resources for women at any stage of their career. If you are a woman looking to lead or grow your professional network, look no further than Women Rule. No one rises to the top alone, so sign up for our newsletter and get started today.

ALSO ON THE HILL

START THE CLOCK: House lawmakers return today as the clock ticks closer to a partial government shutdown. Lawmakers still need to strike a deal to avoid a shutdown and set appropriations for fiscal 2019 for Interior-EPA by Dec. 7. House Republicans plan to meet at the White House today to strategize how to get through the lame-duck session.

Lawmakers also need to address the National Flood Insurance Program, which expires at the end of the week. The program is authorized under the short-term extension, S. 1182 (115). House lawmakers are weighing a weeklong postponement of the Nov. 30 deadline to buy time for a longer extension to be attached to funding legislation, Pro's Zachary Warmbrodt reports. Another option that coastal lawmakers are pushing in the Senate would reauthorize the program through May 31, just before the start of hurricane season.

WAITING ON CANTWELL: Sen. Maria Cantwell told reporters Monday she's undecided on whether she'll leave her spot as top Democrat on the Energy Committee for the Commerce Committee. "Both committees have lots of great things to work on," Cantwell said. "We're still talking to the leadership about everything."

Manchin interested: Manchin, who has a plausible path to the ranking member spot on the Energy Committee depending on how things shake out, didn't deny his interest. "I'm ready, willing and able. I can tell you that," he said. "There's got to be a balanced approach about how we maintain energy independence." Remember ME told you last week that Sen. Debbie Stabenow will face pressure to switch to the Energy slot as Manchin would likely face vocal opposition from environmental groups.

IT'S THAT TIME OF THE YEAR! ME's hearing rumblings that action on the long-stalled Yucca Mountain nuclear repository is possible as Congress considers its year-end salvo, according to multiple people tracking the process. "There is definitely a heightened push to do this as it is seen by those in the House and perhaps some in the Senate that this is the best window," one person said. "But no one seems to know whether it will work." Nothing concrete yet, but it's turning into a storyline to watch in the next couple weeks.

LAME DUCK LATEST: House Republicans unexpectedly released a 297-page tax bill last night that they'll try to move during the lame-duck session, POLITICO's Brian Faler reports. The measure amounts to House Republicans' opening bid in negotiations with the Senate, where they'll need Democratic support to move any changes. It remains unclear whether lawmakers will agree to any of the provisions before adjourning for the year. The legislation would revive a number of expired tax "extenders," including some that deal with energy efficiency.

CLIMATE CHANGE

TRUMP: 'I DON'T BELIEVE' CLIMATE REPORT: The president dismissed the significance of his administration's climate report that was released on Black Friday. "I've seen it, I've read some of it, and it's fine," President Donald Trump said Monday. But when asked about the economic impacts laid out by the report, he told reporters: "I don't believe it." The report puts economic losses due to climate change in some sectors at upward of hundreds of billions of dollars a year by the end of the century.

President Donald Trump speaks to members of the media before boarding Marine One on the South Lawn of the White House in Washington, Monday, Nov. 26, 2018. (AP Photo/Andrew Harnik)
President Donald Trump speaks to members of the media before boarding Marine One on the South Lawn of the White House in Washington, Monday, Nov. 26, 2018. | AP Photo/Andrew Harnik

'MORE LIKE AN ECONOMIC FORECAST, NOT SCIENCE': The Senate's No. 2 Republican, John Cornyn, told ME he wasn't sold either on a dire federal climate report. "I don't see that it's based on any science — it's based on a guess as to what the future may hold," Cornyn told ME. "This is more like an economic forecast rather than science in my view."

Asked what the government should do in response to climate change, Cornyn urged greater investment into research into new technologies. "I'm not for a carbon tax. I think we ought to be doing more research — things like, for example, fracking and direct horizontal drilling have helped reduce our dependency on coal," he said. "Things like that are better than more government bureaucracy, taxes."

AROUND THE AGENCIES

WHERE'S ZINKE? Interior Secretary Ryan Zinke is back in California today, alongside Agriculture Secretary Sonny Perdue. The pair will participate this morning in a briefing on the Sites Reservoir project, California's largest water storage project that would pipe water from the Sacramento River to an off-stream reservoir. Republican Reps. Doug LaMalfa, David Valadao and Jeff Denham will join them.

IN THE CLEAR: The Associated Press reports that Interior's internal watchdog has cleared Zinke of any wrongdoing in shrinking the boundaries of Utah's Grand Staircase-Escalante National Monument, following claims that he did so to benefit a former state lawmaker and political ally. According to a summary copy of a Office of the Inspector General report obtained by the AP, the IG found no evidence that Zinke gave former state Rep. Mike Noel preferential treatment.

FORMER CASAC MEMBERS SLAM EPA'S NAAQS PROCESS AHEAD OF OZONE REVIEW: Former members of EPA's Clean Air Scientific Advisory Committee and other experts who have reviewed the agency's science say the panel's current members do "not have the depth or breadth of expertise needed" to scrutinize EPA's upcoming review of the ozone standard. In a letter sent Monday, the 17 experts wrote that the Trump administration has made changes to the NAAQS review process that are "collectively harmful to the quality, credibility, and integrity of the scientific review process and CASAC as an advisory body."

Among their 30 specific recommendations, the experts call for EPA to reverse its ban on grant recipients serving on advisory panels; to create a special review panel on ozone to advise the main CASAC, as was done with previous ozone reviews, and to reinstate a similar panel of experts on particulate matter that EPA disbanded this year; and to relax former Administrator Scott Pruitt's 2020 deadline to issue a new ozone standard so as to avoid cutting corners on the scientific review. Signers include three former CASAC chairs — Chris Frey, Jonathan Samet and Ana Diez Roux — and other former CASAC members or advisers.

MAIL CALL

ITC action needed: Energy trade and advocacy groups, including the Solar Energy Industries Association, ClearPath Action and Citizens for Responsible Energy Solutions, want Congress to modify the tax code to include energy storage as an eligible technology for the investment tax credit. In a letter Monday, the groups call on congressional leadership to enact the Energy Storage Tax Incentive and Deployment Act, H.R. 4649 (115), "a common-sense bill that will encourage investment, jobs and accelerated deployment of solar plus storage projects."

Fossil fuel for thought: Friends of the Earth, Sunrise Movement, 350.org and a raft of other environmental groups are urging lawmakers to reject fossil fuel money and stop climate change, echoing the goals lined up in progressives' "Green New Deal." They write: "We call upon all House Democrats competing for leadership positions, Committee Chairs, and membership on the proposed Select Committee on Climate Change or the Select Committee on the Green New Deal to take the No Fossil Fuel Money Pledge."

Drumbeat continues on LWCF: Leaders from the Coalition to Protect America's National Parks; National Association of Forest Service Retirees; Public Lands Foundation and U.S. Fish and Wildlife Service Retirees Association signed a letter to congressional leaders on the need for action to reauthorize the Land and Water Conservation Fund.

MOVERS AND SHAKERS

Ben Goldey starts this week as the new digital director for the Hudson Institute. He previously was digital director for Chairman Rob Bishop on the House Natural Resources Committee.

QUICK HITS

— "Pro-nuclear power group pumps $750,000 into Georgia PSC runoff," The Atlanta Journal-Constitution.

— "How Trump is ensuring that greenhouse gas emissions will rise," The New York Times.

— "Goldman Sachs contradicts Trump: $50 oil is bad for the U.S., commodity chief warns," CNBC.

— "Solar panel makers rise as Jinko sees demand rebounding in China," Bloomberg.

— "Draft G-20 statement waters down Paris climate commitment," Climate Home News.

— "How the 'Jerky Boys of Russia' punked Rick Perry," E&E News.

— "Natural gas is up, but drillers are down," The Wall Street Journal.

THAT'S ALL FOR ME!

Mercury News: Opinion- Trump EPA must protect workers from harmful chemicals

Despite the science on trichloroethylene's risks, the company never warned my late husband about the dangers

https://www.mercurynews.com/2018/11/27/opinion-trump-epa-must-protect-workers-from-harmful-chemicals/

By JAN PETERSON | UPDATED: November 27, 2018 at 6:46 am

This August, I traveled to Washington, D.C., to share my story with lawmakers and urge them to take action on the toxic chemical that changed my life.

In 2014, my husband of 42 years passed away. He had spent years battling non-Hodgkin's Lymphoma and died from a brain tumor. Before his diagnosis, he worked for three decades for IBM, cleaning customers' copiers and typewriters with a solution that contained the carcinogenic chemical trichloroethylene (TCE).

Despite the science on TCE's risks, the company never warned my husband, Dale, about the dangers of the solution he used for his job. To clean the machines, he would spray the TCE solution onto the copiers and typewriters and use a device to blow off the vapors – all while breathing in the air.

He would then toss the rags he used to wipe off the machines (and the TCE) into his car and head to the next job. He wasn't told to wear gloves or any protective gear. In fact, he was required to wear a suit and white dress shirt.

My husband, like so many in the workforce, was not adequately protected.

And that's why I went to Washington – to speak up for my husband and other workers and to urge lawmakers to call on the Trump administration to protect Americans from TCE. I joined other families whose lives have been affected by the chemical – mothers and fathers who have lost children to cancer and community members struggling with TCE-tainted water.

The Environmental Protection Agency currently has the ability to ban the use of TCE that impacted Dale. Due to health concerns, the agency proposed a ban on TCE in aerosol degreasing and spot cleaning in December 2016, and then a month later, it proposed to ban its use in vapor degreasing.

Over 20 months later, the EPA hasn't finalized either ban. Instead of better protecting Americans, the agency has delayed the bans and has decided to ignore major sources of exposure to TCE while evaluating its risks to health and the environment. Acting EPA Administrator Andrew Wheeler has not explained why the agency won't take action.

While in Washington, I shared my husband's story with lawmakers, and spoke about it at a press conference. Dale was diagnosed with non-Hodgkin's Lymphoma at 47, which doctors noted was young to get the cancer. Around the same time, many other IBM employees were contracting rare cancers at early ages.

Several employees that became sick with illnesses potentially linked to chemicals used on the job ended up bringing lawsuits against IBM. As the lawsuits progressed, it was revealed that IBM had a "Corporate Mortality File" detailing the causes of death for 33,000 employees over a 30-year period. Analysis of the records found excess mortality for cancer in employees.

The EPA has a clear path forward to better protecting workers and consumers from the serious risks of TCE. The agency must finalize the bans now and look at all the ways workers and the public are exposed when deciding what other uses to restrict.

I lost my husband, and my children lost their father. While I can't know exactly if the TCE caused his illness, I do know that he was exposed to the carcinogenic chemical on the job for years. And I know that EPA has the chance – right now – to protect Americans by finalizing the bans.

inRead invented by Teads
Though it was painful for me to recount Dale's story to lawmakers, and it is painful to write about it now, I will continue to speak up. Despite how difficult it is, I feel the need to represent my husband in the hopes that sharing my experience will prevent similar tragedies in the future.

OANN: Exclusive: EPA Will Not Reallocate Waived Biofuel Volumes To 2019 – Official

https://www.oann.com/exclusive-epa-will-not-reallocate-waived-biofuel-volumes-to-2019-official/

By Humeyra Pamuk- November 27, 2018

WASHINGTON (Reuters) – The U.S. Environmental Protection Agency (EPA) has rejected requests from the corn lobby to reallocate biofuel volumes waived under its small refinery exemption program into its 2019 mandate, an agency official told Reuters on Tuesday.

The move is likely to infuriate the powerful corn lobby and top officials in the U.S. Department of Agriculture, who have complained for months that an expansion of the EPA's refinery waiver program under the Trump administration threatens demand for crucial farm products like corn-based ethanol.

Under the U.S. Renewable Fuel Standard, oil refiners must blend increasing amounts of biofuels into their fuel each year or purchase blending credits from those that do. But small refineries can be exempted from the RFS if they prove that complying would cause them financial strain.

The official also said the 2019 annual biofuel mandate figures were set to be largely in line with the agency's June proposal of 19.88 billion gallons.

(Reporting by Humeyra Pamuk; Editing by Bill Berkrot)

MLive: DEQ says four PFAS plumes leaving Wolverine dump

https://www.mlive.com/news/grand-rapids/index.ssf/2018/11/deq_says_four_pfas_plumes_leav.html

By Garret Ellison- November 27, 2018 Updated 1:21 PM; Posted 1:20 PM

ROCKFORD, MI -- There isn't just one plume moving toxic PFAS chemicals in the soil and groundwater away from an old gravel pit in Algoma Township that was once a dumping ground for Wolverine World Wide tannery waste.

There's four. And they're moving in opposite directions.

The presence of multiple plumes linked to just one of Wolverine's multiple dump sites in Kent County is among new details contained in a joint state and federal progress update on the PFAS contamination investigation that continues north of Grand Rapids.

The report was issued Tuesday, Nov. 27 by the Michigan Department of Environmental Quality and the U.S. Environmental Protection Agency ahead of a community meeting tonight at Northview High School, where health officials will explain initial steps in studying PFAS exposure from drinking water though blood testing research.

It's the first formal status update on the EPA and DEQ investigations into contamination caused by waste dumping around the Rockford and Belmont areas, which was brought to light last year following PFAS testing around the old Wolverine House Street dump.

The update comes as Wolverine's consultants are preparing final reports on months of investigation work, which the EPA and DEQ says will become the focus of a public meeting planned Jan. 23, 2019 from 6 to 8 p.m. at Rockford High School.

Investigation managers say there's a significant amount of analysis yet to be done, but preliminary review indicates some contamination may require what's known in remediation jargon as "time-critical" cleanup, or expedited work that needs to begin within the next six months to remove pollution that threatens public health.

EPA and DEQ investigators "haven't seen anything where we had to lock down the properties and do work right now" on an emergency removal basis, said Jeff Kimble, an EPA Region 5 on-scene coordinator assigned to the investigation.

"That doesn't mean there's not some contamination in these areas that will need to be addressed in the shorter term, not the longer term," Kimble said. "There may be some areas that need to be dealt with in a time-critical cleanup fashion."

In Kent County, the EPA and DEQ are tag-teaming the investigation because, unlike Michigan, the federal government hasn't yet included any PFAS compounds on the list of hazardous substances for which it has authority to order and oversee cleanup work.

As result, the EPA has focused on other contaminants besides PFAS, such as heavy metals like chromium and volatile organic compounds like arsenic.

Wolverine began extensive testing at its 76-acre House Street dump in Belmont and its demolished leather tannery grounds along the Rogue River in downtown Rockford earlier this year. Those, along with a gravel pit built over long ago by Wellington Ridge neighborhood homes west of Wolven Street NE, are the three core "source areas" for PFAS contamination that Wolverine's consultant Rose & Westra GZA is investigating under DEQ oversight.

The DEQ says more than 1,700 groundwater, soil, soil gas, sediment and surface water samples have been collected from the House Street and tannery sites. Of the 1,700 drinking water wells tested around the entire 25 square mile

investigation area, 780 have tested positive for some level of PFAS. About 120 of those are above the EPA health advisory level of 70 parts-per-trillion (ppt).

The DEQ has asked Wolverine to retest about 930 private wells in the Belmont area to obtain data on fluctuation in contaminant levels.

According to the DEQ/EPA update, the plume moving southeast away from House Street is 50 to 60 years old, reaches 200 feet deep and has PFAS at concentrations up to 71,000 ppt in its core. It's discharging contaminated groundwater to the Rogue River.

In Rockford, extremely high PFAS concentrations are found on the tannery grounds, and contamination is moving south under the downtown area in shallow groundwater.

Data posted on the Michigan PFAS Action Response Team (MPART) website shows Total PFAS, or the sum of all compounds in a sample, tested at 1,500,000-ppt about 20-feet underground in a temporary well just a few steps away from the White Pine Trail on the tannery southwest end. The DEQ says that hit, from Wolverine's vertical aquifer sampling in March, is much higher than the 450,000-ppt level that permanent monitoring wells on site are showing.

Decades-old records may help explain high contamination levels.

In Algoma Township, the gravel pit in what's called the Wolven/Jewell area has spawned plumes moving northwest, northeast and southeast. The primary plume is moving northwest and is discharging to the Rogue River at 11 Mile Road NE.

A Michigan DEQ map showing PFAS detections in drinking water wells near Rockford, Mich., as well as plumes coming from Wolverine World Wide tannery waste dump sites.
The Algoma plume is "extremely complex" and the DEQ believes secondary plumes are moving in opposite directions at different depths due to the dumpsite being on a divide in groundwater flow to the river, which bends around the entire investigation area before flowing past the former tannery en route to the Grand River.

The DEQ is involved with other sites, particularly landfills, which are situated atop a groundwater divide, but "I don't know that we have another site of this magnitude," said Abby Hendershott, DEQ remediation division district manager in Grand Rapids.

"I don't know that we have other ones that go this many square miles with a source investigation," Hendershott said. "It's pretty unique."

Karen Vorce, a DEQ environmental quality analyst working on the Wolverine investigation, said the diverse glacial geology in the area has forced the state to drill additional monitoring wells beyond those for which Wolverine is paying.

"You can have different lithologies 100 feet away compared to where you're at," Vorce said. Understanding the site requires three-dimensional analysis, "not just looking at those points on the map and going, 'oh, it's ok here, but here's it's not ok.' It has to do with depth."

Outside the House Street, Wolven/Jewell and tannery areas, the DEQ drilled its own monitoring wells east of the Rogue River in areas of Plainfield Township where residential wells have detected PFAS but there's an unclear connection to Wolverine's local waste dumping. The DEQ is testing groundwater under the Rezen Drive and South Childsdale neighborhoods, where past tannery dumping has been alleged, as well as under the Spring Valley mobile home park and along Bittersweet Drive NE.

Wolverine has been "less inclined" to drill monitoring wells east of the river, Hendershott said, where testing has found low levels of PFAS under the state's Part 201 cleanup criteria of 70-ppt for the individual compounds PFOS and PFOA.

"There was nothing above 70-ppt on the east side of the river, so they wanted to focus their effort on the west side," Hendershot said. "The DEQ thought it was still important for us to understand concentrations on the east side, so we've spent state funds to install those wells."

Nearby, Boulder Creek Golf Club is also investigating PFAS in old waste disposal cells located under the golf course, which was built in the 1990s atop a gravel mine that doubled as an unlined landfill. Wolverine dumped tannery sludge there throughout the 1970s. Another area was used for electroplating waste from the Keeler Brass Co. in Grand Rapids.

Irrigation well at the golf course have tested above 70-ppt.

Course owners, who've denied responsibility for contamination at the property, are doing a preliminary investigation to try and define the plume under Boulder Creek, collect PFAS data from old waste cells, and determine where contamination is hitting the Grand River.

Under Boulder Creek, "there's a cell for plating waste and a cell for Wolverine waste," said Hendershott. "We need to be able to understand if there's PFAS in both of those cells to see if we can delineate potential characterization and sources."

Bloomberg: EPA Said to Hold Biofuel Quotas for Gasoline Steady for 2019

https://www.bloomberg.com/news/articles/2018-11-27/trump-agency-said-to-hold-final-biofuel-blending-quotas-steady

By Jennifer A Dlouhy and Mario Parker- NOVEMBER 27, 2018 11:30 AM

- The Trump administration is set to order refiners to use 15 billion gallons of conventional renewable fuels such as corn-based ethanol next year, resisting oil industry pressure.
- The Renewable Fuel Standard dictates how much biofuels must be blended into the nation's gasoline and diesel supplies

(Bloomberg) -- The Trump administration is set to order refiners to use 15 billion gallons of conventional renewable fuels such as corn-based ethanol next year, resisting oil industry pressure to lower the mandate, according to three people familiar with the plans.

The slate of biofuel blending targets set to be released on Friday will be in line with quotas the Environmental Protection Agency proposed in June, said the people, who asked not to be named discussing the matter before an official announcement.

The quotas are unlikely to satisfy agricultural leaders and their political allies who have angrily denounced the EPA's move to exempt some small refineries from the mandates. Under the U.S. Renewable Fuel Standard law, small facilities facing a "disproportionate economic hardship" can win waivers from the annual biofuel blending requirements, and so far, 15 refineries have applied for relief from the 2018 quotas.

The EPA had proposed requiring refiners to blend 19.88 billion gallons of biofuels next year, a 3.1 percent increase over current quotas. That target included a 15 billion gallon quota for conventional renewable fuels such as corn-based ethanol, the maximum allowed under federal law and the same amount required in 2018. The agency also is set to finalize a 2020 requirement for using biodiesel, after proposing a 15.7 percent increase in the target.

The EPA is not set to adjust the final quotas to account for exemptions expected in 2019, according to two of the people familiar with the matter. Representatives of the EPA didn't immediately respond to a request for comment.

In releasing the final biofuel quotas, the Trump administration will be kicking off a broad overhaul of the Renewable Fuel Standard program, setting off a fresh battle between the oil industry and agricultural interests over the biofuel mandate that Congress created in 2005.

Congress envisioned refiners would use some 36 billion gallons of biofuel in 2022 and expected that over time, conventional, corn-based ethanol would give way to next-generation advanced biofuels made from switchgrass, algae and other materials. But cellulosic biofuel has been slow to commercialize, with actual production lagging well bellow the congressional targets.

The EPA has said it plans to establish new biofuel blending targets for 2020 through 2022 as part of the coming RFS "reset." And the agency is poised to ratchet down ambitious congressional goals for cellulosic biofuels as part of that process.

Oil industry leaders said they view the agency's RFS reset as a chance to recalibrate a program created under vastly different market conditions 13 years ago, when lawmakers were eager to wean the U.S. off foreign sources of oil and develop home-grown alternatives. Efforts to revamp the program in Congress have been stymied for years because of tensions between the oil industry and the agricultural sector.

The EPA is separately moving to write a new regulation lifting summertime fueling restrictions on gasoline containing up to 15 percent ethanol, in keeping with a pledge Trump made to Iowa voters in October.

Slate: Report- Fox & Friends Let the EPA Approve Script for Scott Pruitt's Appearance on the Show

https://slate.com/news-and-politics/2018/11/fox-news-epa-scott-pruitt-emails.html

By MOLLY OLMSTEAD- NOV 27, 20181:26 PM

Newly released emails show that Fox & Friends prepared former Environmental Protection Agency Administrator Scott Pruitt with questions before on-air interviews and once even sought the agency's approval of part of the show's script, the Daily Beast reported Tuesday.

The emails, acquired through a Freedom of Information Act request submitted by the Sierra Club (an avowed enemy of Pruitt), showed that Pruitt's team was given the opportunity to agree to topics before the interviews. In one instance detailed by the Daily Beast, a producer for the show sent a list of three topics the show wanted to cover. In the show the next day, the hosts asked Pruitt six questions related to the agreed-upon topics, one question related to a topic the EPA had pitched the day before to another Fox show, and one question that did actually make a small amount of news. The host did not press Pruitt on that question.

In a more flagrant ethical violation, the show once asked approval for the language in a script. In May 2017, Pruitt's staff reached out to the show to discuss Pruitt's interest in "helping communities that were poorly served by the last administration." A producer brought into the email conversation asked the EPA press secretary at the time for "talking points" and then asked, "Would this be okay as the setup to his segment?" She pasted the text from a script in the email:

There's a new direction at the Environmental Protection Agency under President Trump—and it includes a back-to-basics approach. This after the Obama administration left behind a huge mess more than 1,300 super-fund sites which are heavily contaminated—still require clean-ups. So why was President Obama touted as an environmental savior if all these problems still exist?

The press secretary replied: "Yes — perfect." The next day, the hosts were faithful to the script.

While it is common for producers to discuss topics in advance and occasionally share pre-interview questions for the sake of facilitating a better on-air discussion, it is not normal to feed questions to the public official for that official's approval. Seeking an official's approval for a script would not be considered ethical for journalists under any circumstances, and some reporters would argue that giving so much control to a government agency would categorize Fox & Friends' work as communications on behalf of the administration, rather than independent journalism.

A Fox News spokesperson told the Daily Beast, "This is not standard practice whatsoever and the matter is being addressed internally with those involved."

Fox & Friends has been criticized often for the show's blind loyalty to the president and his administration, and some critics have accused it of being a source of propaganda. The relationship between the administration and Fox News in general has been a warm one: former White House communications director Hope Hicks took a job running corporate communications at Fox; Fox News host Jeanine Pirro is a personal friend of Trump's; Fox Business host Lou Dobbs has phoned into multiple meetings in the Oval Office to advise the president on policy matters; and Fox News personality Sean Hannity, another personal friend of Trump's, once appeared as a speaker at a Trump campaign rally in Missouri.

Reuters: UPDATE 1-EPA will not reallocate waived biofuel volumes to 2019 mandate - official

https://in.reuters.com/article/usa-biofuels/update-1-epa-will-not-reallocate-waived-biofuel-volumes-to-2019-mandate-official-idINL2N1Y2185

Humeyra Pamuk- Nov 27

The U.S. Environmental Protection Agency (EPA) has rejected requests from the corn lobby to reallocate biofuel volumes waived under its small refinery exemption program into its 2019 mandate, an agency official told Reuters on Tuesday.

The official also said the 2019 biofuel mandate figures, due to be released this week, would be largely in line with the agency's June proposal of 19.88 billion gallons, which includes 15 billion gallons of convention biofuels like ethanol.

The powerful corn lobby and top officials in the U.S. Department of Agriculture have complained for months that the Trump administration's expansion of the EPA refinery waiver program threatens demand for crucial farm products like ethanol.

Under the U.S. Renewable Fuel Standard, oil refiners must blend increasing amounts of biofuels into their fuel each year or purchase blending credits from those that do. Small refineries can be exempted from the RFS if they prove that complying would cause them financial strain.

"It is an issue of timing," said the EPA official, who declined to be named due to the sensitivity of the issue.

"The primary reason why we're not reallocating in this rule is because we have no idea what the volume of SREs (Small Refinery Exemptions) will be for calendar 2019 and we won't know that late 2019, early 2020. All we could do is guess, and we don't do regulations by guessing here."

The refinery waiver program is among the most controversial issues dividing the U.S. corn lobby and the oil industry.

Since President Donald Trump's election, the EPA has vastly expanded the number of waivers it has handed out to small refineries in a bid to reduce the refining industry's regulatory compliance costs. The move has infuriated another key Trump constituency, the Farmbelt, which argues the program erodes demand for biofuels.

Under pressure, the EPA earlier this year began studying a potential overhaul in which biofuels blending obligations eliminated under the waiver program would be reallocated, possibly in the following year, to other facilities, to ensure there was no net loss in overall blending volumes.

"We would like to make everybody happy. It is not often the case we can," the EPA official said.

The EPA is set to formally announce its 2019 biofuels mandate volumes by Nov. 30. (Reporting by Humeyra Pamuk Editing by Bill Berkrot, Richard Valdmanis and David Gregorio)

Fleet Owner: Trying to decode the message within EPA's Cleaner Trucks Initiative

A rush announcement one week after the midterm elections, EPA's sudden interest in NOx raised some eyebrows. Now comes the hard part: can the agency meet its own 2020 deadline?

https://www.fleetowner.com/open-road/trying-decode-message-within-epas-cleaner-trucks-initiative

Neil Abt | Nov 27, 2018

Announcements highlighting efforts to reduce heavy-truck emissions usually come with a high level of fanfare.

Take the announcement of the first fuel economy and greenhouse gas regulation for medium- and heavy-duty trucks. In May 2010, President Obama hosted dozens of industry officials and the chief executives of competing truck and engine manufacturers for a well-orchestrated signing ceremony at the White House.

Related: EPA plans new rule targeting nitrogen oxide emissions from trucks

However, a different scene played out on Nov. 13 at the Environmental Protection Agency (EPA), as acting administrator Andrew Wheeler announced the launch of the Cleaner Trucks Initiative (CTI), aimed at decreasing nitrogen oxide emissions from heavy-duty trucks.

While several trucking officials were alongside Wheeler, who has since been nominated by President Trump to become the permanent administrator, the announcement felt extremely rushed and a bit at odds with many of the deregulatory actions the federal government has taken since Trump took office.

To get insight on how the Cleaner Trucks Initiative came about and what it could mean for fleets in the coming years, I turned to Glen Kedzie.

As energy and environmental counsel for American Trucking Associations (ATA), Kedzie has been heavily involved in the development of truck emissions rules. He also worked at EPA earlier in his career, putting him in a unique position to build support for the framework of emissions agreements, while making sure they do not rely on unproven technologies.

Kedzie explained that back in June 2016, a group of state and local environmental agencies including the South Coast Air Quality Management District in California and 18 local and state air quality agencies across the nation petitioned the federal government to adopt a tougher NOx standard for heavy-duty trucks.

By the end of that year, a total of 20 local and state entities had joined the effort to seek tougher rules, leading EPA in the final days of the Obama administration to acknowledge "there is a need for further NOx reductions from heavy duty on-road trucks, buses, and other vehicles to reduce adverse health impacts."

EPA added its goal was to develop a program that could be adopted by all 50 states, and thus eliminating the chance of a separate California regulation that could spread to other states.

However, Kedzie said there had been "radio silence" from the agency until very recently. He noted there had been some buzz there could be an announcement just ahead of ATA's annual meeting in Texas the last week of October, but that never happened.

Then, in the week after the midterm elections, Kedzie said things went "boom, boom, boom" and the initiative was unveiled on Nov. 13. It first was reported by the national and trade media one day earlier – on the Monday the nation observed Veterans Day.

Kedzie said there are several theories as to why it came about this way, most of them surrounding the current political environment.

With the Democrats regaining control of the U.S. House of Representatives, and Rep. Nancy Pelosi of California considered the favorite to become House speaker, EPA's action certainly could be viewed as a "green olive branch," Kedzie said.

Likewise, with the next presidential election less than two years away, it also could be a signal EPA and the administration are more willing to listen to the "green vote" than in the past.

Furthermore, there are disagreements between the administration and California and other states on fuel economy rules for light-duty vehicles, so this CTI could also be meant as a way to build common ground moving forward.

Regardless of the exact motivation, Kedzie said it could be "extremely difficult for this rule to be completed" by the proposed 2020 timeframe. Traditionally, it has taken about three years to craft a rule before it is finalized.

"If you rush something through, there is great opportunity that someone can ultimately challenge it, and it may not stand up to legal scrutiny in the end," Kedzie said.

Beyond the condensed development period, Kedzie pointed out the EPA staff that will be working on this proposal is quite small.

They remain busy on other rules, including the continued implementation of the phase 2 greenhouse gas regulation. (He noted it is not yet clear exactly how the disputed trailer and glider kit provisions will play out.)

As for the Cleaner Trucks Initiative, Kedzie said he expects a federal rule to happen, but offered one more note of caution.

"It will be somewhat tricky to develop a regulation in the current environment of deregulation," he said.

Capital Press: Washington judge's ruling on WOTUS muddies waters

Federal courts differ on Clean Water Act. Oregon, Washington, California under Obama rule; Idaho is not

http://www.capitalpress.com/Water/20181127/washington-judges-ruling-on-wotus-muddies-waters

Don Jenkins- Published on November 27, 2018 12:37PM

A federal judge in Washington on Monday reinstated the Obama administration's Clean Water Rule nationwide, a ruling that conflicts with other federal court orders that bar enforcing the rule in most states, including Idaho.

Western Washington District Judge John Coughenour wrote that the Trump administration made a serious procedural error by shelving the rule and going back to the pre-2015 definition of Waters of the United States.

His opinion was in step with a ruling in August by a South Carolina federal judge. In both cases, the judges declined to limit their orders to their regions and instead applied their rulings nationwide.

District judges in Texas, Georgia and North Dakota, however, have prohibited the rule from being applied in a total of 28 states. Meanwhile, farmers in 22 states — including Oregon, Washington and California — are officially working under the Obama definition of which waters fall under the Clean Water Act.

The American Farm Bureau Federation intervened in the Washington and South Carolina cases to support reinstating the pre-2015 rule. A Farm Bureau spokesman had a nonchalant response when asked if the organization had a comment Monday about Coughenour's ruling and the apparent setback. "Nah," he wrote in an email. "It's effectively the status quo."

The Waters of the U.S. definition guides how far the Clean Water Act reaches onto farms and ranches. The Farm Bureau maintains the Obama rule exceeds what Congress intended and would regulate dried-up ditches and barely damp ground nearly a mile from waterways.

Coughenour didn't pass judgment on that claim. A Reagan appointee, Coughenour faulted Trump's Environmental Protection Agency for suspending the Obama rule without taking public comments on the rule's merits. Instead, the EPA only took comments on the delay in implementing the rule until at least Feb. 6, 2020.

Coughenour's ruling stemmed from a lawsuit filed by Puget Soundkeeper Alliance and other environmental groups that alleges the Obama rule wasn't strict enough. Puget Soundkeeper Executive Director Chris Wilke said Monday that the ruling was a "procedural step."

"Now, I think we can focus on the substance of the 2015 rule," he said.

An EPA spokeswoman said in an email the agency was reviewing Coughenour's ruling. The EPA and Farm Bureau have indicated they will appeal the South Carolina ruling by Judge David Norton to the 4th U.S. Circuit Court of Appeals.

The EPA argues delaying the Obama rule makes sense because the agency is reconsidering it and courts are issuing contradictory orders. Coughenour and Norton, appointed by George H.W. Bush, rejected the EPA's arguments and both cited a case in which farm groups successfully challenged a move by the Obama administration in 2009 to delay implementing rules regarding the hiring of seasonal foreign workers.

The EPA and Army Corps of Engineers say they recognize the uncertainty the court rulings have created. According to an EPA statement, "implementation issues that arise are being handled on a case-by-case basis."

Huffington Post: 'Fox & Friends' Fed Interview Questions To Trump's EPA Chief Scott Pruitt In Advance

President Donald Trump's favorite cable news show went easy on one of his top officials — even sending Pruitt's team a portion of a future script.

https://www.huffingtonpost.com/entry/fox-and-friends-scott-pruitt-questions_us_5bfd7404e4b0771fb6beb13b

By Hayley Miller- 11/27/2018 03:50 pm ET

"Fox & Friends," a cable news show known for its friendly coverage of President Donald Trump's administration, sent interview questions in advance to Scott Pruitt's staffers on multiple occasions before the then-Environmental Protection Agency head appeared on the show.

Pruitt's team also approved topics of discussion and reviewed at least one script sent by "Fox & Friends" producers ahead of Pruitt's on-air interviews, according to emails first reported by The Daily Beast and obtained by HuffPost.

As noted by The Daily Beast, cable news producers often discuss possible interview topics with subjects in advance, but allowing public officials to dictate the scope of the discussion is widely frowned upon in journalism and hinders the media's role of holding officials accountable.

"This is not standard practice whatsoever and the matter is being addressed internally with those involved," a Fox News spokesperson told HuffPost in a statement.

The Fox News spokesperson did not respond to a follow-up request for comment about whether the show's producers had worked with any other public officials in such a manner.

The email exchanges, revealed in a Freedom of Information Act request submitted by the Sierra Club, included discussions around multiple "Fox & Friends" appearances in 2017.

On May 16, 2017, one of Pruitt's staffers emailed "Fox & Friends" producers requesting Pruitt appear on the show the next day to discuss "the real reform the Trump Administration is taking to help communities that were poorly served by the last administration."

When the "Fox & Friends" producers agreed, Pruitt's staffer demanded they only discuss the topic she had emailed about, which included efforts to clean up a superfund site in East Chicago.

"We really need to stick with this as the topic," she wrote. "Can you confirm this will be the topic of discussion?"

SIERRA CLUB

A "Fox & Friends" producer soon followed up with a request for "three priorities for the EPA" that Pruitt would like to discuss. She later sent Pruitt's team the script they planned to introduce him on the show for approval.

"Yes — perfect," Pruitt's staffer responded.

In September 2017, a "Fox & Friends" producer told Pruitt's team they planned to ask him to respond to "critics who blame [sic] the role of climate change is strengthening extreme weather events." Pruitt's skepticism over anthropogenic global warming has been scrutinized by environmental activists and scientists.

But the network's softball questions for Pruitt appeared to come to a screeching halt in April when Fox News' Ed Henry grilled him about the wave of ethics scandals plaguing his tenure at the EPA. Three months later, Trump announced Pruitt's resignation.