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**From:** InsideEPA.com  
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**TRUMP'S EPA: Agency at a crossroads -- Complete coverage**

October 17, 2017

**Latest News**

**Pruitt Order Ending 'Sue-And-Settle' Could Increase Litigation, Critics Say**

EPA Administrator Scott Pruitt's new directive ordering the agency to end so-called "sue-and-settle" suits is being met with concern by industry attorneys and skepticism by environmentalists, who say the order could make settlements impossible, even in cases where the agency has a mandatory duty to act, and will likely result in more litigation and court orders providing the agency with less time to act.

**Region 8's Benevento Aims To Bolster Pruitt's Push For Superfund Reform**

EPA Region 8 Administrator Doug Benevento says he hopes to assist Administrator Scott Pruitt in achieving his "laudable" policy goals including overhauling the Superfund program to accelerate cleanups, citing his prior experience on cleanup issues as a Colorado state official as offering useful relevant experience.

**Pruitt's Plan To Repeal CPP Poses Legal Risk For EPA Due To GHG Mandates**

EPA Administrator Scott Pruitt's decision to repeal the Clean Power Plan (CPP) without formally proposing a replacement appears aimed at minimizing political blowback from conservatives hostile to any greenhouse gas controls but could pose a legal risk for the agency if the courts interpret it as dilatory given mandates to regulate GHGs, industry sources and former officials say.

**Carper Criticizes Trump's EPA Nominees Over Ethics Responses**

The top Democrat on the Senate Environment & Public Works Committee (EPW) is attacking four Trump administration nominees to EPA for what he says are inadequate responses to questions on ethical and regulatory issues, underscoring the minority's opposition to the nominees ahead of an Oct. 18 business meeting where senators will vote on them.

**Texas Coal Plant Closures Raise Questions Over Future Of Haze Plan Suit**

The announcement of the impending closure of three Texas coal-fired power plants is raising questions over the future of litigation environmentalists are pursuing against

the state's EPA-backed plan for curbing regional haze-forming emissions, because the plan relies in part on the facilities' participation in an emissions trading program.

### **Capito Poised To Be Key Player In Vote On Trump's EPA Toxics Nominee**

As the Senate environment committee prepares to vote on a slate of EPA nominees, Sen. Shelley Moore Capito (R-WV) appears poised to play a key role in determining whether Michael Dourson, President Donald Trump's nominee to lead EPA's toxics office, wins confirmation.

### **Pruitt Signs Directive Barring Use Of 'Sue And Settle' Agreements**

EPA Administrator Scott Pruitt has signed a directive he says will end “sue and settle” agreements through which he says special interest groups such as environmental organizations have forced the agency into legal agreements that impose binding deadlines for issuing discretionary regulations.

### **Daily Feed**

#### **High court demands EPA response on CWA 'blending' suit**

The Supreme Court wants EPA to respond to a wastewater group's suit that would bar the agency from restricting “blending” through permits.

#### **Trump delivers . . . on rolling back EPA rules**

The president did not deny a report he has failed to deliver on key campaign promises though he instead touted his planned 'cancelation' (*sic*) of EPA rules.

#### **Our most read: a proposed toxics office reorganization tops the list**

Also, ending ‘sue and settle’ agreements, the latest on Superfund speedups, and an interview with EPA’s new Region 3 head.

#### **Brick industry backs EPA's bid to delay MACT lawsuit**

Brick industry groups are backing EPA's request for delay of litigation against the Obama-era air toxics rule for the sector pending a possible reconsideration of the rule.

#### **OPPT's reorganization plans . . . the latest**

Catch up on our exclusive coverage of OPPT's reorganization plans.

#### **Ewire: Pruitt said to tap Alaska official to lead Region 10**

The expected appointment moves the agency closer to filling a handful of remaining political slots to help Pruitt advance President Donald Trump's broad deregulatory

agenda at the agency.

**EPA defends boiler MACT 'work practice standards'**

EPA is pushing back at environmentalists' attempts to use a recent appellate ruling over an oil and gas methane rule to bolster their case against the agency's boiler air toxics regulation.

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