Message

From: Covington, Tayler [covington.tayler@epa.gov]
Sent: 6/12/2019 1:30:03 PM
Subject: News Clips

Region 2 News Clips

Corwin: IJC exploring additional flood relief measures (BUFFALO NEWS; June 12, 2019)

Water is being pumped out of Lake Ontario at a record rate, but the new American chair of the International Joint Commission said Tuesday that the organization will explore the possibility of pushing water into the St. Lawrence Seaway at an even higher rate in hopes of alleviating lakeshore flooding.

Air pollution from superfund sites and power plants affects health, expert says (GLENS FALLS POST STAR; June 11, 2019)

Children living in the same zip code of a fuel-powered plant and a superfund site are more likely to be hospitalized for things like asthma, pneumonia and other respiratory infections, according to a study done in New York using hospital data from 1993-2008.

Gowanus News: Appeal To City Agencies, Comments To DCP, IBZ Roundtables (BKLYNER; June 11, 2019)

The meetings would allow community members to ask questions of specific agency officials so they can determine whether "the City has the means, the resources and the will to TRULY plan for the impact of about 8,200 new housing units and an estimated 19,000 new residents," the petition reads.

Climate change advocates swarm the Capitol (ALBANY TIMES UNION; June 11, 2019)

Advocates hoping the end of session agenda in Albany will include strict environmental protections made sure state lawmakers and Gov. Andrew M. Cuomo could hear their pleas in the Capitol on Tuesday.

One-year ban on waste facilities in Rensselaer proposed (ALBANY TIMES UNION; June 11, 2019)

The chairman of Rensselaer County's Legislature is proposing a new law that would place a one-year ban on new solid waste management plants within a mile of the Hudson River anywhere in the county.

Stewards of the land: Liers share how to become environmental advocates (NEWSDAY; June 11, 2019)

Louise Harrison was 5 years old when she figured out what she wanted to do when she grew up.

Draft Energy Master Plan Maps NJ's Journey to Clean and Green 2050 (NJ SPOTLIGHT; June 11, 2019)

The Murphy administration yesterday unveiled its draft Energy Master Plan, a long-awaited roadmap detailing how the state will transition to a clean-energy economy and achieve steep reductions in global-warming pollution within three decades.

Oak Beach residents face yet another delay in return to safe drinking water (NEWSDAY; June 11, 2019)

Plans for a new public water system in Babylon's Oak Beach community are delayed again as officials await the state's approval on a water treatment plant, leaving residents without potable water for at least another year.

$585 million Bethpage plume plan gets hearing Monday (NEWSDAY; June 9, 2019)

The public will be able to weigh in Monday on the state's $585 million plan to contain and treat groundwater pollution spreading from the former Northrop Grumman and U.S. Navy facilities in Bethpage.

PUERTO RICO NEWS – translated via Google Translate

Public hearings on the condition of landfills in Puerto Rico begin (EL NUEVO DIA; June 11, 2019)

The Special Committee on Energy Affairs of the Senate , chaired by Senator Larry Seilhamer , today began a series of public hearings on the condition of the landfill on the island with the intention to introduce legislation that store critical condition they are in these facilities.

Aedes aegypti gains resistance: Experts reveal that these dangerous mosquitoes are not dying easily when they come in contact with various chemicals (EL VOCERO; June 12, 2019)

The mosquito Aedes aegypti, the main transmitter of the viruses that cause dengue, zika and chikungunya, is evidencing a process of resistance to active ingredients of insecticides used to control the vector, according to data from the Vector Control Unit of Puerto Rico, a program attached to the Trust for Science, Technology and Research.

National News

EPA

The Washington Times: Common sense finally coming to EPA with cost-benefit analysis
Politico Pro: Blasts from EPA's past head to the Hill
The Hill: Former Obama EPA head tells Trump's EPA: 'Just do your jobs'
E&E News: Officials shift into new spots
The Hill: Bipartisan former EPA chiefs say Trump administration has abandoned agency's mission
Bloomberg Environment: Former Environmental Chiefs Blast EPA's Retreat Under Trump
Washington Examiner: EPA cuts 40 regulations, saves $3.6 billion, seeks balance on costs
The Washington Post: Former EPA leaders to question agency's direction under Trump
U.S. News & World Report: Former EPA Leaders Blast Trump Administration

Climate

Climatewire: Leader of the Heartland Institute abruptly exits
E&E Daily: Chamber changes tune on climate, but Dems remain skeptical
Politico Pro: Silenced climate testimony in the spotlight

Pipelines

Bloomberg Environment: A Virginia Election Issue Is in the Pipeline
Bloomberg Environment: EPA Guidance May Not Keep States from Blocking Pipelines
The Hill: EPA issues guidance critics say would limit state's authorities over pipeline projects
The Hill: Overnight Energy: Trump appoints Social Security watchdog to also oversee Interior | Critics question EPA guidance on pipelines | Battle over science roils EPA

Chemicals

Chemical Watch: EPA proposes eight TSCA significant new use rules
Bloomberg Environment: EPA Targeting Toxic Waste Storage Sites for Clean Air Violations

Ethanol

Reuters: U.S. refiner group sues Trump EPA over high-ethanol gasoline
Reuters: As Biden tours Iowa, farmers want to know where he stands on ethanol
Washington Examiner: Daily on Energy: Trump faces court challenge over ethanol plan as he takes victory lap in Iowa
E&E News: Refiners sue EPA over year-round E15 sales

Chemicals
Chemical Watch: EPA proposes eight TSCA significant new use rules
Bloomberg Environment: EPA Targeting Toxic Waste Storage Sites for Clean Air Violations

Transportation
E&E News: EPA was once receptive to deal with Calif. — emails

Carbon Emissions
Bloomberg Environment: Former U.S. Environmental Chief Criticizes Carbon Tax Trade-Off

Oceans
The Washington Post: The Energy 202: Trump administration says ocean trash cleanup is top priority on Asia trip
The Washington Post: EPA chief will focus on ocean trash, not climate change, at upcoming global summit

Criminal Enforcement
Bloomberg Environment: Southern States Concerned About Criminal Enforcement Drawdown

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Region 2 News

BUFFALO NEWS

Corwin: IJC exploring additional flood relief measures

By Jerry Zremski

June 12, 2019

Water is being pumped out of Lake Ontario at a record rate, but the new American chair of the International Joint Commission said Tuesday that the organization will explore the possibility of pushing water into the St. Lawrence Seaway at an even higher rate in hopes of alleviating lakeshore flooding.

Jane Corwin, the former state assemblywoman who became the U.S. chair of the IJC three weeks ago, said her organization hopes to have an emergency board meeting Wednesday to consider further flood control measures.

"We're letting water out at some of the highest levels ever done, to the point of putting shipping at risk," Corwin said in an interview. "We're doing a lot. And we're looking to do more."

Corwin also raised the possibility of suspending "Plan 2014," the IJC's controversial water management regimen, which some residents of New York's Lake Ontario shoreline blame for the flooding. But repealing Plan 2014 could be difficult, she added.

More immediately, the IJC – a binational board charged with managing the waters shared by the U.S. and Canada – will consider whether it's possible to again increase the flow of water into the upper St. Lawrence River at the dam complex near Massena, N.Y., and Cornwall, Ont.

The IJC affiliate that controls water flows recently increased outflows to the maximum rate that still allows for safe navigation. Water is now being drained from Lake Ontario at a rate matched only once before, during the flooding of 2017.

"We certainly have to see if the dam is capable of letting out more water," Corwin said. "And if it is capable, what are the ramifications downstream?"

Managing Lake Ontario's water level is a tricky business. The IJC has to take into account not only property owners along Lake Ontario, but also along the St. Lawrence, where flooding has also occurred, as well as shipping interests.

The binational agency tried to modernize the way it manages water levels through Plan 2014, which aims to protect wetlands and wildlife as well as shoreline residents. But the plan has come under a torrent of criticism from politicians such as Rep. Chris Collins, a Clarence Republican, and the state's top two Democrats: Gov. Andrew M. Cuomo and Senate Minority Leader Charles E. Schumer.

The IJC's Canadian co-chair, Pierre Béland, told The Buffalo News Monday that he did not believe Plan 2014 caused the recent flooding.

"I agree with Pierre in that we've got extreme weather events going on right now," Corwin said. "And based on the data I see, I don't believe Plan 2014 caused the flooding. However – and it's a very big however – I do understand that the people on the U.S. side do not have any confidence in the plan. Certainly I think this warrants a discussion."

Corwin said she would raise the possibility of suspending the plan at the commission's meeting Wednesday, but she acknowledged a suspension might be difficult to enact.

The IJC board, consisting of three Americans and three Canadians, operates by consensus. That means all six commissioners would have to agree to suspend the plan, as would the U.S. and Canadian governments.

The plan has not produced the same level of controversy in Canada, Corwin noted. Béland, in fact, voiced support for it during a recent visit to Lake Ontario's southern shoreline.

That prompted Collins to respond Monday with a fiery, fact-based letter.

"Plan 2014 sets water levels one foot higher in the fall, leaving no room for the snow and the rain that the Western New York community experiences," Collins said, asking that the IJC revert to its old water management regimen.

Separately, Collins praised the new IJC leadership for taking temporary actions to alleviate the flooding.

"The International Joint Commission, under Jane's leadership, has accomplished more for Western New York in three weeks than the previous IJC leadership has done in three years," Collins said.

Corwin discussed Plan 2014 and other issues Monday on a visit to the White House. She met with the special assistant to the president on environmental policy as well as the chairwoman of the Council on Environmental Quality.

"We also want to sure that the president's staff has been briefed on the flooding on Lake Ontario, so they have an understanding of how severe it is and how devastating it's been for the families," Corwin said.

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GLENS FALLS POST STAR

Air pollution from superfund sites and power plants affects health, expert says

By Gwen Craig

June 11, 2019

Children living in the same zip code of a fuel-powered plant and a superfund site are more likely to be hospitalized for things like asthma, pneumonia and other respiratory infections, according to a study done in New York using hospital data from 1993-2008.

That describes a large portion of the Glens Falls region living along the Hudson River, considering the river is a superfund site and a number of industrial plants operate there.

David Carpenter, head of the University of Albany's Institute for Health and the Environment, presented some of his findings Monday night at the Clean Air Action Network's second public forum, "Air Quality and Human Health," held at Crandall Public Library.

Carpenter said children are at much greater risk, because they breathe more rapidly than adults, their bodies are still growing and any damage done could be life-long.

Adults feel the effects, too.

For example, those living near a fuel-powered plant were 17% more likely to be hospitalized for chronic obstructive pulmonary disease than those who were not. Those living near a superfund site were 16% more likely. When both are factors are in a person's zip code, the hospitalization frequency jumps to 26%.

While lung cancers and diseases also increase with more air pollution, Carpenter said the biggest risk is heart disease. That's because contaminants that get into a person's lungs trigger an immune system reaction, causing harmful free radicals to circulate and contribute to plaque buildup in arteries.

"You breathe 24/7 every day of the year," Carpenter said. "You can't stop breathing. You're going to breathe whatever is in the air where you are. So all of us are exposed to air pollution, effectively, continuously. It only varies by the amount."

This makes it difficult to study, Carpenter said, because there's no real control group in the world to show what human health would be without air pollution. Studies can only compare those who are exposed to less pollution to those exposed to more.

Carpenter also discussed where air pollution comes from, noting about 17% of the world's air pollution comes from industrial sources, whereas 60% comes from transportation exhaust, according to the World Health Organization.

Things like lawnmowers, forklifts and leaf blowers are particularly "horrendous" for polluting the air, he said.

Laurie LaFond, a member of the Clean Air Action Network as well as the founder of the Grassland Bird Trust, asked Carpenter if those percentages vary by region. She thought the industrial pollution would be higher in the Glens Falls region.

Carpenter said he couldn't answer the question, because he was not an expert on the local area, but said this region has major industrial sources in addition to traffic sources from the Northway.

The Clean Air Action Network has been predominantly focused on industrial pollution.

Now that the public comment period has ended, the state Department of Environmental Conservation will be making a decision on whether it will ...

It first formed, in part, because Lehigh Northeast Cement Co. is updating its air permit to burn a paper and plastic mixture called raggertail as an alternative fuel source. The state Department of Environmental Conservation has not yet released its decision on the permit revision.

The grassroots organization then turned its focus to Wheelabrator Hudson Falls. Last month, the group hosted Mike Ewall, of the Energy Justice Network, to speak about ways to reduce trash and shut down burn plants.

While some have said the group should focus more on transportation and other pollution outside of local industry, Carpenter took a middle road.

GLENS FALLS — A national environmental advocate took a look at air-quality data available in the Glens Falls region, and said of the top three...

"The only point I'm trying to make here is you have multiple sources," he said. "We can't solve all of them, at least not immediately, but this is an important issue."

Linda Plante of Glens Falls asked Carpenter what the average person can do to get more monitoring in the area. Tracy Frisch, founder of the Clean Air Action Network, also asked what Carpenter recommended to get something done. Warren County Supervisor Claudia Braymer asked how a small community could drive policy using science.

It would be difficult to do any kind of study locally, Carpenter said, because the population is too small.

"You're not going to get statistical significance, and the reality is, you don't need to do a study here to know people are impacted by air pollution," Carpenter said.

He encouraged the audience to speak up and get to the governor's office. Some audience members expressed frustration with the DEC and other state agencies, because they often say the industries are operating "within allowable limits."

Carpenter said it's important for the public to remember that the DEC and U.S. Environmental Protection Agency are political organizations. They balance the interests of public health with economic industry.

"They're not safe levels," Carpenter said about "allowable limits." "They are not meant to be a standard of what's safe or not safe."

There is no safe level of lead exposure, Carpenter said as an example, and yet some of the area's plants emit lead.

The DEC also uses averages over a day, week or more to measure industrial pollution, which fails to take into account spikes of pollution, he said.

Several audience members talked about times in the middle of the night when the sickly sweet, rotten egg smell permeates the outdoors. Carpenter said those times are when air samples should be taken. He has done this in other locations and found "some of the concentrations (of pollutants) were 10,000 times higher than EPA levels, but it was a one-shot exposure."

"High-level exposures really are important in triggering disease," he said.

He mentioned Summa canisters, a kind of container that can capture an air quality sample, as a way the organization could test the air for itself. Carpenter said it would be good to get a sample when the industrial smell is strong.

"It's not an easy road to get politicians to pay attention, to even get the community informed enough so they really bang on the table and demand some action," he said.

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BKLYNER

Gowanus News: Appeal To City Agencies, Comments To DCP, IBZ Roundtables

By Pam Wong

June 11, 2019

The meetings would allow community members to ask questions of specific agency officials so they can determine whether "the City has the means, the resources and the will to TRULY plan for the impact of about 8,200 new housing

units and an estimated 19,000 new residents," the petition reads. The meetings must take place in advance of the ULURP (Uniform Land Use Review Procedure) to give the community and CB6 members the chance to fully understand and "assess all of the potential consequences of this rezoning."

The list of NYC and NYS agencies CG CORD has requested includes:

Department of City Planning (DCP)
Department of Education (DOE)
Department of Environmental Protection (DEP)
Department of Parks & Recreation (NYC Parks)
Department of Sanitation (DSNY)
Department of Transportation (DOT) and the Traffic Department
Emergency Medical Services
EPA (Region 2, Gowanus Canal Superfund team)
Federal Emergency Management Agency (FEMA)
Fire Department of New York (FDNY)
Metropolitan Transit Authority (MTA)
New York Police Department (NYPD)
NYS Department of Environmental Conservation (DEC)
Office of Emergency Management (OEM)

CB6 delivered a letter to NYC Department of City Planning Chair, Marisa Lago, on Tuesday, June 11, requesting that—as the lead agency in the rezoning—DCP support convening these meetings. The board also requested a timeline for when the Draft Environmental Impact Study will be completed and when the ULURP (Uniform Land Use Review Procedure) process will begin.

"We understand that the prospect of major changes within our community are a source of serious concern and we should be looking at this from every angle in the EIS and throughout the process," CB6 District Manager Michael Racioppo told Bklyner.

In related news, the deadline to submit comments to DCP about the Draft Scope of Work was May 27. See below for feedback from some local groups and elected officials who represent the neighborhood.

In its letter to DCP, **Community Board 6** notes that the Gowanus Mix "is vague in the proposed plan," adding that the "proposal looks like it could collapse into a fairly standard Residential with Commercial overlay zoning district." DCP's Frameworkstates it would promote a mix of uses—light industrial, arts and commercial uses—on ground and second floors to create "an active and diverse waterfront."

CB6's letter adds concerns about the possible displacement of low-income families and small businesses and insists on investments in affordable retail, services, job training and placement to maintain affordability for all in the community. See the community board's full letter and list of questions/comments here.

Council Members Brad Lander and Stephen Levin posted their joint comments online on May 30. The elected officials note that there are numerous parts of the Draft Scope of Work that do not "fulfill our shared vision" and need improvement including investing in NYCHA's Gowanus Houses, Wyckoff Gardens, and Warren Street Houses; preventing additional sewer overflows (CSOs) from entering the Gowanus Canal; promoting light manufacturing, arts, and artisan uses inside as well as outside the Industrial Business Zone (IBZ); and preserving historic sites in the neighborhood.

The Council Members add that DCP's plan "must do far more to include investments to meet the needs of a growing community for schools, transit, open space, flooding and resiliency, energy, and other infrastructure." Council Member Lander posted their comments on his NYC Council page.

Assembly Member Jo Anne Simon's letter to DCP bluntly states, "this proposal bears all the hallmarks of a rezoning that will not deliver what is needed by the people who live and work here or their progeny." Simon requests a "revised Draft Scope of Work that adequately and realistically incorporates the conditions on the ground and in the water of

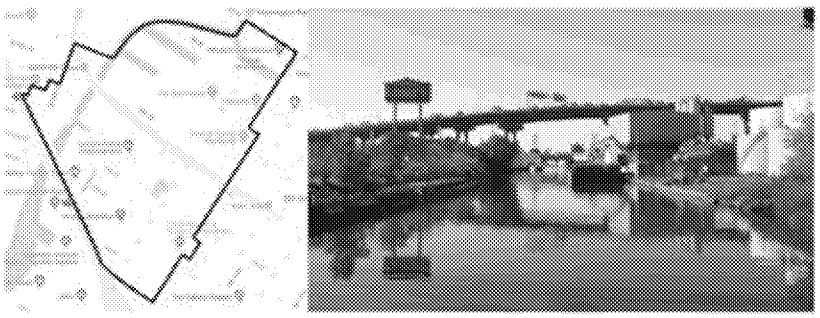
Gowanus," before listing her concerns: disregard for the environmental impacts of construction and added population on the vulnerable neighborhood; lack of attention to traffic and transportation—including the area's overwhelmed subway lines; inadequate outdoor space; and "lack of real affordability" as well as "lack of investment provided for affordable housing including investment in NYCHA."

Senator Velmanette Montgomery's comments were brief and to the point, stating "This proposed rezoning is putting the cart before the horse," in reference to developing the area—and adding 18,000+ residents—before completing the Gowanus Canal Superfund remediation. Montgomery insists that the "rezoning must be put on hold until a genuine environmental cleanup can take place."

The **Gowanus Canal Conservancy**, the non-profit environmental steward for the neighborhood, submitted a letter accompanied by 29 pages of written testimony to DCP. Along with the need to designate an Environmental Special District, the Conservancy's concerns include DCP underestimating the density of the rezoning and the impact it will have on infrastructure.

Among the Conservancy's recommendations for the Gowanus Environmental Special District: sewage and stormwater management in addition to the EPA's Superfund plan for CSO retention; new flood-resilience measures along the waterfront to prevent increased flooding on low-lying streets; pedestrian-friendly streetscapes; and improvements to indoor living conditions, particularly for public housing residents. Go to gowanuscanalconservancy.org to see the organziation's full response.

And lastly, tomorrow, June 12 (2pm to 5pm) will be the first of **two Roundtable Public Meetings to discuss the Gowanus Industrial Business Zone** (IBZ). The second meeting is scheduled for Tuesday, June 18 (9am to 12pm).



Gowanus Industrial Business Zone (IBZ) Vision Study

Business Roundtable Public Meeting

Session # 1
Wednesday
June 12, 2019
2:00 - 5:00 PM

Session # 2
Tuesday
June 18, 2019
9:00 am - 12:00 PM

Location (Both Sessions)
The Bell House
149 7th Street
(between 2nd Ave & 3rd Ave)

Do you work or own a business in and around the Gowanus portion of the IBZ? We want to hear from you!

Please join the Dept. of City Planning (DCP), city agencies, and community stakeholders for roundtable discussions about the future of the Gowanus IBZ!

- Learn how the IBZ Vision Study will affect your business or property
- Share your vision for growth and help identify workforce and infrastructure issues that you would like to address
- Please also fill out a survey to give your input! www.surveymonkey.com/r/K7X89NS

To RSVP and for any questions, please contact gowanus@planning.nyc.gov

NYC PLANNING

"Come learn how the Gowanus IBZ Vision Study will affect your business, meet other businesses and community stakeholders, and share your top priorities and future vision for the area," DCP's announcement reads.

The agency is requesting that Gowanus business or property owners complete an **online survey** to share their thoughts on the challenges and benefits of doing business in the area as well as any improvements they'd like to see implemented.

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ALBANY TIMES UNION

Climate change advocates swarm the Capitol

By David Lombardo

June 11, 2019

Advocates hoping the end of session agenda in Albany will include strict environmental protections made sure state lawmakers and Gov. Andrew M. Cuomo could hear their pleas in the Capitol on Tuesday.

Dozens of people backing the Climate and Community Protection Act - a **sweeping piece of state legislation aimed at addressing climate change** - marched through the halls, chanted at deafening volumes and blocked entrances, including staging mass "die-in" outside the entrance to Cuomo's

In anticipation of the protests, there was an increased contingent of state troopers floating around the Capitol during the day.

The security presence followed last week's protests that resulted in an Assembly guard being allegedly assaulted and more than five dozen people arrested. As of late Tuesday afternoon, none of the activists in the Capitol had been arrested by State Police.

While Cuomo has paid lip service to passing the climate-change language pushed by environmental advocates, it is a long shot to make its way through the state Legislature before the scheduled end of the legislative session next week. The measure has passed the Assembly previously, but hasn't moved in the Senate.

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ALBANY TIMES UNION

One-year ban on waste facilities in Rensselaer proposed

By Diego Mendoza-Moyers

June 11, 2019

The chairman of Rensselaer County's Legislature is proposing a new law that would place a one-year ban on new solid waste management plants within a mile of the Hudson River anywhere in the county.

Republican Mike Stammel of Rensselaer, announced the effort at an outdoor press conference on a pristine day along the Hudson's banks.

If adopted, the measure could throw up a temporary roadblock to the BioHiTech processing plant project off Riverside Avenue that the city has approved, and that in January applied for required permits from the state Department of Environmental Conservation.

"The one-year moratorium gives us the opportunity for the public to have better information, be more prepared," Stammel said. "Our local officials should be out knocking on our doors, talking to their constituents and letting them know what effects are out there, or what concerns there might be."

Rensselaer Resource Recovery LLC wants to build a $35 million facility that would convert municipal waste into a fuel that could be burned in cement plants or other facilities. Waste brought to Rensselaer would be processed into a shredded, confetti-like fuel of plastics, tires, treated railroad ties, and other biomass that would be burned at a cement plant in Pennsylvania.

"We don't need a plant that's going to be 50 yards off the Hudson River that has the potential of polluting the river even more than it is while we're trying to clean it up," Stammel said.

The 23-acre site at the former BASF chemical plant, which has been demolished, could process up to 150,000 tons of municipal solid waste annually — rivaling the amount of trash now going to municipal landfills in Albany and Colonie.

There will be up to 15 semi-trailer trucks coming to the facility each day, according to documents filed with the Rensselaer City Planning Commission.

In August 2018, the planning commission approved the project, owned by BioHiTech America, and determined it would have no adverse environmental impact under the state Environmental Quality Review Act (SEQR).

Stammel, who is running this fall for city mayor against incumbent Democratic Mayor Richard Mooney, questioned that ruling and said the project ought to instead be required to file a Environmental Impact Statement, a detailed review that would outline and address any potential environmental effects of the project.

"Without an (Environmental Impact Statement), we don't really know what the full impact is going to be on the traffic. We don't know what kind of impact it's going to have on the air, we don't know what kind of impact it's going to have on the quality of life," Stammel said.

Stammel pointed to the nearby S.A. Dunn landfill, which was opened without an EIS study, as an example of what can go wrong when a facility's potential impact isn't fully understood.

Residents have long complained about the dump, the state's largest construction and demolition debris dump, which sits next to the Rensselaer Junior/Senior High School, because of the stench it produces and the pollutant-laden dust it blows onto the school's campus.

"If they would have done a full evaluation impact study on the air quality, we wouldn't be concerned about our kids sitting in school all day long, breathing the dust that (the Dunn landfill) is kicking up every day," Stammel said.

Other residents bemoan the dozens of large trucks loaded with debris that start lining up before dawn to get into the Dunn dump, filling the air with diesel exhaust, and dragging dust and grit through the neighborhood.

The proposed Rensselaer processing plant could generate up to $12 million a year in revenue for its owners, according to statements from BioHiTech — though it's unclear how much revenue the facility would create for the city of Rensselaer.

And earlier this year, BioHiTech dropped plans for an Orange County plant after planners there expressed environmental concerns over the project.

Unlike Rensselaer officials, planners in New Windsor had decided that the proposal raised enough environmental concerns that the developers would have to file a detailed environmental plan.

Also, in late march, officials in Coeymans, Albany County, voted to pass a local air pollution law that would prevent the LafargeHolcim cement plant on Route 9W from burning waste tires as an alternative fuel — similar to the fuel the BioHiTech plant would provide cement plants to burn.

"I understand the importance of economic development. Rensselaer is not a wealthy city, and of course we all would like to see tax generating business here," said David Carpenter, director of UAlbany's Institute for Health and the Environment, and a nationally-known expert on environmental health science.

"But to generate income at the expense of the health of the people of the community is absolutely wrong. It's obscene," said Carpenter, who attended the press conference. "We need to have the Environmental Impact Statement around this site."

Rensselaer city officials said this past week they would perform an "additional review" of BioHiTech's proposed facility.

"We recognize Rensselaer as a city of opportunity, including for industrial use. Newer developments, however, cannot come at the expense of residents or families here in the city," Charles Moore, Rensselaer's director of planning and development, said in a statement. "We're performing this additional review as an effort to ensure the impacts stated by BioHiTech remain minimal."

City officials also said they would be implement "additional monitoring and mitigation efforts" over the Dunn landfill, including increased patrols by police to address the truck traffic.

DEC also deployed four portable sensors around the landfill to measure emissions of hydrogen sulfide. And the department ordered Dunn officials to cap over the landfill at the end of each day, rather than once weekly, in an effort to better prevent gases and odors, as well as loose paper and other debris, from escaping into the air.

DEC Commissioner Basil Seggos announced other measures, as well as a list of projects paid for by a $225,000 penalty levied against Dunn by DEC last August, including a new playground on the Rensselaer school campus, a new road from Sixth Street into a city-owned nature preserve, and installation of a new stormwater control system and trees along Third and Partition streets to alleviate dust.

"With our partners in state government, Rensselaer residents' concerns are vigorously addressed, especially for the air we breathe. This is a city in the midst of a resurgence and we're doing our part to make sure Rensselaer is a bright, clean, and proud community for the next generation," Mooney said in a statement.

But environmental activists, including Judith Enck, the former Environmental Protection Agency regional administrator, called for the Dunn landfill's immediate closure. And Stammel said he's not concerned about losing the revenue that the BioHiTech facility could potentially bring to the area should the plant not open.

He said the city has done well enough without revenue from the BASF plant site since it closed nearly two decades ago, and suggested there could be other uses for the property along the river, like a solar energy facility.

"I want to make sure the public has an opportunity to look at what's going on in their neighborhoods, and make sure it's not only safe for them to walk out of their house, safe for their children, for their school, but it's something we can be proud of," Stammel said. "We don't want to be know here in the city of Rensselaer as a dump city."

BACK TO TOP

NEWSDAY

Stewards of the land: Liers share how to become environmental advocates

By Tom Schlichter

June 11, 2019

Louise Harrison was 5 years old when she figured out what she wanted to do when she grew up.

It was then that she was stuck in traffic with her dad and watched in horror as seemingly enormous machines toppled large swaths of trees on a nearby hill to make way for the interstate in Putnam County.

“What will happen to the animals?” she recalls asking her father, who she describes as a surgeon, naturalist — and practical realist. He didn’t sugarcoat the answer: Without a place to live, the animals would die.

“I’ve been looking for ways to protect and preserve the natural world ever since,” Harrison says. Today, the 63-year-old Peconic resident is on the front lines of environmental advocacy, pushing to protect Long Island’s remaining open spaces and waters for fish, wildlife, plants and generations to come.

Many of Long Island’s environmental advocates, like Harrison, have felt an affinity for the environment from a young age. Most have carved niches for themselves in the environmental landscape, especially in helping to protect Long Island’s bays, groundwater and aquifers.

Some, like Adrienne Esposito, executive director of Citizens Campaign for the Environment, which has been instrumental in everything from the recent plastic bag bans to improving sewage treatment and preventing pesticides from reaching the groundwater, are often in the public eye. Many other environmentalists toil behind the scenes.

“Speaking up,” Esposito says, “is the only thing that really makes a difference.”

With the approach of Earth Day on Monday, these environmental advocates share how they were inspired and how citizens can become involved.

Louise Harrison

New York Natural Areas coordinator, Connecticut Fund for the Environment / Save the Sound (savethesound.org)

An environmental professional for more than 40 years, Louise Harrison’s current work for Connecticut Fund for the Environment / Save the Sound, an organization serving New York and Connecticut, is coordinating efforts on Long Island to save Plum Island, off the tip of the North Fork. The General Services Administration, which manages U.S. government-owned property, and the Department of Homeland Security plan to sell the island at public auction by the time the Animal Disease Center there vacates the premises to move to a facility in Kansas, around 2023.

If Plum Island is sold to the highest bidder, Harrison says, those who would like to see it preserved as open space or parkland will be priced out by cash-rich corporate developers. Plum Island, she notes, hosts at least 111 species of conservation concern, more than 220 bird species, and a variety of rare habitats that could be lost if the island is developed.

Harrison is working with a coalition of 109 organizations that want to see most of the storied island forever preserved. If the federal government won't set aside 80 percent of the island as a refuge, the coalition wants the government to transfer it to New York State. That makes sense, she says, because the state has listed the island in its open-space conservation plan.

Louise Harrison, of Peconic, a conservation biologist, studies shore life of the Long Island Sound at Goldsmith's Inlet in Peconic on April 10, 2019. Photo Credit: Randee Daddona

Harrison has a long and distinguished career working for the environment, although not always as a direct advocate. Over the years she has held numerous government and nonprofit positions. She has served with the U.S. Fish and Wildlife Service and Department of State, and the New York State Department of Environmental Conservation as a conservation biologist. One of her most biggest successes, she says, was helping to create a new planning category for areas needing special management attention — called Regionally Important Natural Areas — across the North Shore of Long Island. The new areas were incorporated into the state’s coastal management program.

“As environmental advocates, we speak for those who have no voice — the plants and animals who can’t vote or buy their own homes,” Harrison says. “Ultimately, they are our customers, as are future generations of people who will depend on the natural world, as we all do, whether we recognize it or not.”

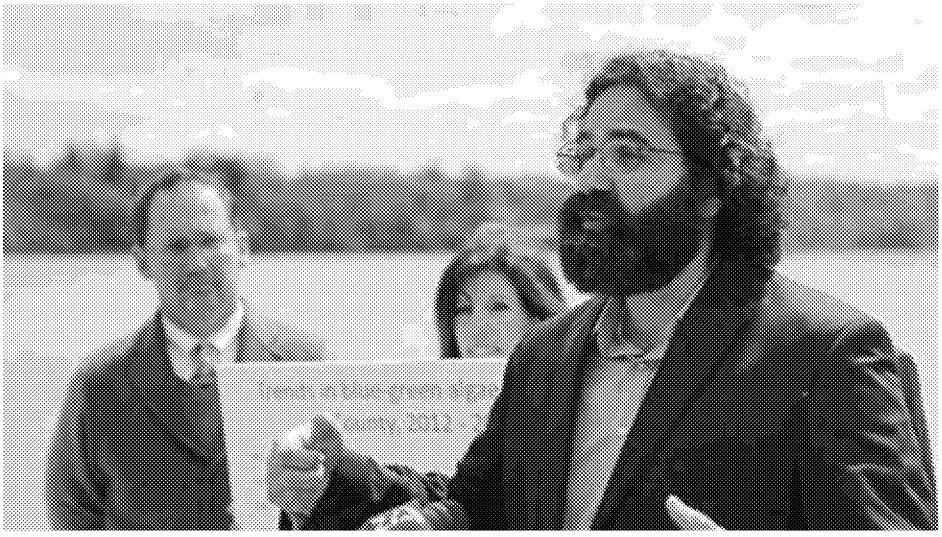
Carl LoBue, New York oceans program director for The Nature Conservancy, looks for oysters in the creek at West Neck Beach in Huntington on April 11, 2019. Photo Credit: Randee Daddona

Carl LoBue

New York Oceans program director, The Nature Conservancy (nature.org)

A scientist by training, Carl LoBue, 50, is the son of a commercial fisherman. A resident of Huntington, he grew up in Massapequa fishing, boating and watching Jacques Cousteau on television.

After graduating from college in 1996 with a degree in oceanography, LoBue worked with the state Department of Environmental Conservation for eight years. When the conservancy purchased the former Blue Point Oyster grounds on Great South Bay, he took a pay cut and jumped ship, hoping to use his skills to help turn around the bay, which was suffering from poor water quality. His team was among the first to link nitrogen runoff to algae blooms in Long Island waters.



Carl LoBue, a marine scientist at The Nature Conservancy, speaks about the issue of increased blue-green algae blooms in Suffolk County during a news conference at Lake Ronkonkoma County Park in 2016. Photo Credit: Barry Sloan

Sixteen years later, LoBue is the Conservancy's New York oceans program director.

"Our team does a lot of science, and we work hard to get the word out and interpret what we learn for elected officials, businesses and other public advocacy groups," he explains. "The top issues we face include water quality, degrading habitat in the bays, vanishing eelgrass, and protecting forage fish like menhaden."

Climate change is also a focus. Both winter flounder and lobster, notes LoBue, have nearly vanished from Long Island waters. Warming seas, he believes, are at least partly to blame. “A switch to offshore wind energy is likely to help in regards to climate change,” says LoBue. “It’s renewable and will reduce CO2 emissions. We are working to make sure that gets done in an environmentally friendly way.”

Peter Topping, the Peconic Baykeeper, stands at Red Creek Pond in Hampton Bays on April 10, 2019. The Peconic Baykeeper is an organization established in 1998 to restore and protect the Island's drinking, swimming and fishing waters. Photo Credit: Randee Daddona

Peter Topping

Recently hired by Peconic Baykeeper, Peter Topping is 39 years old and lives in Southampton, the community where he grew up. He has a background in environmental education and has worked for marine science education programs in the Florida Keys, as an interpretive ranger with the National Park Service, and as a bay management specialist for East Hampton Town’s Shellfish Hatchery.

He realized he wanted to be an environmental activist at age 5, when he set a goal of solving Long Island’s brown-tide problem after seeing it from the beaches of Little Peconic Bay. (He’s still working on finding solutions to stop harmful algal blooms as part of the Peconic Baykeeper team.)

“The mission of Peconic Baykeeper is to advocate for clean, fishable, swimmable, drinkable water, and to get that message out to the public in a variety of ways,” explains Topping. To that end, the organization reaches out to kids with its “Day in the Life of” programs that focus on aquatic ecosystems throughout Long Island. To reach and educate adults on preserving Long Island’s bays and protecting the groundwater, Topping attends an assortment of meetings and events ranging from fish workshops to citizen advisory committee meetings held by East End towns.

“Right now,” Topping says, “we’re heavily involved in getting East End homeowners on board with septic tank updates because many current systems leach nitrogen into our groundwaters, which eventually carry it to our bays.”

The group is also licensing a plot of Great Peconic Bay to oyster growers to create viable shellfish farms. “It really is a win-win proposition,” notes Topping, “because a single oyster filters up to 50 gallons of water a per day and the shellfish farmers serve as extra stewards on the water.”

Kelsey Leonard, a citizen of the Shinnecock Indian Nation, won a Running Strong for American Indian Youth Dreamstarter grant, which she used to inspire indigenous youth to protect the ocean. Photo Credit: Jeremy Dennis

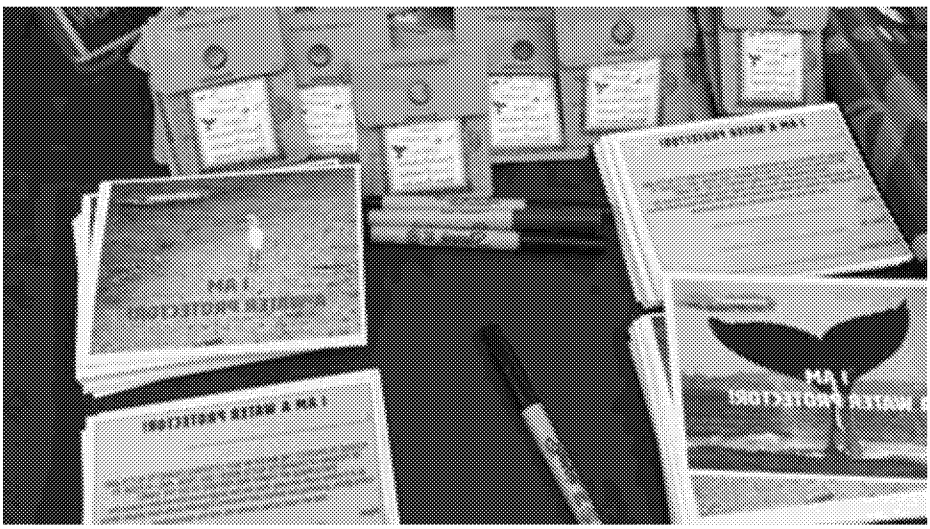
Kelsey Leonard

Natural Resources Committee, Keep Paumanok Beautiful (indigenouswaters.com)

A citizen of the Shinnecock Indian Nation on the South Fork, Kelsey Leonard says being a Shinnecock laid the basis for her environmental advocacy. “The name ‘Shinnecock,’ ” she says, “means ‘people of the stony shore,’ so integral with our identity as humans on this planet is to be shore protectors and ocean protectors.”

In addition to being a member of the Shinnecock's Natural Resources Committee, Leonard, 30, sits on the Mid-Atlantic Committee on the Ocean, which engages stakeholders and fosters collaboration among states, federal agencies, the Mid-Atlantic Fishery Management Council and federally recognized tribes.

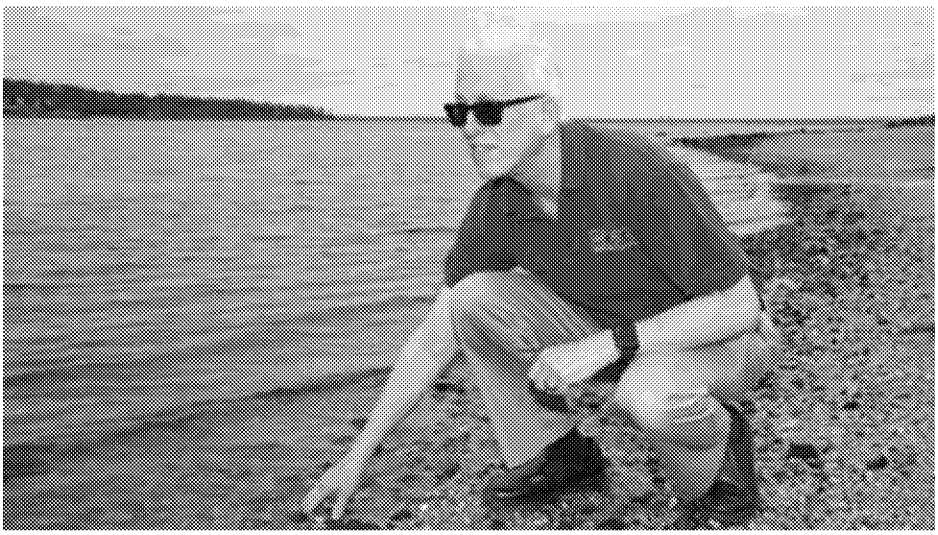
With undergraduate degrees in sociology and anthropology from Harvard University, graduate degrees in water science from the University of Oxford in the U.K. and law from Duquesne, Leonard’s working on her doctorate in water policy at McMaster University in Hamilton, Ontario, Canada. Her studies have prepared her for most any challenge — yet she stresses the impact of everyday actions.



Kesley Leonard's ocean advocacy includes "pocket ashtrays," seen at the rear of this table, as part of the Keep Paumanok Beautiful Campaign. Photo Credit: Kesley Leonard

The Shinnecock Nation's Keep Paumanok Beautiful Campaign is a perfect example. Numbering 4.5 trillion annually by government estimates, cigarette butts are the single most littered item across the globe — and Leonard notes they are toxic to marine life and the environment. The campaign, which she started, as a recipient of the Dreamstarters program sponsored by the nonprofit organization Running Strong for American Indian Youth, partners with tribal smoke shops to raise awareness about the danger of such marine debris, and it collects pledges and distributes minimal-waste receptacles. Its goal is to mobilize Long Island's indigenous youth to protect the environment and foster a cultural identity as ocean stewards. Those who join the campaign pledge to not toss cigarette butts into the water, pick up butts they find, and encourage others to do the same.

"We hope to expand the program outside the Shinnecock Nation to the rest of Long Island, the country and the world," Leonard says, adding that the campaign's partners also include Citizens Campaign for the Environment.



Eric Swenson, executive director for the Hempstead Harbor Protection Committee, checks on the water of Hempstead Harbor at Tappen Beach in Sea Cliff on April 11, 2019. Photo Credit: Randee Daddona

Eric Swenson

Executive director, Hempstead Harbor Protection Committee (hempsteadharbor.org)

Oyster Bay's Eric Swenson, 64, says his "a-ha moment" came on the very first Earth Day, April 22, 1970, when he was a senior at Oyster Bay High School.

"The whole idea just piqued my interest, and I decided I wanted to protect the environment," he says.

After studying political science and sociology in college, Swenson worked briefly for an environmental company before getting a job with the Town of Oyster Bay, where he would eventually become superintendent of environmental control and executive director of the Hempstead Harbor Protection Committee. He has retired from his town position, but kept his committee post.

Swenson says that the committee represents nine government entities — Nassau County, City of Glen Cove, Town of North Hempstead, Town of Oyster Bay, and the villages of Flower Hill, Roslyn, Roslyn Harbor, Sands Point and Sea Cliff — that surround Hempstead Harbor, but invites collaboration with the public sector as well. "Working together, we can come up with some great solutions to water quality and waterfront development issues."

As evidence, Swenson points to 2011, when 2,500 acres of the harbor previously closed to shellfishing because of high bacteria counts were reopened to shellfishing after 45 years. "That was the first major reopening of shellfish grounds in New York State in decades," he states proudly.

Eric Swenson speaks during a session focused on water during the Residents Forward Youth Climate Summit at the Port Washington Public Library on April 28, 2018. Photo Credit: Barry Sloan

Swenson explains that it's his job to keep everyone focused and working together. "It's important to build trust among your members and the agencies you interact with in order to work effectively," he says. "You also need to focus time on funding, and establishing dual partnerships with other government, community and environmental protection groups because there is strength in numbers.

"One village can't protect the entire harbor," he says. "A lot more gets done when responsibilities are spread out."

Right now, Swenson says, the U.S. Army Corps of Engineers is looking at how to protect New York City from future storm surges, with one option being massive tidal gates around the Throgs Neck Bridge. "But," Swenson points out, "when those gates close, they may cause flooding in our harbors. So, we're working to ensure the Army Corp adequately studies that possible impact before going forward."

Top tips for citizen advocates

"Take a child out to a natural area right here on Long Island. All children are born naturalists, so let their sense of wonder and curiosity lead your walk. Spending quality time together outdoors in a park or open space is a wonderful way to encourage the next generation of nature's advocates." — Louise Harrison, Save the Sound

"Water quality, climate change — whatever the topic, dig in and learn the facts before speaking out. It's also important to recognize who makes the decisions. It's not always your local congressman ... it could be someone at the city, state, or local level." — Carl LoBue, The Nature Conservancy

"Take time to learn about the indigenous nations across Long Island. A better understanding of the connection between indigenous peoples and their lands and waters can help foster smarter environmental choices for a shared, sustainable future." — Kelsey Leonard: Shinnecock Indian Nation

"Citizen advocates lead by example. Fertilize lawns a little later in the season and use slow release nitrogen; pursue getting a new septic system installed. We are each responsible for the environment, but it takes working together to make a real difference. So join organizations, attend meetings and ask an advocacy group for help or information." — Peter Topping, Peconic Baykeeper

"Change takes longer than you might expect. Keep at it and it will get done. Also, get to know the people in the field by volunteering or working as an intern. You need real-world experience, not just book smarts to be an effective advocate." — Eric Swenson, Hempstead Harbor Protection Committee

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NJ SPOTLIGHT

Draft Energy Master Plan Maps NJ's Journey to Clean and Green 2050

By Tom Johnson

June 11, 2019

The Murphy administration yesterday unveiled its draft Energy Master Plan, a long-awaited roadmap detailing how the state will transition to a clean-energy economy and achieve steep reductions in global-warming pollution within three decades.

The 107-page document signals a significant reversal of energy policies promoted by the prior Christie administration, which sought to expand the state's natural-gas infrastructure, a strategy that led to lower heating and electricity costs for consumers but increased New Jersey's reliance on fossil fuels.

Figure 2: Estimated NJ Greenhouse Gas Emissions in MMT CO_2e, 2016

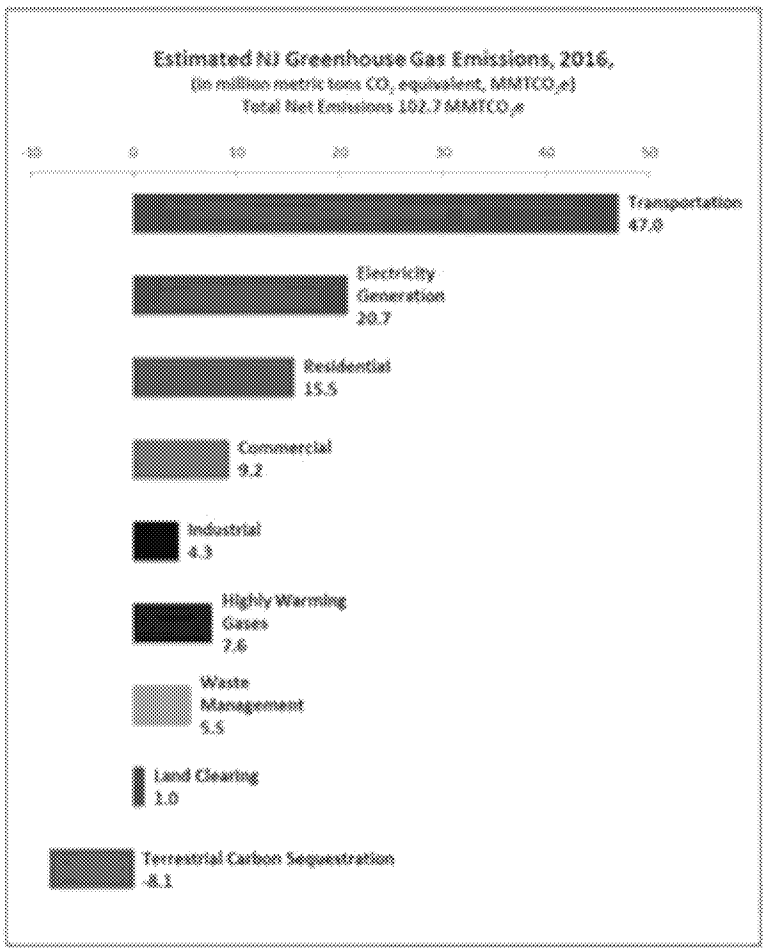
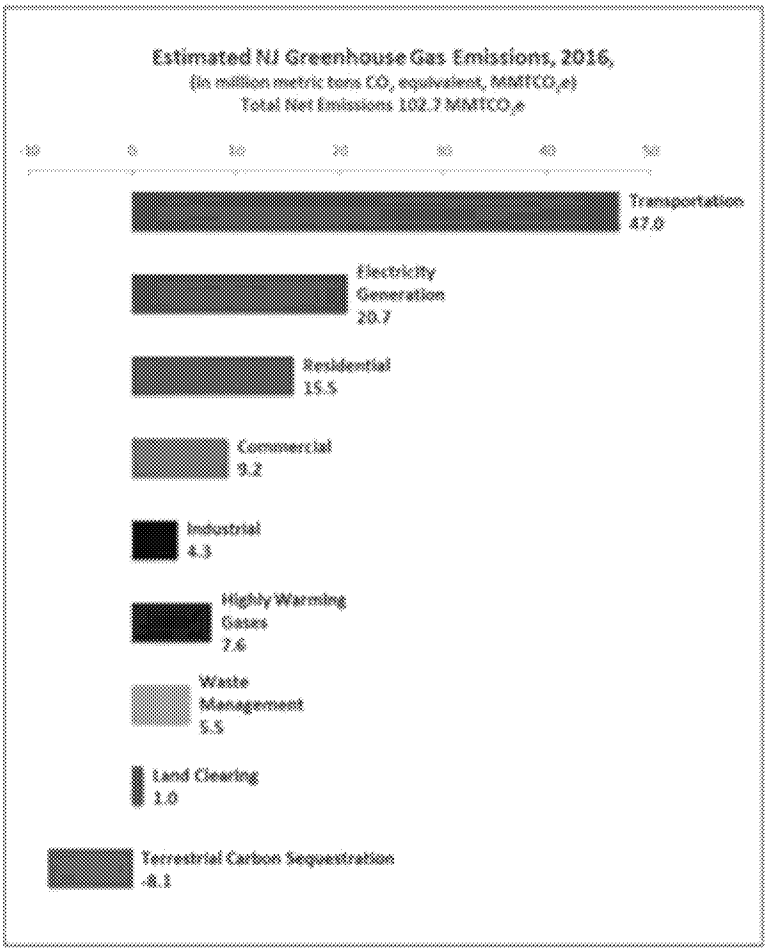


Figure 2: Estimated NJ Greenhouse Gas Emissions in MMT CO_2e, 2016



Instead, the draft plan calls for shifting away from gas and other fossil fuels, primarily by maximum electrification of the transportation and building sectors, the biggest source of greenhouse-gas emissions in New Jersey. The draft plan essentially incorporates the state's Global Warming Response Act, a law that mandates 80 percent reductions in carbon pollution below 2006 levels by 2050.

In a statement, Gov. Phil Murphy said the strategies set forth in the plan will foster economic growth by creating thousands of jobs. "Today's draft plan is a critical step forward in reducing the effects of climate change and securing our state's clean-energy future."

No bottom line on clean energy

By and large, the draft plan avoids calculating the costs of transforming the state from an economy heavily dependent on natural gas to one that relies on newer, less conventional sources like offshore wind. The plan does note those technologies are becoming more competitive with traditional sources but makes no attempt to calculate impact on customers' utility bills.

The successful implementation of these strategies "within the draft EMP will result in drastically reducing fossil fuels," according to the plan.

But some argue the draft does not go far enough in reducing reliance on fossil fuels. Environmental groups have called on the Murphy administration to issue a moratorium on all new fossil-fuel projects, a call endorsed by seven bipartisan legislators yesterday, including Senate Majority Leader Loretta Weinberg.

"There is no excuse to build new fossil-fuel projects,'' Weinberg said, an opponent of a proposed gas plant in the Meadowlands to supply electricity to New York City. It is one of four new gas-fired plants opposed by environmentalists, along with nine new gas-pipeline projects.

The draft plan makes no mention of a moratorium on fossil-fuel projects but notes it "can and should strengthen existing mechanisms and rapidly implement new strategies to increase renewable energy production, accelerate energy efficiency incentives, and reduce reliance on fossil fuels.''

NJ, the natural-gas state

Renewable energy accounts today for only 5 percent of New Jersey's energy mix, and energy savings account for under 1 percent of the overall blend. Natural gas heats 75 percent of homes and provides more than half of electricity in New Jersey.

In that respect, the draft recognizes the difficulties in achieving those goals, acknowledging the significant gap between the governor's 2050 target of 100 percent clean energy and today's energy systems. But some are encouraged by the dramatic shift in focus.

"All the right pieces are there,'' said Tom Gilbert, campaign director of ReThink Energy NJ, citing the focus on transportation and building sectors, as well as on becoming carbon-neutral by 2050. "They've got the right targets, but there's a lot of details to work out.''

While some may criticize the lack of a moratorium on new fossil-fuel projects, there are provisions in the plan that might spur concerns from the state's electric and gas utilities.

For instance, the plan suggests the state ramp down any new subsidies to retrofit homes and businesses from oil heating to natural gas. "Beyond 2030, New Jersey will have to aggressively target existing natural-gas heated buildings,'' it stated.

Curbing utility transmission projects

The draft plan also aims to increase scrutiny of new transmission projects and upgrades by utilities, which have significantly increased costs for consumers. Public Service Electric & Gas, the state's largest utility, has seen transmission grow to more than 40 percent of its rate base in recent years. Utilities earn a higher rate of return on transmission projects than when they upgrade poles and wires on their distribution system.

"It's a comprehensive document with a number of new proposals,'' said Thomas Churchelow of the New Jersey Utilities Association, a trade group. "Given the utility's obligation to provide service, we have an eye on affordability and the ability to maintain reliable service.''

The draft noted the state Board of Public Utilities is developing what it calls an Integrated Energy Plan that will model scenarios to identify lowest-cost ways to achieve clean energy by 2050. The final EMP, expected by the end of the year, will include that modeling.

Besides reducing energy consumption and emissions from the transportation sector (by moving primarily to electric cars) and the building sector (through using less fossil fuels and improvements in building codes), the plan identifies five other strategies to guide the state.

They include accelerating deployment of renewable energy, primarily offshore wind and solar; maximizing energy efficiency and conservation; modernizing the grid and utility infrastructure (including advanced metering infrastructure); supporting underserved communities; and expanding the clean-energy innovation economy.

BACK TO TOP

NEWSDAY

Oak Beach residents face yet another delay in return to safe drinking water

By Rachel O'Brien

June 10, 2019

Plans for a new public water system in Babylon's Oak Beach community are delayed again as officials await the state's approval on a water treatment plant, leaving residents without potable water for at least another year.

Residents of the 200 houses there get tap water from a system of wells that in recent years have been linked to three E. coli outbreaks.

The Town of Babylon's plan includes building a water treatment plant to connect three of the wells that service 59 properties, including a community center.

The project was initially projected to begin in 2018, but town officials said in December that was behind schedule, expected to kick off in 2019 and be completed by winter 2019.

Now, the project is behind schedule again while officials await approvals from the New York State Department of Health, and the soonest it could be completed is June 2020, town officials said.

The project has been discussed for two decades, Suffolk County Department of Health Services spokeswoman Grace Kelly-McGovern said, but the department has recently prioritized the work because of the compromised water quality. It requires the town, which owns the land and leases it to homeowners, to make system changes.

The 59 houses and a community center that must connect to the treatment plant will do so because they are among groups of five or more homes connected to a single well and considered a public water system, which the county water authority regulates.

In late May, the town notified residents that a 2018 water quality report for the Oak Beach system found high levels of iron in the three wells. But that's not why a "do not drink" order has been in effect since June 2017, town officials said.

"The biggest problem isn't the water, it's the distribution system," said Joe Guarino, principal environmental analyst for Babylon Town.

The unpressurized system could allow contaminants to enter at any time, he said, adding that the order will remain in effect until the treatment system that chlorinates the water is in place.

Chlorination is required by the state sanitary code, said state health department spokeswoman Erin Silk.

Melville-based H2M architects + engineers designed the water treatment plan for Babylon Town and is awaiting the state's approval.

The project is expected to cost more than $3 million and will be funded with a $1.8 million state grant and a $1.2 million no-interest loan.

The homeowners who will connect to the new system will pay additional costs, estimated at $1,500 annually, as well as unspecified operation and maintenance costs.

Before the town took over the wells in 2017, residents were paying for their own water quality tests, as well as operation and maintenance costs on the wells, town officials said.

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NEWSDAY

$585 million Bethpage plume plan gets hearing Monday

By David M. Schwartz

June 9, 2019

The public will be able to weigh in Monday on the state's $585 million plan to contain and treat groundwater pollution spreading from the former Northrop Grumman and U.S. Navy facilities in Bethpage.

The hearing, hosted by the state Department of Environmental Conservation, will be held at Bethpage High School's auditorium. The public is invited to attend a 5 p.m. session in which officials will be available, and the hearing will start at 7 p.m.

Officials will present a summary of the proposal, the first that aims to halt what is considered Long Island's largest groundwater pollution source. Officials also will present a model of the plume from the U.S. Geological Survey, according to DEC documents.

The contamination has affected 11 public water supply wells and threatens another 16.

The state plan calls for drilling 24 wells to pump 17.5 million gallons of water per day to five treatment plants. The treated water then would be released to the aquifer through four basins and irrigation at Bethpage State Park. Some water also would go into Massapequa Creek.

It's expected to take five years to design and implement the DEC plan, and it could take 110 years to fully remove the contaminants from groundwater, according to state documents.

Town of Oyster Bay Supervisor Joseph Saladino, in prepared remarks to be submitted Monday, praised the plan, but said, "Five years to complete the design and construction phase is entirely too long."

Saladino said engineers and water consultants believe the plan can be built in 2½ years, "with a full-court press."

The plan the state favors was detailed in a report released last month. The plan calls for wells to be located inside the plume to "aggressively" remove areas with the highest contamination concentrations. A series of wells around the edges would prevent the plume from spreading.

The state DEC can modify the plan or select alternative proposals based on new information or public comments.

Alternative proposals could cost from $332 million to $748 million. The DEC said its recommended plan is the "most cost-effective" because it includes extraction of groundwater from the central portion of the plume, combined with hydraulic containment of the entire plume.

DEC officials say they expect Northrop Grumman and the Navy would oppose their plan, given their previous statements that containment of the plume isn't feasible.

Gov. Andrew M. Cuomo and other state officials have said that if the Navy and Grumman balk at the cleanup proposal, the state would proceed with the project and sue them later to recover the costs.

On Friday, Northrop Grumman and U.S. Navy spokesmen said they were reviewing the DEC proposal.

"We continue to work closely with the U.S. Navy, NYSDEC and other federal, state and local regulatory authorities to address environmental conditions in Bethpage and we remain committed to pursuing scientifically-sound, targeted and effective remedial approaches that are protective of human health and minimize community disruption," Northrop Grumman spokesman Vic Beck said in a statement.

The plume contains 24 contaminants, including TCE, a human carcinogen that according to the Environmental Protection Agency is toxic to the immune system and reproduction, and the emerging contaminant 1,4-dioxane, a likely carcinogen, according to the EPA, that water providers are struggling to treat.

The state's study found the plume has spread 4.3 miles south toward the Southern State Parkway, was 2.1 miles wide at its widest point and up to 900 feet deep. It is moving at the rate of about a foot-per-day.

After the presentation Monday, a question-and-answer period will be held, during which the public can submit verbal or written comments.

U.S. NAVY-GRUMMAN GROUNDWATER PLUME

Public meeting and availability session:

- Monday, June 10
- Bethpage High School
- 10 Cherry Ave., Bethpage, NY 11714
- Availability session begins at 5 p.m.
- Public meeting begins at 7 p.m.

Cleanup plan highlights:

- Cost: $585 million
- 24 wells around edges of plume and in pollution hot spots.
- Treated water discharged to recharge basins, used for irrigation, put into Massapequa Creek

- Five years to design and implement
- First plan that seeks to stop the pollution from spreading
- Plume has affected 11 public water supply wells, threatens 16

Those who can't attend can submit written comments through July 7 to:

Jason Pelton

NYS Department of Environmental Conservation

Division of Environmental Remediation

625 Broadway Albany, NY 12233

or

jason.pelton@dec.ny.gov

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EL NUEVO DIA

Public hearings on the condition of landfills in Puerto Rico begin

June 11, 2019

The Special Committee on Energy Affairs of the Senate , chaired by Senator Larry Seilhamer , today began a series of public hearings on the condition of the landfill on the island with the intention to introduce legislation that store critical condition they are in these facilities .

El Nuevo Día published in March that, if Puerto Ricans do not change their consumption patterns to generate less waste, nor create or identify new recycling markets, the island would run out of landfills in the next two to four years.

Seilhamer will hold the hearings as a result of the approval of Senate Resolution 1027 , which seeks to investigate the condition of landfills to identify viable alternatives for the use of these as a source of alternate renewable energy.

"We have held several meetings with members and former members of agencies such as the Solid Waste Authority , the Federal Environmental Protection Agency (EPA) and others, in order to know and hear more about the management situation and disposal of solid waste on the island. We are now in the stage of visits to landfills and start with the Fajardo, because in addition to being in compliance, and have a good operation has a renewable energy project in which it is used the gas from the landfill system to generate energy, "said Seilhamer.

In the eye view, it was explained that Landfill Gas Technologies of Fajardobegan the construction of the renewable energy generation project in November 2013, with an approximate investment of $ 7 million. The energy generated by this environmental control system is entered into the energy system of theElectric Power Authority (AEE) and the electricity generation capacity of this project is 2.4 Megawatts with an environmental benefit that is equivalent to avoiding CO_2 emissions from burning 13 million gallons of gasoline annually.

Seilhamer said he was pleased with what he observed regarding the operation of the Fajardo landfill, which is operated by the company Conwaste.

"Next Thursday we will be visiting the Toa Alta landfill and observing the conditions of it. The situation of solid waste management and disposal is one of the biggest challenges we now have as a people. Currently, 29 landfills operate in Puerto Rico, of which only 11 are in compliance with environmental regulations and have synthetic liners to prevent the

percolation of leachates to the subsoil and aquifers. It is a critical scenario that we must urgently address and also evaluate the possibility of considering the use of land impacted by those landfills that must be closed, as well as the use of landfill systems as a source of sustainable and alternative renewable energy ".

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EL VOCERO

Aedes aegypti gains resistance: Experts reveal that these dangerous mosquitoes are not dying easily when they come in contact with various chemicals

Yaritza Rivera Clemente

June 12, 2019

The mosquito Aedes aegypti, the main transmitter of the viruses that cause dengue, zika and chikungunya, is evidencing a process of resistance to active ingredients of insecticides used to control the vector, according to data from the Vector Control Unit of Puerto Rico, a program attached to the Trust for Science, Technology and Research.

"So far, we have tested up to six chemicals and have found great resistance to mosquito populations," said the laboratory's supervisor, Nicol Nazario, in an interview with **EL VOCERO** .

The six chemicals used were the active ingredients of permethrin, deltamethrin, etofenprox, phenothrin, malation and chlorpyrifos, which are recommended by the Federal Environmental Protection Agency (EPA). However, in Puerto Rico not all are used.

"It is recognized as resistance to insecticide in the Aedes aegypti mosquito, when the mosquito - once exposed to a certain chemical that is used to control the adults, or to kill them - has the ability not to die. Well that is known as resistance, "he explained.

In fact, the Centers for Disease Control and Prevention (CDC) warned about the resistance to insecticides in mosquito populations, specifically those that can be applied manually, sprinklers and sprinklers for indoor and outdoor, with trucks or through aerial fumigation.

But Nazario pointed out that in the laboratory of the Vector Control Unit they only test the active ingredient and not the commercial product that is used in the agencies or that the general public buys in different establishments.

As an illustration, the laboratory supervisor demonstrated how insecticide resistance is evaluated using a technique known as "bottle bioassay". In that process, the active ingredient is diluted in a liquid called acetone and placed in a milliliter inside the container.

"The bottle is going to be prepared and it will go round and round to make sure that the mixture of the active ingredient and the acetone is all inside the bottle. The female mosquitoes rest on the walls inside the bottle and come in contact with the chemical. Once we prepare all our bottles, we will wait 15 minutes, half an hour, and observe what the behavior is, "he explained.

In that line, he added that mosquitoes reared in the laboratory, which are disease-free and sterile, die when exposed to an external environment. "So these mosquitoes came in contact with the chemist and they died. That means that the mixture we made of the chemical works and kills the mosquito. "

The Vector Control Unit placed 1,300 traps in communities of San Juan, Carolina, Bayamón and Ponce to monitor the mosquito population. When evaluating the traps, they found that the population has not decreased.

"It is important to emphasize that the CDC did a study in which it found that the traps (with) more than three female mosquitoes, mean for the population (a) greater risk of acquiring the dengue, zika or chikungunya virus," he added.

Nazario revealed that currently the traps placed in the yards of the different residences exceed the threshold of more than three female mosquitoes. He also said that the Aedes aegypti egg can last for years in a container and when it comes into contact with water, it enters its reproductive cycle.

"It's a very serious problem"

For his part, Dr. Grayson Brown, director of the Unit and former president of the Entomological Society of America, explained that this mosquito is one of the most dangerous species.

"Everyone in tropical areas has problems with this mosquito, but here in Puerto Rico the resistance is much worse than in any tropical area, Caribbean island, Pacific Ocean or any part of South America. It is a very serious problem, "said the entomologist, highlighting different techniques that can be used on the island to control mosquitoes.

In that regard, he listed methods such as "spray" based on bacteria, larvisides used in Florida and California, and even the technique of sterile male mosquitoes that can not be reproduced.

At risk of an epidemic?

On the other hand, he explained that organizations such as Pan American Health Organization, Caribbean Public Health Agency (Carpha) and CDC have said that there is a risk of a dengue outbreak in Puerto Rico this year.

"There is a dengue epidemic in Jamaica, outbreaks in the Dominican Republic, San Martin, Martinique and the other nearby islands. We have many special cases here, but there are not confirmed yet. We are in danger of a dengue outbreak. There are four types of dengue, but the one with the highest probability for the outbreak in Puerto Rico is dengue 1, "Brown added.

Call to protection

Faced with this, Nazario emphasized the importance of raising awareness about the management of mosquito breeding sites. He recalled that Aedes aegypti can easily hide in residences, so it is important that every week there is an inspection inside and outside the houses, including the roof.

"You can hide inside the residence, in the closet, behind the curtains. They are in dark and humid places and also people provide the blood that the female needs to produce their eggs. This is the rainy season, we need everyone to collaborate, "he said.

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National News

The Washington Times

https://www.washingtontimes.com/news/2019/jun/10/epa-getting-common-sense-with-cost-benefit-analysi/

Common sense finally coming to EPA with cost-benefit analyis

By Daren Bakst 06/10/19

ANALYSIS/OPINION:

Shouldn't Environmental Protection Agency regulations do more good than harm?

The agency hasn't always thought so.

In 2012, under President Barack Obama, the EPA finalized a rule to reduce emissions of mercury and other hazardous air pollutants from coal- and oil-fired power plants. In doing so, the agency decided that it didn't need to consider the rule's costs, estimated at $9.6 billion per year — roughly 2,000 times more than its annual benefits of only $4 million to $6 million.

Fortunately, the U.S. Supreme Court directed the agency to take costs into consideration based on specific Clean Air Act language applicable to that rule. If the EPA had its way though, costs wouldn't have been considered.

That cavalier attitude is evident in other major air regulations, where the EPA didn't bother to quantify whether there would be any benefits for reducing emissions of the regulated pollutant.
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Politico Pro
Blasts from EPA's past head to the Hill
https://subscriber.politicopro.com/newsletters/morning-energy/2019/06/blasts-from-epas-past-head-to-the-hill-649283
By KELSEY TAMBORRINO

— Four former EPA administrators representing both Republican and Democratic administrations will testify today on the agency's management and policy challenges.

— Complaints about the Nature Conservancy's workplace culture stretched beyond its D.C.-area headquarters this week, with the head of the group's Caribbean chapter the latest to depart under a cloud.

— EPA observers say it's more and more likely the Trump administration's final auto emissions rule from EPA and the National Highway Traffic Safety Administration is months away, rather than weeks.

DRIVING THE DAY
THE CALL IS COMING FROM INSIDE THE GOP: Four former EPA administrators will band together on the Hill today to call for more congressional oversight of the agency — and most of them are Republicans. The Reagan administration's Lee Thomas, George H.W. Bush administration's William Reilly and George W. Bush administration's Christine Todd Whitman will be joined by the Obama administration's Gina McCarthy at the House Energy and Commerce subcommittee hearing.

The Republican administrators will raise everything from broader thematic criticisms of EPA's direction to specific complaints about the actions of former chief Scott Pruitt and Administrator Andrew Wheeler. Meanwhile, McCarthy will say that "what is happening at EPA today is simply put, not normal."

How do you solve a problem like Trump's EPA? The former chiefs vary slightly in their suggestions. Probably the most eye-catching is Reilly's suggestion that Congress impose an "impactful carbon tax" that does not revoke EPA's authority to regulate greenhouse gases, since giving up that power would amount to "surrender by having us lay down vital armaments that have played the key role in the 50 year restoration of America's environment." Thomas calls on Congress to provide "clearer direction" to EPA on climate change. And both Whitman and McCarthy will urge aggressive congressional oversight, particularly on climate change.

ADVOCACY
MORE NATURE CONSERVANCY FALLOUT: The departure of Luis Solórzano from the Nature Conservancy's Florida-based Caribbean chapter comes after POLITICO submitted detailed questions to both him and the organization about allegations from current and former employees, including racial and homophobic slurs, sexism and whistleblower

retaliation, POLITICO's Zack Colman reports. POLITICO spoke to 13 people who work or once worked for the Nature Conservancy, and who objected to the way leaders had allowed Solórzano to remain despite years of complaints.

Solórzano created a divisive atmosphere in the Coral Gables-based Caribbean office that has made ex-staffers feel like they were in "an abusive relationship," said Raimundo Espinoza, a former staffer who contends he was forced to leave the organization for raising concerns about Solorzano's management style.

"It's one of those things that people will tell you it is a boys' club," Espinoza said, adding that the discord is affecting the Nature Conservancy's mission of conservation, protecting biodiversity and bolstering resiliency to climate change. "Even though good work is done because TNC does have really top-rate scientists and amazing folks in the field, these are the same folks in the field that are getting harassed, victimized by people like Luis Solórzano."
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The Hill
Former Obama EPA head tells Trump's EPA: 'Just do your jobs'
https://thehill.com/policy/energy-environment/447912-former-obama-epa-head-tells-trumps-epa-just-do-your-jobs
By Rebecca Beitsch

A former Environmental Protection Agency administrator under President Obama told lawmakers Tuesday the agency under the Trump administration is ignoring its mission.

“I’m here for one reason and one reason only. And it’s not to weep about all my precious rules being rolled back. Though I admit that the constant roll back is beginning to tick me off a bit,” said Gina McCarthy, who headed the EPA under the Obama administration. “I’m here to remind the political leadership at the EPA that what they do matters, and it’s time for them to step up and do their jobs. Just do your jobs. Right now this administration is trying to systemically undo health protections by running roughshod over the law.”

McCarthy joined three other former EPA heads who served under Republican administrations in recently sending a letter to lawmakers expressing their concern about the direction of the agency under the Trump administration.
Those concerns include the agency’s retreat from science, the influence of regulated industries, a disinterest in addressing climate change, and a lack of a focus on public health.
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E&E News
Officials shift into new spots
https://www.eenews.net/greenwire/2019/06/11/stories/1060550449
Kevin Bogardus

Senior career officials at EPA have been shifted into new positions within the administrator's office.

Both Kevin DeBell and Helena Wooden-Aguilar took on different jobs starting yesterday, EPA chief of staff Ryan Jackson said in an internal email obtained by E&E News.
DeBell is now acting deputy chief of staff in the administrator's office.

He had been a senior adviser to Henry Darwin, EPA's acting deputy administrator, where he helped implement EPA's "Lean" management system, which is designed to streamline agency operations. DeBell has held other positions at EPA, including associate director of its Office of Strategic Environmental Management, and also worked in EPA's Chesapeake Bay program office.

He has a master's degree in political science from Loyola University Chicago and a doctorate in conflict resolution and analysis from George Mason University.

Wooden-Aguilar previously held the acting deputy chief of staff job but has now joined the Office of Policy as its acting deputy associate administrator.

She also has been director of resource management staff in the Office of Criminal Enforcement, Forensics and Training and held several manager roles in the Office of Civil Rights.

Wooden-Aguilar has a law degree from Vermont Law School and bachelor's degrees from Howard University in sociology and anthropology.

"I appreciate Helena's efforts in supporting the Office of the Administrator," Jackson said in his email sent yesterday.

She played a part in a recent controversial episode at the agency. Ruth Etzel, formerly director of EPA's Office of Children's Health Protection, said Wooden-Aguilar was the official who told her last year that she was being placed on administrative leave, a personnel move that has attracted scrutiny from lawmakers and public health groups (Greenwire, Oct. 15, 2018).
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The Hill
Bipartisan former EPA chiefs say Trump administration has abandoned agency's mission
https://thehill.com/policy/energy-environment/447946-bipartisan-former-epa-administrators-say-trumps-epa-has-abandoned
BY REBECCA BEITSCH

Four former Environmental Protection Agency (EPA) administrators appeared before the House Energy and Commerce Committee Tuesday, criticizing the agency under the direction of the Trump administration and imploring Congress to push it to return to its mission.

“I’m here for one reason and one reason only. And it’s not to weep about all my precious rules being rolled back. Though I admit that the constant roll-back is beginning to tick me off a bit,” said Gina McCarthy, in her first appearance before Congress since heading the EPA under former President Obama. “I’m here to remind the political leadership at the EPA that what they do matters, and it’s time for them to step up and do their jobs. Just do your jobs. Right now this administration is trying to systemically undo health protections by running roughshod over the law.”

McCarthy was joined Republican counterparts spanning from the Reagan to George W. Bush administrations.

In April, she and several other former EPA administrators sent a letter to various congressmen offering the help of former EPA staff, who, concerned about the direction of the agency, formed an association — the Environmental Protection Network.

“Today, as never before, the mission of EPA is being seriously undermined by the very people who have been entrusted with carrying that mission out,” Christine Todd Whitman, who headed the agency under former President George W. Bush, said in her opening remarks. She pointed to a retreat from science, the influence of regulated industries, a disinterest in addressing climate change, and a lack of a focus on public health as areas for concern.

“This unprecedented attack on science-based regulations designed to protect the environment and public health represents the gravest threat to the effectiveness of the EPA — and to the federal government’s overall ability to do the same — in the nation’s history,” she said.

The EPA has faced a number of controversies under the Trump administration, ranging from ethical issues tied to former Administrator Scott Pruitt, to ignoring scientists both inside and outside the agency, to accusations it is rolling back regulations to favor industry.

Lee Thomas, who headed the agency under former President Reagan, and McCarthy both highlighted a need for rigorous oversight of the agency from Congress.

"I for one am here to implore the subcommittee to use its authority to ensure that EPA is focused on its mission. To question whether the agency is appropriately including career staff in decision-making, is protecting scientists from political interference, and is taking actions that make our lives healthier and our natural resources cleaner," McCarthy said in her opening remarks. "Evidence so far suggests that today's EPA is not focused on the agency's mission but is instead focused on specific results which will deliver on President Trump's campaign promises to dismantle the EPA."
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Bloomberg Environment
Former Environmental Chiefs Blast EPA's Retreat Under Trump
https://news.bloombergenvironment.com/environment-and-energy/former-environmental-chiefs-blast-epas-retreat-under-trump
Tiffany Stecker

Under President Donald Trump, the Environmental Protection Agency is abandoning its core mission to protect the air, water, and human health, former leaders of the agency told Congress on June 11.

"Under the current administration, the EPA is retreating from its historic mission to protect our environment and the health of the public from environmental hazards," said Republican Christine Todd Whitman, who led the agency under former President George W. Bush.

Whitman was testifying before a House panel June 11 alongside three other former EPA administrators—only one of whom is a Democrat—as the agency moves to ease rules governing emissions from oil wells, automobiles, and power plants.

"Agency leadership has been on a seemingly unstoppable crusade to roll back rules with seemingly little regard to the health impacts of their rollbacks," Gina McCarthy, a Democrat who led the EPA under former President Barack Obama, said in her submitted testimony. "EPA is going backward on health protections in favor of lowering costs to polluting industries at every turn.

"Right now, this administration is trying to systematically undo health protections" by running roughshod over the law and ignoring science, McCarthy said. "It feels like the fox is minding the hen house."

The Trump administration's EPA has rolled back regulations and stalled environmental decisions despite receiving support from industry, McCarthy added during questions from the House Energy and Commerce Oversight and Investigations subcommittee.

Curtailed Efforts
In her first time testifying in Congress since leaving the Obama administration, McCarthy said that the agency has curtailed three efforts from the previous administration—the Mercury and Air Toxics Standards (MATS), the Corporate Average Fuel Economy (CAFE) standards, and the decision to phase out hydrofluorocarbons under the 2016 Kigali amendment to the Montreal Protocol.

"I have never seen an administration come in and instead of having new policies, their sole goal is to reverse everything that has ever been done," McCarthy said.

Representatives of the EPA didn't immediately respond to an email seeking comment. But the current EPA administrator, Andrew Wheeler, has repeatedly emphasized U.S. progress in fighting air and water pollution, with reductions outpacing other countries and coming alongside nationwide economic growth.

Still the agency's former officials have increasingly been sounding alarm about its current direction under Trump. Seven former administrators set a letter to House lawmakers in April offering to guide congressional oversight of the agency because "time is of the essence and much is at stake."

The former EPA chiefs testifying shared similar worries: eroding morale, resignations of skilled career staff and moves to shrink the role of science in agency decisions, despite growing alarm about climate change. Seven former EPA administrators sent a letter to the committee in April to urge more oversight of the agency.

'Steady March'
Whitman castigated the Trump administration for "a steady march" to reduce—and in some cases eliminate—the role of science in developing environmental policy, by seeking to limit what studies guide agency decisions, dismissing some scientists from a key advisory panel and putting strict constraints on a national climate assessment.

Whitman added that weak enforcement of environmental violations sent a signal to companies that the violations would be tolerated.

"It's not that you want to have penalties, it's not that you want to have the big stick, but if industry doesn't know that there will in fact be penalties, if they are bad actors, they will go ahead and do what they've been doing that might hurt public health," Whitman said.

The former administrators also underscored that environmental protection historically hasn't been a partisan issue. The EPA itself was founded by a Republican: former President Richard Nixon, who created it with an executive order in 1970. And, former President George H.W. Bush, also a Republican, championed congressional action to strengthen the Clean Air Act in 1990.

Now, the agency is rewriting rules enacted under Obama, in keeping with Trump's pledge to rescind regulations he has described as throttling the American economy. But the EPA's "appetite for rollbacks has been so voracious," McCarthy said, that in some cases "EPA leadership has shown a total disregard to the concerns of the affected regulated industries" that are counseling against the reversals.

For instance, some electric utilities have pleaded with the EPA not to erode mandates for mercury pollution controls on power plants. And automakers have implored Trump to broker a compromise with California on auto emission requirements.

Congressional oversight is essential, said William Reilly, who led the EPA from 1989 to 1993.

"There has never been a time it was more urgently needed," he said.
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Washington Examiner
EPA cuts 40 regulations, saves $3.6 billion, seeks balance on costs
https://www.washingtonexaminer.com/washington-secrets/epa-cuts-40-regulations-saves-3-6-billion-seeks-balance-on-costs
By Paul Bedard 06/11/19 11:05 AM

Aiming to erase the "fuzzy math" past administrations used to hide the costs of politically favored policies, the Environmental Protection Agency is pulling back the curtain on costs and benefits and planning to kill regulations that are out of whack.

"It hopefully will take away some of the fuzzy math that administrations have done in the past on justifying regulations," said EPA Administrator Andrew R. Wheeler of his new policy.

And, he added, it will set a new bottom line for all regulations in the rules heavy agency. "If the costs are too high we should change the regulatory approach. We shouldn't be having regulations that cost more than the benefits they provide," he said in an interview.

With the new rules will come unusual transparency and a pledge to make public the costs and benefits of regulations coming out of the environmental agency.

"It will provide more confidence in the regulatory process," said Wheeler.

And, he added, "Hopefully there will be fewer people upset with EPA, upset with the federal government."

The new effort in Wheeler's policy memo, titled "Increasing Consistency and Transparency in Considering Benefits and Costs in the Rulemaking Process," is aimed at opening the door to the secretive regulation process and ending suspicions that politics drives policy.

"I really do hope it depoliticizes it," said Wheeler.

President Trump campaigned on a promise to cut two Obama era regulations for every new one he proposes. EPA has led that effort, cutting far more than 2-1 for a total savings to taxpayers of $3.6 billion, Wheeler said. Since Trump came into office, the EPA has cut 40 major regulations and plans to ax another 49, he said.

"We are definitely at the top" of regulation killers, he added.

The new memo to assistant administrators said that regulations on the Clean Air Act will come under scrutiny first.

While Wheeler's actions may sound like common sense, many EPA laws only "contemplate the consideration of benefits and costs as part of the regulatory decision-making," said his memo.

Now, he wrote, "the EPA should evaluate and consider both benefits and costs in decision-making."
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The Washington Post
https://www.washingtonpost.com/climate-environment/2019/06/11/former-epa-leaders-question-agencys-direction-under-trump/?utm_term=.e1f059407a6a
Former EPA leaders to question agency's direction under Trump
By Brady Dennis 06/11/19 8:39AM

"Under the current administration, the EPA is retreating from its historic mission," says one former Republican EPA chief, who is among four scheduled to testify Tuesday on Capitol Hill.

Several past leaders of the Environmental Protection Agency, including officials from both Republican and Democratic administrations, plan to criticize the agency's shrinking size and ambition in testimony Tuesday on Capitol Hill, saying the agency has moved away from its core duties under President Trump.

"There is no doubt in my mind that under the current administration, the EPA is retreating from its historic mission to protect our environment and the health of the public from environmental hazards," Christine Todd Whitman, a Republican who led the agency during the George W. Bush administration, said in written testimony submitted to the House Energy and Commerce Committee.

"This administration, from the beginning, has made no secret of its intention to essentially dismantle the EPA," she said. "Everything I've seen over the past two and a half years suggests that this remains the Trump administration's goal."

Similar worries dominate the testimony of Gina McCarthy, who led the EPA during the final years of the Obama administration and has been an outspoken critic of the current administration.

"What is happening at EPA today is, simply put, not normal," McCarthy said in her prepared testimony.

Like Whitman, she bemoans the exodus of longtime EPA employees and what she calls sinking morale of many career staff members. She and others plan to raise questions about whether the Trump administration is not adequately relying on science to drive its policy decisions, and she said the White House has ignored the threat of climate change amid an aggressive push to scale back environmental regulations.

"With every passing day, EPA seems to be losing valuable career staff while agency leadership has been on a seemingly unstoppable crusade to roll back rules with seemingly little regard to the health impacts of their rollbacks," McCarthy wrote. "In short, EPA is going backwards on health protections in favor of lowering costs to polluting industries at every turn."

The EPA did not immediately respond to a request for comment on the upcoming testimony from former administrators. Earlier this year, the agency touted its work during the first two years under Trump, highlighting dozens of deregulatory actions and saying that it had "continued to deliver on its promise to provide greater regulatory certainty while protecting public health and the environment."

Tuesday's hearing is intended to "address the mission and future" of the agency, according to Rep. Frank Pallone Jr. (D-N.J.), the committee chairman. It comes after seven past EPA chiefs, representing Republican and Democratic administrations, wrote to House lawmakers in April, offering Congress help with oversight of the agency.

"We are united that there has never been a more important time for us to put aside our differences and advocate collectively for public health and the environment," they wrote in the letter, which was first reported by E&E News.

The letter was signed by the EPA's first administrator, William Ruckelshaus, a Republican who also has been critical of the Trump administration's approach, as well as a host of other past leaders.

Four of the letter's seven authors are scheduled to appear at the House hearing Tuesday.

"Is [EPA] seeking input from key scientific advisory committees? Is it coordinating actively with the broad scientific community on research surrounding environmental issues? I don't think they do," wrote Lee Thomas, who led the EPA during the final years of President Ronald Reagan's tenure. He added, "Is the agency coordinating internationally to address global environmental issues? I don't think they are."

Former administrator William Reilly, who served under President George H.W. Bush, in his prepared testimony, called for Republicans and Democrats alike to recognize the key role the EPA plays in protecting the nation's environment, despite their sharp policy differences.

"This is not the first time our political leaders have had to reconcile competing or conflicting points of view," he wrote. "I'm convinced not only that we can do it, but we must. Our children, their children and generations to come stand to inherit this good earth and the productive resources that have sustained us."

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U.S. News & World Report
Former EPA Leaders Blast Trump Administration
https://www.usnews.com/news/politics/articles/2019-06-11/former-epa-leaders-blast-trump-administration
By Cecelia Smith-Schoenwalder, Staff Writer 06/11/19 4:00PM

Previous EPA administrators of both political parties criticized the agency's direction under President Trump.

FOUR PREVIOUS LEADERS of the Environmental Protection Agency who served under both Republican and Democratic administrations on Tuesday criticized the new direction of the agency under President Donald Trump and urged Congress to exercise its oversight responsibility of the agency's actions.

Speaking to members of a House Energy and Commerce subcommittee, former EPA administrator Gina McCarthy said she found it "disconcerting" that "this collection of past EPA administrators feel obligated to testify together and individually to make the case that what is happening at EPA today is simply put, not normal and to solicit your help to get it on a more productive path."

"In my opinion, our beloved EPA is in serious trouble and if I am right, it means that American families are facing increasing risks to their health and well-being, especially the very young, the elderly and those living in poverty that are most vulnerable to the impacts of pollution," McCarthy, who served under President Obama, said in her testimony.

She added that the administration's rollback of regulations the agency put into place under her leadership is beginning to tick her off "a bit, maybe even more than just a bit."

"But this is not the real message from me this morning," McCarthy told members of the Oversight and Investigations Subcommittee. "I'm here to remind the political leadership at EPA that what they do matters."

McCarthy was joined by Chrstine Todd Whitman, who served under President George W. Bush, William Reilly, who served under President George H. W. Bush and Lee Thomas, who served under President Ronald Reagan.

Whitman criticized the EPA for being too friendly to the industries it regulates and too lax on climate change action.

"There is no doubt in my mind that under the current administration, the EPA is retreating from its historic mission to protect our environment and the health of the public from environmental hazards," Whitman said.

Republican lawmakers on the subcommittee weren't as quick to criticize the agency under Trump.

"We're trying to put a lot on this administration, saying they don't follow a disciplined process," Rep. Michael Burgess, R-Texas, said. "Unfortunately, that has been some of the track record of the Environmental Protection Agency."

Rep. Greg Walden, R-Ore., said that the EPA might need to modernize its approach, adding that "under nearly every EPA's watch, there's been a failure to update legally mandated programs by Congress."

But subcommittee Democrats noted that this EPA has had its own standout problems. For example, the agency's former Administrator Scott Pruitt resigned in 2017 amid ethical controversies, and the EPA's inspector general found last month that he overspent nearly $124,000 in taxpayers' money.
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Climate

Climatewire

Leader of the Heartland Institute abruptly exits

https://www.eenews.net/climatewire/2019/06/11/stories/1060543395

Scott Waldman, E&E News reporter

The leader of the Heartland Institute has abruptly departed after a short stint in charge of the organization known for rejecting climate science.

Former Rep. Tim Huelskamp left the group last week, less than two years after he became its leader. In July 2017, Huelskamp took over Heartland's leadership role from co-founder Joe Bast, who headed its operations for 34 years.

The group's spokesman, Jim Lakely, is now its interim president. The art director, Kevin Fitzgerald, has been promoted to serve as chief executive officer.

"These new hires and changes to Heartland's organizational chart will boost our productivity and have an impact in several key areas," Bast said in a statement.

Huelskamp was a three-term Republican congressman from Kansas and former chairman of the House Tea Party Caucus and member of the House Freedom Caucus. He did not explain the reasons for his exit.

Lakely said that "nothing has changed about Heartland's mission."

"Heartland's direction is now what it has been for 35 years: to discover, develop, and promote free-market solutions to social and economic problems," he said in an email. "That means fighting for school choice, lower taxes, less regulation, market-based health care, greater access to life-saving prescription drugs, science over dogma on the climate, and sensible energy policy."

But Huelskamp's departure comes just weeks before Heartland's annual climate change conference, typically its most prominent event of the year. Last year's conference in New Orleans, though, attracted only a few dozen people and had far fewer sponsors than in previous years. This year, the event will be held in Washington in July at the Trump International Hotel. The full list of speakers has yet to be announced, but if the past is any guide, it could include Trump administration officials.

The personnel changes at Heartland also come as the group is facing a period of uncertainty.

In recent years, Heartland has received more than $1 million in funding from the Mercer Family Foundation, a major Trump donor. But as the group remains on the far edge of climate denial, other past funders, including Exxon Mobil Corp., have stopped donating. Organizations that have allied with Heartland, including the American Legislative Exchange Council, have wrestled with their views on climate change even as Heartland has leaned into extreme positions (Climatewire, Nov. 15, 2017).

Insiders say that Heartland's fundraising challenges remained under Huelskamp and that his style of leadership differed from Bast, who was more aggressive. Under Bast, Heartland infamously paid for a billboard that compared those worried about climate change to the Unabomber. Shortly before Huelskamp took over, the group shipped copies of the book "Why Scientists Disagree About Global Warming" to 300,000 teachers around the country, urging them to consider climate science unsettled.

During Huelskamp's tenure, Heartland placed more emphasis on energy policy and promoting coal at the state level rather than on attacks on the science, with limited success.

Still, the group has continued to push state-level proposals to restrict the teaching of climate science in schools and is planning to distribute a reference book for students. What's more, conservatives affiliated with Heartland have launched

attacks on their colleagues on the right for acknowledging climate science — even threatening those who don't focus on the denial of science. The campaign so far has had little effect on congressional Republicans (Climatewire, May 28).

That may be because Heartland's extreme level of climate science denial has been eroded in Washington in recent years. A growing number of Republican lawmakers accept that humans are the primary drivers of climate change. Public polling has shown more acceptance of climate science in recent years, even among conservative Republicans. Multiple Republicans have proposed modest climate policies.

At the same time, Heartland has seen other groups, including the CO2 Coalition, another group that rejects climate science, rise in influence in the Trump White House (Climatewire, Feb. 28).

Heartland has had some small successes in the Trump era. Bast was invited to attend the Rose Garden ceremony where Trump pulled out of the Paris Agreement, and, under former Administrator Scott Pruitt, EPA officials reached out to Heartland for recommendations of researchers who refused to acknowledge climate science.

And yet, despite aggressive courting, the group could never land Pruitt as a speaker for any of its conferences, even as the former EPA chief traveled to speak at other events around the country.

The change of leadership at Heartland comes as another conservative think tank, the Cato Institute, recently disbanded a program designed to sow uncertainty around climate science. The libertarian think tank co-founded by Charles Koch parted ways with Pat Michaels, a climate scientist who rejects mainstream researchers' views on global warming, and shuttered its Center for the Study of Science (Climatewire, May 29).
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E&E Daily
Chamber changes tune on climate, but Dems remain skeptical
https://www.eenews.net/eedaily/2019/06/11/stories/1060545155
Nick Sobczyk and Geof Koss, E&E News reporters

The U.S. Chamber of Commerce has notably shifted its posture on climate change in recent months, moving from a history of focusing on opposing climate action to the unequivocal statement now up on its website: "Inaction is not an option."

Long a major force in conservative politics, the Chamber's climate flip could be a congressional game-changer, especially given the recent advocacy by some of its larger corporate members.

But Democrats are concerned it's all a mirage. Despite the group's words and broadening support for carbon pricing policies in the business community, some lawmakers fear the U.S. Chamber and other trade associations remain an undercurrent stalling the climate debate.

Sens. Sheldon Whitehouse (D-R.I.), Brian Schatz (D-Hawaii) and Martin Heinrich (D-N.M.) for weeks have embarked on a targeted campaign to attack the chamber for its climate views, complete with its own "#chamberofcarbon" social media tagline.

Whitehouse has gone after the group relentlessly on Twitter and at nearly every other opportunity — in interviews where it's not the primary topic of conversation and in his weekly "Time to Wake Up" climate change speeches.

"It's going to take more than just a few tweaks on a website," Whitehouse told E&E News after one such speech last week. "We're going to need to believe that they actually are sincerely pushing, really, for a result, and I don't believe that yet."

Whitehouse and the Chamber both said they've had a respectful private dialogue. The senator said he thinks there's a "lively conversation" within the organization about where to go next on climate.

But to satisfy Democrats, the Chamber would have to actively push for legislation, likely a carbon tax, and curb the anti-regulatory and anti-climate advocacy that's continued even over the last few years.

"If you really think climate change is serious and we're causing it and we need to make changes, at a minimum you've got to support a price on carbon," said Rep. Jared Huffman (D-Calif.), who sparred with Christopher Guith, a witness from the Chamber, at a recent hearing in the Select Committee on the Climate Crisis. "They're not even willing to go there, at least not without a whole bunch of trapdoors."

For now, the Chamber openly acknowledges it's undergone a change and it's comfortable in the role it's playing: supporting the kinds of energy innovation policies that GOP lawmakers have pitched as solutions to climate change.

"Ultimately, our goal is to communicate where consensus is," Guith, a senior vice president and the acting head of the Chamber's Global Energy Institute, told E&E News last week. "And right now, the largest common denominator is innovation.

"The climate hawks, the scientific community as well as business community all agree that we need to develop technologies that we don't have yet," he said. "Otherwise, this problem cannot be credibly addressed."

An 11-year veteran of the Chamber who worked at the Department of Energy during the George W. Bush administration, Guith insists the organization is playing a constructive role in harnessing its influence to build support for policies to reduce emissions that are also politically achievable in the near term.

Innovation is hardly a new position for the Chamber, but it's an area that Guith says has become more urgent in recent years, which is reflected in the messaging and rhetoric on carbon capture, utilization and storage; utility-scale energy storage; and advanced nuclear technologies.

'The biggest tent in town'
Still, the Chamber's policy and messaging shift has given climate hawks plenty of reason to be skeptical.

The group strongly fought the failed 2009 Waxman-Markey cap-and-trade bill, and its Global Energy Institute has vocally opposed regulations and proposed greenhouse gas reduction policies, particularly those that would seek to eliminate or reduce fossil fuel use.

When EPA was preparing to release its endangerment finding for greenhouse gases in 2009, the Chamber called for the agency to have a public debate about climate science, which organization officials said would be "the Scopes monkey trial of the 21st century."

Tweet image. Photo credit: @brianschatz/Twitter
A tweet from Sen. Brian Schatz (D-Hawaii) using the hashtag #ChamberofCarbon against the U.S. Chamber of Commerce. @brianschatz/Twitter

More recently, in 2017, President Trump cited a study sponsored by the Chamber and the American Council for Capital Formation that said the Paris climate accord would cost the U.S. economy $3 trillion by 2040 during his speech announcing U.S. withdrawal from the agreement.

It has supported other Trump administration policies, too, including its review of vehicle fuel efficiency standards, and opposed regulatory policies such as the Bureau of Land Management's methane rule.

"They are adamantly — on the legislative side and on the electoral side — dedicated not just to climate inaction but to making climate change worse," Schatz told E&E News. "And there's no evidence that they're going to stop what they're

doing. There's plenty of evidence that they're refining their language so that it's more difficult to determine what they're doing."

The Chamber handles such criticism politely, such as it did in March, when it responded to a letter from Senate Democrats by listing an assortment of climate-related policies it wanted to work with Congress on.

And while Whitehouse and others appear intent on browbeating the Chamber into supporting a carbon price, Guith says there currently is no consensus for doing so within the organization.

That is due in part to the wide array of interests among its diverse membership, which the Chamber says numbers more than 3 million businesses.

"It's fair to say that we do have the biggest tent in town," said Guith. "And while it's certainly our largest strength, you know, that tension can sometimes be a circus.

"And it's not always easy to triangulate where everyone is, especially when there are some industries and some companies that are shifting more quickly than others. But I mean, our goal is to consistently consult and collaborate with our members so that we know where they are, and keep that tent over all of them."

'Believe it or not, that was progress'
It's clear the Chamber has made changes, embodied by the catchphrase "inaction is not an option."

After Trump cited its Paris study in 2017, Whitehouse penned letters to corporate members questioning why they would stay with the Chamber.

That prompted a small group of members, including DSM North America, Bank of America Corp., Citigroup Inc. and United Parcel Service Inc., to form a Climate Solutions Working Group to ask for change, said Hugh Welsh, president and general counsel of DSM North America, the arm of a Dutch multinational.

"There was a handful of us that came and said rather than quitting or taking our ball and going home, why don't we try to influence the Chamber to change its position on climate change in a more productive way," Welsh said.

Inaction is not an option.

U.S. Chamber of Commerce website on climate change
The first thing the group asked for was a senior-level staffer at the Chamber to handle climate and sustainability issues.

The organization granted the request and hired Chuck Chaitovitz, a former Virginia-based consultant and executive director of the U.S. Water Partnership, as vice president for a new Environmental Affairs and Sustainability program.

But the working group also wanted clarification of the Chamber's climate positions, which it got from Suzanne Clark, the current president who's in line to take over for CEO Tom Donohue when he retires in 2022 (E&E Daily, June 6).

At the working group's first meeting, Clark "clarified the Chamber's position by recognizing that it perceives climate change as a real threat and that mankind and humans contribute to it," Welsh said.

"Believe it or not, that was progress," Welsh added.

The climate solutions group now has about a dozen corporate members, but about 50 attended its last meeting in March in Washington, D.C., according to Welsh.

The companies are hoping to put together a report, with help from Chaitovitz, reflecting their views and offering a call to action on climate for corporate America.

While the report won't be officially affiliated with the Chamber or reflect its official views, "certainly this is something that is happening in cooperation with the Chamber, not outside of the Chamber, and I think that that's important," Welsh said.

The ultimate goal is to get the Chamber to support a price on carbon — or at least stop opposing climate legislation and supporting lawsuits against regulations.

"At the very least, don't be adverse," Welsh said. "But we would of course very much like for them to be supporters, to see these initiatives not as anti-business but really pro-growth."

The Chamber acknowledges there's been a "material shift within the business community" on climate policy over the last decade, said Guith, who insists that the nation's largest business trade group's climate positions have kept pace.

But adding to the internal complexity is the rise in interest in climate change in recent years among the Chamber's non-industrial members versus its industrial-based companies, which are much more attuned to policies such as a carbon tax that would have more serious near-term economic impacts.

Guith highlighted the electric power sector as an example, noting that utilities have made some of the largest emission reductions to date while also pledging deeper long-term cuts over decades that he said could be out of reach if a carbon tax undercuts their ability to continue operating and investing in new technologies.

"There's near unanimity that carbon pricing right now would serve to disrupt their plan to the point where they would no longer be able to make the commitments that they committed to," he said.

Leading the Chamber's internal climate conversation is Chaitovitz, with whom Guith said speaks constantly with a variety of member companies, while also cataloging activities by individual companies.

"It's indicative of good trade association management," said Guith. "Understanding where our members are on any number of mechanisms is important."

Such efforts ultimately will help the Chamber develop a position on a carbon tax should a proposal ever emerge that seems destined for floor debates, said Guith, who noted that a politically viable carbon tax proposal has yet to emerge.

But until a specific carbon tax bill is going to be on the House or Senate floor, "it's a little bit of a fool's errand to run down different proposals to the fullest extent," Guith added.

"It doesn't mean that we don't have conversations about them," he said. "But when you need to actually figure out where the Chamber is going to be on a specific piece of legislation, that's a lot of energy and a lot of time, and you're not going to run down every single aspect of it until it's completely ripe."

Donohue departure

Another wild card for climate policy is what effect, if any, the upcoming departure of Donohue, the longtime Chamber CEO, will have.

Guith noted that Clark, Donohue's successor as president, has already taken on a larger role in day-to-day operations.

"But ultimately, we're an association, we reflect our members, not the other way around," he said. "So I don't see there being any change in our positioning."

However, critics of the group and Donohue are nonetheless hoping for a change in direction after he leaves.

"Donohue has totally shaped the Chamber, and he is hugely responsible for what it is," said David Arkush, the managing director of Public Citizen's Climate Program. "It's hard to imagine who's next, and who's next is deeply linked to sort of what direction the organization is going to take."

Tom Donohue. Photo credit: U.S. Chamber of Commerce
Tom Donohue. U.S. Chamber of Commerce

Noting that Donohue over two decades has "sort of built his DNA into the organization," Arkush added that "it's just not clear how it changes. It'd be great if it does."

Welsh said that word of Donohue's impending departure has not changed much for companies pushing the Chamber on its climate stances. But he said Clark is generally seen as more progressive on climate and other issues.

The association has also seen a few other big retirements in recent years, including longtime chief lobbyist Bruce Josten, who left in 2016.

Piling onto the pressure on the Chamber is the larger movement among its members to advocate on climate change, in part to protect their interests when federal climate legislation becomes inevitable.

A price on carbon could be a better proposition for companies, especially those that stand to make money off clean energy, than alternatives like the Green New Deal.

Groups like the Climate Leadership Council have emerged to push for a carbon fee — in exchange for regulatory rollbacks and a liability shield for past climate damages — with backing from corporate America.

And Welsh, for instance, participated in a corporate carbon tax lobby day last month, which featured representatives from nearly 80 companies, including a few oil majors.

"Candidly, when I've spoken to other Chamber members or even in Chamber leadership, I've said to them, look, if you don't subscribe to our philosophy that climate change is a threat to business but also an opportunity, understand this: Climate change is becoming a proxy war on capitalism," Welsh said, citing proposals like the Green New Deal.

"And that is an existential threat to the Chamber's purpose in total."

A 'spring day'?
Companies that do want Congress to move on climate are already making their presence known on Capitol Hill, and the reactions so far illustrate the kinds of political dynamics the Chamber faces with a sticky issue like climate change.

On the one hand, there is a certain breed of Democrat who is open to overtures from corporate America, including oil companies, and believes it will be a necessary partner in passing bipartisan climate legislation.

They include lawmakers like Sen. Chris Coons (D-Del.), who hosted Welsh and other executives on their advocacy day last month.

Rep. Lizzie Fletcher (D-Texas), who represents Houston's energy corridor, said oil and gas companies speak frankly about climate change behind closed doors.

"I think in my experience meeting with my constituents and folks in Houston who are in the industry, they are very much thinking years down the road," she told E&E News last month.

"They are concerned about climate change. They are looking at their businesses, and they want them to be there in 20, 40, 100 years. And they are actively taking steps to reduce their own carbon footprint and develop technologies that will lead us forward."

Frequent topics of discussion include the benefits of natural gas, the need to make carbon capture technology commercially viable, as well as "whether a carbon tax is a good idea," Fletcher said.

"It's certainly a part of the conversation," she said.

But Republicans are largely unswayed by discussion of carbon pricing, even those who acknowledge man-made climate change. Instead, they still largely stick with "energy innovation" rhetoric that mirrors what's coming out of the Chamber's public affairs shop.

Rep. Garret Graves (R-La.), ranking member of the Select Committee on the Climate Crisis, said he met with "numerous executives that have been working the Hill over the last few weeks" about carbon pricing but came away unconvinced.

"Folks see a little bit of a muddying of the water as a result of all this climate talk," Graves said. "I think some folks see some liability concerns in the long term and want certainty there."

Some see certainty in carbon pricing, while Graves noted that others see potential clean energy profits.

"I'm not knocking any of them; I understand what their motivations are," Graves told reporters. "I just don't think it's the right solution right now."

Meanwhile, some progressive Democrats are turned off by corporate carbon pricing plans, which they see as a cop-out for companies that have done inalterable harm to the planet.

And more broadly, the party has moved away from carbon pricing in recent months amid the 2020 presidential campaign and the rise of Green New Deal-style proposals that focus their effort on regulation and government spending.

Huffman said he sees the rhetoric coming from fossil fuel companies and the Chamber as "disingenuous." The ultimate path for climate action will be for fossil fuel companies to become clean energy companies, he said.

"I'll certainly hear them out. I'm interested to understand where they think this is heading," he told E&E News last month. "But I'm also deeply skeptical because the essence of their business model is to continue developing and burning more fossil fuel. If we do that, we ruin the planet."

But while there's a healthy skepticism of corporate carbon tax advocacy on both sides, the Chamber and other big trade groups could be a tipping point for the debate.

At an event last month featuring Welsh and Sen. Ed Markey (D-Mass.), Whitehouse compared the Chamber's historical views to snow that piles up on the roof of a house over the winter.

When the organization substantially changes its position, "that will be like that spring day when the snow comes off the roof," Whitehouse said.

"However long it took to pile it up, however many storms, however many snowflakes, however many years of nonsense, it will end, I think, very suddenly," Whitehouse said. "And then we'll be in a really good position to move forward in a bipartisan way."

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Politico Pro

Silenced climate testimony in the spotlight

https://subscriber.politicopro.com/newsletters/afternoon-energy/2019/06/silenced-climate-testimony-in-the-spotlight-650834

By SARAH CAMMARATA

CLIMATE TESTIMONY IN THE SPOTLIGHT: After recent media reports surfaced that the White House sought to keep a senior analyst at the State Department from submitting written testimony at a climate hearing on national security, House Intelligence Chairman Adam Schiff today asked the department to hand over information on the Trump administration's actions, Pro's Anthony Adragna reports.

In a letter, Schiff (D-Calif.) writes that the incident has created "deep concern that officials within the Executive Office of the President sought to suppress for political reasons Dr. Schoonover's and State [Bureau of Intelligence and Research]'s objective analysis about this urgent national security issue."

Schiff is demanding the written testimony of the analyst and its revisions, and wants a response by June 21. Rep. Pramila Jayapal (D-Wash.) also sent a letter today pressing for details on the administration's proposal for an adversarial review of climate science within the National Security Council. More details from Pro Energy.

ADVOCACY

STAFF SHAKE-UP AT NATURE CONSERVANCY: As the search for a new leader of the Nature Conservancy is underway, former Interior Secretary Sally Jewell is stepping in as interim CEO amid the fallout of a sexual harassment and workplace misconduct investigation, Pro's Zack Colman reports. Jewell, who will take over Sept. 3, is currently on the environmental organization's board of directors.

The news comes after two departures from the highest ranks of the group — CEO Mark Tercek, who resigned Friday, and then-President Brian McPeek's resignation came one week before. An internal probe from the law firm McDermott Will & Emery found the culture at the Nature Conservancy made it impossible for women to achieve. In an interview with POLITICO, one former staff member characterized the atmosphere as "a boys' club" and said former staffers felt like they were in "an abusive relationship." Read the full story on Pro Energy.

ON THE HILL

CLIMATE CLARION CALL: Witnesses before the House Budget Committee warned climate change will continue to cause increased impacts to the federal budget in areas like disaster aid, flood insurance and maintaining federal properties and land. "Expected damages are on the scale of trillions of dollars, although there remains uncertainty in these numbers," said Solomon Hsiang, professor of public policy at the University of California, Berkeley. "We will spend more attention and more money replacing depreciated assets and repairing communities." A witness from GAO, J. Alfredo Gómez, said the government has spent $450 billion in disaster aid since 2005 and those sums would likely continue to rise.

Chairman John Yarmuth (D-Ky.) said the rising costs showed the need for rapid aggressive action to address the problem. "Without serious action to address climate change, federal spending will continue to rise on everything from federal disaster response to flood insurance to crop insurance," he said. The Republican witness, the Manhattan Institute's Oren Cass, said that while climate change is a serious issue requiring a serious policy response, forecasting the costs of it requires contested assumptions that can overstate the those impacts.

PITCHING PTC: House Ways and Means Chairman Richard Neal (D-Mass.) is including the federal renewable electricity production tax credit in his three-years extenders package, Pro Tax's Aaron Lorenzo reports. In a closed-door meeting today, Neal will pitch his plan to committee members on his side of the aisle, according to a House Democratic aid. The PTC for wind energy, set to expire in 2021, is covered by Neal's plan, as well as craft beverage tax relief and the New Markets Tax Credit for economic development. He's also proposing more relief for natural disasters to bolster support. Get more details on POLITICO Pro's site.

OFFSHORE WIND EDUCATION: Sens. Ed Markey (D-Mass.), Tom Carper (D-Del.), Susan Collins (R-Maine) and Sheldon Whitehouse (D-R.I.) introduced legislation today to boost offshore wind educational and career training though a new grant program. The Energy Department would evaluate training needs and then the grant program would be set up for worker training, tuition assistance and other activities based on a department assessment.

AROUND THE AGENCIES

SUIT TARGETS OFFSHORE ROLLBACKS: The Sierra Club, Earthjustice and the Natural Resources Defense Council are among a group of green groups suing to invalidate Interior's major rollbacks to Obama-era offshore drilling safety rules, arguing the department ignored environmental and administrative rules, Pro's Ben Lefebvre reports. The changes finalized last month revised more than 70 of the provisions put in place in response to the deadly BP oil spill that fouled the Gulf of Mexico in 2010.

The suit highlights possible violations to the Administrative Procedures Act and the National Environmental Policy Act by failing to properly address the environmental effects of the partial repeal. Interior's Bureau of Safety and Environmental Enforcement has argued the rollbacks finalized in 2016 got rid of redundancies in safety standards that placed an undue burden on rig operators. More details on POLITICO Pro.

BEYOND THE BELTWAY

GROUP WARNS INVESTORS OFF CONDEMNED TVA PLANT: Paradise 3, the coal-fired power plant the Tennessee Valley Authority voted earlier this year to close, remains uneconomic, the Institute for Energy Economics and Financial Analysis says in a report Monday. At least one investor, coal investor Samuel S. Francis, offered to buy the plant for $129 million, local news outlets reported in March, though there's been no public movement since then. The IEEFA report notes that the plant requires major investments to repair and upgrade equipment and produced much more expensive electricity than other sources used by TVA — the very reasons TVA voted to shut it down.

MAIL CALL

RED LIGHT ON RFS WAIVERS: Minnesota Sen. Amy Klobuchar, a 2020 presidential contender, and Sen. Tammy Duckworth of Illinois led a dozen Democrats in calling on EPA to stop issuing waivers from the Renewable Fuel Standard. The group argued in a letter today that EPA is violating congressional intent by expanding the number of waivers in the program. "The small refiner waiver provision was not intended to undermine the RFS to the benefit of the most profitable oil companies in the world," the senators said.

"We request that you cease issuing any further small refinery exemptions, immediately reallocate the remaining gallons, and make public the information regarding any recipients of these exemptions." Democratic Sens. Mazie Hirono, Dick Durbin, Tina Smith, Ron Wyden, Michael Bennet, Tammy Baldwin, Jeff Merkley, Debbie Stabenow, Sherrod Brown and Kirsten Gillibrand also signed on to the letter. Gillibrand and Bennet are among the pool of presidential hopefuls.

MOVERS AND SHAKERS

Helena Wooden-Aguilar, a 15-year veteran of EPA, will move from serving as acting deputy chief of staff to Administrator Andrew Wheeler to the Office of Policy to become acting deputy associate administrator, EPA chief of staff Ryan Jackson said in an email to staff on Monday. Kevin DeBell will take Aguilar's spot as acting deputy chief of staff; he previously was a senior adviser to acting EPA Deputy Administrator Henry Darwin and has been at EPA since 2001.

Aluminum Association President and CEO Heidi Brock is resigning and will leave the organization later this year to serve as president and CEO of the American Forest and Paper Association.

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Pipelines

Bloomberg Environment

A Virginia Election Issue Is in the Pipeline

https://news.bloombergenvironment.com/environment-and-energy/a-virginia-election-issue-is-in-the-pipeline-46

Chuck McCutcheon

Pipelines will be a political issue in Virginia as primaries for state legislative seats are held today in the commonwealth, Andrew Ballard writes.

Opposition to two natural gas pipeline projects—the Atlantic Coast Pipeline and the Mountain Valley Pipeline—is strongest in areas directly impacted by their routes, but the issue is taking hold in other parts of the state. Critics—who include Karenna Gore, daughter of former Vice President Al Gore—cite the taking of land that is needed to build the pipelines, as well as concerns about potential gas leaks and explosions.

But the industry and its supporters say natural gas is an abundant and affordable fossil fuel that is cleaner than coal and oil. They say the pipelines are needed and that their construction and operation help boost local economies.

Financial Services to Vote on Flood Insurance

The House Financial Services Committee is expected to approve a bill today that would overhaul the financially troubled National Flood Insurance Program, representing its first major revision in more than five years.

The bill is a bipartisan compromise between the committee's Democrats and Republicans, but it's getting a lukewarm reception from the insurance industry, environmentalists, coastal communities, and even other lawmakers.

The measure "lacks reforms needed to ensure the program is sustainable and that families won't be hit with drastic premium increases," said Sen. Bill Cassidy (R-La.), one of Congress' most prominent voices on the issue. Other critics say they hope the bill can be changed as it moves through the legislative process.

Trump Visits Iowa

President Trump travels to Iowa, where he'll tour renewable energy facilities and herald a recently enshrined policy allowing year-round sales of E15 gasoline, a brew containing 15% ethanol.

The move is a boost to corn farmers, a key constituency in the Midwest. "Thank you, Mr. President, for coming through for Iowa agriculture," said Sen. Joni Ernst (R-Iowa).

Trump's trip comes after the American Fuel & Petrochemical Manufacturers Association, the top U.S. oil refining trade group, filed a lawsuit challenging the E15 action. The group had argued in comments to EPA that the action was unlawful and that the agency lacked authority to make it.

What Else We're Watching

The American Bar Association holds a conference in Atlanta on environmental issues in EPA's Region 4, which covers the Southeast, including states' enforcement efforts. Regional EPA staff will speak on panels about Superfund, natural disasters, and the Clean Air Act.

House Energy and Commerce's oversight subcommittee hears from four former EPA administrators—three Republicans and a Democrat—on the agency's current direction.

Potential harm to the U.S. economy from climate change will be in the spotlight when the House Budget Committee holds its first detailed climate change hearing since Democrats won control of the House last November. Atmospheric scientist Katharine Hayhoe, a well-known climate change communicator and evangelical Christian, is among those testifying. She spoke yesterday at the Citizens' Climate Lobby conference. Members of that group will visit around 500 House and Senate offices today to lobby on the Energy Innovation and Carbon Dividend Act (H.R. 763), which would impose a fee per metric ton of carbon dioxide emitted in the U.S. and return that money to Americans.

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Bloomberg Environment

EPA Guidance May Not Keep States from Blocking Pipelines

https://news.bloombergenvironment.com/environment-and-energy/epa-guidance-may-not-keep-states-from-blocking-pipelines

David Schultz

New EPA guidance seeking to clarify states' roles in federal Clean Water Act permitting won't achieve the Trump administration's ultimate goal: stopping Democratic governors from blocking pipeline projects through their states.

That's the consensus of several attorneys who spoke to Bloomberg Environment about the document, which was released June 7.

"It's not necessarily going to stop them," Tom Jackson, an attorney who works on water and wildlife issues with the D.C.-based firm Baker Botts, said. "But this is the EPA sending some messages."

No More Vetoes?

The Environmental Protection Agency guidance lays out the administration's new views on how states can use what is known as the Section 401 certification process under the Clean Water Act. This essentially gives a state the power to veto an interstate infrastructure project if it believes the project would damage its waters.

The energy industry has been frustrated in recent years as Democratic governors, such as Andrew Cuomo in New York and Jay Inslee in Washington, used this authority to block pipelines that cross through their states. In some cases, these governors have justified their vetoes by saying the pipelines would lead to more fossil fuel use, which would exacerbate climate change, which itself can damage important water bodies.

In April, President Donald Trump issued an executive orders (E.O. 13686) that sought to remove obstacles to developing energy infrastructure and expediting the pipeline permitting process. It directed the EPA and other agencies to clarify that states can only use this Clean Water Act authority when a project directly affects a water body.

The order also set hard deadlines for states to issue a veto over a project to prevent them from blocking a proposal by simply through inaction.

Last week, the EPA took the first step in responding to the executive order by updating its official guidance document on how it interprets this section of the Clean Water Act. But Jackson said this document carries little actual weight on its own.

"This is guidance, it's not binding," he told Bloomberg Environment. "And so, if I'm Cuomo, I can take the position that this is not binding on me. I'm going to do what I think is appropriate."

Certain Litigation

Mark Ryan, a water attorney with the Washington state-based firm Ryan & Kuehler PLLC, said states ignoring this guidance will create a conflict that will inevitably wind up in court.

The guidance "is going to lead to lots of litigation, and I don't see much of it surviving in the real world," Ryan, who spent more than 20 years as an attorney at the EPA, told Bloomberg Environment. "It seems like a ham-fisted attempt to correct a problem perceived by the administration."

The EPA did not answer questions about the effectiveness of its guidance at preventing projects from being blocked. But Michael Abboud, the agency's spokesman, said the purpose of the document is "to clarify certain provisions" of the Clean Water Act, and to show states, tribes, and other federal agencies how they "can better coordinate to streamline" the infrastructure permitting process.

Even officials in states sympathetic to the Trump Administration's point of view seem unsure of what the practical impact of this guidance document will be.

Noah Valenstein, secretary of Florida's Department of Environmental Protection, said it's "too early to see" how the guidance would affect his state.

New Rules On the Way
But this uncertainty may not last for long.

In addition to issuing this new guidance document, the EPA is also preparing to change its regulations on when and how states can use their veto power under the Clean Water Act. Unlike with a guidance document, these regulations would have the force of law, although they too can be challenged in court.

The EPA plans to release a proposed version of these new guidelines on Aug. 8, according to a presentation it gave at a meeting with state and tribal officials last month.
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The Hill
EPA issues guidance critics say would limit state's authorities over pipeline projects
https://thehill.com/policy/energy-environment/447782-states-have-shut-down-pipeline-projects-epa-seeks-to-change-that
BY REBECCA BEITSCH

The Environmental Protection Agency (EPA) issued a guidance Friday that critics say seeks to limit states' influence over controversial pipeline projects.

Federal law through the Clean Water Act essentially gives states veto power over large projects that cut through their rivers and streams if they believe those projects would negatively impact their water quality.

Spurred by an April executive order from President Trump, the EPA's guidance encourages states to more quickly process project applications, even if they don't have all the information yet.
"This seems to be another attempt by the Trump Administration to limit states, and by extension local communities, ability to protect their own waterways and to give pipeline developers or other project proponents an ability to skip over one of the steps in the process that had been there to protect local waterways," said Nathan Matthews, a senior attorney with the Sierra Club, one of the environmental groups weighing action against the EPA.

The Clean Water Act gives states a year to weigh permits and determine how projects would impact their water, but some feel states have used the process to block major projects.

"I welcome this announcement and hope EPA's new guidance will reduce abuse of the Clean Water Act to block infrastructure needed to provide reliable and affordable energy," Sen. Lisa Murkowski (R-Alaska) said of the guidance in a press release. "EPA's updated guidance will maintain vital protections for our water resources while promoting responsible development of our energy resources."

The EPA said states should not take more time than is reasonable to review permits, encouraging them to "promptly begin evaluating the request to ensure timely action."

The guidance says the timeline for reviewing the permits begins as soon as they are filed, and states should not wait for an environmental assessment to be completed as that may take longer than the year states are granted. The guidance also notes that the clock doesn't stop because states have requested more information.

States have recently sidelined two large projects using the certification process through the Clean Water Act, actions that contradict the energy dominance strategy promoted by the Trump administration.

New York denied a certification for the Constitution Pipeline, a 124-mile natural gas pipeline that would have run from Pennsylvania to New York, crossing rivers more than 200 times. Washington state denied certification for the Millennium Coal Terminal, a shipping port for large stocks of coal.

"The Trump Administration's attempt to attack our state's right to protect the health and well-being of our residents, without any consultation with states or tribal governments, is wrong," Washington state Attorney General Bob Ferguson said in a statement to The Hill. "It will undermine four decades of state and federal cooperation in environmental stewardship."

But even states with more conservative leadership have spoken out for maintaining states rights under the law.

"We urge you to direct federal agencies to reject any changes to agency rules, guidance, or policy that may diminish, impair, or subordinate states' well-established sovereign and statutory authorities to protect water quality within their boundaries," the Western Governors' Association wrote in a January letter when the White House was still weighing an executive order.

Matthews said states are likely to have trouble getting the information they need in order to meet the timelines. The lengthy environmental assessment process means pipeline routes or construction plans might change long after they've applied for permission from the state. Trying to force states to approve a project before they have that information could backfire, he said.

"States cannot make a decision about whether a project will or won't comply with state water quality standards until they know where and what rivers it will be crossing," Matthews said. "If they encourage or later require states to make these decisions before all the information is available, states are going to have to deny these applications without prejudice and encourage them to reapply which could slow everything down rather than speed it up."

Industry groups voiced support for the EPA guidance, arguing it helped restore the balance between the state and federal government.

"The balance between those roles has been disrupted and some states have viewed Section 401 as means of determining which interstate pipeline projects are in the public interest and which are not," Don Santa, president of the Interstate Natural Gas Association of America, said in a release, referring to the specific portion of the law creating the state certification process.
Environmentalists say they are still weighing what response to take to the guidance, though some say they are more concerned about the coming regulations on the same topic that were also spurred by Trump's executive order.

"I would say there are several alarming suggestions in this guidance that if taken to their extreme could be very problematic as they play out," said Moneen Nasmith, an attorney with EarthJustice. "There are a number of places that provide the suggestion that EPA could weigh in in places within the state decisionmaking process that it has never participated in before and doesn't have the authority to do now."

She's concerned the EPA may try to weigh in on what reasons states can give to deny a certification or try to define water quality issues more narrowly, blocking states from weighing certain aspects of projects. Both are things she said EPA is not legally allowed to do.

"I'm worried that in the guidance EPA seems to be contemplating having that kind of role," she said.
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The Hill
Overnight Energy: Trump appoints Social Security watchdog to also oversee Interior | Critics question EPA guidance on pipelines | Battle over science roils EPA

https://thehill.com/policy/energy-environment/overnights/447795-overnight-energy-trump-appoints-social-security

BY REBECCA BEITSCH

President Trump has quietly appointed his Social Security Administration (SSA) inspector general to also oversee a much different agency: the Interior Department.

On May 28, Gail Ennis began her second job overseeing the Interior Department's Office of the Inspector General (OIG), a role she will keep for the foreseeable future, the OIG confirmed to The Hill.

The Trump administration is still awaiting the confirmation of Mark Greenblatt, the former assistant inspector general for investigations at the Commerce Department, to formally head the Interior's OIG office.

Ennis was sworn into the SSA role just five months ago, her first time serving as an inspector general. Her professional background is in securities litigation, working previously as a partner at the Washington, D.C.-based law firm WilmerHale, where she reportedly earned $2 million a year.

At the SSA, Ennis has most recently led efforts to thwart scam Social Security phone calls. At the Interior department, she will oversee investigations into newly appointed Secretary David Bernhardt's lobbying ties and two ongoing Justice Department investigations into former Interior Secretary Ryan Zinke. One of those investigations has reportedly made it to the grand jury.

The appointment of Ennis to Interior was not formally announced by the White House, however, the Interior Department's website was updated last week to reflect her new position.

Ennis replaces former acting Inspector General Mary Kendall, who retired from the office at the end of May. Kendall oversaw multiple ethics investigations into Zinke, including recommending a number of them to the Justice Department for further investigation. Those investigations reportedly played a heavy factor in Zinke's decision to leave the administration early this year.

In addition to the ongoing investigations into Interior's current and former secretaries, the OIG is also investigating six high-ranking interior officials for ethics concerns.

STATES VS FEDS VS PIPELINES: The Environmental Protection Agency (EPA) issued a guidance Friday that critics say seeks to limit states' influence over controversial pipeline projects.

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"The Trump Administration's attempt to attack our state's right to protect the health and well-being of our residents, without any consultation with states or tribal governments, is wrong," Washington state Attorney General Bob Ferguson said in a statement to The Hill. "It will undermine four decades of state and federal cooperation in environmental stewardship."

But even states with more conservative leadership have spoken out for maintaining states' rights under the law.

BATTLE OVER SCIENCE: Environmental Protection Agency is battling its own board of science advisers over its controversial plan to dismiss certain types of scientific research from consideration when issuing rules.

A meeting this week between the agency and some of the nation's top scientists highlighted the growing rift between the EPA and the scientific community, with members of the Science Advisory Board (SAB) pushing back on the administration's efforts to bar consideration of studies that don't make their underlying data public.

Critics say the move would omit important research from EPA consideration and lead to a dramatic rollback of existing regulations.

The SAB, a team of more than 40 of the nation's top scientists, have been asking to weigh in on the controversial proposal since it was unveiled more than a year ago.

On Wednesday, it said it would do so -- despite a request from the agency to review only a narrow portion of the rule.

There's mistrust between the scientific community and EPA's leaders in the Trump administration.

Then-EPA Administrator Scott Pruitt said the proposal, called Strengthening Transparency in Regulatory Science, would battle "secret science" when it was first introduced. That spurred scientists to call the proposal "censored science."

EPA Administrator Andrew Wheeler on Wednesday appeared before the board, vowing to improve the relationship between it and the agency.

"I'll be the first to admit that we have not utilized you in ways that we should. We can and we will do better," Wheeler said.

But many in the science and environmental community walked away from the meeting disheartened at what they see is the agency's plan to amplify pet policies and the voices of industry over those of scientists.
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Chemicals

Chemical Watch
https://chemicalwatch.com/78607/epa-proposes-eight-tsca-significant-new-use-rules
EPA proposes eight TSCA significant new use rules
06/11/19

The US EPA has proposed eight TSCA significant new use rules (Snurs) for substances that were subject to premanufacture notices (PMNs).

The Snurs dictate certain restrictions, such as how a substance may be manufactured or used, how it is released or protective measures that may be required. These are designed to guard against potential risks identified during each new substance's premarket review.

Any manufacturer wishing to use a substance outside of a Snur's parameters must first submit a significant new use notice (Snun), which allows the agency to review it and determine whether it poses an unreasonable risk.

The EPA has proposed over 400 Snurs since August 2018, but has only finalised 13. These, announced in March, were Snurs issued without an accompanying 5(e) consent order. This so-called 'Snur-only' approach had been commonplace under the old TSCA but has become a source of controversy and litigation under the amended law.

A comment period on the latest eight Snurs will be open until 11 July.
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Bloomberg Environment
EPA Targeting Toxic Waste Storage Sites for Clean Air Violations
https://news.bloombergenvironment.com/environment-and-energy/epa-targeting-toxic-waste-storage-sites-for-clean-air-violations
Amena H. Saiyid

The EPA plans to police landfills and incinerators where toxic waste is stored and treated for illegal releases of smog-forming pollution, according to the agency's enforcement plans for the next several years.

The Environmental Protection Agency said it will target these sites because the "Agency has found that air emission violations associated with the improper management of hazardous waste remains widespread."

Hazardous wastes stored in drums at landfills contain volatile organic compounds, which react in sunlight to form ground-level ozone.

The EPA has made it a priority to bring significant sources of volatile organic compounds into compliance because these compounds adversely affect air quality, and they may make it more difficult to meet federal ozone standards.

The agency announced its plans to bring more facilities into compliance with environmental laws in its national program guidance for the Office of Enforcement and Compliance Assurance, which was posted June 10.

Leakages of these emissions from certain vents, equipment, and waste storage or treatment are regulated under the Resource Conservation and Recovery Act.

"If these wastes are not identified, monitored, and managed properly, they pose potential risk to human health and the environment through releases into the air and threats to on-site workers, first responders, and near-by communities," the EPA said.

The EPA started looking at these sites last year, after inspections revealed that hazardous waste air emissions were causing a problem. In 2018 alone, a third of the 128 hazardous waste facilities inspected by EPA resulted in actions taken to address air emissions.

Enforcement of hazardous waste management sites is a new focus of the agency, Christopher Bryant, a senior regulatory consultant with Washington-based law firm Bergeson & Campbell P.C., told Bloomberg Environment.

Bryant, who specializes in hazardous waste management and regulation, said this focus makes sense because the EPA also has said it wants to prioritize reductions of volatile organic compounds in areas that aren't meeting ozone limits.
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Transportation

E&E News
EPA was once receptive to deal with Calif. — emails
https://www.eenews.net/greenwire/2019/06/11/stories/1060551191
Maxine Joselow, Tuesday, June 11, 2019

EPA political appointees were receptive last year to a top auto industry lobbying group's pleas for negotiations with California, newly released documents show.

EPA air chief Bill Wehrum and then-EPA Deputy Administrator Andrew Wheeler had several cordial email exchanges and in-person meetings last spring with the Alliance of Automobile Manufacturers, according to the documents obtained by the Sierra Club through Freedom of Information Act litigation.

The Auto Alliance repeatedly pressed Wehrum and Wheeler on the importance of including California in negotiations over the rollback of Obama-era clean car standards.

Wehrum and Wheeler, for their part, appeared sympathetic and willing to hear these concerns.

The documents come after a remarkable deterioration in the relationship between automakers and the Trump administration following the White House's February decision to break off negotiations with California (Greenwire, Feb. 21).

In the sharpest sign of that deterioration, 17 automakers last week sent a strongly worded letter to President Trump condemning his administration for failing to strike a deal with the Golden State and warning that the rollback would cause "an extended period of litigation and instability" (Climatewire, June 7).

Ten of the letter's signatories were members of the Auto Alliance, including Ford Motor Co., Toyota Motor Corp., Mercedes-Benz and Jaguar Land Rover Automotive PLC.

The tone was markedly different on April 25, 2018, when Auto Alliance lobbyist David Schwietert reached out to Wheeler about a meeting.

"Andy, congratulations on your swearing in at EPA last week," Schwietert wrote, referring to Wheeler's swearing in as deputy administrator on April 20. "I've been meaning to reach out to connect on some pending DOT/EPA matters regarding fuel economy standards."

He added, "Bill Wehrum and others have been receptive to our perspective and I know others in the Administration have shared with you key insights about the critical nature of ensuring ... the opportunity to forge an agreement with California."

In his response to Schwietert, Wheeler said he was only holding "internal meetings" at the moment, but he was happy to meet at a later date.

"We will reach back out to you as soon as I start outside meetings," Wheeler wrote. "Thanks for bearing with me."

A little over a week later, Wheeler followed up: "Dave, did my staff reach out to you last week to set up a meeting with me? I asked them to and I'm just trying to work out internal bugs in my office. Please let me know when they contacted you. Thanks. I'll explain when we meet."

A few days later, Schwietert reported that a meeting between Trump and auto company CEOs had gone well; the president had appeared to recognize the important role of California.

"We'll await direction on next steps and look forward to assist as you contemplate outreach and discussions with California," Schwietert wrote.

Schwietert also shared a letter from Auto Alliance President Mitch Bainwol to Trump, in which Bainwol said the group "appreciated the conclusion you reached during the meeting to try to work out a deal with California."

"The industry is united that a negotiated outcome is preferred," Bainwol said. "While the politics getting to a deal is complicated, we are convinced that when it comes to the substance, there is room for an agreement that is good for the environment, customers and the health of our industry."

A week later, on May 18, 2018, Schwietert reached out to Wehrum about a meeting. Wehrum replied that he was "happy to talk," adding that Schwietert and Bainwol could "feel free to stop by" his office.

As part of the clean cars rollback, the Trump administration is proposing to withdraw California's Clean Air Act waiver for greenhouse gases, which allows the state to set tougher tailpipe pollution rules than the federal government. Thirteen other states have adopted those more stringent rules.

California and a litany of environmental groups have promised to sue the administration over the waiver withdrawal. Automakers now fear that while the litigation plays out, they will be left with prolonged regulatory uncertainty. They further fear that the country will be split into two separate auto markets, with one market following the tougher standards and the other following the loosened federal rules.

In a statement to E&E News last week, White House spokesman Judd Deere said the administration was forging ahead with the clean cars rollback regardless of California regulators.

"As we acknowledged earlier this year, [the California Air Resources Board] failed to put forward a productive alternative, and we are moving forward to finalize a rule with the goal of promoting safer, cleaner and more affordable vehicles," Deere said.

Asked for comment on the newly released documents, Auto Alliance spokeswoman Gloria Bergquist said in an email to E&E News: "The Alliance regularly reaches out to set meetings with newly named government officials to share our priorities and hear about theirs."

As for the role of California, Bergquist said, "Automakers have consistently called for one national program for fuel economy that includes California, and we have used every opportunity, every meeting, every forum to press that point."

Reporter Kevin Bogardus contributed.
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Carbon Emissions

Bloomberg Environment
Former U.S. Environmental Chief Criticizes Carbon Tax Trade-Off
https://news.bloombergenvironment.com/environment-and-energy/former-u-s-environmental-chief-criticizes-carbon-tax-trade-off
Jennifer A. Dlouhy

Any decision to slap a tax on carbon dioxide emissions shouldn't be paired with a move to strip away the EPA's power to regulate greenhouse gases, a former agency administrator tells Congress.

William Reilly, who led the EPA from 1989 to 1993, says he is "particularly mistrustful" of that grand bargain, embodied in an initiative advanced by the Climate Leadership Council and backed by several oil companies.

Under broad plan outlines, a tax on carbon dioxide emissions starting at $40 per ton would be imposed along with a shield against climate-related lawsuits related to past, legal emissions and the end of federal regulations targeting greenhouse gas releases.

A carbon tax "is a positive thing," although $40 is too low to meaningfully transform behavior, Reilly says.

However, "to immunize major emitters for a $40 tax is, in my view, very unwise," and would mean removing "regulatory authority from the one agency that has really tried to address that problem."
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Oceans

The Washington Post
https://www.washingtonpost.com/news/powerpost/paloma/the-energy-202/2019/06/11/the-energy-202-trump-administration-says-ocean-trash-cleanup-is-a-top-priority-on-asia-trip/5cfec9651ad2e55f2de7c055/?utm_term=.5731166fa700
The Energy 202: Trump administration says ocean trash cleanup is top priority on Asia trip
By Dino Grandoni 06/11/19 8:02AM

When Environmental Protection Agency chief Andrew Wheeler goes to Japan this week to meet with other environment ministers, action on climate change won't be the priority. Instead, Wheeler plans to talk a lot about the tons of trash floating in the ocean he just flew over.

In an interview with The Post's Juliet Eilperin and Brady Dennis on Monday, Wheeler called the debris clogging the ocean one of the world's most pressing environmental concerns. And with six Asian nations topping the list of contributors of

marine trash -- with China the top contributor of plastic pollutants -- the cause well fits into the broader Trump administration goal of ramping up pressure on Beijing.

"That's where the problem lies," Wheeler said. "My biggest concern is, how do we stop the waste from other countries?"

Wheeler's trip to the Japanese resort town of Karuizawa, for the first-ever meeting of environment ministers from the world's 20 largest economies, comes as President Trump leveled a new threat to tariff $300 billion in Chinese imports.

Curtailing the amount of plastic polluting the world's oceans has emerged as one of the few environmental issues in the Trump era on which there is broad bipartisan agreement. Images of ocean wildlife found with six-pack rings around their necks or plastic bits in their stomachs tug at hearts across the political spectrum. And efforts to clean the seas of trash have no real industry opposition.

"We come from different regions, backgrounds, and political parties," Rep. Francis Rooney (R-Fla.) and Sen. Sheldon Whitehouse (D-R.I.) recently wrote in an op-ed for the environmental news site Grist. "Yet we are united by our passion for keeping our coasts and oceans healthy."

Trump himself has trumpeted that priority, staging a signing ceremony in October for the Save Our Seas Act, which reauthorized a marine trash program at the National Oceanic and Atmospheric Administration through 2022.

And when Trump was asked about the proposed withdrawal from the 2015 Paris climate accord, the president was sure to note Asia's contributions to both water and air pollution.

"You look at our air and our water, and it's right now at a record clean. But when you look at China and you look at parts of Asia and you look at South America, and when you look at many other places in this world, including Russia, including many other places, the air is incredibly dirty, and when you're talking about an atmosphere, oceans are very small," Trump told The Post in an interview in November. "And it blows over and it sails over. I mean we take thousands of tons of garbage off our beaches all the time that comes over from Asia. It just flows right down the Pacific."

Yet the administration, overall disinclined to support international agreements, has in the past opposed binding measures to address ocean trash. Unlike nearly every other country in the world, the United States declined to sign onto a framework that would require nations to track the movement of trash outside their borders.

And Wheeler, in his interview, expressed apprehension to recent municipal efforts to ban plastic straws for fostering a false sense of complacency among Americans.

"The plastic straw bans, that's not what's creating the problem in the oceans," he said. "That's a drop in the bucket, as far as the amount of plastic. . . . And I'm concerned that if people think, 'Well if I get rid of my plastic straw, then that solves the problem.' "

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The Washington Post

EPA chief will focus on ocean trash, not climate change, at upcoming global summit

https://www.washingtonpost.com/climate-environment/2019/06/10/epa-chief-will-focus-ocean-trash-not-climate-change-upcoming-global-summit/?utm_term=.e590be9ede76

By Juliet Eilperin and Brady Dennis 06/10/19 5:09PM

Environmental Protection Agency Administrator Andrew Wheeler said in an interview Monday that he will emphasize the importance of curbing marine debris during an upcoming summit with his Group of 20 counterparts in Japan, rather than seeking new action on climate change.

Wheeler, who is headed to the Japanese resort town of Karuizawa later this week for the first-ever meeting of environment ministers from the world's 20 largest economies, said that the trash accumulating in the ocean ranks as one of the globe's most pressing environmental threats. The fact that six Asian countries top the list of perpetrators of marine trash, accounting for 60 percent of the waste, he said, means the world should focus its attention on that region.

"So that's where the problem lies," Wheeler said, adding that the United States ranks 20th in the world when it comes to ocean litter. "My biggest concern is, how do we stop the waste from other countries?"

Given the administration's opposition to the Paris climate accord, however, Wheeler is also likely to face criticism in Japan over the U.S. government's about-face on climate change under President Trump. While several G-20 nations have pushed to publicly endorse the implementation agreement, the Trump administration has consistently opposed such a move.

China, Indonesia, the Philippines and Vietnam account for half of the plastics in the world's oceans, according to a 2015 study, with Thailand and Sri Lanka also on the list. The waste can be lethal to marine life, affecting hundreds of species, from sea turtles to seabirds, and researchers are investigating whether this pollution might ultimately pose health risks to humans.

The Trump administration has opposed binding measures to address ocean trash in the past. Last month, nearly every other country in the world besides the United States signed on to a framework for reducing marine plastics under the U.N.-backed Basel Convention, which will require nations to track its movements outside their borders. The United States also declined to endorse a Group of Seven statement on ocean plastics in 2018.

Still, Wheeler's move to elevate the issue of marine pollution meshes well with Trump's overall environmental priorities. The president has often brought up Asia's contribution to water and air pollution when asked about his decision to withdraw from the 2015 Paris agreement on climate change and other climate-related policies.

"You look at our air and our water, and it's right now at a record clean. But when you look at China and you look at parts of Asia and you look at South America, and when you look at many other places in this world, including Russia, including many other places, the air is incredibly dirty, and when you're talking about an atmosphere, oceans are very small," Trump told The Washington Post in an interview in November. "And it blows over and it sails over. I mean we take thousands of tons of garbage off our beaches all the time that comes over from Asia. It just flows right down the Pacific."

The United States has already launched pilot programs aimed at stemming the flow of waste into waterways in Peru, Jamaica and Panama, and Wheeler said that administration officials — along with those from Europe and Japan — are eager to determine which of the most promising ones could be launched in less-developed nations.

"What we need to do is go from the pilot phase to the implementation phase," he said.

But Wheeler voiced less enthusiasm for the sort of plastic product bans that have gained traction in cities across the United States in recent years. He particularly took aim at bans on plastic straws, saying that they foster a false sense of complacency among Americans.

"The plastic straw bans, that's not what's creating the problem in the oceans," he said. "That's a drop in the bucket, as far as the amount of plastic. . . . And I'm concerned that if people think, 'Well if I get rid of my plastic straw, then that solves the problem.' "

Susan Ruffo, managing director of international initiatives at the Ocean Conservancy, said in a phone interview Monday that marine debris is the sort of environmental issue that transcends the partisan divide.

"We welcome anyone to the table on this who's willing to put forth a positive solution," Ruffo said. "Everyone agrees this is a problem. No one thinks plastics should be in the ocean."

But Ruffo took issue with Wheeler's dismissal of plastic straw bans, noting that straws consistently rank in the top 10 forms of plastics volunteers collect each year as part of the Ocean Conservancy's international coastal cleanup.

"They may not rank at the top in terms of volume, but it is one of things that leaks the most, and tends to impact marine life the most. I wouldn't discount it," she said, adding that the United States still needs to do more to curb its own plastics waste.

[White House blocks intelligence agency's written testimony that climate change could be 'possibly catastrophic']

When it comes to the Paris agreement, Wheeler said he has explained to foreign leaders that even though the commitments under the pact are nonbinding, activists could use a provision in the Clean Air Act to sue the federal government if it fails to meet its pledged goal. Under the Obama administration, the United States promised to cut its greenhouse gas emissions between 26 and 28 percent by 2025, compared with 2005 levels.

"So if we were to move forward with the Paris climate accord, we'd be one of the only countries where the targets would end up being enforceable," he said, adding that the United States is continuing to cut its carbon and methane emissions. "That doesn't mean we aren't doing something to reduce our CO2."

Alden Meyer, director of strategy and policy at the Union of Concerned Scientists, on Monday called that explanation "a totally bogus legal argument."

"That's the legal argument that others made when they were trying to get Trump to pull out of Paris," Meyer said, noting that the Paris agreement does obligate countries to make pledges on climate action and report on their progress, but that U.S. negotiators took pains to ensure that countries would not be legally obligated to achieve the goals they set.

At the upcoming G-20 meeting, Meyer said he expects a split similar to what happened at last year's G-20 summit, when the United States refused to sign on to the climate goals of the rest of the world leaders. Rather, it carved out its own statement, reiterating its decision to withdraw from the Paris climate accord, while the other member nations consider it irreversible and are committed to its full implementation.

Much the same scenario unfolded at a gathering of G-7 leaders last year, when the United States refused to join statements by the other six nations underscoring their commitment to the Paris accord.

Meyer said the upcoming summit probably will highlight anew the Trump administration's "utter isolation" on the issue internationally.

"It will indicate that the rest of the world continues to move ahead with Paris and the deep emissions reductions that are needed by mid-century," he said, adding, "With or without the Trump administration."
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Criminal Enforcement

Bloomberg Environment
Southern States Concerned About Criminal Enforcement Drawdown
https://news.bloombergenvironment.com/environment-and-energy/southern-states-concerned-about-criminal-enforcement-drawdown
Sylvia Carignan

Mississippi and Tennessee authorities say the EPA's push for partnership with states and environmental compliance has left criminal enforcement in question.

The Environmental Protection Agency is "pivoting from enforcement to compliance," Leif Palmer, regional counsel for the agency's Region 4 office, which covers the southeast U.S., said at an American Bar Association conference in Atlanta on June 11. At the same time, the agency is prioritizing its partnerships with state environmental authorities under the term "cooperative federalism."

One of the areas where states need federal cooperation is criminal enforcement, Donna Hodges, an attorney with the Mississippi Department of Environmental Quality, said at the conference. "We can't go out and just arrest somebody."

Because "only a handful of states" have their own environmental criminal enforcement programs, most investigations are handled by the EPA, according to draft guidance the agency released for public comment in May.

But in Tennessee, "we were hearing that EPA was less in a position to provide criminal enforcement support, so that's something we're taking into consideration," Jenny Howard, general counsel at the Tennessee Department of Environment and Conservation, said at the conference.

As part of the EPA's cooperative federalism efforts, the agency is focusing on building its enforcement capacity by sharing technology and assisting training efforts, as well as striving for regular communication and joint planning efforts with states, Suzanne Rubini, acting director for EPA Region 4's enforcement and compliance assurance division, said.

The EPA didn't immediately respond to Bloomberg Environment's questions about changes to its criminal enforcement efforts.

A lack of resources in Mississippi, paired with less federal assistance on criminal investigations, would affect the state's enforcement efforts, Hodges said.

"Hopefully we don't see much decrease in the criminal enforcement area, because we do rely on that heavily," she said.

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