

**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
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## **Daily Environment Report**

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### Leading the News

#### *Pesticides*

##### Pesticide Spraying Bill Clears House, But Senate Passage Unclear

The House swiftly passed a bill designed to ease regulatory requirements for farmers and public health officials who spray pesticides over water bodies, putting it on track to reverse a 2009 court opinion that has angered the pest control community for years. But the bill's Senate prospects remain uncertain.

### News

#### *Air Pollution*

##### Ozone Plan for Kentucky Due by June 2018, Judge Tells EPA

The EPA has until June 2018 to issue a federal plan to address ozone pollution originating in Kentucky after a federal court approved the agency's partial consent decree with an environmental group.

#### *Biodiversity*

##### Brazil Lawmakers Vote to Shrink Protected Areas of Amazon

Brazil's Senate approved two measures that would reduce by more than 2,200 square miles the size of protected areas in the eastern Amazon.

#### *Budget*

##### House Appropriators Signal Support for More Water Funds

Congress will approve more money for water infrastructure projects than the Trump administration requested, if recent history and the remarks of Republicans and Democrats during a May 24 hearing are any indication.

### **Chemicals**

#### **Chemical Defender Put in Charge of EPA Unit Overseeing Toxins**

The U.S. Environmental Protection Agency declared 1-bromopropane dangerous enough to make it one of the first 10 chemicals it scrutinized under an updated federal toxins law.

### **Chemicals**

#### **Chemical Priorities Rule Goes to OMB, May Meet June Deadline**

A draft final EPA rule describing how the agency will select chemicals for risk assessment is now at the White House Office of Management and Budget for review, indicating it may be issued by its June 22 deadline.

### **Climate Change**

#### **EU Report Tracks Rising Exposure to Natural Hazards**

The proportion of the world's population exposed to flood risk increased between 1975 and 2015, while the proportion exposed to tropical cyclone winds fell slightly, according to an atlas of exposure to natural hazards published May 24 by the European Union's in-house science service, the Joint Research Center.

### **Climate Policy**

#### **Trump's Delay Opens Door for European Lobbying on Paris Pact**

President Donald Trump hasn't decided if the U.S. will remain a part of the Paris climate accord, Secretary of State Rex Tillerson said, as pressure mounts from Pope Francis, European leaders and Democratic lawmakers at home to remain in the historic pact to address global warming.

### **Climate Science**

#### **More Questions, Few Answers on Climate Interventions: Scientists**

Technologies that would allow humans to intervene in the climate change process, such as carbon capture, are not yet viable but raise many questions, scientists commissioned by the federal government to study this issue said.

### **Coal Mining**

#### **Suit Alleging West Virginia Coal Mine Water Violations Revived**

Environmental groups in West Virginia revived a previously dismissed lawsuit against a coal company there, saying they now have enough evidence to show Fola Coal Co. is the source of ongoing water pollution (Ohio Valley Env'tl. Coal. v. Fola Coal Co. LLC, S.D. W.Va., 2:17-cv-03013, 5/24/17).

### **EPA**

#### **Obama Administration Failed to Protect Environment, Pruitt Says**

EPA chief Scott Pruitt skewered his predecessors at a May 24 symposium, arguing contamination crises and court battles are the real environmental legacy of the Obama administration.

### **Emissions Trading**

#### **California Carbon Auction Bounces Back, Raising \$475 Million**

California's carbon market bounced back in the latest quarterly cap-and-trade auction results released May 24, with the state selling 90 percent of the allowances offered at or above the \$13.57 per ton floor price, a stark contrast to a series of low-participation auctions.

### **Energy**

#### **Old Coal Mines Have a Place in the Future of Clean Energy**

Ben Chafin sees the future of clean energy in abandoned coal shafts.

### ***Energy***

#### **U.S. Nuclear Plant Fails at Auction Despite State Assistance**

Even the promise of state subsidies wasn't enough to help a struggling nuclear power plant in the biggest electricity market emerge a victor in a closely watched auction.

### ***Energy***

#### **Westinghouse Gets Buyer Interest, Sees Talks Starting Soon**

Westinghouse Electric Co. has fielded interest from those looking at buying Toshiba Corp.'s majority stake in the bankrupt U.S. nuclear contractor and expects to begin a sale process in late summer, according to Westinghouse's interim chief executive officer.

### ***Energy***

#### **Westinghouse to Emerge From Bankruptcy Stronger, CEO Says**

Westinghouse Electric Co., which has filed for Chapter 11 bankruptcy, will emerge "quickly, better, stronger," CEO Jose Gutierrez said in his first public speech since the company's filing in a U.S. bankruptcy court in March.

### ***International Climate***

#### **Pope Lends Weight to G-7 Push to Bind Trump to Climate Deal**

Pope Francis joined an international chorus urging Donald Trump to meet U.S. commitments on climate change in talks at the Vatican May 24.

### ***International Climate***

#### **World Bank Sees Batteries as 'Next Frontier' of Climate Spending**

The World Bank expects stricter rules for clean-energy auctions to spur investment in batteries and other kinds of energy storage, making the industry segment the "next frontier" of climate finance.

### ***Nanotechnology***

#### **European Chemicals Agency Issues Advisory Nano Guidance**

The European Chemicals Agency May 24 published updated guidance on how companies could provide information on nanomaterials in the registration dossiers they submit in line with the European Union's REACH chemicals law.

### ***Radioactive Waste***

#### **Lawmakers Request Probe of Hanford Tunnel Collapse**

Lawmakers are seeking answers from the Government Accountability Office after a recent tunnel collapse at Hanford Nuclear Reservation in Washington state.

### ***Regulatory Policy***

#### **Icahn Reaps \$60 Million Windfall as Trump Regulations Adviser**

Government work has paid off handsomely for billionaire Carl Icahn.

### ***Renewable Energy***

#### **U.S. Government Launches Probe into Cheap Imported Solar Cells**

The U.S. government opened an investigation into whether American solar-panel manufacturers are being hobbled by cheap imports, marking the first step in a probe that may lead to import tariffs on photovoltaic components.

### ***Science Policy***

#### **EPA Seeking New Science Advisers After Departures**

The EPA is looking to fill numerous vacancies on one of its scientific advisory boards after

11 of its members were either dismissed or resigned in protest earlier in May.

***Toxic Substances***

**Ruling: No Right to Jury for Federal Chemical Law Claims**

A renovation contractor sued under a federal hazardous chemical law has no right to a jury trial when the federal government seeks only an injunction and disgorgement of profits, the Southern District of New York ruled May 23 (*United States v. Accolade Constr. Grp., Inc.*, 2017 BL 172844, S.D.N.Y., No. 15-cv-05855, 5/23/17).

***Toxic Substances***

**State of Entire Building Fair Game in Lead Paint Suit**

The mother of an infant allegedly exposed to lead paint in a New York City apartment building is entitled to management company documents related to lead paint in the entire building, a state appeals court ruled (*Z.D. v. MP Mgmt., LLC*, 2017 BL 171614, N.Y. App. Div., 26043/143436N, 5/23/17).

***Water Pollution***

**New Lawsuits Expected With EPA Decision on Lake Erie Impairment**

The EPA finally signed off on Ohio's recommendation to list only part of Lake Erie as an "impaired water" under the Clean Water Act, a step long-sought by environmental advocates who now want to challenge that decision as insufficient to protect the lake.

## Regulatory Agenda

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