

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy
Sent: Fri 8/18/2017 9:42:08 AM
Subject: Morning Energy: Scott Pruitt's campaign in waiting? — Comments pour in on offshore drilling plan — Oregon lawmakers back Suniva solar petition

By Anthony Adragna | 08/18/2017 05:40 AM EDT

With help from Emily Holden

IS SCOTT PRUITT PLAYING THE LONG GAME? Ostensibly to gather feedback on rolling back an Obama-era water rule, EPA Administrator Scott Pruitt's 10-state trek this summer — jam-packed with local media hits — is raising eyebrows around the Beltway that the former Oklahoma attorney general is laying the groundwork for a political campaign once he leaves President Donald Trump's Cabinet, Pro's Emily Holden [reports](#). "Whatever he may claim to be, he is a politician with campaign experience," one GOP strategist said, noting EPA likely won't be "his career culmination goal."

It's not immediately clear what office Pruitt, 49, could seek but speculation has focused on the Senate seat held by [Jim Inhofe](#) — should the 82-year old fifth-term senator decide to retire or not seek re-election in 2020. If he does seek elected office, Pruitt could be the first EPA chief to make that jump. His inner circle is dominated by key personnel with links back to Oklahoma, though state strategists say they haven't heard of any campaigns on the horizon: "I can tell you that I have not heard anybody in Oklahoma talk about a Senate run for Scott Pruitt," Oklahoma GOP political strategist Pat McFerron told Emily.

But what's clear to former Republican EPA chiefs is Pruitt has an entirely different focus than past administrators. Former George W. Bush EPA chief Christine Todd Whitman noted he's spending more time on television and away from headquarters. "You've got plenty on your plate. You really don't have a lot of time to go and do the kinds of stuff he's doing," said Whitman, a former New Jersey governor. EPA declined to comment on Pruitt's future plans but defended his trips. "Unlike the previous administration which imposed its regulatory regime from Washington, Administrator Pruitt is taking the conversations directly to the states," said EPA spokesman Jahan Wilcox.

History lesson: Former GOP-appointed EPA Administrator Bill Ruckelshaus said Pruitt "clearly has not bought into the mission of EPA," and is "more interested in reducing the regulatory impact." Though Pruitt's often compared to Anne Gorsuch, who Reagan appointed to EPA to ease environmental regulations, Ruckelshaus argued the Oklahoman might be more effective at shrinking the agency's profile than Gorsuch who didn't successfully dismantle much. "They weren't as knowledgeable about the laws...the people they brought in were not very skilled," he said. "What this administration is doing is bringing in somebody who has been suing the agency for a long time, although never very successfully." He said Pruitt and his staff, comprised of Hill staffers, are familiar enough with the statute to be "skillful at unraveling the agency's system." Ruckelshaus added that other news from the administration is distracting from Pruitt's rollbacks.

TGIF AND WE MADE IT EVERYONE! I'm your host Anthony Adragna, and the Senate

Energy Committee's Sean Solie was first to identify Kiribati as the only country in all four hemispheres (though France may as well depending on how you count its land overseas). For today: What's the world's only remaining grand duchy? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter [@AnthonyAdragna](https://twitter.com/AnthonyAdragna), [@Morning_Energy](https://twitter.com/Morning_Energy), and [@POLITICOPro](https://twitter.com/POLITICOPro).

LIFELINE SOUGHT FOR GEORGIA NUCLEAR PROJECT: Southern Co. and Oglethorpe Power Corp. are in talks with the Energy Department to potentially increase the record \$8.3 billion loan guarantee for the two troubled new reactors under construction at Plant Vogtle in Georgia, Bloomberg [reports](#). "We have filed an application to potentially increase the amount of funds available for the Vogtle project under our DOE loan guarantee agreement to keep all options open for customers," Georgia Power spokesman Jacob Hawkins told the wire service. People familiar with the discussions say the project's growing costs may mean the companies can qualify for additional government support. DOE spokeswoman Shaylyn Hynes said the agency "continues to have daily conversations with our borrowers about the status of Plant Vogtle."

LET IT (CONTINUE TO) FLOW: Both the [Trump administration](#) and the [company](#) behind the Dakota Access pipeline argued in briefs filed late Thursday the pipeline should continue to operate while the Army Corps of Engineers revisits an environmental review a federal court ruled earlier this was inadequate. Dakota Access LLC said in its brief "the extremely low likelihood of any harm if the pipeline remains operational" and the "the certain disruption should the Court order otherwise" justified keeping the project running. A federal judge back in June [found](#) the Army Corps used flawed risk and environmental justice analysis when clearing the pipeline operator to finish construction.

LET THOSE DRILLING COMMENTS FLOW: Interior officials have plenty of information — 56,000 comments — to weigh as they begin the arduous process of crafting a new five-year offshore drilling plan after Thursday's comment deadline. Some input that caught ME's eyes:

—**Virginia Gov. Terry McAuliffe** [asked](#) for his state to not be included after previously expressing openness to the idea provided the state got a cut of drilling revenues. "The program as proposed does not adequately protect Virginia's interests and we hope you will heed our request to exclude our coastal areas," he wrote.

—**Major energy associations** called the drilling plan's expansion to also include new areas in the Atlantic, Eastern Gulf of Mexico, Beaufort and Chukchi seas of Alaska and Pacific. "The decisions made now will have long-lasting impacts on U.S. energy policy," nine trade groups, including the American Petroleum Institute, National Ocean Industries Association and Independent Petroleum Association of America, [wrote](#). "To continue our march towards greater energy independence, bold, forward-looking decisions need to be made."

—**Thirty Democratic senators, led by Oregon's Jeff Merkley**, urged Interior Secretary Ryan Zinke in a [letter](#) to maintain existing protections and exclusions in the current 2017-2022 offshore drilling plan. "We believe the existing program correctly excludes areas from the leasing program that pose significant environmental, economic, and cultural risk, as well as face

strong community opposition. We urge you to maintain the protections and exclusions outlined in the current 2017-2022 Program," they wrote.

—**More than 1,500 veterans** wrote Zinke that expanding offshore drilling was not compatible with military readiness. And a coalition of green groups, including Natural Resources Defense Council, the Sierra Club, Earthjustice, Oceana, Greenpeace and the Center for Biological Diversity, said more than 370,000 people were opposed to any drilling expansion. "There are no new facts to consider," the groups said in a statement. "The public opposes this reckless step and there is no need in the United States for the limited energy that would be produced."

TRUMP, SCOTT TALK DIKE FUNDING: Maybe not your ordinary lunch chatter, but Trump and Florida Republican Gov. Rick Scott heavily focused on the state's push to get money to repair a federally operated dike around Lake Okeechobee while breaking bread Thursday, POLITICO Florida's Matt Dixon reports. Florida wants federal money to help repair the Herbert Hoover Dike around the lake. "Governor Scott wants to do all he can to protect Florida's environment and President Trump is very supportive," Scott communications director John Tupps said in a statement.

Gore to Trump: Time to Resign: Former Vice President and environmental advocate Al Gore urged Trump to quit during an interview released Thursday, POLITICO's Darren Samuelsohn reports. Asked what single piece of advice he'd give Trump, Gore told the website LADBible: "Resign."

Speaking of: Gore will keynote the National Clean Energy Summit co-hosted by former Sen. Harry Reid and Nevada Gov. Brian Sandoval on Oct. 13. "Vice President Gore is the most prominent environmental activist in the world today, and I am pleased my friend is coming to Nevada for the National Clean Energy Summit," Reid said in a statement. More on the summit here.

MAIL CALL! OREGONIANS BACK SUNIVA SOLAR TARIFF PETITION: Five Oregon Democrats, including Senate Finance ranking member Ron Wyden, sent a letter to the International Trade Commission backing "appropriate remedies" to a surge in cheap solar imports that many argue have harmed domestic manufacturers. "Should the ITC make an affirmative finding, we support recommending a remedy that will save and strengthen this important American manufacturing industry," they wrote. The ITC held a public hearing earlier this week on petitions from Suniva and SolarWorld Americas seeking steep tariffs on imported solar cells and modules.

PUMP THE BREAKS ON WOTUS REPEAL: More than 100 House Democrats are out with a letter today to Pruitt urging him to reconsider plans to revamp the Obama administration's Waters of the U.S. rule. "We would be willing to work with an administration that wants to develop thoughtful changes that maintain protections for this life-sustaining resource, but this repeal is reckless," the letter, led by Rep. Don Beyer, says.

MORE LAWMAKERS WEIGH IN ON MONUMENTS: California senior Sen. Dianne Feinstein sent Zinke a letter urging him not to alter the boundaries of the six national monuments

from her state still under review. "I encourage you to visit these remarkable places and witness firsthand their inspirational beauty and significance to our nation," she wrote, thanking Zinke for recommending no changes to the Sand to Snow National Monument on Wednesday. In addition, Rep. [Martha McSally](#) (R-Ariz.) sent a [somewhat bizarre letter](#) urging Zinke to "carefully consider" the impact of his decisions but offering no recommendations for how he should approach the three other Arizona national monuments still under review.

DOJ sued for monument records: The Western Values Project filed a [lawsuit](#) Thursday after DOJ's Office of Legal Counsel didn't respond to FOIA requests seeking records related to any efforts to legally justify a roll back of national monument designations made under the Antiquities Act. "The Trump administration is stonewalling the release of public information as they try to fabricate legal loopholes to revoke or resize national monuments," Jayson O'Neill, Western Values Project's deputy director, said in a statement. In particular, the suit seeks records from DOJ communications with Pacific Legal Foundation and American Enterprise Institute staff, as well as two specific attorneys.

SETTING THE RECORD STRAIGHT: Paul Bailey, president of the American Coalition for Clean Coal Electricity, tells ME his group's [paper](#) urging the Department of Energy to rethink parts of its [draft](#) grid study was misunderstood by some. "The way this appeared in one trade press ... it sounded like we were being critical of natural gas and that's not really the purpose of the paper or in fact the tone of it," Bailey said. "I hope they would be fair about pointing out the shortcomings of natural gas, as well as the advantages. All electricity sources have pluses and minuses." That said, Bailey said he wants staff to distinguish between reliability and resiliency and note that gas can't always make its way to power plants in emergency situations.

OKLAHOMA REP POISED FOR NASA NOMINATION: Trump is getting ready to tap Oklahoma GOP Rep. [Jim Bridenstine](#) as NASA administrator, according to [multiple reports](#) this week. Bridenstine has been the rumored selection for months. His selection would likely spell trouble for the agency's Earth science program that studies, among other things, climate change. Back in 2013, Bridenstine demanded an apology from Obama on the House floor for what he called the "[gross misallocation](#)" of taxpayer dollars into the study of climate change.

KEEP ON TRUCKIN': EPA plans to reconsider parts of the Obama administration's 2016 Phase 2 emissions rule for heavy-duty trucks, which established new standards for model years 2021-2027 of tractor-trailers, school buses, delivery vans and other large workhorse vehicles, Pro's Alex Guillén [reports](#). The agency may revise trailer standards and a part of the rule that classifies gliders — refurbished engines installed into a new tractor chassis — as a new motor vehicle. It plans to keep separate requirements for tractor engines.

GREENS GO BIG FOR NORTHAM: Virginia's League of Conservation Voters announced Wednesday it would spend \$1.1 million on a field campaign boosting Democrat Ralph Northam's bid for governor. The effort will stress door-to-door campaigning in the Richmond area and also back Mark Herring for attorney general and Justin Fairfax for lieutenant governor. "We live in an era of unprecedented attacks on the environment from the federal level and Ralph is the only candidate in this race who will stand up to this radical agenda and do the right thing for the air we breathe, water we drink, and the special places we love," Michael Town, the group's

executive director, said in a statement.

WHILE ZINKE'S AWAY: Deputy Interior Secretary David Bernhardt was in Zinke's home state of Montana Thursday "at the dedication of a new wildlife corridor" at the site of a former mine, he [tweeted](#). Kinross Gold U.S.A., Inc., Trout Unlimited and the Rocky Mountain Elk Foundation teamed up to protect the site near Yellowstone and top politicians, including Gov. Steve Bullock, Sens. [Jon Tester](#) and [Steve Daines](#) and Rep. [Greg Gianforte](#) all attended.

HAVE A LISTEN: DOE is out with a new podcast looking at what next week's solar eclipse might mean for the electric grid. Have a listen [here](#). And the Third Way released [a short video](#) detailing how the agency helps develop and commercialize new energy technologies.

MOVER, SHAKER: Ramsey Kropf, former deputy solicitor for Interior's water resources division, has joined Somach Simmons & Dunn as a shareholder. She'll work out of the firm's Boulder, Colo. office in its western water practice.

CONGRATS! Jeff Grappone, who works in corporate communications at Siemens USA, proposed to Amy Graham, who works in public affairs at the EPA, on Tuesday. "Jeff proposed on Siasconset Beach in Nantucket and they celebrated at dinner in town with friends before finishing the night at the Club Car's piano bar." A picture of the couple [here](#). (h/t Playboy)

QUICK HITS

- Henry Hub Emerges as Global Natural Gas Benchmark. [Wall Street Journal](#).
- How did Trump wind up sharing a toast with Gov. Christie Whitman? [NJ.com](#).
- NY sues feds over LI Sound dumping plan. [Newsday](#).
- Pruitt assigns political appointee to vet grant requests. [E&E News](#).
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Is Scott Pruitt on the campaign trail? [Back](#)

By Emily Holden | 08/18/2017 05:02 AM EDT

EPA Administrator Scott Pruitt has logged thousands of miles this summer touting his plans to rewrite the Obama administration's environmental regulations — and fueling speculation that he's laying the groundwork for a political campaign once he leaves his cabinet post.

The former Oklahoma attorney general who made a name for himself by launching more than a dozen lawsuits against the Obama administration has visited 10 states in a few short weeks, hitting local media outlets along the way in a strategy that Beltway strategists say resembles more a candidate seeking political support than an EPA administrator pressing for regulatory changes.

One conservative talk radio host in Iowa even joked about Pruitt's August trip to the state. "If you're writing a book, you come to Iowa, or you must be running for the presidency," WHO-AM's Simon Conway said to Pruitt.

The trips, which have taken Pruitt mostly to Republican-led states, are ostensibly to highlight his efforts to loosen Obama-era water regulations. But he's also spending time with GOP leaders and influential industries and packing in as many media hits as possible, laying out well-rehearsed talking points to bash former President Barack Obama's EPA as part of his modern-day stump speech.

While Pruitt may be building up a national profile as he travels to 25 states, it's not clear exactly what office he may seek. Speculation has focused on the Senate seat held by [Jim Inhofe](#) — should the 82-year-old fifth-term senator decide to retire or not seek reelection in 2020.

Drew Edmondson, the former Democratic Oklahoma AG whom Pruitt defeated in 2010, said political observers in the state had expected Pruitt to run for a House seat that could be vacated by Rep. [Jim Bridenstine](#) in 2018, "as a holding place until a Senate seat came open." But insiders say he opted against that option before becoming EPA chief.

"A Senate race would fundraise in a lot of places besides Oklahoma," noted Edmondson, who is currently running for governor. "He's doing what he needs to do to keep the oil companies and gas companies liking him, so he has a source of funding should he decide to run."

Pruitt, 49, has done a good job of publicly elevating his "thankless" cabinet post, "which would lend itself to assume he has higher political aspirations," said one GOP strategist.

"Whatever he may claim to be, he is a politician with campaign experience," the source said, noting that Pruitt could jump to governor or senator since he's relatively young and EPA likely won't be "his career culmination goal."

EPA declined to comment on Pruitt's future plans, and defended his trips.

"Unlike the previous administration which imposed its regulatory regime from Washington, Administrator Pruitt is taking the conversations directly to the states," said EPA spokesman Jahan Wilcox, noting Pruitt's stop in Iowa to talk about water regulations, in Indiana to highlight a Superfund site and in Minnesota, where he was invited by Democratic Gov. Mark Dayton.

Pruitt served in the Oklahoma Senate for eight years before becoming the state's AG, where he helped build a political network through the Republican Attorneys General Association.

During his time chairing the group, it raised at least \$2.2 million from energy companies, according to a POLITICO analysis, including from Koch Industries, Exxon Mobil, Chevron, Murray Energy, Cloud Peak Energy, Xcel Energy, DTE Energy, Southern Co., SolarCity and trade groups representing the coal, utility and nuclear industries.

If Pruitt does seek elected office, he could be the first EPA chief to make that jump. But former Republican-appointed agency chiefs say if he is focusing on a future campaign, environmental protection and public health will suffer.

"If you think about this as a stepping stone to some other job ... you can't do it," said Bill Ruckelshaus, who served as EPA's first administrator under President Richard Nixon and who returned to head the agency again under President Ronald Reagan.

Running the agency well means asking businesses to spend money on things that reduce their profits but that are important, Ruckelshaus said, which is "not a way to make friends.

"He clearly has not bought into the mission of EPA. It's fairly simple: Protect public health and reduce pollution that impacts the environment," he said. "He is more interested in reducing the regulatory impact."

Previous EPA leaders have frequently made trips to meet state regulators or visit regional offices, but Pruitt's visits so far skipped those or conducted them at arm's length, with staff sometimes unaware he was in the area.

EPA noted Pruitt was joined by some regional staff members while visiting Indiana, Missouri, Texas and Colorado. While he didn't go to regional offices while traveling, he "has met with every acting regional administrator, and has attended senior staff meetings where individuals from every regional office are represented," the agency official said, adding that Pruitt has also met with top health and environmental groups.

Pruitt's travel seems to have a different emphasis than former chiefs, according to former George W. Bush EPA chief Christine Todd Whitman, since he's spending more time on television and away from headquarters.

"You've got plenty on your plate. You really don't have a lot of time to go and do the kinds of stuff he's doing," said Whitman, a former New Jersey governor. Her most prominent media appearances came after the Sept. 11 terrorist attacks, during a series of anthrax attacks and when

the Columbia space shuttle crashed, she said.

Pruitt has been in local news more than two dozen times as he traveled to eight states carried by President Donald Trump and only two — Colorado and Minnesota — led by Democrats. In Colorado, he toured the site of the Gold King Mine spill, where EPA employees and contractors accidentally released toxic waste water into a river in 2015. In Minnesota, he met with Dayton, the Democratic governor who told reporters he didn't want to be "micromanaged" by a regional EPA office in Chicago.

None of Pruitt's predecessors have held elected office after running EPA. Most have gone to academia, environmental think tanks and lobbying firms, company boards or other federal government roles. And most arrived at EPA with either state environmental agency experience or science backgrounds. A few came from state legislatures, and only Whitman and Mike Leavitt, of Utah, had served as a governors.

Washington observers widely expect Pruitt to pursue a Senate seat, although there's no sign that Inhofe, a legend in Oklahoma politics, will depart. Inhofe's office pointed to a 2016 interview in which the senator said he had no plans to retire in 2020.

The Oklahoma governor's race in 2018 is already a crowded field. Pruitt could be looking to another federal post, like attorney general, or even a run on a presidential ticket, according to some. All eyes in Oklahoma are on the 2018 elections, where Republicans are vying for multiple statewide seats. Some Oklahoma political experts say Pruitt may be biding his time.

"I can tell you that I have not heard anybody in Oklahoma talk about a Senate run for Scott Pruitt," said Oklahoma GOP political strategist Pat McFerron. He said he's in touch with Pruitt's former chief of staff and campaign manager — who haven't divulged any impending political plans.

"I think it is just his style," McFerron said. "Maybe he wants to keep doors open."

McFerron added that if Inhofe decides not to run for reelection, "there's no doubt Scott Pruitt's name would be near the top of that list."

Pruitt has stacked EPA with people connected to Inhofe, who has praised the EPA chief. Chief of staff Ryan Jackson, deputy chief of staff Byron Brown and policy advisers Mandy Gunasekara and Brittany Bolen all worked under Inhofe, as did Susan Bodine, Trump's nominee for EPA enforcement chief, who is awaiting Senate confirmation.

Pruitt has also maintained key personnel with links back to Oklahoma, including three staffers from his AG office and a former campaign aide. And he hired law school friend and colleague Ken Wagner as a senior adviser and former SpiritBank executive Albert "Kell" Kelly, who had no prior experience in environmental issues, to lead his Superfund task force.

Hiring staff with campaign experience is not uncommon, but Pruitt's inner circle is dominated by them. And career employees say he is not consulting them on major decisions, relying on his

Oklahoma-rooted squad instead.

Still, Andrew Miller, a former Virginia attorney general and energy lobbyist who encouraged Pruitt to be the Republican voice against Obama's environmental regulations, said he would be "astounded" if Pruitt did run for elected office any time soon.

"This is just inside-the-Beltway gossip," Miller said. "I see him continuing at EPA as long as he wants to and certainly for the next four years."

On top of the dozens of local media appearances during his tour, Pruitt is frequently on cable news networks, especially Fox News, and his aggressive political style stands out among Trump's other cabinet secretaries who are working to unravel Obama policies.

He said in his Iowa radio interview that his state tour is meant to send the message that "EPA is not intended to be an adversary," and that he wants to empower the states to regulate themselves. But Ruckelshaus said EPA was created because states needed backup.

"Industries would threaten to leave the state if you pushed them too hard on an environmental regulation," he said.

Pruitt often uses the media exposure to criticize his own agency for its work under the previous administration.

"The last administration said, 'We're going to use regulatory power to say that certain sectors of our economy were wrong. War on coal. War on natural gas. War on fossil fuels.' Where is that in the statute?" he told Conway. "Where is it that the EPA has authority to declare war in that regard?"

He mentions Obama by name in almost every interview, often blasting his climate policies and saying EPA has overstepped its jurisdiction and the Constitution.

Contrary to most scientists, Pruitt says climate change is not an "existential threat" that will "impact our existence as a nation and as humankind.

"An existential threat is Iran. An existential threat is North Korea," he said in the same interview.

In the run-up to Trump's decision to leave the Paris climate agreement, Pruitt appeared often on TV to lobby for the U.S. to exit the deal. He's planning an official program to debate mainstream climate science, which he has suggested could be televised. That would launch him even further into the national spotlight.

Pruitt has also come under fire for spending lots of time at home in Oklahoma, which he defended as necessary for EPA business.

Alex Guillén contributed to this report.

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Court says DAPL oil can flow for now [Back](#)

By Ben Lefebvre | 06/21/2017 04:21 PM EDT

A district court judge allowed the Dakota Access pipeline to continue delivering oil for at least through the summer as the parties in a case against the pipeline operator prepare a new round of briefings.

A decision on whether Dakota Access will have to shut down its pipeline will probably take until September, said Earthjustice attorney Jan Hasselman, who represents the Standing Rock Sioux Tribe in their fight against the Dakota Access pipeline.

Judge James Boasberg of the U.S. District Court of the District of Columbia ordered the Army Corps of Engineers and Dakota Access submit new briefs by July 17 related to requests that the pipeline shut down. Plaintiffs Standing Rock Sioux and Cheyenne River Sioux tribe will respond one month later.

The tribes are contending that a spill by the pipeline, which carries crude oil from North Dakota to Gulf Coast refiners, would infringe on their religious ceremonies.

Boasberg earlier this month ordered the Army Corps of Engineers to conduct a new environmental impact statement after finding the Corps used flawed risk and environmental justice analysis when clearing the pipeline operator to finish construction.

President Donald Trump ordered the Corps to expedite approval for the pipeline as one of his first acts of office.

WHAT'S NEXT: Dakota Access and the Corps will submit briefs to the court by July 17.

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Gore's advice for Trump: 'Resign' [Back](#)

By Darren Samuelsohn | 08/17/2017 06:48 PM EDT

Al Gore says it's time for President Donald Trump to leave office.

"Resign," the former Democratic vice president told the website LADbible in an interview_

published Thursday. He was asked what single piece of advice he'd give Trump.

Gore, who is currently on a promotional tour for his new movie, "An Inconvenient Sequel: Truth To Power," has been highly critical of Trump in recent interviews over the president's moves to dismantle several high-profile Obama administration environmental policies.

"I thought, actually there was a chance he might come to his senses," Gore said earlier this month during an appearance on HBO's "Real Time with Bill Maher," referring to his own December visit to Trump Tower to meet with the president-elect on climate issues.

Since that pre-inauguration meeting, Trump has pulled the United States from the Paris international climate agreement and also moved to dismantle Environmental Protection Agency rules aimed at curbing greenhouse gases from power plants and automobiles.

During a July interview on NBC's "Today" show, Gore said Trump had "undermined our alliances, such as NATO."

"We've never had a president who's deliberately made decisions the effect of which is to tear down America's standing in the world," Gore said.

Gore's new film is a follow-up to his 2006 Oscar-winning original documentary, which featured the onetime Democratic presidential nominee delivering a slideshow presentation designed to raise awareness about climate change.

The White House did not immediately respond to a request for comment about Gore's advice to the president.

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States, foreign governments press ITC to reject solar petition [Back](#)

By Luis Sanchez | 08/15/2017 05:48 PM EDT

Several industry leaders, state government officials and representatives of foreign governments pressed the U.S. International Trade Commission at a hearing Tuesday to reject a petition from two domestic solar manufacturers asking for steep tariffs on imported solar cells and modules.

U.S. solar manufacturer Suniva and SolarWorld Americas have asked the commission to declare that solar cell and module imports from predominantly Asian nations have caused "significant injury" to their domestic business.

"U.S. module manufacturers suffered net losses exceeding a billion dollars over a five-year period," Matthew J. McConkey, a spokesperson for Suniva, said at Tuesday's hearing. "As U.S.

demand for solar products increased from 2005 to 2016, foreign suppliers, including those from China, Korea, Canada and Malaysia, began capturing an even larger share of the U.S. market."

If the ITC agrees with the two companies that a "deluge" of solar imports had distorted the U.S. market, it could have huge impact on the renewable energy source that has grown rapidly over the past decade as costs for the panels that turn sunlight into electricity have plunged.

Chinese companies dominate the global production of solar cells and modules, and they have built extensive supply chains and manufacturing operations across Asia. President Donald Trump had often criticized China for its trade practices, and on Monday he issued an executive memorandum calling for U.S. trade officials to "consider all available options" to get China to stop coercing U.S. companies to hand over valuable technology.

Suniva, which is based in Georgia and is majority-owned by China's Shunfeng International, filed its section 201 petition with the ITC in April, just eight days after it filed for Chapter 11 bankruptcy protection. SolarWorld later joined the petition.

The commission has until Sept. 22 to make an injury determination and would submit its report on a proposed remedy to the president by Nov. 13. Trump then has until Jan. 12, 2018, to make a decision on a remedy and present his plan to Congress.

Suniva and SolarWorld are seeking an initial tariff of 40 cents per watt of capacity on all imported solar cells and a 78 cents per watt minimum price for modules, roughly twice the current domestic price for solar modules. Suniva alleges that wages for industry workers dropped by 27 percent and 1,200 U.S. manufacturing jobs were lost between 2012 and 2016 because of imports.

The two companies, the two largest surviving domestic manufacturers of solar cells and modules, are seeking the protections to keep cheaper solar modules from being sold on the U.S. market and further hurting the U.S. industry.

However, opponents of the petition said that manufacturing the equipment is only a small part of the U.S. solar industry. Out of the 260,000 people working in the U.S. solar industry, only about 38,000 people work in manufacturing.

The Solar Energy Industries Association argues that tariffs and price floors would damage the whole solar industry, eliminating 88,000 jobs.

"One out of every 50 new jobs created last year in the U.S. was a solar job. Solar is an American success story whose future remains bright," said Matthew Nicely, a spokesperson for SEIA. "Its continued success could be destroyed by the misguided actions of the two petitioners and their small group of supporters whose workers represent less than one percent of all those that work for this dynamic American industry."

Government officials from several U.S. states also expressed their opposition to the petition at Tuesday's hearing, citing potential job and investment losses.

"If this petition is granted, it may save a few hundred cell or module manufacturing jobs, but there are many thousands of good manufacturing installation jobs that will be lost," Jason Saine, a North Carolina state representative said. "A remedy will do more harm than good here with the only benefit going to a small number of companies that frankly don't deserve it."

Al Christopher, director of the Virginia Department of Mines, Minerals and Energy, said that solar projects were not just helping the economy in his state; they also act as "a vital marketing tool in attracting the growing number of companies seeking renewable energy options when deciding where to make investments."

Several representatives of foreign governments also argued the tariffs weren't justified and they urged the commission to exclude their nations from possible tariffs.

"The value of imports from Korea was quite low for most of the period investigated," Korean Minister Counsellor for Trade, Industry and Energy Chang K. Kim said. When the shipments from his country increased in 2016, the imports went to the "utility segment of the market and were part of the share the domestic industry could not supply."

Sibylle Zitko, a representative for the European Commission, went a step further, contending "inefficiencies" and "bad investments" were more to blame for Suniva and SolarWorld's woes rather than imports.

"The criteria for the inquisition for safeguard measures are clearly not met in this case and thus the investigation should be terminated," Zitko said.

McConkey said the argument that Suniva and SolarWorld brought their financial problems on themselves was both false and offensive, and the petitioners only needed to show at Tuesday's hearing that they had suffered because of the imports. "We'll get to remedy later this fall," he said,

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EPA will review parts of Phase 2 truck emissions rule [Back](#)

By Alex Guillén | 08/17/2017 04:47 PM EDT

EPA will revisit certain parts of the Obama administration's 2016 Phase 2 emissions rule for heavy-duty trucks, the agency announced today.

The rule set new standards for model years 2021-2027 of tractor-trailers, school buses, delivery vans and other large workhorse vehicles. The Truck Trailer Manufacturers Association sued to block EPA's novel aerodynamic requirements for trailers, arguing the agency cannot set vehicle

standards for a product without an actual engine.

The Trump administration is considering revisions to the trailer standards, but it will leave in place separate requirements for tractor engines.

The final 2027 trailer standards by themselves would have secured as much as a 9 percent drop in carbon dioxide emissions and fuel consumption compared to a 2017 trailer, and the separate standards for tractor engines would achieve up to 25 percent emissions reductions by 2027, according to Obama administration estimates.

EPA said it will also reconsider part of the rule that classifies gliders — refurbished engines installed into a new tractor chassis — as a new motor vehicle. House appropriators last month voted to have EPA report to Congress on the glider issue, although that language may not survive the ultimate spending package that clears Congress.

"We intend to initiate a rulemaking process that incorporates the latest technical data and is wholly consistent with our authority under the Clean Air Act," EPA Administrator Scott Pruitt said in a statement.

WHAT'S NEXT: EPA will begin a rulemaking process to revise or completely rescind those parts of the rule. The earliest compliance deadlines are in 2018. The trailer association unsuccessfully sought relief in court, but EPA may now offer administrative delays in light of its new rulemaking.

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