Message

From: Sanders, Amy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C8C3424E1C874447AA2629C6EBED66F3-ASANDE02]
Sent: 10/5/2020 4:17:19 PM
To: Newton, Cheryl [Newton.Cheryl@epa.gov]
Subject: FW: Daily News Clips: Morning Edition 10/5/20

From: Enos, Kendra <Enos.Kendra@epa.gov>
Sent: Monday, October 5, 2020 11:11 AM
To: AO OPA OMR CLIPS <AO_OPA_OMR_CLIPS@epa.gov>
Subject: Daily News Clips: Morning Edition 10/5/20

Biofuels:

EPA awards MU funding for biogas study

Covid-19:

The coronavirus latest

Ecolab Disinfectant First to Receive EPA Approval as Proven Effective Against SARS-CoV-2 in Electrostatic Application

Emissions:

EPA supports clean-diesel initiative in Rock Island, Henry counties

Why Is the EPA Really Repealing Methane Emissions Regulations?

Land Management:

EPA Grants Oklahoma Control Over Tribal Lands

A Look at EPA's 10-Year Goals for RCRA Cleanups

Pollution:

Western Nevada College gets $345,000 to help businesses cut pollution

Safer Choice Partner Awards:
EPA Announces 2020 Safer Choice Partner Of The Year Award Winner
Superfund:

EPA Deletes All or Part of 27 Superfund Sites from the National Priorities List, Continuing Recent Trend of Historic High Deletions

EPA Grants Oklahoma Control Over Tribal Lands

The Environmental Protection Agency (EPA) has granted the state of Oklahoma regulatory control over environmental issues on nearly

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EPA supports clean-diesel initiative in Rock Island, Henry counties

The U. S. Environmental Protection Agency has announced more than $3 million specifically for clean-diesel projects in Illinois and an additional $2.5 million for clean-diesel projects in the Midwe...

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Biofuels

EPA awards MU funding for biogas study

https://brownfieldagnews.com/news/epa-awards-mu-funding-for-biogas-study/

October 5, 2020 By Will Robinson Filed Under: Missouri, News

The EPA is awarding the University of Missouri nearly $300 thousand to research the commercial use and application of anaerobic digestion of food waste. Anaerobic digestion is the process of bacteria breaking down organic matter without oxygen, such as food.

EPA Region 7 Administrator Jim Gulliford says 30 to 40 percent of food is wasted and about 75 billion pounds of food go to landfills or incinerators every year. He tells Brownfield food waste going into landfills is a losing proposition.

"Anaerobic digestion produces two very valuable products," Gulliford said. "A biogas that can be used as fuel and should be used as fuel and then secondly a fertilizer type biproduct as well."

Gulliford says while anaerobic digestion isn't a new process, MU's focus will be on commercialization of the process.

"Commercialization of processes like this have to be fine-tuned or they may not be successful," he said. "You may not get the optimization of the fuel that's produced, or you may be wasting input."

Gulliford says the fuel produced is a clean biogas that burns like natural gas.

MU is one of 12 agencies to receive funding to study anaerobic digestion. MU's study will be led by Dr. Zhiqiane Hu from the University's Civil and Environmental Engineering Department.

EPA's Region 7 covers Iowa, Kansas, Missouri and Nebraska.

Covid-19

Ecolab Disinfectant First to Receive EPA Approval as Proven Effective Against SARS-CoV-2 in Electrostatic Application

https://www.businesswire.com/news/home/20201005005534/en/

Solution kills COVID-19 virus in 30 seconds and simplifies cleaning procedures at hospitals, hotels and other businesses

October 05, 2020 08:50 AM Eastern Daylight Time

ST. PAUL, Minn.--(BUSINESS WIRE)--Ecolab, the global leader in water, hygiene and infection prevention solutions and services, has received another product approval from the U.S. Environmental Protection Agency (EPA) for use against SARS-CoV-2, the virus that causes COVID-19. Ecolab's

Peroxide Multi Surface Cleaner and Disinfectant is the first EPA-registered disinfectant proven effective at killing the SARS-CoV-2 virus cleared for use with electrostatic spray technology.
"Cleaner and safer environments have never been more critical to protecting people and building consumer confidence"
Leveraging Ecolab's extensive hospital hygiene expertise, this versatile disinfectant can be used across multiple environments, including hospitals, hotels and retail stores. It has been proven effective at killing the SARS-CoV-2 virus in only 30 seconds, in both spray bottle and electrostatic spray applications. No other disinfectant approved for electrostatic spray use is faster at killing viruses. And no other disinfectant approved for electrostatic spray use has been proven effective against the virus that causes COVID-19.

When used in an electrostatic spray application, Ecolab's Peroxide Multi Surface Cleaner and Disinfectant can disinfect large indoor spaces efficiently and effectively. This industry-leading 3-in-1 peroxide hard-surface cleaner, glass cleaner and disinfectant joins Ecolab's roster of disinfectants registered by the EPA as proven effective against SARS-CoV-2. Ecolab has among the broadest portfolio of products for use against the virus.

"Cleaner and safer environments have never been more critical to protecting people and building consumer confidence," said Michael Johannsen, Ecolab executive vice president and general manager of Global Institutional, the Ecolab division that serves the hospitality industry. "Ecolab's Peroxide Multi Surface Cleaner and Disinfectant simplifies hygiene procedures and provides unsurpassed cleaning and disinfecting efficacy."

In addition to its leading virus kill claim, Ecolab's Peroxide Multi Surface Cleaner and Disinfectant is easy to use and delivers a streak-free clean across high-touch, hard surfaces and glass, with a pleasant and fresh scent. When used manually, it simplifies the cleaning process and reduces the number of cleaning products required by combining an effective cleaner and disinfectant into one solution without the need to rinse between cleaning and disinfecting.
Ecolab's Peroxide Multi Surface Cleaner and Disinfectant is one example of the innovative and effective solutions powering the new Ecolab Science Certified™ program, designed to help businesses meet heightened expectations for cleanliness and more stringent regulations to help protect against the virus that causes COVID-19 and other viruses that cause other illnesses. In today's environment, simple and effective cleaning and disinfecting solutions are critical to providing cleaner and safer spaces and strengthening consumer confidence.

Developed using insights from proprietary Ecolab consumer research, and informed by U.S. Centers for Disease Control and Prevention (CDC) guidelines, Ecolab Science Certified is a comprehensive, science-based program that features hospital disinfectants and other sanitizers paired with a detailed training program and a periodic auditing process conducted by highly trained Ecolab specialists. After meeting this rigorous program criteria, customers can display the Ecolab Science Certified seal to let consumers know about their commitment to a higher level of cleanliness.
For more information about Ecolab's Peroxide Multi Surface Cleaner and Disinfectant or to order, contact your local Ecolab representative or visit the product page on ecolab.com.

About Ecolab
A trusted partner at nearly three million commercial customer locations, Ecolab (NYSE: ECL) is the global leader in water, hygiene and infection prevention solutions and services. With annual sales of $13 billion and more than 45,000 associates, Ecolab delivers comprehensive solutions, data-driven insights and personalized service to advance food safety, maintain clean and safe environments, optimize water and energy use, and improve operational efficiencies and sustainability for customers in the food, healthcare, hospitality and industrial markets in more than 170 countries around the world. www.ecolab.com

EPA Reg. No. 1677-238

The coronavirus latest

https://www.politico.com/newsletters/morning-energy/2020/10/05/the-coronavirus-latest-790794

By KELSEY TAMBORRINO 10/05/2020 10:00 AM EDT

With help from Anthony Adragna and Ben Lefebvre

Editor's Note: Morning Energy is a free version of POLITICO Pro Energy's morning newsletter, which is delivered to our subscribers each morning at 6 a.m. The POLITICO Pro platform combines the news you need with tools you can use to take action on the day's biggest stories. Act on the news with POLITICO Pro.

QUICK FIX

— The president could be discharged today from the Walter Reed National Military Medical Center as he recovers from Covid-19.

— The Interior Department could move quickly to approve a permit for a company to start seismic testing for oil in the Arctic National Wildlife Refuge, allowing it to conduct the operations this winter.

— The Supreme Court says it will take up a jurisdiction fight over climate change lawsuits.

HELLO! WELCOME TO MONDAY. I'm your host, Kelsey Tamborrino. Paul Balserak of the American Iron and Steel Institute got the trivia win for knowing the White House property encompasses roughly 18 acres. Together with the Ellipse to the south, the grounds make up a total of 52 acres

For today: Which president is credited with selecting the Bethesda site for the National Naval Medical Center, now known as the Walter Reed National Military Medical Center? Send your tips, energy gossip and comments to ktamborrino@politico.com.

Check out the POLITICO Energy podcast — all the energy and environmental politics and policy news you need to start your day, in just five minutes. Listen and subscribe for free at politico.com/energy-podcast. On today's episode: Another setback for Atlantic offshore drilling

JOIN TUESDAY - A PLAYBOOK INTERVIEW WITH REP. JAMES CLYBURN & ERIC HOLDER: The way that Americans are voting in this year's presidential election is changing. What ballot access problems are Black and minority voters facing? Join Playbook authors Jake Sherman and Anna Palmer on Tuesday, Oct. 6, at 9 a.m. ET for an interview with House Majority Whip James Clyburn and former Attorney General Eric Holder on mail-in voting, the Black Lives Matter movement, and what Democratic priorities should be in the next Congress. REGISTER HERE.

DRIVING THE DAY

THE LATEST: President Donald Trump spent the weekend at the Walter Reed medical center as he continued to battle Covid-19. The president announced last week he and first lady Melania Trump tested positive for the virus, and since then several White House aides and three Republican senators also tested positive.

But the president could be discharged as soon as today, his medical team said Sunday, while acknowledging Trump experienced concerning drops in his oxygen saturation levels both Friday and Saturday. The timing of a potential release also marked a change from a more cautious assessment the president's physician gave earlier this weekend, when he declined to "put a hard date" on a possible discharge. Trump has received the antiviral drug Remdesivir, as well as an infusion of an experimental antibody drug and aspirin, zinc and vitamin D.

In the meantime, the heads of EPA and the Interior and Energy departments wished the president a quick recovery. "Keeping President @realDonaldTrump and @FLOTUS in my thoughts and praying for a speedy recovery," EPA Administrator Andrew Wheeler tweeted. An agency spokesperson told ME on Friday that Wheeler had no symptoms and no recent in-person contact with the president. An Interior Department spokesperson similarly said Secretary David Bernhardt is regularly tested in accordance with CDC guidelines, and was last with the president on Sept. 17.

A DOE spokesperson did not respond to ME, but Secretary Dan Brouillette called Trump "a warrior" in a Friday tweet, adding that "COVID has met its match!" Brouillette was in Montana last week, where he was photographed both wearing and not wearing a mask. He is set to travel to Green Bay, Wis., on Tuesday, continuing a string of events in battleground states by the agency chiefs in recent weeks.

Related: Oil prices ended last week on their heels, dropping on Friday after news that Trump was diagnosed with Covid-19 to finish the week down 8 percentage point from the previous week. Also weighing on the market was the soft September jobs report that showed a slowdown in the nation's economic recovery.

The drop in prices won't help oil companies, which are seeking to shore up their finances with little sign that energy demand will rebound anytime soon. Analysts from consulting firm Rystad Energy wrote in CNBC on Sunday that oil majors — including Exxon Mobil, Royal Dutch Shell, Chevron and BP — are projected to sell a combined $100 billion in oil and gas assets as they focus on top-performing regions, particularly the U.S. shale.

AROUND THE AGENCIES

BERNHARDT RESPONDS ON PENDLEY: Interior Secretary David Bernhardt shot back at environmental groups and Democrats hoping to see his department's actions undone as part of a recent court ruling enjoining William Perry Pendley from exercising the authority of the director of the Bureau of Land Management. Bernhardt told Colorado Politics that environmentalists' "hopes and dreams are about to be crushed" if they think the ruling will invalidate his actions. According to the website, the secretary said he thinks "we'll find any action Perry took was consistent with the law," and he said he was aware of advocacy groups "that have hypothesized about how things will happen."

In recent days, environmental groups have lined up actions taken by the BLM under Pendley since a Montana federal judge ruled that any "function or duty" of the BLM director that was performed by Pendley "would have no force and effect and must be set aside as arbitrary and capricious." The court gave both parties in the suit 10 days to address what acts under Pendley should be set aside. That clock runs out this week.

"What I would say to them is their hopes and dreams are about to be crushed," Bernhardt told Colorado Politics. He added the groups' "inflammatory rhetoric" is "completely detached from the reality of the legal process." Interior said it would immediately appeal the Montana ruling, and in the meantime said Bernhardt has authority over all agencies within Interior, including BLM.

TRUMP ADMIN EYES SPEEDY ANWR PERMIT: A last-ditch effort is underway to approve seismic surveys of potential oil reserves in the Arctic National Wildlife Refuge before the end of Trump's first term, Adam Federman reports. An application to conduct seismic surveys was submitted to the Interior Department in late August, according to two people familiar with the process, and the agency is scrambling to complete its work in about half the time it would normally take. The applicant, Kaktovik Iñupiat Corporation, initially told the agency it had hoped to begin the surveys as soon as December, one of those sources said.

"This is unrealistically fast-tracked," a DOI employee who has reviewed the application told POLITICO. Another person at DOI confirmed BLM is planning to post a draft of the application soon.

The new surveys would cover a smaller portion of the coastal plain and therefore pose less of a risk to the greater Southern Beaufort Sea polar bear population that dens there during winter months. According to the DOI employee who reviewed the application, the 92,000 acres in question are primarily those owned by the Kaktovik Iñupiat Corporation. The subsurface rights belong to the Arctic Slope Regional Corporation, one of the largest private landowners in Alaska. Neither company provided comment.

CALIFORNIA FIRES BACK AT EPA: California officials sent a scathing response to Administrator Andrew Wheeler's criticisms of Gov. Gavin Newsom's electric car executive order in a letter last week that said the agency engaged in "baseless mistruths" and accused it of abdicating its responsibilities to humanity, Pro's Alex Guillén reports. Wheeler sent a letter last week hinting that EPA would not approve California's plan following Newsom's order that would ban the sale of cars that burn gasoline or diesel by 2035. Wheeler's letter also mocked the state's recent electric grid reliability issues.

California EPA Secretary Jared Blumenfeld and California Air Resources Chair Mary D. Nichols replied that Wheeler's missive was politically motivated, and "continues an unprecedented series of attempts by the nation's chief environmental steward designed to obstruct responsible actions to protect Californians. This is especially troubling given that California is in the middle of a climate emergency which would benefit from U.S. EPA's assistance rather than political posturing."

— In a statement to ME, EPA spokesperson James Hewitt fired back that the state's letter is "not rooted in reality as they erroneously accuse EPA of not regulating greenhouse gases, when in fact we have finalized or proposed multiple rules regulating carbon dioxide emissions, including our ACE and SAFE rules."

IN THE COURTS

CLIMATE CHANGE SUIT ON SCOTUS DOCKET: The Supreme Court will hear an appeal from oil companies aiming to overturn lower court rulings that state court is the proper venue for the climate change lawsuit brought by the city of Baltimore. The case is seen as a bellwether for the growing litany of similar climate change lawsuits against fossil fuel companies across several states and cities, Alex reports for Pros.

In the lawsuit, Baltimore cited Maryland public nuisance laws to seek monetary damages from the companies for selling products that release greenhouse gases. But the case for now centers on whether to grant oil companies' request to move the Baltimore suit from state court to federal court. The Supreme Court's 2007 ruling in Massachusetts v. EPA saddled that agency with the authority to regulate greenhouse gases, and a subsequent 2011 ruling in American Electric Power v. Connecticut made it clear that states could not bring federal common law claims against fossil fuel companies because of EPA's authority over greenhouse gases.

What's next? The court likely will not hear the case until January at the earliest, with a ruling expected by June.

Related: The Senate is moving forward with the confirmation process for SCOTUS pick Amy Coney Barrett, despite three Republican senators testing positive for Covid-19 in recent days. The Judiciary Committee does not intend to delay the proceedings, which are slated to begin Oct. 12, though Majority Leader Mitch McConnell suggested Saturday that the hearings could be at least partly remote.

2020 WATCH

CATCHING A GREEN WAVE: Five leading environmental groups announced a joint effort Friday to draw voters to the polls in support of former Vice President Joe Biden and 30 other Democratic candidates for federal offices in the waning weeks of the 2020 election. The initiative, dubbed Green Wave 2020, will be staffed by 70 professional organizers across 15 states and will use the green groups' members to contact hundreds of thousands of voters via phone and text banking, Pro's Anthony Adragna reports. Volunteers will encourage early or mail-in voting as part of the campaign.

The effort brings together the Sierra Club, the League of Conservation Voters, Environmental Defense Fund Action, the Natural Resources Defense Council Action Fund and the National Wildlife Federation Action Fund. The groups said they're looking to help four Democratic Senate candidates: Mark Kelly in Arizona; Sen. Gary Peters in Michigan; Rep. Ben Ray Luján in New Mexico and John Hickenlooper in Colorado. The down-ballot targets mix efforts to aid incumbent Democrats across the ideological spectrum while also targeting new opportunities to flip seats and expand the Democrats' majority in the House.

Emissions

EPA supports clean-diesel initiative in Rock Island, Henry counties

https://www.ourquadcities.com/news/local-news/epa-supports-clean-diesel-initiative-in-rock-island-henry-counties/

by: Linda Cook

Posted: Oct 4, 2020 / 09:31 PM CDT

The U. S. Environmental Protection Agency has announced more than $3 million specifically for clean-diesel projects in Illinois and an additional $2.5 million for clean-diesel projects in the Midwest that will include work in Illinois.

One will help Henry and Rock Island counties, a news release says.

More than $73 million in grants and funding is expected to be awarded to clean-diesel programs and projects at the state and local level across the country.

More than $50 million in Diesel Emissions Reduction Act (DERA) National Grants Program funding is expected to be awarded to implement projects aimed at reducing diesel emissions from the nation's existing

fleet of old, dirty engines and vehicles. Additionally, the EPA anticipates providing about $23.5 million under DERA's 2020 State Grants program to 48 states and four territories to implement their own diesel-emissions reduction programs.

EPA grants include $1,517,300 to the American Lung Association for projects including the replacement of five diesel transit buses with five model year 2020 or newer zero-emission electric transit buses.

The diesel-emission reductions will be realized primarily in Rock Island and Henry Counties.

Why Is the EPA Really Repealing Methane Emissions Regulations?

https://www.sierraclub.org/sierra/why-epa-really-repealing-methane-emissions-regulations

The Trump administration pushed for regulations repeal

BY DREW HIGGINS | OCT 5 2020

As soon as President Trump took office in 2016, the Environmental Protection Agency began dismantling Obama-era regulations on methane emissions and other pollutants from the oil and gas industry. The rollbacks—though they face challenges in court from environmental groups and dozens of cities and states—were finalized in August.

The Trump administration has eliminated countless regulations aimed at capping greenhouse gas emissions and protecting communities from air and water pollution. The justification for these removals is that they are "burdensome red tape" for American industry, unnecessarily costing businesses and the economy.

What's curious about the methane rule rollback is that Big Oil isn't on board. Shell, ExxonMobil, and BP all oppose the measures.

"Needless to say, having Exxon support your rules does not mean they are not going to be rolled back under a Trump administration," said Lauren Pagel, policy director at the environmental nonprofit Earthworks. "There are smaller companies who just want to produce oil and gas at the cheapest rate possible, with the least oversight possible. I think this is for them."

Such smaller companies, however, haven't awoken to the fact that these rollbacks may hurt, rather than help, the industry.

The Obama administration's regulations required operators to monitor, detect, and repair gas leaks at wells and along production lines for both new and existing sources. Natural gas is mostly methane after all, and methane is an exceptionally strong greenhouse gas (GHG). Though it only lasts 12 years in the atmosphere—generally, a shorter time span than other GHGs like carbon dioxide and nitrous oxide—methane is 80 times more effective at trapping heat than CO2. Because of its potency and life span, regulating it is a highly appealing way to quickly pump the brakes on climate change, buying us time to chip away at larger carbon dioxide reductions.

In 2018, methane emissions accounted for 10 percent of total GHG emissions in the US, with natural gas and petroleum systems contributing 28 percent of total methane emissions, according to the EPA. While that might not seem like a lot, the potency of methane, how quickly methane emissions are rising (in 2019, emissions rose to levels not seen in three decades), and the fact that there's reason to believe the EPA significantly underreports emissions are all alarming.

To make matters worse, says Sarah Smith of the Clean Air Task Force, "Methane is released alongside volatile organic compounds for smog and hazardous air pollutants like benzene and formaldehyde." The previous Obama regulations targeted these associated pollutants and toxins, which are harmful to human health.

"The pollution doesn't just stay put. We see asthma attacks attributed to this industry all across the country. We see increased cancer risk in communities near the drilling operations," Smith said. These health impacts from the oil and gas industry are especially present in Black and Latino communities.

The science is clear, and somehow even Big Oil agrees. Gretchen Watkins, the president of Shell in the US, wrote in a statement that "the negative impacts of leaks and fugitive emissions have been widely acknowledged for years, so it's frustrating and disappointing to see the administration go in a different direction."

How is it that in this instance, Shell and other large fossil fuel companies seem to be on the same page as environmentalists? The answer has largely to do with public image.

Dan Zimmerle, the director of Colorado State University's Methane Emissions Technology Evaluation Center (METEC), works on leak-detection testing and innovation, a field into which millions of dollars have been invested in next-generation technologies, from airplanes to cameras to drones.

He interacts with a wide swath of the industry, including big corporations that, he says, "need to deal with the reputation of their company internationally, independent of whatever the mood is in Texas."

These companies invest in leak detection and repair, he believes, because they want to burnish their public image.

"They are suffering from a bad reputation," Zimmerle said, not from the financial cost of regulations.

Massive energy corporations like Shell, BP, and ExxonMobil have the internal resources, be it funds or expertise, to comply with methane regulations. More importantly, they have poured endless money into promoting natural gas as a "cleaner" energy than fuels such as coal. Deregulation threatens that reputation not just in US markets but around the globe, as these corporations operate within foreign governments that may be trending toward more stringent climate policies than the US and who are not eager to import "dirty" US energy. As a result, many individual corporations have committed to limit methane emissions on their own, regardless of federal directives.

According to Sierra Club attorney Andres Restrepo, methane regulations are in many ways a win-win for the environment, human health, and the energy industry.

"There are cost-effective ways of reducing these emissions very significantly. You can get a lot of emissions reductions done with very easy methods, with techniques that are readily available, that many companies have been using for years," Restrepo said. "It does not break the bank for these companies at all. In some cases, it can even save them money."

Those savings could come in part because companies are increasing their efficiency by limiting losses of the gas they are trying to sell. Monitoring and repairing leaks has also spurred innovation and jobs in the sector, such as the work that is being done by Zimmerle and his team at METEC. Someone, after all, has to develop the technology to find leaks, and someone else has to detect and correct them in the field.

So if the regulations are positive for the planet, people, and industry, why is the Trump administration really repealing them?

The first reason has to do with ideology. "This administration and this EPA are, as purely an ideological matter, hostile to the idea of environmental protection," Restrepo said.

Embedded in this hostility is an ethic that vaunts deregulation for its own sake, as evident when Trump passed an executive order in 2017 stipulating that for every regulation passed, two must be repealed.

Lauren Pagel agrees. "I think that they just want to barrel through with this deregulation, regardless. I don't know if they even want to stop and think about it," she said.

The second reason for the rollbacks concerns small and medium-size fossil fuel firms. According to EPA administrator Wheeler, "regulatory burdens put into place by the Obama-Biden administration fell heavily" on

these companies, who purportedly lack the deep pockets for compliance of industry behemoths. While Big Oil has bemoaned the rollbacks, these smaller companies in the US have celebrated them.

These smaller producers will continue to bleed money while also bleeding methane into the environment. What was once a win-win just became a lose-lose.

The EPA estimates that the removal of methane regulations will save the industry between $17 million and $19 million per year. That may seem like a relatively small sum for a sector that pulls in billions in revenue, but beyond this regulatory drama looms a bigger problem—the dire financial straits of the oil and gas industry.

"I think most people assume because they are producing so much, they must be making a lot of money. But they are just burning through cash," said Clarke Williams-Derry, energy finance analyst at the Institute for Energy Economics and Financial Analysis. When describing the financial status of the industry, he said, "the simplest word that comes to mind is bloodbath."

The problem is simply too much supply. In 2008, OPEC was restricting its oil reserves so tightly that scarcity pushed the price of a barrel to its peak of $160. The demand for cheaper alternatives, like gas, and oil produced in the US, skyrocketed. Then in 2014, fearing loss of market share, OPEC opened the tap. Now there's too much of both gas and oil. Prices and profits plummeted for big and small companies, even before the blow of the pandemic (and the blow was bad). Emblematic of how the mighty have fallen, ExxonMobil was kicked out of the Dow Jones Industrial Average in August.

Amid this windfall, methane regulations would actually push companies to scale back their production as a natural byproduct of compliance, according to Williams-Derry. This, ironically, would benefit their bottom lines by decreasing the energy glut. But there's no such restraint here—"They're drill-a-holics," he said. Instead, these smaller producers will continue to bleed money while also bleeding methane into the environment.

If Trump loses the election in November, the political landscape of this issue could shift dramatically. Biden has taken flack from progressives for not explicitly saying he would ban fracking, yet it would be a stretch to describe him as a fracking-friendly candidate. The Biden-Harris platform is committed to instating "aggressive methane pollution limits for new and existing oil and gas operations." Biden also opposes oil and gas leasing on public lands. It is difficult to predict, however, how long reversing the Trump administration's actions and reinstating regulations could take. It took Trump almost his entire presidency to undo Obama's 2016 regulations.

"What would make this really easy to unravel is not just Biden winning but Democrats taking control of the Senate too," said Tim Puko of the Wall Street Journal on the podcast, "Trump on Earth." Any recently adopted regulations under the Trump administration could be erased by Congress in a new administration under the Congressional Review Act, as happened with some Obama-era rules when the Republican congress assumed power in 2016. Methane regulations appear to be first on the docket for Democrats in such a political future.

It's possible that a Biden administration would not simply redo historic regulations but go beyond Obama on climate policy.

"We're hoping this next administration will declare a climate emergency and use every law that's currently at their disposal to make sure we are meeting our Paris climate commitments and more," said Pagel. She'd like to see the government establish the most stringent regulations possible for methane under the Clean Air Act as well as devise a plan for a managed decline of the fossil fuel industry. As the industry continues to wither financially and we move toward a cleaner energy economy, Pagel would like to avoid the environmental and economic catastrophe of "chaotic decline," where well pads are abandoned and unemployment skyrockets in the sector.

In the meantime, the bald facts of these methane emissions rollbacks remain.

"Regulators are trying to bail out an industry that is structurally unsound. They are trying to bail out a boat that has a giant hole in the hull," Williams-Derry said. "No matter how much they give in, it's not going to fix the industry until they address the fundamental problem that it is no longer profitable to produce prodigious quantities of oil and gas."

Land Management

EPA Grants Oklahoma Control Over Tribal Lands

https://tyt.com/stories/4vZLCHuQrYE4uKagy0oyMA/65Oa5a0nYI4rljnOqxhUto

Agency Decision Reverses Tribal Sovereignty That Was Recognized in Landmark Supreme Court Ruling

- By: Ti-Hua Chang
- Oct 5, 2020

The Environmental Protection Agency (EPA) has granted the state of Oklahoma regulatory control over environmental issues on nearly all tribal lands there, TYT has learned. This strips from 38 tribes in Oklahoma their sovereignty over environmental issues. It also establishes a legal and administrative pathway to potential environmental abuses on tribal land, including dumping hazardous chemicals like carcinogenic PCBs and petroleum spills, with no legal recourse by the tribes, according to a former high-level official of the EPA.

This also includes hazardous chemicals that are byproducts of petroleum procurement and refining. In 2019, Oklahoma had the fourth largest petroleum industry in the US.

TYT has obtained a copy of the letter EPA Administrator Andrew Wheeler sent to Gov. J. Kevin Stitt (R-OK) on October 1. The end of the opening paragraph states simply, "EPA hereby approves Oklahoma's request."

DOCUMENT: EPA Administrator Wheeler's letter on tribal sovereignty in Oklahoma

TYT previously revealed that on July 22, Stitt requested control of environmental regulations on tribal land involving a wide range of issues. All of Stitt's requests in his letter were granted by the EPA. They include:

- Hazardous waste dumping on tribal lands which could be any of the hundreds of hazardous chemicals listed by the EPA, including formaldehyde, mercury, lead, asbestos, toxic air pollutants, per- and polyfluoroalkyl substances (PFAS), pesticide chemicals, glyphosate, and polychlorinated biphenyls (PCBs).
- Underground Injection Control, an EPA program used to permit fracking. Fracking uses large amounts of high-pressured water to remove oil and gas from shale rock. It is a contributor to climate change and is known to leave behind contaminated water and toxic pollution.
- Protecting large agricultural polluters in industrial-sized livestock operations, most often dairy cows, hogs or chickens. These mega farms produce enormous amounts of waste, according to the Sierra Club, which estimates that "the quantity of urine and feces from even the smallest CAFO [Concentrated Animal Feeding Operation] is equivalent to the urine and feces produced by 16,000 humans." In his letter, Wheeler acknowledges that the U.S. Supreme Court decision *McGirt v. Oklahoma* precipitated this EPA action. The *McGirt* ruling found that, by treaty, much of eastern Oklahoma is still Native American territory, which could mean under five tribes' jurisdiction including for taxation and regulation. In anticipation of the decision, the Seminole tribe in 2018 issued an eight percent tax on oil and gas wells on its reservation land.

The EPA has now granted the State of Oklahoma the same authority it had before *McGirt* on environmental issues, especially on petroleum. It can do this because federal legislation can nullify Supreme Court rulings. In 2005, a midnight rider attached to a transportation bill took away environmental regulatory control by Oklahoma tribes if requested by the state as it has now done. The Oklahoma state government is pro-fossil fuel and pro-big agribusiness.

This return to previous pro-fossil fuel regulations may be one factor in the multi-billion dollar merger of Oklahoma's Devon Energy with WPX Energy.

As previously reported by TYT, the Petroleum Alliance of Oklahoma knew about Governor Stitt's letter to the EPA on July 22, the day it was sent. This was close to one month before the tribal governments were told.

The EPA action infuriated Oklahoma's Ponca Tribe. Casey Camp-Horinek, Environmental Ambassador & Elder & Hereditary Drumkeeper Ponca Tribe of Oklahoma, provided the following statement to TYT:

> *"After over 500 years of oppression, lies, genocide, ecocide, and broken treaties, we should have expected the EPA ruling in favor of racist Governor Stitt of Oklahoma, yet it still stings. Under the Trump administration, destroying all environmental protection has been ramped up to give the fossil fuel industry life support as it takes its last dying breath. Who suffers the results? Everyone and everything! Who benefits? Trump and his cronies, climate change deniers like Governor Stitt, Senators Inhofe and Langford, who are financially supported by big oil and gas. I am convinced that we must fight back against this underhanded ruling. In the courts, on the frontlines and in the international courts, LIFE itself is at stake."*

SUMMARY REPORT TO TRIBES

TYT also obtained the EPA Summary Report sent Sept. 29 to Oklhaoma's tribes. In it, the EPA writes that the agency will keep Oklahoma's environmental actions within federal law. But this is the same EPA that has rolled back 100 of the agency's previous regulations protecting the environment and has pushed for a rule which would bar the agency from relying on scientific studies that have granted confidentiality to the people tested.

DOCUMENT: EPA Summary Report on Oklahoma Regulatory Control

In a seminar Sept. 21 at the American Enterprise Institute, a conservative think-tank funded by fossil fuel companies, Wheeler concluded that he had fulfilled President Trump's requests to him. Wheeler said, "[Trump] asked me to continue to clean up the air, continue to clean up the water and continue to deregulate and help create more jobs…"

The EPA not only granted all of Oklahoma's requests, it added additional ones such as regulatory control over underground storage (the state has one of the largest oil storage facilities in the country), air pollution, pesticides, lead-based paints, and asbestos in schools.

The EPA Summary report says it consulted with 13 Oklahoma tribes in September. The report says that all the tribes questioned the limited consultation and short time of it, saying, "Comments submitted state that the length of the consultation period was too short, that the consultation should have been extended to tribes beyond Oklahoma…"

The EPA report also acknowledged that the Oklahoma tribes said the agency's decision was contrary to the principles contained within the EPA Policy for the Administration of Environmental Programs on Indian Reservations (1984 Indian Policy). That policy requires a government-to-government negotiation.

The summary report concluded, "However, EPA is also bound to apply the clear and express mandate of Section 10211(a) of SAFETEA, a duly enacted Act of Congress, that specifically allows environmental regulation under EPA administered statutes by the State in areas of Indian country, and that requires EPA to approve a request of the State to so regulate notwithstanding any other provision of law…" Section 10211 (a), the federal law giving Oklahoma the legal right to take over environmental regulations on Tribal land, is a mere two-paragraph rider on page 795 of the 836-page SAFETEA transportation bill. In 2005, this midnight rider was maneuvered into this massive transportation bill by Sen. James Inhofe (R-OK). Inhofe is a staunch fossil fuel advocate and climate-change denier. EPA Administrator Andrew Wheeler worked for Inhofe for 14 years.

FORMER HIGH-LEVEL EPA OFFICIAL NOTES EPA CHOSE NOT TO HAVE DISCRETION

The former high-level official worked in the EPA's office of general counsel. The former official told TYT, "EPA overstates when it claims '[t]he statute provides EPA no discretion to weigh additional factors in rendering its decision.' The statute says that Oklahoma need not make any further demonstration of authority than it already did when it sought approval from EPA to administer the same programs elsewhere in the state. But the position EPA takes in the letter -- that it lacks discretion entirely -- departs from earlier statements made by EPA in *Oklahoma Dept. of Environmental Quality v. EPA*, where it interpreted SAETEA as still allowing it to attach conditions to its approval of Oklahoma programs implemented in Indian Country."

WHO BENEFITS FROM EPA DECISION?

Who will benefit from the state of Oklahoma taking over environmental regulations on tribal lands there? Fossil fuel companies, big agriculture, and livestock companies. This is based on what a former high-level EPA official said after reviewing Governor Stitt's letter to the EPA requesting jurisdiction.

As for the future of Oklahoma's environmental control, the EPA Summary Report includes one paragraph that suggests a pro-environment president and Congress could have impact, but only if new federal legislation is passed:

> *"EPA has found no evidence, nor has any been provided by tribes, that indicates section 10211 has sunset and is therefore no longer valid. Should Congress elect to repeal this provision after EPA*

approves the State's request, EPA would address any effect on its approval of the State's request at that time."

THE NEXT MOVE?

U.S. Attorney General William Barr has now joined other Republican officials trying to nullify the *McGirt v. Oklahoma* ruling that much of the eastern portion of the state is tribal land. The Associated Press and a local Cherokee Radio station report that during a Sept. 30 visit to the Cherokee Nation headquarters, Barr said that he is working with Oklahoma's federal congressional delegation to devise a "legislative approach" to address the *McGirt* decision. Both Governor Stitt and Senator Inhofe have called for a federal "legislative solution."

As TYT has reported, Stitt and Inhofe have pushed for federal legislation to take over not only environmental regulatory control of Tribal lands but all regulatory control, which would return Oklahoma back legally to pre-*McGirt* status.

In six emails between the EPA's public relations office and TYT, the agency has not denied the accuracy of TYT's main points or the Wheeler letter and Summary Report.

A Look at EPA's 10-Year Goals for RCRA Cleanups

https://ehsdailyadvisor.blr.com/2020/10/a-look-at-epas-10-year-goals-for-rcra-cleanups/

By Lisa Whitley Coleman Oct 5, 2020 Hazardous and Solid Waste, Hazardous Waste Management

Peter Wright, assistant administrator of the EPA's Office of Land and Emergency Management (OLEM), announced the 2030 Vision and Goals for the Resource Conservation and Recovery Act (RCRA) Corrective Action hazardous waste facility cleanup program at the Association of State And Territorial Solid Waste Management Officials 2020 RCRA Corrective Action Virtual Conference on September 1, 2020.

RCRA, signed into law in 1976, set responsible waste management standards and established hazardous waste safeguards that cover all aspects of waste management, from generation to treatment, transportation, disposal, and storage. RCRA's Corrective Action "requires facilities that treat, store or dispose of hazardous wastes to investigate and clean up any contamination on or from the facility" and covers approximately 4,000 facilities throughout the United States.

The 2030 New Vision announced at the conference stated that "RCRA Corrective cleanups support healthy and sustainable communities where people and the environment are protected from hazardous contamination today and into the future," according to the EPA press release. "The new goals provide expectations and objectives for the RCRA Corrective Action Program to strive for and complete over the next ten years. EPA has laid out five goals for the program for this ten-year timeframe, related to:

1. Ensuring that RCRA Corrective Action cleanups are initiated and completed expeditiously.
2. Eliminating or controlling adverse impacts beyond the facility boundaries.
3. Ensuring land within the facility boundaries will be safe for continued use or reasonably foreseeable new uses.
4. Identifying and implementing the key elements of effective Long-Term Stewardship for Corrective Action.
5. Regularly adjusting the universe of facilities in the cleanup pipeline to reflect current program priorities."

The EPA hosted nine discussions with groups including federal, state, tribal, and local government officials; environmental justice representatives; and regulated industry representatives to incorporate partner and stakeholder input into the new 2030 Vision and Goals.

2020 Goals

Wright also commended the Agency's progress toward its 2020 RCRA cleanup goals.

"EPA, working with our state partners, has made tremendous progress towards achievement of key milestones set for 2020 in the remediation of historic contamination at hazardous waste sites," Wright said. "I am confident this vision and accompanying goals for the next 10 years of the RCRA Corrective Action Program will provide clear direction and measurable milestones that will energize all stakeholders to achieve these cleanup measures that protect human health and the environment and support healthy communities."

The EPA's goal for its 2020 Initiative was remedy construction at 95% of 3,779 facilities by 2020. To qualify as remedy construction, the EPA or an authorized state issues a written acknowledgment that "(1) the facility has completed construction of a remedy that was designed to achieve long-term protection of human health and the environment for the entire site, and (2) the remedy is fully functioning as designed, whether or not final cleanup levels or other requirements have been achieved," according to coxcolvin.com.

The EPA offers the following projections target for 2020:

- Human Exposures Under Control: projected to be met by 96% of facilities
- Migration of Contaminated Groundwater Under Control: projected to be met by 91% of facilities
- Remedy Construction: projected to be met by 79% of facilities

Visit the EPA's RCRA Corrective Action Cleanup Program site for more information.

Pollution

Western Nevada College gets $345,000 to help businesses cut pollution

https://www.nevadaappeal.com/news/western-nevada-college-gets-345000-to-help-businesses-cut-pollution/

News | Geoff Dornan | gdornan@nevadaappeal.com

Western Nevada College has been awarded a third of a million dollars to help Nevada businesses reduce the pollution they create.

The $345,108 grant comes from the Environmental Protection Agency's P2 program. Georgia White, WNC's director of of professional and applied technology, said the college in partnership with the non-profit GreenUP! will focus on two business sectors -- the food and beverage industry and automotive repair and maintenance.

In the food and beverage manufacturing category, she said. "Nevada's craft breweries are "of particular interest to the EPA."

"The idea of pollution prevention is to go upstream in the manufacturing process and reduce the amount of waste that is ultimately produced, changing processes, changing fuel types, producing less (55 gallon) drums, less smoke, less liquid waste," said EPA Regional Administrator John Busterud.

The program will provide training to 40 businesses in the area including Hispanic-owned companies. They will be taught how they can use safer chemical alternatives, reduce water use, improve energy efficiency and adopt environmental best practices.

The WNC grant, one of just three in the western region, comes on the 30th anniversary of the P2 (Pollution Prevention) grants program. The other two went to U.C. Berkeley and Arizona State. Over those three decades, Busterud said P2 has saved more than $1.5 billion.

"The grant is designed to help Nevada businesses improve their bottom line while reducing their use of hazardous materials, water and energy," he said. "Our grantees have significantly reduced the release of hazardous materials in the environment."

GreenUP! President Donna Walden said the partners have developed a computer tool that lets businesses look at their operations and make positive changes.

"And we can measure it -- the amount of water saved, energy saved, the amount of landfill, etc. are all measurable," she said.

Businesses are encouraged to sign up for the Green Business Tracker that will also allow consumers to access the overall results and support businesses that follow green practices.

They said the computer system is designed to protect the confidentiality of the businesses.

"They get their own environmental report card," Walden said. "We get aggregated data."

She said she's excited about working with the breweries and they're planning training this winter. She said the Nevada Craft Brewers and National Brewers Association list about 50 brewers across the state.

Both pointed to Great Basin Brewery in Reno/Sparks as an example, recycling its 12-ounce bottles and using the spent grains from the brewing process and animal feed among other things. Walden pointed to Great Basin's program offering a free pint of beer to anyone who brings them 12 empties.

There are also great opportunities in helping auto repair and maintenance businesses that have to make use of a variety of hazardous chemicals and materials. Those businesses are already under significant regulatory controls that dictate how materials must be controlled, used and disposed of.

Busterud said P2 is aimed more at "business practices not driven by regulation."

Then there's the educational component for students. The grant includes funding to pay 10 student interns to participate and assist businesses in reducing their carbon footprint.

"The Nevada Green Business Program and Internship program provide a tremendous learning opportunity for students to get work-based experience, in sustainability" White said.

This grant is the first award under the P2 program. WNC officials say they hope and expect to receive more than $1 million over the course of four years.

In order to get that EPA money, Busterud said, the college had to match the federal grant.

White Said WNC's grants committee won't approve submitting any grant unless they already have the match lined up. That can be from people donating time, and services as well as providing funding.

Walden said GreenUP! And WNC have been working on the project since 2018 and developed sector specific guidance for the manufacturers to improve how they do business.

Safer Choice Partner Awards

EPA Announces 2020 Safer Choice Partner Of The Year Award Winners

https://www.jdsupra.com/post/documentViewer.aspx?fid=89393009-a23e-4f22-8cdd-dc78bb1c91dc

On September 24, 2020, EPA announced the 2020 Safer Choice Partner of the Year award winners. EPA recognized 18 Safer Choice Partner of the Year award winners across ten states and the District of Columbia for achievement in the design, manufacture, selection, and use of products with safer chemicals that further outstanding or innovative source reduction. EPA states that the Safer Choice program helps consumers and purchasers for facilities, such as schools and office buildings, find products that perform and are safer for human health and the environment. According to EPA, the 2020 Partner of the Year award winners represent businesses, including woman-owned and small- and medium-sized; federal and local government; and associations. The following organizations from eight EPA regions are being awarded this year:

- Apple -- Cupertino, California;
- BASF Home Care and I&I Cleaning Solutions -- Florham Park, New Jersey;
- Berkley Green -- Uniontown, Pennsylvania;
- The Clorox Company -- Oakland, California;
- Defunkify -- Eugene, Oregon;
- DuPont Nutrition & Biosciences -- Palo Alto, California;
- ECOS -- Cypress, California;
- Grove Collaborative -- San Francisco, California;
- Hazardous Waste Management Program -- King County, Washington;
- Household & Commercial Products Association -- Washington, D.C.;
- Jelmar, LLC -- Skokie, Illinois;
- Lemi Shine -- Austin, Texas;

- Naval Supply Systems Command Weapons System Support -- Mechanicsburg, Pennsylvania;
- PROSOCO -- Lawrence, Kansas;
- PurposeBuilt Brands -- Gurnee, Illinois;
- Sea Mar Community Health Centers -- Seattle, Washington;
- Seventh Generation -- Burlington, Vermont; and
- Wegmans Food Markets -- Rochester, New York.

More information is available on EPA's website.

Superfund

EPA Deletes All or Part of 27 Superfund Sites from the National Priorities List, Continuing Recent Trend of Historic High Deletions

https://drgnews.com/2020/10/05/epa-deletes-all-or-part-of-27-superfund-sites-from-the-national-priorities-list-continuing-recent-trend-of-historic-high-deletions/

Pierre, SD, USA / DRGNews

Jody Heemstra

Oct 5, 2020 9:11 AM

Today (October 5, 2020), the U.S. Environmental Protection Agency (EPA) announced that in Fiscal Year (FY) 2020 the Agency deleted all or part of 27 sites from the Superfund National Priorities List (NPL). This marks the third year in a row that EPA has deleted a historically high number of Superfund sites, sending a clear message that human health and the environment are protected and paving the way for redeveloping these properties into community assets.

The attention and focus the Trump Administration has put on the Superfund program is making a real difference in the lives of people living in communities near Superfund sites across the country," said EPA Administrator Andrew Wheeler. "Clean up and deletion from the NPL helps communities move forward, allowing land to be repurposed and reused in more productive ways. We're proud of the progress we've made."

EPA deletes sites or parts of sites from the NPL when no further cleanup is required to protect human health or the environment. Years, and sometimes decades, of complex investigation and cleanup work have gone into getting these sites to where they are today.

While EPA encourages site reuse throughout the cleanup process, deletions from the NPL can help revitalize communities and promote economic growth by signaling to potential developers and financial institutions that cleanup is complete. Over the past several years, the EPA has placed special emphasis on deleting sites and portions of sites to demonstrate to communities that cleanup is complete.

During the first term of the Trump Administration, EPA has deleted all or part of 82 sites from the NPL matching the site year total over two terms of the previous administration. In FY 2017, EPA doubled the number of full and partial sites deleted over the previous fiscal year with a total of six sites. In FY 2018, the Agency increased the total number of deletions to 22, and in FY 2019, increased it to 27. This past year, in FY 2020, EPA continued to achieve a historically high rate of deletions with 14 full sites and parts of 13 additional sites, for a total of 27 deletion activities.

In FY 2020, EPA employees initiated a project to evaluate and improve the deletion process and as a result consolidated the rulemaking process to streamline the administrative steps involved in deleting sites from the NPL. Going forward, this improvement is expected to reduce workloads, shorten process lead-times and lower program costs.

The 14 sites EPA fully deleted from the NPL are:

1. FMC Corp. (Dublin Road Landfill), Town of Shelby, NY
2. Hormigas Ground Water Plume, Caguas, PR
3. First Piedmont Corp. Rock Quarry (Route 719), Pittsylvania County, VA
4. Fairfax St. Wood Treaters, Jacksonville, FL
5. Red Panther Chemical Company, Clarksdale, MS
6. Dupage County Landfill/Blackwell Forest, Warrenville, IL
7. Fridley Commons Park Well Field, Fridley, MN
8. Scrap Processing Co., Inc., Medford, WI
9. Cimarron Mining Corp., Carrizozo, NM
10. Tulsa Fuel and Manufacturing, Collinsville, OK
11. Annapolis Lead Mine, Annapolis, MO
12. JASCO Chemical Corp., Mountain View, CA
13. American Crossarm & Conduit Co., Chehalis, WA
14. Northside Landfill, Spokane, WA

The 13 sites EPA partially deleted are:

1. Industri-Plex, Woburn, MA
2. Maccalloy Corp., Charleston, SC
3. Redstone Arsenal U.S. Army/NASA, Huntsville, AL
4. Allied Chemical & Ironton Coke, Ironton, Ohio
5. Douglass Road/Uniroyal Inc., Landfill Mishawaka, IN
6. Fort Wayne Reduction Dump, Fort Wayne, IN

7. Southeast Rockford Ground Water Contamination, Rockford, IL
8. U.S. Smelter and Lead Refinery, Inc., East Chicago, IN
9. Omaha Lead, Omaha, NE
10. Anaconda Co. Smelter, Anaconda, MT
11. Idaho Pole, Co., Bozeman, MT
12. Libby Asbestos Site, Libby, MT
13. Queen City Farms, Maple Valley, WA

Additional information about EPA's NPL deletions can be viewed at https://www.epa.gov/superfund/deleted-national-priorities-list-npl-sites-state.

The Superfund Task Force Accomplishments can be viewed at https://www.epa.gov/superfund/superfund-task-force-recommendations-and-accomplishments.

To search for information about these and other NPL sites, please visit https://www.epa.gov/superfund/search-superfund-sites-where-you-live.