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From: InsideEPA.com
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Subject: The Morning Headlines from InsideEPA.com -- August 18, 2017

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

August 18, 2017

Latest News

CWA Suit May Be Vehicle For High Court To Limit Deference On EPA Rules

Appellate judges say a suit they are overseeing centering on a decades-old EPA and Army Corps of Engineers rule excluding some wetlands from the Clean Water Act (CWA) could, if ultimately appealed to the Supreme Court, be a vehicle for the justices to try limiting courts' deference to regulators' interpretations of the wetlands rule.

10th Circuit's Small Refiner Ruling Signals Circuit Split On EPA Deference

The U.S. Court of Appeals for the 10th Circuits' recent 2-1 ruling scrapping EPA's decision to deny a small refiner a renewable fuel standard (RFS) exemption relies in part on a 1944 Supreme Court test for when courts should defer to agencies' decisions, signaling a split with other circuits that use the high court's 1984 *Chevron* deference test.

EPA Plans To Reconsider Heavy Truck GHG Rules For Trailers, Glider Kits

EPA says it will reconsider the trailer and glider kit portions of its heavy- and medium-duty vehicle greenhouse gas rules, though it is not yet clear if the agency intends to simultaneously stay implementation of those provisions ahead of looming compliance deadlines.

Landmark Precedent On U.S. Superfund Liability Spreads To Another Circuit

A federal district court judge in Arizona is relying heavily on a recent landmark ruling from a neighboring appellate circuit to find that the United States is an "owner" under Superfund law, and therefore potentially liable for remediating uranium mining contamination on Navajo Nation land, though liability has yet to be allocated in either case.

Automakers' Hurdle Easing Vehicle Rules: Diffusing Trump-California Fight

Automakers are welcoming the Trump administration's review of Obama-era greenhouse gas and fuel economy standards for light-duty vehicles but if they are to

win new regulations easing the standards as soon as model year 2021 they will have to mediate between the administration and California officials who strongly oppose any roll back.

Daily Feed

Sunstein, Obama's regulatory czar, praises Trump infrastructure order

While he praised the order, he also identified additional changes that should be made to address permitting delays, including overhauling NEPA.

West Virginia solicitor, chief CPP litigator, departs

The state's departing Solicitor General argued the case against EPA's Clean Power Plan in September on behalf of states challenging the climate rule.

EPA updates, expands environmental justice screening tool

EPA adds data on water pollution but it is not clear if the agency plans to add climate indicators officials had previously said would be added.

EPA extends comment deadline for CWA rule repeal

EPA is granting a 30-day extension -- until Sept. 27 -- of the deadline for public comments on its proposed repeal of the Obama-era Clean Water Act jurisdiction rule.

Ewire: State AGs land new resource to fight Trump rollbacks

In today's Ewire: NYU Law School is launching a new center to help state attorneys general fight Trump's regulatory rollbacks. Plus: TSCA rules and lead-pipe replacements.

D.C. Circuit delays EPA's AFO air reporting mandate

EPA wins a delay until Nov. 14 for complying with an appellate court's mandate to extend air emissions reporting requirements to previously exempt animal feeding operations.

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