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From: InsideEPA.com
Sent: Mon 8/7/2017 11:14:27 AM
Subject: The Morning Headlines from InsideEPA.com -- August 7, 2017

TRUMP'S EPA: Agency at a crossroads -- Complete coverage

August 7, 2017

Latest News

Court Ruling Expands CWA Liability For Coal Ash Leaks To Groundwater

A federal district judge has backed environmentalists' claims that leaks from a coal ash disposal site in Tennessee violate the Clean Water Act (CWA) and ordered the Tennessee Valley Authority (TVA) to take the costly step of excavating ash stored at the site to remedy the problem – expanding a string of novel cases backing CWA liability for ash leaks to groundwater.

After Controversy, Congress Limits EPA Power On Small Refiner RFS Waivers

Congress in its final fiscal year 2017 spending law restricted EPA's discretion in granting waivers to small refiners from the renewable fuel standard (RFS) following a long-running controversy, language that may have allowed Administrator Scott Pruitt to overcome legal objections and grant some waivers that EPA and the Energy Department (DOE) staff had initially recommended against because they did not comply with requirements in place at the time.

Emboldened Environmentalists Seek Vacatur Of Landfill Methane Rule Delay

Environmental groups are asking a federal appeals court to overturn what they say is another unlawful effort by EPA to pause a climate change rule, this time targeting Administrator Scott Pruitt's suspension of Obama-era limits on emissions of the potent greenhouse gas methane from landfills.

5th Circuit Weighs Authority To Hear Suit Over SO2 NAAQS Designations

The U.S. Court of Appeals for the 5th Circuit is weighing whether it has authority to hear a challenge by Texas and electric utility Luminant to EPA's designation of certain areas of the Lone Star State as violating federal sulfur dioxide (SO2) standards, weeks after the 7th Circuit said such challenges should be heard in the D.C. Circuit.

EPA Defends CWA Permit Limits By Citing Deference To Agency Science

EPA is urging the U.S. Court of Appeals for the 1st Circuit to grant broad deference to

the agency's decisions crafting Clean Water Act (CWA) discharge permits, countering a Massachusetts city's suit that says regulators should face a high bar to show a clear relationship between poor water quality and the releases they seek to limit.

Survey Shows EPA Moving Ahead With Potential Refinery ELG Revisions

EPA is moving ahead with the Obama administration's plan to study oil refineries' wastewater discharges to inform a possible rulemaking to strengthen the 1985 effluent limitation guideline (ELG) for the sector, a blow to industry hopes that the Trump administration would drop the plan even though EPA is not committing to an ELG update.

High Court Fight Over CWA Rule Litigation Venue Could Also Affect JDs

The pending Supreme Court case over whether challenges to rules defining Clean Water Act (CWA) jurisdiction should first be heard in appellate or district court could not only affect cases over rules on the law's scope but also suits over site-specific jurisdictional determinations (JDs) that regulators issue finding a waterbody might be covered by the CWA.

Daily Feed

Alumni group launches job center for exiting EPA employees

"We are not encouraging our former colleagues at EPA to leave," a top official said. "However, if they do decide to leave, or have that decision forced on them, we want to help them find another good job."

EPA backs Sierra Club's Title V objections

A Sierra Club attorney says Pruitt's decision is not a surprise because "the law and the regulations are so clear . . . I don't think they really had any other choice."

Opinion: A pessimistic view on Trump's federalism

"Striking the right balance between federal and state power requires careful attention to context and the costs and benefits of decentralization," says Micheal Livermore, an associate professor of law at the University of Virginia.

D.C. Circuit sets argument in coal ash rule challenge

The appeals court will hear argument Oct. 17, which could be the Trump administration's first chance to weigh in on the substance of the Obama-era ash disposal rule.

Ewire: Is ozone reversal strike two in Pruitt's deregulatory agenda?

Is EPA Administrator Scott Pruitt's sudden decision to designate areas attainment

with Obama-era ozone standards this October the latest setback in his efforts to roll back the previous administration's policies?

Environmentalists seek bolstered injection rules for EOR

“EOR technologies and the dangers they pose to the environment are largely unknown to the public. EOR presents real threats to drinking water, yet oversight of these practices has lagged,” their report says.

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