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Subject: The Morning Headlines from InsideEPA.com -- August 11, 2017

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

August 11, 2017

Latest News

Judge Faults 2-1 Order As 'Shadow' Process But Queries Plaintiffs' Claims

The federal judge hearing litigation challenging President Donald Trump's executive order (EO) requiring EPA and other agencies to repeal two rules for every new measure issued appeared to criticize the measure during Aug. 10 arguments, charging it functions as a "shadow" regulatory review process that would not have a transparent effect.

Former EPA Staff Raise Early Concerns Over Drop In Enforcement Results

Former EPA officials are raising early concerns over an apparent significant drop in the number of environmental law enforcement cases and civil penalties that the Trump administration is pursuing, saying that if the initial trends continue in the coming weeks and months it would signal a massive retreat from EPA enforcement.

Sessions Urged To Expand Third-Party Ban To Block Unauthorized Payments

The free-market Competitive Enterprise Institute (CEI) is urging Attorney General Jeff Sessions to expand the reach of his controversial policy barring the use of third-party payments in settlements with EPA and other agencies to instead block any settlement that requires unauthorized spending, charging in EPA's case the practice has allowed the agency to advance a clean energy policy agenda that is not approved by Congress.

EPA Re-Opens Vehicle GHG Rule's Mid-Term Review, Expanded To MY21

EPA has formally restarted its review of Obama-era vehicle greenhouse gas standards for years just prior to 2025, issuing a long-awaited notice that expands the review to include weighing potential changes to model year 2021 standards -- as *Inside EPA* recently first reported.

After Extending CPP Suit Pause, Court Puts NSPS Case On Indefinite Hold

A federal appellate court has placed litigation over the Obama-era greenhouse gas standards for new and modified power plants -- the legal prerequisite for the Clean

Power Plan (CPP) for existing sources -- on indefinite hold, just days after the court extended for 60 days its prior order placing litigation over the CPP into abeyance.

EPA Coal Ash Permit Guide Limits States' Flexibility But Avoids New Rule

EPA's guidance for how states' coal ash permit programs should comply with the agency's ash disposal rule limits states' flexibility from the regulation's various provisions in their programs -- a potential win for environmentalists seeking strict adherence to the rule, although EPA is not codifying the guide through a new rulemaking.

Daily Feed

D.C. Circuit rejects requests for en banc review of methane NSPS suit

In an 8-3 vote, the court rejected rehearing of its ruling vacating EPA's stay of methane limits on new drilling operations.

D.C. Circuit suspends briefing in suit over CSAPR update

The U.S. Court of Appeals for the District of Columbia Circuit has granted power companies' request to postpone litigation over Obama-era revisions to the Cross-State Air Pollution rule.

Environmentalists resist EPA bid to extend landfill-methane delay case

Any extension would allow EPA the "benefit" of continuing the rule's delay, environmentalists say.

Ewire: Surprise opposition to Pruitt's climate science review

In today's Ewire: Some conservative and industry groups are questioning whether EPA Administrator Scott Pruitt's "red-team, blue-team" exercise is a good idea. Plus: Utah seeking \$1.9 billion over Gold King Mine spill.

Senate EPW Democrats seek immediate RMP implementation

Democratic members of the Senate environment committee say immediate implementation of the Risk Management Program revisions would help save lives.

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