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Daily Environment Report

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Leading the News

Coal Mining

Peabody Mine May Survive if Railroad Extension Built

A group of business and government representatives are exploring the possibility of keeping alive a troubled coal mine in northern Arizona.

Energy

Energy Nominees' Industry Ties May Pose Conflict: Watchdog Groups

Financial disclosure forms for two Energy Department undersecretary nominees show income from energy companies, including Southern Co. and TransCanada Corp., raising concerns from government watchdog groups of potential conflicts of interest.

General Policy

Week Ahead: Chemical Society Event to Explore Industry's Impacts

Chemistry's global economic impact is the focus of the American Chemical Society's national meeting Sunday through Thursday, one of several environment and energy events during the week of Aug. 21.

Pesticides

Dow Pesticide Decision Came 'Down to the Wire,' Emails Show

EPA Administrator Scott Pruitt made the decision to keep a neurotoxic pesticide on the market in a relatively short timeframe, internal agency emails show.

News

Air Pollution

India Pressures Businesses to Improve Pollution Monitoring

Businesses in India could end up paying millions to comply with new guidelines on selecting and operating equipment to monitor air emissions and wastewater discharges.

Chemicals

Ban on Toxic Acid May Test Californians' Thirst for Cheap Fuel

Californians are used to paying more for gasoline, but that may be tested soon if a pair of Los Angeles-area refineries are forced to stop their use of a toxic chemical.

Chemicals

Importers May Be Unaware of Coming EPA Mercury Reporting Rule

Importers of industrial thermostats, vaccines, and other products that may contain mercury may not be prepared for a coming rule that could require them to report the metal's import to the EPA, an environmental attorney told Bloomberg BNA Aug. 18.

China

Silk Road Cities Tap German Ingenuity to Tackle Climate in China

China is tapping German ingenuity to help cities at the farthest reaches of its ancient silk road adapt to climate change.

Climate Change

Ontario's \$75 Million GHG Fund May Boost Small Construction Firms

Ontario's new C\$100 million (\$75 million) fund for municipal projects that reduce greenhouse gas emissions likely will benefit small and mid-sized construction companies that use new technologies, an industry official told Bloomberg BNA.

Energy

Icahn Quits White House Role Amid Conflict-of-Interest Questions

Billionaire investor Carl Icahn has ended his role as a special regulatory adviser to President Donald Trump after questions were raised about potential conflicts of interests with his business dealings, including his ownership of an oil refiner.

Energy

Southern Seeks Expanded Loan Guarantees for Troubled Plant

Developers of a troubled nuclear plant in Georgia are seeking more federal support for the project, potentially increasing a record \$8.3 billion loan guarantee it has already been promised, according to the two companies leading the project.

Hydraulic Fracturing

Fracking Jobs Prove Elusive for Coal Miners Looking to Switch

Robert Dennis has mined coal in West Virginia for 10 years but a recent evening found him in a classroom at his local community college. He came to learn about opportunities in fracking, a drilling technique used to produce natural gas—the very fuel that is threatening coal's future.

Liabile Parties

Emhart Industries' Superfund Non-Compliance Excused; Order Faulty

Emhart Industries won't have to pay fines for non-compliance with an EPA Superfund cleanup order because some of the agency's decisions were arbitrary, the District of Rhode Island ruled (*Emhart Industries Inc. v. New England Container Co.*, 2017 BL 288245, D.R.I., No. 06-cv-218, 8/17/17).

Natural Gas

N.Y. Natural Gas Pipeline Denied Appeal by Federal Court

The natural gas industry suffered another loss in New York on Aug. 18 when a federal appeals court upheld the state's right to deny a water permit for the Constitution Pipeline project connecting production in northeastern Pennsylvania with the northeastern market.

Pesticides

California Tightens Chlorpyrifos Use Restrictions

California growers will face tighter restrictions in applying Dow AgroSciences' chlorpyrifos insecticide in September, state officials said Aug. 18.

Pesticides

Indian Pesticides Agency to Waive Some Costly Safety Tests

by Madhur Singh: India's pesticide regulators agreed to waive certain costly animal tests and accept some non-animal methods in safety studies.

Water Pollution

CORRECTION

The Aug. 16 story "EPA to Rewrite Toxic Wastewater Limits Rule, No Deadline Set" mischaracterized Duke Energy's petition to seek alternative wastewater limits for its Edwardsport Integrated Gasification Combined Cycle plant in Indiana. The story has been corrected.

Practitioner Insights

Enforcement

Practitioner Insights: Defending Environmental Criminal Cases

Federal environmental crimes cases can appear similar to other types of criminal or environmental cases because they comprise a hybrid of criminal prosecutions and environmental enforcement actions. Most federal environmental laws provide for criminal enforcement in addition to administrative and civil remedies. Criminal prosecutions allow agencies to bring enforcement against individuals—not just the companies they work for—and the ability to seek jail time.

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