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**From:** InsideEPA.com  
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**Subject:** The Morning Headlines from InsideEPA.com -- August 1, 2017

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

August 1, 2017

**Latest News**

**Utilities Fight Opposition To ELG Stay By Attacking EPA Benefits Estimate**

Utilities are fighting environmentalists' opposition to EPA's stay of the Obama-era Clean Water Act (CWA) effluent limitation guideline (ELG) for power plants, rejecting the environmentalists' claims that the agency's estimated benefits for the rule justify keeping it in place and countering that the benefits data is flawed and should be disregarded.

**Divided D.C. Circuit Issues Mandate To EPA For Reinstating Methane NSPS**

A majority of the full U.S. Court of Appeals for the District of Columbia Circuit has granted a request from some states and environmentalists to issue its mandate vacating the agency's 90-day pause of key requirements in its methane rule for new oil and gas sources, putting the rule back into effect -- though two judges opposed the decision.

**In Symbolic Move, California To Submit Final CPP Compliance Plan To EPA**

California has approved its state compliance plan for EPA's Clean Power Plan (CPP) greenhouse gas rule for existing power plants, a largely symbolic step though officials say it nonetheless shows other states that cutting power sector GHGs is achievable under the stayed rule that the Trump administration is expected to soon propose to repeal.

**EPA Budget Justification Provides Ambiguous Language On Superfund**

Environmental advocates are criticizing EPA's plans to make significant budget cuts to the agency's Superfund program in fiscal year 2018 while at the same time saying the agency's budget justification document is ambiguous as to the effect of the reductions and uses "double talk" to explain how it plans to offset some of the cuts.

**Environmentalists Seek Quick D.C. Circuit Mandate In Methane NSPS Suit**

Environmentalists are urging an appellate court to quickly require EPA implementation of its ruling vacating the agency's 90-day pause of key requirements

in its methane standards for new oil and gas sources, arguing recent requests from industry and states for the court to reconsider the ruling are “transparent attempts to seek further delay.”

### District Court Case Poses Test Of Limits On Suits Over EPA CWA Permits

A federal district court in California is weighing whether to allow wastewater agencies' suit over test methods mandated in Clean Water Act (CWA) discharge permits to proceed despite EPA's claim that the case is time-barred and filed in the wrong court, posing a test of when and where dischargers can challenge EPA-mandated permit terms.

### **Daily Feed**

#### 6th Circuit reverses dismissal of Flint families' tort claims

The 6th Circuit's decision to reverse and remand a pair of tort suits related to the Flint, MI, drinking water crisis allows residents to proceed in seeking damages.

#### EPA plans to institutionalize 'Lean' initiative to streamline agency

In response to an EPA Inspector General report, the agency says it is taking steps to fully implement the initiative to streamline agency operations in order to achieve savings.

#### Our most read: Former Trump transition official criticizes EPA -- and EPA responds

Also: the new Superfund plan, judicial deference going forward, and DOJ's next environment chief.

#### 9th Circuit seeks response to Trump appeal in youth climate suit

The Trump administration filed a rare appeal to the appellate court, claiming among other things that youth plaintiffs' discovery requests are overly burdensome.

#### Ewire: A daily news roundup

In today's news roundup: EPA chief Scott Pruitt downplays the notion of him running for Oklahoma governor in 2018, calling the idea “legendary.”

#### EPA's new draft aluminum criteria reflects industry requests

EPA has unveiled new draft water quality criteria to protect freshwater aquatic life from excess aluminum, a move sought by industry groups.

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