

David Cohen/DC/USEPA/US

02/19/2009 06:31 AM

To Richard Windsor

cc Allyn Brooks-LaSure, Lisa Heinzerling

bcc

Subject in case u've not seen yet

the gang's all here:

February 19, 2009

E.P.A. Expected to Regulate Carbon Dioxide

By [JOHN M. BRODER](#)

WASHINGTON — The [Environmental Protection Agency](#) is expected to act for the first time to regulate carbon dioxide and other greenhouse gases that scientists blame for the warming of the planet, according to top Obama administration officials.

The decision, which most likely would play out in stages over a period of months, would have a profound impact on transportation, manufacturing costs and how utilities generate power. It could accelerate the progress of energy and [climate change](#) legislation in Congress and form a basis for the United States' negotiating position at [United Nations](#) climate talks set for December in Copenhagen.

The environmental agency is under order from the [Supreme Court](#) to make a determination whether carbon dioxide is a pollutant that endangers public health and welfare, an order that the Bush administration essentially ignored despite near-unanimous belief among agency experts that research points inexorably to such a finding.

[Lisa P. Jackson](#), the new E.P.A. administrator, said in an interview that she had asked her staff to review the latest scientific evidence and prepare the documentation for a so-called endangerment finding. Ms. Jackson said she had not decided to issue such a finding but she pointedly noted that the second anniversary of the Supreme Court decision, *Massachusetts v. E.P.A.*, is April 2, and there is the wide expectation that she will act by then.

“We here know how momentous that decision could be,” Ms. Jackson said. “We have to lay out a road map.”

She took a first step on Tuesday when she said that the agency would reconsider a Bush administration decision not to regulate carbon dioxide emissions from new coal-burning power plants. In announcing the reversal, Ms. Jackson suggested that the E.P.A. was considering additional measures to regulate heat-trapping gases. The White House signaled that it fully supported Ms. Jackson's approach, deferring to her to discuss the administration's response to the Supreme Court case.

Ben LaBolt, a White House spokesman, also pointed to statements on the subject during the presidential campaign by Heather Zichal, a top adviser on environmental and energy issues.

Ms. Zichal, who is now deputy to [Carol M. Browner](#), the White House coordinator for climate and energy policy, said last fall that the Bush White House had prevented the E.P.A. from making the endangerment finding “consistent with its obligations under the recent Supreme Court decision.” She also said that while Mr. Obama supported Congressional action on climate change, he was also committed to using the regulatory authority of the executive branch to reduce emissions that contribute to global warming.

Mr. LaBolt said the White House would not interfere with the agency’s decision-making process.

If the environmental agency determines that carbon dioxide is a dangerous pollutant to be regulated under the [Clean Air Act](#), it would set off one of the most extensive regulatory rule makings in history. Ms. Jackson knows that she would be stepping into a minefield of Congressional and industry opposition and said that she was trying to devise a program that allayed these worries.

“We are poised to be specific on what we regulate and on what schedule,” Ms. Jackson said. “We don’t want people to spin that into a doomsday scenario.”

Even some who favor an aggressive approach to climate change said they were wary of the agency’s asserting exclusive authority over carbon emissions. They say that the Clean Air Act, now more than 40 years old, was not designed to regulate ubiquitous substances like carbon dioxide. Using the law, they say, would capture carbon emissions from new facilities, but not existing ones, blunting its impact. They also believe that a broader approach that addresses all sectors of the economy and that is fully debated in Congress would be better than a regulatory approach that could drag through the courts for years.

The finding and proposed regulations would be issued in sequence, with ample opportunity for public comment and not in a sudden burst of regulatory muscle-flexing, Ms. Jackson said. The regulations would work in concert with any legislation and not supplant it, she added.

“What we are likely to see is an interplay of authorities, some new, some existing,” she said.

That is not likely to assuage critics, including many Democrats from states dependent on coal-generated electricity and manufacturing jobs, where such regulation could significantly increase costs. Representative [John D. Dingell](#), the Michigan Democrat who has long championed the interests of the auto industry, said that the regulation of carbon dioxide emissions by the E.P.A. would set off a “glorious mess” that would resonate throughout the economy.

Senator John Barrasso, Republican of Wyoming, warned Ms. Jackson during her January confirmation hearing that she should not undercut Congress’s authority by using the agency’s regulatory power to address global warming. Mr. Barrasso called the use of the Clean Air Act to regulate carbon “a disaster waiting to happen.”

Many environmental advocates, however, said the E.P.A.'s action was long overdue, but added that it was only as a stopgap until Congress passed comprehensive climate change legislation.

"It's politically necessary, scientifically necessary and legally necessary," said David Bookbinder, chief climate counsel at the [Sierra Club](#), a plaintiff in the Supreme Court case.

But, Mr. Bookbinder added, Congressional action is preferable to the agency's acting on its own. "We are loudly advocating for tailor-made legislation as the best means of addressing carbon emissions," he said. "Trying to address climate change via a series of rule makings from E.P.A. is a distant second best."

As Ms. Jackson navigates the complexities of carbon regulation, she will be advised by Lisa Heinzerling, a former law professor at Georgetown who wrote the winning Supreme Court briefs in *Massachusetts v. E.P.A.* Ms. Heinzerling is now the agency's lead attorney for global warming matters.

Jeffrey R. Holmstead, the former head of the agency's office of air and radiation, said that a finding of endangerment from emissions of heat-trapping gases did not initiate immediate regulation but started a clock ticking on a process that typically took 18 months to two years.

"Potentially, it's a huge mess, not only for E.P.A. but for state regulatory agencies, because the Clean Air Act is second only to the Internal Revenue Code in terms of complexity," said Mr. Holmstead, now director of environmental strategies at the law firm Bracewell & Giuliani.

He said that under the clean air law any source emitting more than 250 tons of a declared pollutant would be subject to regulation, potentially including schools, hospitals, shopping centers, even bakeries, which has prompted some critics to call it the "Dunkin' Donuts rule."

But Mr. Bookbinder and other supporters say the regulations can be written to exempt these potential emitters. Ms. Jackson said that there was no timetable for issuing regulations governing carbon emissions and that her agency would not engage in "rash decision making."

But she also said that the Supreme Court decision obliged her to act.

"It places E.P.A. square in the center of the discussion on climate and energy," Ms. Jackson said. "People are waiting."

The headline and summary accompanying an earlier Web version of this article misstated the immediate impact of the E.P.A. review taking place.

David Cohen/DC/USEPA/US

03/13/2009 03:45 PM

To Richard Windsor

cc Lisa Heinzerling

bcc

Subject a feel-better present

Miami Herald

EPA is back on mission again

OUR OPINION: Cutting heat-trapping emissions must be top priority

Two years ago Congress told the Environmental Protection Agency to require major U.S. industries to measure the amount of carbon dioxide they emit each year as a step in the process of creating legislation to reduce gases that cause climate change. But the agency fought the order, claiming that the Clean Air Act doesn't give it the authority to police carbon dioxide and other heat-trapping gases. The agency also ignored a U.S. Supreme Court ruling, which said that -- yes -- it did too have the power to regulate these emissions.

Reversing course

The agency's foot-dragging on controlling carbon-dioxide emissions now appears to be over. On Tuesday the EPA announced that it will comply with Congress' 2007 statute by calling on all big industries to measure carbon-dioxide emissions by the end of this year. EPA administrator Lisa P. Jackson has indicated that the agency will be taking a far different stance on global climate change. This is good news.

Soon after Ms. Jackson was sworn in, the agency reversed course on a controversial decision, which, coincidentally, has a Florida link. Under the Clean Air Act, California can seek waivers to impose higher air-quality standards than the federal rules to combat smog. In almost every case, the EPA has granted the waivers. But when California asked the EPA for a waiver to impose tougher regulations on vehicles' carbon-dioxide emissions a few years ago, the EPA said no. Some 15 other states, including Florida, want to adopt the California carbon-dioxide emission standards. At the moment, these plans are in limbo.

After Ms. Jackson arrived, the EPA said that it would review the California waiver request. Many believe this means the agency will ultimately grant the waiver, opening the way for the other states to impose tougher emission standards, too.

As to the requirement that U.S. industries measure their carbon-dioxide output, this is a signal that the EPA will move forward on limiting greenhouse gases. This is no easy or quick task. Writing the regulations that will limit carbon-dioxide emissions will take years and probably be bogged down by industry lawsuits.

Vital for the nation

For this reason, scientists, environmental groups and regulators want Congress to take up global-warming legislation this year. Such an important issue needs the broad discussion that Congress can provide. Curbing heat-trapping gases will affect nearly every industry, making it difficult to pass. Yet, controlling the emissions that cause global warming is such a vital issue that the country must do something about it soon.

With the EPA on board, Congress must step up, too.

David Cohen/DC/USEPA/US

02/06/2009 04:07 PM

To Richard Windsor

cc Lisa Heinzerling

bcc

Subject ap on mercury: obama seeks tougher controls

Obama seeks tougher controls on mercury emissions

By *DINA CAPPIELLO*, Associated Press Writer *Dina Cappiello*, Associated Press Writer

25 mins ago

WASHINGTON – The Obama administration signaled Friday that it will seek more stringent controls on mercury pollution from the nation's power plants, abandoning a Bush administration approach that the industry supported.

The Justice Department on Friday submitted papers to the Supreme Court to dismiss the Bush administration's appeal of the rule, which a lower court struck down last year.

Meanwhile, the Environmental Protection Agency said it would begin crafting a new rule limiting mercury emissions from power plants.

The court was expected to decide later this month whether it would take the case. Last year, an appeals court ruled that the Bush plan violated the law by allowing utilities to purchase emission credits instead of actually reducing emissions.

Such a plan would have allowed some power plants to release more mercury pollution than others, creating localized "hot spots" where concentrations are higher, states and environmental groups argued. The law requires all facilities to install the best technology available to curb emissions.

Power plants are the biggest source of mercury, which finds its way into the food supply. It is commonly found in high concentrations in fish. Mercury can damage developing brains of fetuses and very young children.

"It is yet another Bush administration policy they are not going to go forward with," said David Bookbinder, the Sierra Club's chief climate counsel.

The EPA also announced Friday that it was starting the review of the Bush administration's decision to deny California and other states the right to control emissions of the gases blamed for global warming from cars.

In a statement, the agency said there were significant issues with the previous administration's denial of the California request that represents a significant departure from the law.

While the administration has signaled it is breaking with its predecessor on several issues, Friday's filing on mercury is the first outright reversal of a legal position taken by the Bush administration at the Supreme Court.

EPA Administrator Lisa Jackson told reporters at a green jobs conference in Washington that the Obama administration would draft its own rules under the Clean Air Act to curb mercury emissions.

Jackson — who led the environmental department in New Jersey, one of 17 states that sued the Bush administration in 2006 — said the EPA would likely set limits on the toxic metal from power plants, as required by the law.

"We're better off spending all our resources making rules that will stick instead of fighting the courts on this one," Jackson said.

Representatives of the utility industry, which is still asking the Supreme Court to take up an appeal, said Friday that a new rule would further delay clean up of mercury and cost more than the Bush proposal.

"From an environmental perspective, the thing that is a real shame about all this is had the court left the mercury rule in place we would have had much greater mercury reductions at a lower cost," said Jeff Holmstead, head of the Environmental Strategies Group at the law firm Bracewell & Giuliani, which represents power producers.

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David Cohen/DC/USEPA/US

05/05/2010 10:16 AM

To Seth Oster, Bob Sussman, Lisa Heinzerling

cc

bcc Richard Windsor

Subject rena on coal ash in huff post

Rena Steinzor

President, Center for Progressive Reform

Posted: May 4, 2010 10:13 PM

EPA's Coal Ash Announcement Reflects Unfortunate White House Meddling in Rulemaking Process

EPA Administrator Lisa Jackson was in a tough position on coal ash. If you are African American and low-income, you have a 30 percent greater chance of living near a big pit of this toxic brew than a white American, so Jackson correctly decided that such an important environmental justice issue should be at the forefront of the Obama Administration's agenda. But Jackson was also taking on Big Coal, a special interest historically near and dear to swing voters in Ohio and Illinois. Nevertheless, this sturdy "eco-warrior," as she was recently dubbed by *Rolling Stone*, marched forward, right to the White House and the chilling influence of Cass Sunstein and the economists at the Office of Information and Regulatory Affairs.

Jackson's tough, but as yet secret, regulatory proposal arrived in crisp fall weather, only to be greeted by a tsunami of industry lobbyists, who visited and revisited the Office of Information and Regulatory Affairs. By the time the spring flowers were out, Jackson was forced to take a pass on getting hard-hitting regulation on a speedy path to implementation. After the long scuffle with OIRA, she instead announced that EPA was considering two strikingly different alternatives, thereby postponing any definitive action for at least six months and, far more likely, a year or more. Then, to add insult to injury, she stepped in between angry activists and OIRA, trying in vain to slap lipstick on a not particularly cute pig.

Jackson called her mammoth 563-page *Federal Register* notice a "proposed rule" but in every reasonably understood sense of that term, it is nothing of the sort. Instead, it has what we can call an "OIRA/industry proposal;" an "EPA/environmentalist" proposal; and a proposal so bad that it has no parents. Because EPA is actively considering two very different approaches and potentially a third, unimaginably bad idea, no concrete target emerged from this latest round of

negotiation. Instead, EPA will almost certainly have to go back and get another round of public comment on a single approach before making a final selection. Or, as EPA announced haplessly: "Given the inherently discretionary nature of the decision, the complexities of the scientific analyses, and the controversy of the issue, EPA wants to ensure that the ultimate decision is based on the best data, and is taken with the fullest possible extent of public input."

Reading all this, you might think EPA had been studying this problem for a couple of years, ever since one billion gallons of coal ash sludge blanketed over 400 acres of the small town of Kingston, Tennessee a few days before Christmas 2008. But, in fact, EPA has noodled over coal ash for close to three decades, ever since Congress first instructed it to examine the problem. Showing any foolish optimists that Big Coal is far from dead, the agency is once more rocked back on its heels, studying, studying, and studying again.

The OIRA/industry proposal would defer to the states, allowing coal ash "surface impoundments" to be regulated under the same statutory provisions as apply to ordinary household garbage. If utilities wanted to continue to use existing sites for disposal, moderate cleanup would be necessary. If citizens were not satisfied with these low-key efforts, they would have to prove that these awesome pits in the ground pose an "imminent and substantial endangerment" to get better containment.

The good proposal, which Jackson and EPA almost certainly prefer, would treat the 140 million tons of beryllium, arsenic, mercury, and lead-laden ash generated each year as what it is--dangerous waste--unless it is recycled in a way that immobilizes these toxics by, for example, embedding the ash in concrete used to build roads. But EPA would stop short of labeling the coal ash a "hazardous waste." The biggest benefit of this approach would be more rigorous cleanup of existing facilities, which is why it is strongly opposed by industry.

A third alternative would allow future disposal to occur in garbage-like landfills but would have no cleanup requirements for existing facilities. EPA soft peddles this option, but OIRA demanded that it crunch cost-benefit numbers for it nevertheless. Ironically, all three alternatives show benefits that strongly outweigh costs, with the benefits of the toughest approach two and a half times larger than the OIRA/industry proposal. (One might expect that fact alone to persuade the cost-benefit fetishists at OIRA to embrace the proposal, but, it never seems to work that way.)

Utilities operate some 584 coal ash pits, euphemistically called "surface impoundments," by the government, and too many of these "have a great potential for loss of human life and environmental damage in the event of catastrophic failure," as EPA acknowledges on page 105 of its notice. Some 109 of the 584 have a "high or significant" hazard potential rating according to information the agency gathered pursuant to its Superfund toxic waste cleanup authority. Approximately 186 of the 584 were not even designed by a professional engineer. Generally designed to last for the typical operating life of a coal-fired boiler, about 40 years, loopholes in the law have allowed the boilers and the pits to limp on far past this lifespan. According to EPA, 56 of the 584 are older than 50 years, 96 are older than 40 years, and 340 are between 26 and 40 years old. Obviously, for millions of Americans living in close proximity to these aging catastrophes- in-waiting, the name of the game is cleanup.

I wouldn't want to take too many bets on which approach will survive at the end of the day, given the turmoil that has gotten us to this point. But even assuming that Jackson and her allies can take the boulder that dropped to the bottom of the Sisyphean hill and push it back up to the summit, it's clear that she has lost precious time, and her interim defeat sends a troubling message to other proactive agency heads.

David Cohen/DC/USEPA/US

11/29/2011 09:36 AM

To "Richard Windsor", "Bob Perciasepe"

cc

bcc

Subject Reilly NYT's Op Ed on CWA

I was asked to make sure you all saw this:

OPINION

OP-ED CONTRIBUTOR

Keep the Clean Water Act Strong

By WILLIAM K. REILLY

Published: November 29, 2011

NEXT year will mark the 40th anniversary of the Clean Water Act, a milestone for a series of landmark environmental laws that began with the creation of the Environmental Protection Agency in 1970. Those actions set our nation on a course to restore our damaged natural resources, but today, because of political pressures and court rulings, the extent and durability of some of those key protections are at risk.

Since its enactment in 1972, the Clean Water Act has encountered resistance from powerful business interests that have tried to fill wetlands, drain marshes, develop shorelines and allow pollution to flow off their property. One approach these developers have used to weaken the law has been to try to limit its jurisdiction, to say it shouldn't apply to this or that water body. The rationale has always been to argue that the water on the particular property in dispute didn't connect with interstate bodies of water and therefore should be exempt from federal regulation.

When the act became law, two-thirds of our nation's lakes, rivers and coastal waters were unsafe for fishing or swimming, and untreated sewage and industrial waste was routinely dumped into our waters. The law was partly a response to the shock the nation experienced when the filthy Cuyahoga River in Cleveland erupted in flames. Since then, industrial pollution has declined significantly. Fish have returned to countless water bodies that were once all but lifeless. Progress has come in fits and starts - despite more litigation filed than the law's proponents expected or wanted - but it is real and evident.

Still, there are reasons for concern.

One is the ambiguity introduced by two Supreme Court decisions - Solid Waste Agency of Northern Cook County v. Army Corps of Engineers in 2001 and Rapanos v. United States in 2006 - over which American waters fall under the law. The law was intended to protect "all the waters of the United States." But the decisions can be taken to suggest that the law does not protect certain waterways - those that are within one state or that sometimes run dry, for example, and lakes unconnected to larger water systems. As a result, fewer waters are protected, and those who wish to build on land that requires dredging and the depositing of the fill elsewhere face confusion, uncertainty and delay as federal regulators try to determine which water bodies fall under the law.

The Environmental Protection Agency estimates that about a third of the nation's waters are still unhealthy. About 117 million Americans - more than a third of the population - get some or all of their drinking water from sources now lacking protection. Given the deep antipathy to regulation on Capitol Hill - the House actually approved a measure in July to strip the E.P.A. of some of its authority to enforce the Clean Water Act - Congress has been unable or unwilling to clarify the law so that progress can continue in restoring and protecting these waters.

That has left it to the E.P.A. and the United States Army Corps of Engineers to draft new rules to make clear which waterways are protected. This guidance would keep safe the streams and wetlands that affect the quality of the water used for drinking, swimming, fishing, farming, manufacturing, tourism and other

activities. The new rules would also bring clarity to the issue. Routine agricultural, ranching and forestry practices will not require permits under the Clean Water Act. Formal rulemaking will follow, though that will take time and will most likely be contentious.

The American economy has performed well over the past four decades: real per capita income has doubled since 1970 and pollution is down even with 50 percent more people. The choice between a healthy environment and a healthy economy is a false one. They stand, or fall, together. We've been blessed in the United States with abundant water resources. But we also face daunting challenges that are putting new demands on those resources - continuing growth; the need for water for food, energy production and manufacturing; the push for biofuel crops; the threat of new contaminants; climate change and just maintaining and restoring our natural systems.

If we narrow our vision of the Clean Water Act, if we buy into the misguided notion that reducing protection of our waters will somehow ignite the economy, we will shortchange our health, environment and economy.

William K. Reilly was the administrator of the Environmental Protection Agency from 1989 to 1993 and was the co-chairman of the National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling.

David
McIntosh/DC/USEPA/US
09/22/2009 05:46 PM

To Richard Windsor
cc
bcc
Subject CLIMATE: Browner, Jackson blast Murkowski's EPA amendment

Noelle Straub and Robin Bravender, E&E reporters

Senior Obama administration officials today blasted a possible amendment from Sen. Lisa Murkowski (R-Alaska) that would restrict U.S. EPA's authority to regulate carbon dioxide emissions from stationary sources.

White House energy and climate adviser Carol Browner criticized Murkowski's approach of using the EPA spending bill as a vehicle for limiting the agency's regulatory power.

"We don't think trying to legislate on appropriations bills is a good idea," Browner told reporters in New York. "You can end up with a lot of unintended consequences. The best way to address the issue of climate change is to use comprehensive legislation to put together a package of all of the committee bills."

The proposed [amendment](#) to EPA's fiscal 2010 spending bill would prohibit the agency for one year from regulating heat-trapping emissions from stationary sources like power plants and industrial facilities.

EPA Administrator Lisa Jackson also weighed in, saying the amendment would have a broad reach across regulatory programs.

"While we have worked to provide the clarity American business needs, the Murkowski amendment would deliver exactly the opposite," Jackson said in a statement.

Jackson said the amendment would halt EPA's effort to give industry clear rules for storing carbon pollution deep underground, would subject state permitting authorities and industrial permit applicants alike to more litigation and delay, and would freeze industrial development in large parts of the country due to regulatory uncertainty.

Murkowski today said that her amendment would be tailored carefully so that it only affects regulations dealing with large industrial sources of carbon dioxide.

"This does not speak to the reporting side of it, that would continue absolutely," the senator said. "It's just as to stationary sources and it's just as to regulation of carbon dioxide, and so it's pretty specific, it's pretty narrow in that vein."

Murkowski said she has not yet decided whether to formally introduce the amendment. "We are talking with our colleagues on the other side of the aisle trying to figure out what, whether or not we introduce it, in what form, so we continue to work."

Murkowski's amendment has already come under fire from top Democrats and environmentalists, who have accused the senator of attempting to undermine a Supreme Court decision giving EPA the authority to regulate carbon dioxide emissions ([E&E Daily](#) , Sept. 22).

Senate Environment and Public Works Chairwoman Barbara Boxer (D-Calif.) said the amendment is "a gift to polluters," while an EPW subcommittee chairman said Democrats would attempt to head Murkowski off somehow.

"I don't know that we can stop her from offering her amendment," said Sen. Tom Carper (D-Del.) "We may want to table it. We may want to try and defeat it. We may want to offer a second degree. All of the above. Or one of the above."

More EPA amendments

Sen. John Barrasso (R-Wyo.) introduced an amendment designed to prevent EPA from moving forward with its endangerment finding until the agency's inspector general completes an investigation into how the embattled EPA employee Alan Carlin was treated by his superiors. Barrasso said his amendment was an attempt to promote transparency and good government ([E&ENews PM](#) , Sept. 15).

Interior Appropriations Subcommittee Chairwoman Dianne Feinstein (D-Calif.), who is managing the bill on the floor, objected when Barrasso attempted to bring up his amendment. Saying her opposition was not to Barrasso but rather to "putting climate change on this bill," Feinstein said she would also object to Barrasso's other two amendments on the subject if he tried to call them up.

One of those Barrasso amendments would prevent EPA's endangerment finding from going into effect until the agency grants a petition from the U.S. Chamber of Commerce to have a trial-like hearing on the endangerment finding. "The on-the-record proceeding would be a great opportunity for EPA to ensure transparency," Barrasso said. "To deny this request is an admission by the EPA that their work on endangerment can't withstand scrutiny."

Another Barrasso amendment would take aim at a recent secretarial order signed by Interior Secretary Ken Salazar to develop an across-the-board approach to climate change for the resources managed by the department. Barrasso said the order would put the "cart before the horse" and that Congress should pass a climate change bill before any agency begins a "regulatory process" to address global warming.

The Senate accepted by voice vote on one amendment from Barrasso preventing the Forest Service from using \$2.8 million from the stimulus package for wildland fire management in Washington, D.C. He noted that the city does not have a national forest fire problem; Feinstein agreed and supported the amendment.

Calif. water

Feinstein also objected to an attempt by Sen. Jim DeMint (R-S.C.) to call up his amendment dealing with water in the California Central Valley. The measure would prevent any funds in the spending bill from being used to restrict, reduce or reallocate water as called for in two federal biological opinions. DeMint said that "radical environmental groups" and judges cannot be allowed to cut off water supplies to farmers in the area.

Feinstein, who has long worked on the issue, expressed surprise that the measure would come from DeMint and said the issue is very hot in California but not South Carolina. She said the amendment would "handcuff" the Interior Department and release water with no regard to endangered species or other needs and would lead to lawsuits. "I don't quite understand what's going on here," she said. "In a way, this is a kind of Pearl Harbor on everything that we're trying to do."

After Feinstein objected to his amendment, DeMint instead offered a motion to recommit the bill back to committee. Feinstein urged her colleagues to vote "no" on the motion.

Reporters Darren Samuelsohn and Patrick Reis contributed.

David
McIntosh/DC/USEPA/US
05/15/2009 03:52 PM

To Richard Windsor
cc
bcc

Subject E&E News: Waxman, Markey release cap-and-trade bill

(Just another step in the pre-markup process.)

CLIMATE: Waxman, Markey release cap-and-trade bill (05/15/2009 at 03:19 PM)

Darren Samuelsohn and Ben Geman, E&E senior reporters

Democratic leaders of the House Energy and Commerce Committee took a big step toward overhauling U.S. energy and global warming policy today with the release of a [932-page bill](#) that is expected to win approval next week after a marathon markup.

Meanwhile, a [draft list](#) obtained by E&E shows Republicans are preparing for the markup with nearly 450 amendments targeting individual Democratic lawmakers who may be uncomfortable with supporting such stringent new environmental requirements.

The Democrats' climate bill has been the subject of months of negotiations between Energy and Commerce Chairman Henry Waxman (D-Calif.) and his top energy lieutenant, Rep. Ed Markey (D-Mass.), and a group of about a dozen moderate and conservative lawmakers from the South, Rust Belt and Intermountain West. Waxman and other key members say they expect passage next week, perhaps on a party-line, 36-23 vote.

Bit by bit, Waxman and Markey have made concessions from their original draft to satisfy those members, including removal of the so-called low-carbon fuel standard, according to Rep. Gene Green (D-Texas) and a petroleum industry source.

The original proposal would have required refiners to ensure that the carbon content of fuels sold in the United States between 2014 and 2022 would be no higher than a 2005 baseline level, and starting in 2023, they would have to have lower emissions by at least 5 percent. From 2030 onward, the reduction would have to be 10 percent.

Green and other lawmakers allied with the refining sector had several concerns about the proposal and were unable to reach an agreement with Waxman. "Although there were productive conversations with the chairman, unfortunately we were not able to reach an agreement on the LCFS and the Low Carbon Fuel Standard will be removed from the legislation," Green said in a statement today.

The removal is a win for refiners, which have alleged that the bill's various new requirements will impose difficult burdens and increase costs. "It is an improvement. It is progress," said a petroleum industry source, who added, however, that the industry would still oppose the overall bill.

GOP markup strategy

Opening statements for the full committee markup will begin at 1 p.m. Monday, giving all 59 members on the committee a chance to say their piece about a bill at the center of President Obama's domestic agenda.

Republicans are flirting with the idea of employing a committee rule that would force the Democratic clerk to read the entire bill. "If that's the case, you've got close to a 1,000-page bill, you're probably talking about 12 to 14 hours of reading," Rep. Bart Stupak (D-Mich.) told reporters today. A Republican committee aide said no decisions have been made on that strategy.

Looking beyond Monday, Waxman is expected to manage the markup by moving through the bill title by title. Late nights are expected Tuesday and Wednesday, with Thursday's session expected to stretch into Friday as Democrats try to pass the legislation before the start of the weeklong Memorial Day recess.

Democratic lawmakers are preparing their own series of amendments, though what they have planned is nothing compared to the expected GOP amendment onslaught.

According to the draft list, opponents of the bill want to make a number of significant changes to the underlying legislation. One approach, designed to appeal to the moderate and conservative Democrats, would change the greenhouse gas emission reduction targets to less aggressive limits: 6 percent by 2020, 44 percent by 2030, and 80 percent by 2050.

Republicans have also drawn up dozens of changes that would allow individual states the choice of opting out of the climate law -- or allow them to give free allowances to electric utilities in a specific state. Other GOP amendments come with some partisan bite: making underground storage facilities for carbon dioxide at Nevada's Yucca Mountain and at the Presidio in House Speaker Nancy Pelosi's San Francisco district.

Key Democrats say they will resist the Republican amendments, even the ones that may look good back home in their districts. "They simply do not want to work constructively in this process," said Rep. Rick Boucher (D-Va.). "The amendments they'll be offering will be designed to obstruct. I will resist those amendments. I will ask them be defeated, as will Chairman Waxman, and so that will be the committee process."

Energy Secretary Chu reaction

Also today, Energy Secretary Steven Chu welcomed progress on the House climate bill, even though it falls short of Obama's goals in several key areas. For example, the House bill has a lower renewable electricity mandate for utilities. It also provides some 85 percent of the emission allowances for free to industry and other interests, while Obama supported a 100 percent auction of the credits.

Chu, who spoke to reporters after addressing the National Coal Council, said he was not concerned about the giveaway of a substantial number of allowances, explaining that the main feature of the legislation is a requirement that carbon dioxide emissions get ratcheted down sharply over time.

"That still provides a lot of pressure, and it is a long-term signal that says you have got to develop the technologies that allow you to decrease your emissions of carbon," Chu said. "That part is something that I think will be driving this."

Asked whether the renewable electricity standard was too weak, Chu replied: "Waxman, Markey and their colleagues are trying their best to bring along Congress. It is very important that we start a comprehensive energy and climate change bill."

He added, "There are two camps. There are camps that say it has got to be really tough, and there are people who say it is not ideal, but we have to get going on it."

[Click here](#) for the Democrats' climate bill.

[Click here](#) for a draft list of Republican amendments.

David
McIntosh/DC/USEPA/US

11/10/2010 01:24 PM

To Richard Windsor, Brendan Gilfillan, Seth Oster, Diane
Thompson, Bob Perciasepe, Bob Sussman, Lisa Heinzerling,
Arvin Ganesan

cc

bcc

Subject Fw: From Greenwire -- CLIMATE: EPA issues guidelines for
states' GHG permitting

Good story

----- Forwarded by David McIntosh/DC/USEPA/US on 11/10/2010 01:23 PM -----

From: David McIntosh/DC/USEPA/US
To: David McIntosh <McIntosh.David@epamail.epa.gov>
Date: 11/10/2010 01:23 PM
Subject: Fw: From Greenwire -- CLIMATE: EPA issues guidelines for states' GHG permitting

CLIMATE: EPA issues guidelines for states' GHG permitting (*Wednesday, November 10, 2010*)

Gabriel Nelson, E&E reporter

U.S. EPA has released a long-awaited guidance document that instructs state and local officials how to start issuing permits for power plants, refineries and other large stationary sources of greenhouse gases when EPA's new climate rules take effect next year.

State and local officials will need to absorb the information by Jan. 2, when they must begin requiring the maximum achievable control technology for greenhouse gases at new and modified facilities.

The 97-page [document](#) explains how strict regulators should be when requiring those emissions curbs.

Bill Becker, executive director of the National Association of Clean Air Agencies, said the state and local authorities will be ready. According to a report that was released by the organization last month, all states but Texas are on track to start issuing greenhouse gas permits early next year ([Greenwire](#), Oct. 28).

"EPA's guidance will provide industry greater certainty, quicker permitting decisions and a smoother path toward greenhouse gas implementation," Becker said in a statement. "This should put to rest the exaggerated claims of some stakeholders that greenhouse gas permitting will have disastrous economic consequences."

EPA air chief Gina McCarthy and other Obama administration officials have recently sought to refute claims from industry groups, which have predicted that the greenhouse gas requirements will lead to an effective "construction moratorium" across much of the country.

Jeff Holmstead, an industry attorney who held McCarthy's job during the George W. Bush administration, said the agency has not given businesses and regulators enough time to put new rules in place.

"People will obviously need to review the guidance more carefully, but it really just looks like a long list of options," Holmstead said. "As a practical matter, no one is going to be able to get through EPA's new permitting process for a long time."

Efficiency 'particularly important'

The guidance document instructs regulators to focus first and foremost on energy efficiency, which would cut greenhouse gas emissions by reducing the use of carbon-intensive fuels.

"While energy efficiency can reduce emissions of all combustion-related emissions, it is a particularly important consideration for GHGs since the use of add-on controls to reduce GHG emissions is not as well-advanced as it is for most combustion-derived pollutants," the guidance document says.

Industry groups had worried that the agency would require facilities to use costly technology to trap carbon dioxide and store it underground, but EPA's guidance suggests that carbon capture and sequestration (CCS) technology is not quite ready for prime time.

In one case study included in the guidance, carbon capture is ruled out as a possibility for a refinery. Even if the technology would allow CCS at the facility, officials would be justified in rejecting it as a control strategy if the hypothetical facility were far from the nearest storage site and there were no pipeline to move the emissions there, the appendix says.

"While CCS is a promising technology, EPA does not believe that at this time CCS will be a technically feasible [best available control technology, or BACT] option in certain cases," EPA writes. "A permitting authority may conclude that CCS is not applicable to a particular source, and consequently not technically feasible, even if the type of equipment needed to accomplish the compression, capture, and storage of GHGs are determined to be generally available from commercial vendors."

The guidance also directs businesses and officials to embrace the use of biomass. As the Obama administration has

rolled out programs to assess and control greenhouse gas emissions, biomass users have pressed EPA to treat their fuel differently from oil, gas and coal.

Carbon dioxide is released when facilities burn plant material, but it is removed from the atmosphere once again when new plants are grown.

"Federal and state policies, along with a number of state and regional efforts, are currently under way to foster the expansion of renewable resources and promote biomass as a way of addressing climate change and enhancing forest management," the guidance document says. "Based on these considerations, permitting authorities might determine that, with respect to the biomass component of a facility's fuel stream, certain types of biomass by themselves are BACT for GHGs."

David
McIntosh/DC/USEPA/US
06/09/2011 01:27 PM

To Richard Windsor
cc Seth Oster
bcc
Subject NAACP to focus on environment in wake of Republican attacks on EPA

An E&E Publishing Service

POLITICS: NAACP to focus on environment in wake of Republican attacks on EPA *(Thursday, June 9, 2011)*

Emily Yehle, E&E reporter

Environmental issues will be more relevant in the 2012 presidential election than they have been in decades, thanks to Republican efforts to curb U.S. EPA's regulatory powers, the president of the National Association for the Advancement of Colored People said today.

In a conversation with reporters, NAACP President Benjamin Todd Jealous laid out his organization's health and environmental goals, from addressing the spread of HIV in African-American populations to ensuring minority communities have access to emergency services after disasters.

But in recent months, the organization has focused more and more on threats to the Clean Air Act and the Clean Water Act, moving into a "defensive" mode as the newly Republican House targets EPA's authority to regulate greenhouse gases. Such rules disproportionately affect minority communities, Jealous said.

"Our folks vote based on kitchen issues and the right has made clean air and clean water kitchen issues for the first time since the '70s," he said. "It's very pressing, urgent because they're talking about rolling back protections in ways" that threaten the health of disenfranchised communities.

It is "high time" for the civil rights community to start a conversation both about the immediate effects of air pollution and on the nation's long-term policies, he said.

"Poverty and risk go very hand in hand," Jealous said. "In these areas, quite frankly, politics is often lagging behind the nation and so helping people deal with that ... and talking to them about what's going on down the street, talking to them about what has to change in our national policy is really the only thing that makes sense for a volunteer organization at the present."

NAACP launched its Climate Justice Initiative in 2009, focusing on three objectives: reducing harmful emissions, advocating for clean energy and energy efficiency and improving the livability of communities. In April, officials released a report that examined the effect of the Gulf of Mexico oil spill on residents, finding that many were still struggling despite BP PLC's claims fund.

Jacqueline Patterson, director of the Climate Change Initiative, said officials also discovered at least one unique effect to the African-American community: Many black residents quit their minimum-wage jobs after BP recruiters promised them that positions on cleanup crews would last one to three years. The jobs ended after a few months, and in a recession, those residents have had trouble finding another job.

Other issues have emerged in the aftermath of Mississippi River flooding and the Joplin tornadoes, she said. Disaster organizations such as FEMA and Red Cross tend to set up in a central location, for example, leaving the poorest residents in rural outlying areas without access to food and medical supplies. And in one town in Mississippi, a whole community was under water because residents had bought the most affordable homes -- on flood plains.

NAACP has now set its sights on coal-powered plants, visiting cities with plants that rank the worst in "environmental justice performance," which takes into consideration not just sulfur dioxide and nitrogen oxides emissions but also the race and income of the communities that live near the plant. The resulting report, "Coal Blooded: Putting Profits Before People," is due out in July.

Patterson said the group is using the report to not only educate communities but to also mobilize residents to send in comments on EPA's proposed rules on power plant emissions. About 68 percent of African-Americans live near plants, she said, compared to about 55 percent of the total population.

"We're using that report to educate and raise awareness and also to mobilize local communities," she said.

**David
McIntosh/DC/USEPA/US**
03/25/2010 09:19 AM

To windsor.richard
cc
bcc
Subject Fw: Link to analysis

Sarah Dunham

----- Original Message -----

From: Sarah Dunham
Sent: 03/25/2010 09:17 AM EDT
To: Margo Oge; David McIntosh; Gina McCarthy
Cc: Karen Orehowsky; Sarah Froman
Subject: Link to analysis

We'll check on what it says in the testimony but the analysis is still available and accessible at the following links:

The longer, direct link is www.epa.gov/otaq/climate/GHGtransportation-analysis03-18-2010.pdf

Shorter link is www.epa.gov/otaq/climate/publications.htm, then go down about half the page for the document.

**David
McIntosh/DC/USEPA/US**
04/02/2011 03:56 PM

To "Richard Windsor"
cc
bcc
Subject Fw: Dingell Op-Ed

From: Alex Barron
Sent: 04/01/2011 02:38 PM EDT
To: "Shannon Kenny" <Kenny.shannon@epa.gov>; "Lorie Schmidt" <schmidt.lorie@epa.gov>; Joel Beauvais; Michael Goo; Bicky Corman; "David McIntosh" <mcintosh.david@epa.gov>; Laura Vaught; "Arvin Ganesan" <ganesan.arvin@epa.gov>; Benjamin Hengst
Subject: Fw: Dingell Op-Ed

From: "Cheatham, Melissa Bez" [Melissa.Cheatham@mail.house.gov]
Sent: 04/01/2011 02:21 PM AST
To: Alex Barron
Subject: FW: Dingell Op-Ed

April 1, 2011

<http://detnews.com/article/20110401/OPINION01/104010331>

Dingell: Better emissions law needed

In 2007, the Supreme Court made what I consider to be the wrong decision in *Massachusetts v. the Environmental Protection Agency*.

In essence, they found that EPA had to determine whether or not greenhouse gas emissions posed a danger to human health and the environment and if EPA did find them to be a danger, they had to regulate them as a pollutant under the Clean Air Act. As the author of the Clean Air Act, I can assure you that the law was not intended to cover greenhouse gas emissions, nor is it the most effective mechanism to address them.

In the months following the Court's decision, EPA went to work to determine whether or not greenhouse gases are a danger to human health and the environment. In December 2009, the Agency did indeed find that greenhouse gases pose a threat to public health and the environment. Thus, pursuant to the Supreme Court ruling, the EPA must regulate under the Clean Air Act.

My dear friend, House Energy Committee Chairman Fred Upton, R-St. Joseph, has a bill that would repeal the endangerment finding and would statutorily prevent EPA from regulating greenhouse gases under the Clean Air Act. I have the utmost respect for my friend and colleague from the west side of the state and I am sympathetic to what he is trying to accomplish.

However, I voted against Chairman Upton's bill both in the subcommittee markup and the full committee markup. My rationale for voting against this legislation is three-fold.

First, it repeals the endangerment finding. This is a matter of science. In point of fact, it has recently come out via correspondence between then EPA Administrator Stephen Johnson and President George W. Bush that EPA, based on the scientific data, could not have found that greenhouse gases do not pose a risk to health and environment. Moreover, to the best of my knowledge, repealing the endangerment finding would be the first time Congress repealed a scientific finding. This is a slippery slope that I am not willing to enter.

Second, the science is clear: climate change is a very real issue with which we must deal. While the Clean Air Act is not the best way to deal with it, and will lead to all manner of difficulty and confusion, my Republican colleagues have not suggested a better mechanism.

Finally, and this is extremely important to us here in Michigan. The endangerment finding is the legal underpinning for the national standard for auto emissions and fuel economy. If we repeal the endangerment finding, we put the single national standard in very real danger. The bill takes care of this matter for model years after 2017 by not allowing EPA to regulate at all and not allowing EPA to grant California a waiver to issue its own standards.

But, for model years 2012-2016 there is potential for litigation at best and a patchwork of different standards at worst. The consequences to the auto industry and other industries would be unbelievably mischievous.

I stand ready to work with my colleagues on both sides of the aisle to address important issues facing our nation, and addressing climate change in the best manner possible to take care of human health, the environment and to give industry the certainty it needs in order to flourish and create jobs is no exception.

U.S. Rep. John Dingell , D-Dearborn

Dennis McLerran/R10/USEPA/US
07/15/2011 05:16 PM

To "Richard Windsor"
cc "Seth Oster", "Cynthia Giles", "Nancy Stoner", "Janet Woodka", "Bob Perciasepe", "Diane Thompson"
bcc
Subject Fw: Statement from Dennis McLerran, EPA Regional Administrator, regarding CSO/SSO Pollution in Seattle and King County

FYI

Marianne Holsman

----- Original Message -----

From: Marianne Holsman
Sent: 07/15/2011 11:24 AM PDT
To: Dennis McLerran; Michelle Pirzadeh
Subject: Fw: Statement from Dennis McLerran, EPA Regional Administrator, regarding CSO/SSO Pollution in Seattle and King County
Hi Dennis and Michelle:

Here's what we sent to Lynda back in May. I will plan to send this to key media on Sunday morning or whenever is appropriate.

Bill will get a draft joint Op Ed out to you tonight, but not before you're on the plane. So, that might mean some work over the weekend so that we can get a submission to the paper on Monday.

Marianne Holsman
Public Affairs Director
US EPA Region 10
1200 6th Avenue
Seattle, WA 98101
desk: 206.553.1237 cell: 206.450.5895
Email: holsman.marianne@epa.gov

----- Forwarded by Marianne Holsman/R10/USEPA/US on 07/15/2011 11:22 AM -----

From: Mark Macintyre/R10/USEPA/US
To: Lynda Mapes <lmapes@seattletimes.com>
Date: 05/04/2011 06:09 PM
Subject: Statement from Dennis McLerran, EPA Regional Administrator, regarding CSO/SSO Pollution in Seattle and King County

Lynda: As per my voicemail, I wasn't sure when your CSO/SSO story is going to run, but I'm assuming it's soon....

In case you didn't get a chance to speak with Dennis again, (still possible, of course!) we wanted to make sure that you had this condensed statement of his thinking on the subject for background/context.

Let me know if there's anything else I can do!

MM

Statement from Dennis McLerran, EPA Regional Administrator, regarding CSO/SSO Pollution in Seattle and King County

"Discharging large amounts of raw sewage to Puget Sound and Lake Washington is simply not acceptable. That's why EPA has worked closely with the state, King County and Seattle over many years to address sewage treatment and the ongoing problem of Combined Sewer Overflow (CSO) pollution. With that work nearly completed, now is not the time to lose our resolve to finish the job visionary leaders in the Puget Sound region started some 40 years ago."

"Combined systems - and climates like Seattle's - often conspire to produce huge sewage and storm water overflows during the wet winter months. It's our view that there are few better investments than protecting our citizens and waterways, especially Puget Sound, from millions of gallons of raw sewage. We understand the concern over major construction expense in these tough economic times, but we are convinced this is a critically important step in protecting the Sound and the citizens who rely on it. We also believe a prudent approach, one that includes phasing the construction, tackling the biggest challenges first and looking for other ways to economize, can help make it more affordable in the long run."

"Also central to this discussion is the very real and serious threats stormwater poses to the Sound. Make no mistake, we are equally as committed to stormwater control efforts as we are to controlling CSOs."

"We stand ready to work with Seattle and King County to do whatever it takes to reduce these threats and protect the people's health, the Puget Sound and our precious lakes and streams."

Mark A. MacIntyre | Senior Press Officer | Public Affairs I
U.S. Environmental Protection Agency | 206.553.7302 (desk) | 206.369.7999(cell) |
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Fax: 202-565-2407
Email: depass.michelle@epa.gov

Lakita Stewart
Acting Executive Assistant to Michelle DePass
Phone: 202-564-6458
Fax: 202-565-2407
Email: stewart.lakita@epa.gov

Richard Windsor [Can I get \(in the next few hours\) a few...](#) 10/16/2009 10:47:47 AM

From: Richard Windsor/DC/USEPA/US
To: Michelle DePass/DC/USEPA/US@EPA, Scott Fulton/DC/USEPA/US@EPA
Cc: Heidi Ellis/DC/USEPA/US@EPA, Diane Thompson/DC/USEPA/US@EPA, Bob Perciasepe/DC/USEPA/US@EPA
Date: 10/16/2009 10:47 AM
Subject: IMPT QUESTION

Can I get (in the next few hours) a few brief bullets on what , if any, major bilateral climate or clean energy related initiatives we have going with the following four countries - Mexico, India, Brazil, and China. Thx.

**Diane
Thompson/DC/USEPA/US**
11/03/2011 06:30 PM

To Richard Windsor
cc
bcc
Subject Re: Huffington Post: Keystone XL: Haste And Inexperience
Hampered State Department's Environmental Review

Yes

Richard Windsor

----- Original Message -----

From: Richard Windsor
Sent: 11/03/2011 05:41 PM EDT
To: Betsaida Alcantara; Seth Oster
Cc: "Betsaida Alcantara" <Alcantara.Betsaida@epa.gov>; Cynthia Giles-AA;
"Brendan Gilfillan" <gilfillan.brendan@epa.gov>; Bob Perciasepe; "Diane
Thompson" <thompson.diane@epa.gov>; "Lisa Jackson" <windsor.richard@epa.gov>
Subject: Re: Huffington Post: Keystone XL: Haste And Inexperience Hampered
State Department's Environmental Review

All good. Right?

Betsaida Alcantara

----- Original Message -----

From: Betsaida Alcantara
Sent: 11/03/2011 05:39 PM EDT
To: Seth Oster
Cc: "Betsaida Alcantara" <alcantara.betsaida@epa.gov>; Cynthia Giles-AA;
"Brendan Gilfillan" <gilfillan.brendan@epa.gov>; Bob Perciasepe; "Diane
Thompson" <thompson.diane@epa.gov>; "Lisa Jackson" <windsor.richard@epa.gov>
Subject: Huffington Post: Keystone XL: Haste And Inexperience Hampered
State Department's Environmental Review

Long investigative piece below but copying a pasting here the parts that mention EPA:

1. EPA told HuffPost that the agency "has worked closely with the State Department" through the process and was "actively reviewing" the final EIS.

2. Two weeks later, the EPA published the most damning assessment yet, deeming the analysis of the Keystone XL's necessity "unduly narrow" and asserting that the environmental impacts had not been "fully analyzed." EPA also charged that the State Department had not fully considered the impacts of a potential oil spill along the pipeline or proposed sufficient alternative routes. "As with all projects that have not addressed potentially significant impacts, this proposal is a potential candidate for referral to [CEQ]," the report concluded. The EPA's final grade for the draft EIS: "Inadequate."

3. Larry Svoboda, a retired EPA official who helped oversee his agency's NEPA compliance review for Keystone 1 from a field office in Colorado, said he thinks one reason the State Department had been taken aback by the uproar over KXL was because the EPA had altered its approach under the Obama administration.

"There was a huge policy shift to look intensively at the climate change issues," Svoboda said. "I don't blame State for being astounded. They didn't change, we did."

4. State has also ordered a pair of new studies: one, by a firm called ICF International, to look into EPA concerns about greenhouse gases; the other, by Department of Energy contractor Ensys, to investigate whether the pipeline is truly necessary. And inside the department, officials say, more staffers have been assigned to work on Keystone XL and consultations have expanded, growing to include a weekly Friday staff meeting with top officials and relevant experts.

FULL STORY:

Keystone XL: Haste And Inexperience Hampered State Department's Environmental Review
First Posted: 11/3/11 03:39 PM ET Updated: 11/3/11 03:58 PM ET

This is the first of two articles about the controversy surrounding the development of the Keystone XL oil pipeline.

Earlier this year, top officials with the Environmental Protection Agency, the Department of Energy and the Department of Justice hauled a handful of senior State Department officials into a White House meeting.

The gathering was the governmental equivalent of being called into the principal's office. The energy regulators wanted to know why State -- which had the power to approve a controversial oil pipeline project called Keystone XL -- hadn't demanded the completion of an important task: the evaluation of alternative pipeline routes between Canada and the Gulf Coast that would avoid the Nebraska sand hills, a hotbed of environmental concern and local outrage.

A Canadian company, TransCanada, planned to use Keystone to deliver "tar sands" crude through the American heartland and -- as with nearly every major interstate infrastructure project -- the pipeline's approval hinged on its ability to pass an environmental review. Because this pipeline crossed an international border, oversight for that process fell to State.

Environmental groups and other government agencies had already panned the first draft environmental impact statement (EIS) that the State Department had produced, nearly a year earlier. Now State, under fire for its handling of Keystone XL, hoped to mollify the pipeline's critics by issuing a rare supplemental draft of the review.

But as word of the new study spread to the other agencies, according to a person familiar with the White House meeting, it became apparent that the review wouldn't propose any serious alternative routes for the pipeline. Gathered at the offices of the White House's Council on Environmental Quality, the energy regulators attempted to strong-arm State into ordering such a study, despite the fact that it would likely cost several million dollars and delay the project another year.

State listened politely to the regulators' concerns and just as politely went about its business. The study never happened.

Hillary Clinton's State Department has now spent more than three years considering whether to greenlight Keystone, far longer than any previous similar projects. From the start, the process has been driven more by haste than cautious study, numerous government officials who participated in the process say. Officials there took far too long to recognize that Keystone XL would become a touchstone for so much controversy, choosing to focus on diplomatic reasons why the pipeline was 'in the national interest,' while overlooking environmental reasons why it might not be. Indeed, the department initially passed responsibility for the environmental review, now the focus of most of the uproar, into the hands of a single, inexperienced staffer and a contractor with ties to the energy industry, while -- as the meeting at CEQ showed -- disregarding other, more experienced agencies.

"They were in this mode of rubber-stamping these projects, just assuming they're great for energy security, they're great for Canadian relations," says a congressional staffer who was involved in Keystone XL and who requested anonymity because of the extraordinarily sensitive nature of the project. "By the time we got involved, they were all about getting it approved and not wanting to slow it down. It seemed to have been their mindset all along. The fact that this was going to be controversial? They had no idea."

In the meantime -- spurred on, no doubt, by the election season -- Keystone XL has grown into one of the most hotly contested energy projects in recent memory and has become a proxy for many of the essential decisions now facing the country about its energy future.

The department's early failure to pursue a more rigorous study of Keystone has left it exposed to criticism that it panders to the oil industry or is simply derelict in carrying out its regulatory responsibilities, however complex those duties might be. Environmental groups in particular have taken this tack, pointing to recently released emails that show an apparently cozy relationship between officials at State and representatives of TransCanada.

Familiar emails between a former Clinton campaign staffer named Paul Elliott, who went on to become a lobbyist for TransCanada and a diplomat at the U.S. Embassy in Ottawa have drawn particular scrutiny. Elliott, whose job on the campaign was less significant than some environmental groups initially made it out to be, did not respond to requests for comment.

Nevertheless, the controversy over State's impartiality has been intense -- especially after Clinton declared last October that she was "inclined" to approve the project, despite the lack of a completed environmental review.

On Tuesday, President Obama announced for the first time that he would personally make the final decision, using State's report as guidance.

State Department officials defend their approach to Keystone.

"As we have always said, the State Department is committed to a transparent, thorough and rigorous process," Principal Deputy Assistant Secretary Daniel Clune, who has been directly in charge of the project since early last year, told The Huffington Post.

The debate over Keystone comes at a pivotal moment for the world's energy and climate future. With revolution sweeping the Middle East, bountiful and dependable oil supplies from the Persian Gulf are less certain, even though America's demand for oil remains strong.

While the United States consumes a quarter of the world's oil, it only possesses a mere three percent of the total conventional reserves. And so the nation faces a difficult choice: either find a new, more efficient way to function, or rely on oil from harder-to-reach and more polluting sources, like shale oil deposits in North Dakota and Montana or the "tar sands" of Alberta.

State has pointed out that its primary charge is to decide if the project is broadly "in the national interest" and says the drawn-out process, and all of the criticism directed at it, are evidence of the seriousness with which it takes this responsibility. Environmentalists say that in subordinating environmental considerations to political and diplomatic ones, the department has done a disservice to the country, and not just environmentally. The stakes, they say, couldn't be higher.

'INTERNAL CHAOS'

If State Department officials were initially unaware of the trouble that Keystone XL would bring, they couldn't ignore the outcry by early summer of 2010. In mid-April of that year, Clune's division completed its preliminary review into the environmental impact of the pipeline, opening a standard 45-day period for public review and comment.

The draft review noted a number of potentially serious concerns, including risks to groundwater and wetlands, wildlife impacts and even greenhouse gas emissions, but ultimately concluded that "the proposed Keystone XL Project would result in limited adverse environmental impacts during both construction and operation."

From there, the process was expected to be pro forma. The State Department does not often oversee environmental reviews; had the pipeline proposal not crossed an international border, no federal review would have been required at all. By and large, the review of interstate energy projects -- natural gas pipelines, transmission cables -- falls to the Federal Energy Regulatory Commission.

But recent projects for which State has done an environmental review -- a TransCanada project called

Keystone 1, approved in 2008, and the Alberta Clipper, a conduit between the tar sands and Wisconsin -- have faced relatively little public notice.

Keystone XL, however, has been anything but a quiet affair, and State's review of the project's environmental impact could not have come at a worse time.

Four days before its release, an explosion on a BP oil rig in the Gulf of Mexico set off one of the largest environmental disasters in the nation's history, renewing debate about the wisdom of piping oil through America's backyard. Then a few weeks later, TransCanada began moving oil through Keystone 1 to Illinois and Oklahoma, and within days the pipeline sprung a leak.

The Keystone 1 leak was just five gallons of sludge, but it was enough to alarm environmentalists, many of whom were already worried that the company's initial State-approved estimate of only 2.2 leaks per decade was overly optimistic. Two weeks later, a second small leak occurred farther down the line. (At the end of a year of operation, Keystone 1 had leaked a dozen more times; this past June, regulators were forced to shut down the pipeline briefly after TransCanada failed to satisfy safety concerns.)

The early problems with Keystone 1 were an embarrassing setback for TransCanada, but also for officials at the State Department, whose environmental review of the Keystone XL proposal was starting to show its own cracks.

On July 1, the Department of the Interior posted a 33-page evaluation of the State report that faulted, among other things, its "minimal" discussion of important protections for endangered species. The next day, the Energy Department released its appraisal, which challenged some of the study's fundamental economic assumptions.

Two weeks later, the EPA published the most damning assessment yet, deeming the analysis of the Keystone XL's necessity "unduly narrow" and asserting that the environmental impacts had not been "fully analyzed." EPA also charged that the State Department had not fully considered the impacts of a potential oil spill along the pipeline or proposed sufficient alternative routes.

"As with all projects that have not addressed potentially significant impacts, this proposal is a potential candidate for referral to [CEQ]," the report concluded. The EPA's final grade for the draft EIS: "Inadequate."

By that point, with oil still flooding into the Gulf of Mexico, the State Department had already extended the public comment period twice, to 75 days. Officials briefly considered asking TransCanada to delay the pipeline by two years, though they just as quickly abandoned the idea. But the moves made little difference. By the end of July, when a State Department official at the U.S. Embassy in Ottawa emailed an old friend -- now a lobbyist for TransCanada -- her agency, she reported, was in a state of "internal chaos."

KEYSTONE'S KOPS

The State Department's Bureau of Oceans and International Environmental and Scientific Affairs (OES), where the presidential permitting process takes place, has never been a highly sought-after posting. For the most part, OES staff are responsible for negotiating international treaties that involve natural resources, generally involving uncomplicated projects far from high-level eyes: a fiber optic cable in Tijuana, a bridge over the Rio Grande. Diplomats and political appointees often arrive there with no clue that the permitting responsibility falls to them.

And unlike the half-dozen other federal agencies that conduct environmental surveys, OES doesn't have any professional scientists on staff. That's atypical: When FERC recently evaluated a proposed natural gas pipeline that would run through Manhattan into New Jersey, a team of eight experts from its compliance division contributed to the draft environmental impact statement, including a geologist, a chemical engineer, an anthropologist, even a rocket scientist, plus input from an outside consulting firm.

By contrast, the environmental reviews by State -- including all the drafts for Keystone XL -- rely solely on the expertise of a contractor with ties to TransCanada. The firm, CardnoEntrix, also worked on the State Department's review of Keystone 1 and ran the EIS process for Alberta Clipper.

But where some have seen signs of complicity or conflicts of interest, others say the problem was simply that without comparable expertise, the State Department was ill-equipped to adjudicate technical disagreements between the contractor and other government agencies.

"It's not the business they're in, quite frankly," a federal environmental compliance official from another agency that consulted on Keystone XL said of the State Department.

"The people I worked with at State were good, honest people, and they were very inexperienced and naive about environmental laws," said the official. "They did not have a senior expert on their environmental impact study, and I've never seen that before."

Indeed, for the first stages of Keystone XL -- as well as the entirety of Alberta Clipper and Keystone 1 -- the vast majority of responsibility for coordinating the environmental review fell to Elizabeth "Betsy" Orlando, a young member of the foreign service with no scientific background and little institutional support.

A lawyer by training, Orlando was technically a diplomatic courier, a job that normally entails shuttling classified materials around the globe, not delving into policy matters.

But according to several people familiar with the matter, Orlando -- whose name appears on just about every technical document associated with the Keystone 1, Alberta Clipper and Keystone XL projects -- was initially assigned to be the sole individual working full-time on the pipeline reviews at State. At a public hearing in Oklahoma during summer 2010, Kimberly Demuth, a vice president at CardnoEntrix, described the State Department's capacity as "a staff of one person, Betsy Orlando, who's in charge of this project."

In October 2010, when her tour was over, Orlando was posted to the U.S. Embassy in Nigeria. Reached by email, she declined to comment and referred questions to the State Department.

A senior State Department official, authorized to speak only on background, acknowledged the paucity of scientific minds at OES but disputed the notion that the department lacked expertise.

"We feel we're very qualified to do this," he said in a recent phone interview, citing in-house experts on "energy markets and economic issues" at the Economic and Energy Bureau and legal advisers on National Environmental Protection Act case law, as well as numerous interagency consultations.

"We realized that we need to work with others to bring in all the expertise that's required, which is why we reach out beyond the State Department to other agencies within the U.S. government, and bring in contractor expertise when necessary," he said. "So the expertise is there. I guess the trick for us as managers was just bringing all that team together and getting them to focus on this, because of course everybody's already very busy."

Still, a review of publicly available documents and conversations with numerous government officials who interacted with State on Keystone XL suggest that the agency was often too busy or uninvolved to take other input.

Fish and Wildlife Service officials were particularly concerned that their warnings went unheeded, especially regarding the pipeline's possible effects on migratory birds and the habitats of a rare American beetle. For months after the draft EIS came out, emails obtained via a Freedom of Information Act request show officials from FWS and other agencies trying to make their case to officials with CardnoEntrix -- often even with the contractor's consultant, Trow Engineering. (The FOIA request, filed by the National Wildlife Federation, resulted in the emails being posted to a public portion of the FWS website.)

At one point this past January, a Nebraska field supervisor got fed up. "I have a real concern that the Department of State (DOS) is not engaged in the discussions and negotiation of the Keystone XL Pipeline Project," he wrote in an email that was made public on a government website in response to an earlier FOIA request. "I feel pretty strongly that meetings here on out need a DOS decision maker involved and engaged."

This spring, when an Interior Department NEPA compliance manager named Lisa Treichel realized she had missed a phone call offering her a "brief window" of time to offer comments on the supplemental draft, she wrote to one of her superiors, "I requested an extension but received no input back which to me equals 'denied.'" (Spokesmen for Interior and Fish and Wildlife declined to comment on the interactions. An EPA spokesman told HuffPost that the agency "has worked closely with the State Department" through the process and was "actively reviewing" the final EIS.)

Larry Svoboda, a retired EPA official who helped oversee his agency's NEPA compliance review for Keystone 1 from a field office in Colorado, said he thinks one reason the State Department had been taken aback by the uproar over KXL was because the EPA had altered its approach under the Obama administration.

"There was a huge policy shift to look intensively at the climate change issues," Svoboda said. "I don't blame State for being astounded. They didn't change, we did."

For their part, State Department officials say they have changed, at least in the past year or so. After the feedback on the draft EIS, they drew up a list of 57 safety conditions -- with help from the Department of Transportation -- that TransCanada would agree to follow. The Natural Resource Defense Council, however, has dismissed all but a few of the 57 points as symbolic.

State has also ordered a pair of new studies: one, by a firm called ICF International, to look into EPA concerns about greenhouse gases; the other, by Department of Energy contractor Ensys, to investigate whether the pipeline is truly necessary. And inside the department, officials say, more staffers have been assigned to work on Keystone XL and consultations have expanded, growing to include a weekly Friday staff meeting with top officials and relevant experts.

"The most important thing, for us, is to do a comprehensive, transparent and thorough review, and make the best decision that we can," the senior State Department official said. "We think we're still on track to do that by the end of the year, but the most important thing for us is to do the thorough review and make sure that we've covered all the bases, and that the decision is the best one for the country."

**Diane
Thompson/DC/USEPA/US**
07/28/2010 12:42 PM

To Richard Windsor
cc Allyn Brooks-LaSure, Elle Beard, Michelle DePass, John
Neville, Dennis McLerran
bcc
Subject need a couple of minutes with you before you are wheels up

Administrator --
One question on Michigan
heads up on response to endangerment petitions.
dt

Diane E. Thompson
Chief of Staff
U. S. Environmental Protection Agency
202-564-6999

Diane
Thompson/DC/USEPA/US
03/18/2011 05:00 PM

To Richard Windsor, Bob Perciasepe
cc
bcc
Subject Fw: Google Alert - lisa jackson, epa

FYI on Gregoire's statement

Diane E. Thompson
Chief of Staff
U. S. Environmental Protection Agency
202-564-6999

----- Forwarded by Diane Thompson/DC/USEPA/US on 03/18/2011 04:59 PM -----

From: Google Alerts <googlealerts-noreply@google.com>
To: Diane Thompson/DC/USEPA/US@EPA
Date: 03/18/2011 01:14 PM
Subject: Google Alert - lisa jackson, epa

News

2 new results for **lisa jackson, epa**

[First health protections against coal plants' toxic air unveiled](#)

Mother Nature Network

By EarthjusticeFri, Mar 18 2011 at 12:50 PM EST Comments PROTECTING KIDS: Administrator of the **EPA Lisa Jackson** visits an elementary school. (Photo: Barrett Web Coordinator/Flickr) This opinion piece was written for Earthjustice and is reprinted here ...
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[Mother Nature Network](#)

[Gov. Gregoire's statement on EPA rule proposal](#)

Access Washington

Chris Gregoire today issued the following statement in response to **EPA Administrator Lisa Jackson's** proposal of new regulations that would require coal-burning and oil-fired power plants to reduce their emissions of mercury and other hazardous ...
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Tip: Use quotes ("like this") around a set of words in your query to match them exactly. [Learn more.](#)

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Diane
Thompson/DC/USEPA/US
04/22/2010 12:30 PM

To Richard Windsor, Bob Perciasepe
cc Aaron Dickerson, Robert Goulding, Daniel Kanninen
bcc
Subject Fw: REMARKS BY THE VICE PRESIDENT ANNOUNCING
RECOVERY ACT "RETROFIT RAMP-UP" AWARDS ON
EVE OF EARTH DAY

FYI

Diane E. Thompson
Chief of Staff
U. S. Environmental Protection Agency
202-564-6999

----- Forwarded by Diane Thompson/DC/USEPA/US on 04/22/2010 12:30 PM -----

From: Michael Moats/DC/USEPA/US
To: moats.michael@epa.gov
Date: 04/22/2010 10:48 AM
Subject: REMARKS BY THE VICE PRESIDENT ANNOUNCING RECOVERY ACT "RETROFIT RAMP-UP"
AWARDS ON EVE OF EARTH DAY

Vice President Biden's remarks from yesterday.

THE WHITE HOUSE

Office of the Vice President

For Immediate
Release
April 21, 2010

REMARKS BY THE VICE PRESIDENT
ANNOUNCING Recovery Act "Retrofit Ramp-Up" Awards ON EVE OF EARTH
DAY

Eisenhower Executive Office Building
Washington, D.C.

THE VICE PRESIDENT: Secretary Salazar, Carol Browner is here, Secretary Ray Mabus, Ben Cardin -- I miss seeing you guys every day, Ben. Dennis Cardoza, I'm told Emanuel Cleaver is here. I see Marcy is here, Congresswoman Marcy Kaptur. Ed Markey, who has gained his congressional Ph.D. on this issue. I don't know anybody who knows more about it than he does. And we also have the -- Mayor Michael Bell, the mayor of Toledo here,

Mayor Phil Gordon, the Mayor of Phoenix, and Mayor Michael McGinn of Seattle. And you're all welcome. And I'm sure there's other very distinguished guests here as well that I have overlooked and I apologize.

Let me start off by saying, and I mean this sincerely, I was a senator a long time. As a matter of fact, as I left the Senate, as Ben may remember, the Senate historian came in and said -- thinking that he was going to make me feel better -- he pointed out that only 17 senators in American history ever served as long as I did. And I could feel my heart sinking into my stomach. I said, "If my father were here, he'd define that as a misspent adulthood." (Laughter.)

But all kidding aside, I have been around awhile. I served a long time with Gaylord Nelson, who -- he and his wife, Carrie, were great friends. They were real pioneers back in those early days when I got there, talked about the environment.

I was put on the Public Works Committee when I first got there. And the first -- the first recommendation I made is we change the name, the Environment and Public Works Committee. And Mayor Jennings Randolph, or Jennings as he liked to be called, told me that if I made that recommendation again, I was off the committee. (Laughter.) You think I'm joking, I'm not. There's a lot that's changed, a lot that's changed.

And I expected when I took this job I'd have some real opportunities to impact on the formation of policy. But one of the things I didn't expect, I didn't expect to have the opportunity to work with such a tutor. And I'm not being solicitous. To have an opportunity to work with the Secretary of Energy on something that I cared a great deal about when I was a senator, to have a man of Secretary Chu's caliber and his depth of his knowledge and his commitment has genuinely been sort of an ongoing tutorial for me. And I want to publicly thank you, Mr. Secretary. (Applause.)

And as that old joke goes, the Secretary has forgotten more about this subject than I'm ever going to know. But I am as passionately committed to this transition he refers to as I think anyone, as is the President. I hadn't planned on doing what I'm about to do today, but today's announcement by General Motors that it's paid back -- it's paid back its TARP loan in full -- in full is a huge accomplishment.

The President of the United States took a lot of heat for that effort, to keep that company alive while it was transitioning. And I would just like to point out that I am proud to be associated with the guy who saw the necessity to do

this. And this has even exceeded our expectations. We've worked hard to help turn around the nation's auto industry and give the car companies a chance to be viable without government assistance. And we helped GM -- we helped out GM so that they could retool, so that they could become a leader in the 21st century.

And we know that building energy-efficient cars with better gas mileage and cleaner emissions is going to be a big part of us being able to succeed, not only the auto industry, but also succeed in our quest for a better environment. Today, GM paid back the loan in full five years ahead of schedule. And now GM is in a better position to make them -- make what the market demands, energy-efficient vehicles for a cleaner world. And that leads me to Earth Day, the reason why we're here today.

I also want to point out -- I want to thank, by the way, Lisa Jackson, our EPA administrator. She couldn't be here today, but we all appreciate the tremendous work that she's doing having once again -- we now have again an Environmental Protection Agency again. (Applause.)

And a happy almost Earth Day to all of you. I say that because tomorrow is actually the day that officially marks the occasion. But the truth is we're here kicking off an entire earth week. And I hope our administration has kicked off an entire earth administration. Over the next few days, officials from across our administration will participate in more than a dozen events to celebrate Earth Day. We're getting everyone in the administration involved. And today, the day before Earth Day, we kick off a week for an administration that for -- literally for every day it's Earth Day for us. Because this implicates every aspect of our country's self-interest, from foreign policy to economic policy to environmental policy to health care policy. This impacts on every aspect -- every aspect of what kind of country we're going to leave our kids.

And 40 years ago, when Gaylord conceived and celebrated the first Earth Day, the world looked pretty different. Some of us can remember the public health and environmental catastrophes that propelled Earth Day, the Earth Day movement in the first place, the Cuyahoga River literally catching on fire from all the oil and dumped trash that was in it. Days of heavy smog in New York City so thick that people actually were dying from being unable to breathe the air. The list goes on and on and on. Our planet was sick. It's not healthy yet. But our planet was sick and in need of desperate help. It's still in need of real help.

Because of Gaylord Nelson, and millions of Americans like

some of you that are here today who joined him, we begin to make things a little bit better. Forty years later, the first Earth Day -- from the first Earth Day, the people of the first Earth Day celebration would look around and look out at all of you and they'd be very proud of what all of you have done. They'd see recycling bins in your houses. They'd see business spending money to make their facilities more energy efficient. They'd see men and women heading to work to build and install wind turbines and solar panels and other components for the new energy future. They'd see an administration building on his legacy, Gaylord's legacy, protecting and restoring the Great Lakes, the Chesapeake Bay, the Gulf Coast; designating millions of acres of wilderness; saving 1.8 billion barrels of oil by reducing Greenhouse gases by raising fuel efficiency and emissions standards on cars and trucks, pulling us on the right track and by doubling the renewal energy that will be generated in this country.

Since the beginning of the environmental movement, we've been trying to transform the way we use energy and reduce our dependence on foreign oil and fossil fuels to tap into the vast, untapped, renewable energy sources and to use energy more efficiently. The fact is we've been trying for 40 years, and we've made some progress. But we're now poised to make significantly greater strides, in our view, than ever because of the unprecedented investment in the Recovery Act and the leadership of the President and the Secretary of Energy.

Even before we took office, the President and myself and our economic team planned to use parts of what we knew had to be -- we didn't name it the Recovery Act then, but we knew we were going to have to have a Recovery Act. There were significant parts of that Recovery Act to make investments that would create good jobs today, but while planting the seeds for great industries of tomorrow with clean energy being at the forefront and the heart of all of it.

The world already is transforming, as the Secretary said, to a new energy economy. And the question is, are we going to lead it or are we going to continue to try to catch up? We are going to be left behind. We need to catch up. With around \$80 billion in clean energy investments, the Recovery Act is the largest single investment in clean energy in our history. If you just took that piece out of the Recovery Act and passed it as a stand-alone bill, it's the largest investment ever made in the history of the country in clean energy.

But we're not just doing this with government funds. We're using government to provide the seed money to grow private industries. And some of the initiatives that you mayors have going with the private sector in your communities is a model for

what we should be doing. Twenty-three billion dollars in renewable energy generation and advanced energy manufacturing, which will likely leverage more than \$43 billion in additional investment; \$2.4 billion in battery technology, matched by another \$2.4 billion in private capital to help build energy-efficient cars of the future.

In January of '09, there were two advanced battery factories in America. By 2015, there will be 30. The smart grid, \$3.4 billion in government investment led to \$4.7 billion in private investment to help get us to a stronger, more efficient, more reliable energy grid; \$2.3 billion, which is likely to leverage \$5.4 billion in private capital to put us back on track to double our capacity to manufacture the components of a new, green economy in America from wind turbines to solar panels to create energy that's renewable. Renewable resources to batteries and smart grid systems to store that -- and transmit that energy, to technologies like advanced lighting that help conserve energy.

We're going to start making that stuff here in America with American workers. We're going to be coming up to you guys in the House and the Senate and asking for 48C to be bumped up to \$5 billion so we could be making this stuff in America.

And today, we're announcing another important Recovery Act program, the "Retrofit Ramp-Up." Now, I wonder what sometimes our constituents think when we come up with these names. (Laughter.) The "Retrofit Ramp-Up." We all in this room know what it is. We may be the only ones who know exactly what it means. (Laughter.) But it's a kind of a buzz word, retrofits. But what we're really talking about here is simple. It's about making our homes and our office buildings more efficient and more comfortable and more affordable, replacing windows and doors. I have visited, along with some of the people in the front row, new window and door factories making incredibly -- incredibly energy-efficient windows and doors, which can save billions of dollars over time. Putting in new air conditioning or heating units that are much more efficient. Sealing up cracks and openings where air can leak into and out of your home. That's retrofitting -- small stuff, but big, big, big savings.

In fact, retrofitting existing homes has the potential to cut more than \$21 billion a year annually in our energy cost. There are more than 100 million homes in America. In the last year, only 40,000 took advantage of the energy-saving retrofits. It's not that homeowners don't want to lower their energy bills; it's just that they found that the process was too difficult, from accessing energy audits to finding skilled retrofit workers to simply being able to afford it.

Now, last fall the Middle Class Task Force, which the President asked me to chair, and the Council on Environmental Equality released a report that called the recovery retrofit -- explaining how we're working to overcome the challenges that got in the way of homeowners taking advantage of this. And these grants that we're announcing today are grants to 25 communities nationwide, and are a major step in the direction of making this much easier to do, much more efficient, and much more likely to happen.

This program is all about developing innovative models that can be expanded throughout the country. And there are a couple that are particularly important things about these grants that we should mention. First, these grants are focused on encouraging entire neighborhoods, entire neighborhoods to take advantage of the retrofits all at the same time. Right now, most retrofit work programs are on a house by house basis. The construction crew may come into a neighborhood, upgrade one home one week, and then they have to come back to work in a neighborhood home a few weeks later, maybe the same neighborhood.

Well, the Retrofit* Ramp-up* award winners are taking a different approach. Now, that -- the same construction crew would upgrade all the homes on the same block at the same time. That saves contractors time and money. They can pass the savings on to their customers. And it's just a much more efficient way to operate. And these communities aren't just relying on these grants. They'll use this as seed money to leverage an additional \$2.8 billion over the next three years. That's a total of five dollars for every dollar -- every dollar of grant money. And they're doing this by building partnerships between local governments, utility companies, financial institutions, and nonprofits. Whole communities are coming together to get this going, and when we look around you'll see it. And you'll see more and more of it as the months go on.

I know there are some people from the Philadelphia mayor's office that are here today. This has been one of Mayor Nutter's hobby horses. Well, their city has a plan to work with private lenders to connect homeowners to easy access, affordable loans to pay for retrofit work. The Mayor of Toledo, Mike Bell, is here. Toledo's program will provide career training, job placement, and mentoring for people actually going to be doing this work. The Mayor of Phoenix, Phil Gordon, is here. Just about -- just talk about partnerships, his city is partnering with Arizona State University Community Colleges, local utility companies, and five local banks to carry out a comprehensive retrofit program focusing on buildings surrounding Phoenix's new light rail line.

Investing in retrofits is a triple win. It's a win for consumers who save money on their energy bill. It's a win for the environment because we're using less energy, which cuts down on harmful emissions from greenhouse gases. And, finally, it's a win for the American economy, because it creates green jobs, jobs that can't be outsourced.

Now, with so many worthy applications, not everyone got funds today. But the Department of Energy is still working to find more opportunities to get cities to get involved in programs like this. But it's not just cities. We also want to encourage millions of Americans across the country to retrofit their homes. That's why the President has made it a priority to pass legislation creating a new energy-efficient rebate program that we call "Homestar."

And, by the way, I was home the last two weekends going to Home Depot both times, one, to buy a 30-inch hedge clipper, because my wife was very dissatisfied with our hedges. (Laughter.) You all think I'm kidding. (Laughter.) I am not kidding. (Laughter.) Anyway -- anyway, and the other one was to take my almost four-year-old grandson, Hunter, who said, "Pop, I don't got a tape measurer." So he had to get a tape measurer. He's stolen four of mine. He can't find them. But we went to get another tape measurer. (Laughter.) But all kidding aside, they asked about the program, the guys working the aisles, the women working the aisles, they asked about the program.

Under this program homeowners will be eligible for rebates worth up to \$1,005 for simple home upgrades like replacing an old water heater, putting in those new windows that I talked about. If you decide to do a comprehensive retrofit of your whole house, you'd be eligible for a rebate up to \$3,000. Homeowners won't have to fill out forms, send it in the mail, and wait for the check to arrive. They'll get rebates up front from the hardware store or the contractor.

The Homestar rebate program is going to create tens of thousands of jobs in industries like construction, manufacturing, and I might add, sales. These people, there are going to be people in Home Depot and -- I shouldn't just be talking about Home Depot -- but, you know, a lot of other places. (Laughter.) Lowes, that's the other one in my neighborhood. (Laughter.)

Anyway -- (laughter) -- they're jobs, and people need jobs -- jobs in manufacturing, in all those areas where people have suffered very badly because of this recession.

At the same time, we're going to reduce our energy consumption, and families are going to save hundreds of dollars

on the utility bills. And that makes a big difference.

You know, in the -- it's a commonsense idea that has bipartisan support. So we're calling on Congress to get this bill on the President's desk as soon as possible. But of course to really get this right, to really free ourselves from the grip of foreign oil, to really preserve our planet for generations to come, we need a comprehensive energy climate bill. That's something that Chairman Markey has been working on and my good friend, John Kerry, along with Lindsay Graham and others in the Senate side. I am hopeful, I am hopeful.

We're grateful to the House for passing the bill last year. And I want to thank all the House members because that was not an easy vote at the time to take. But you were dead right. The bill was a good, solid bill. You passed a bill and we continue working with both Democrats and Republicans to get it passed through the Senate.

You know, it's a political cliché to say we're trying to change the world. But, you know, it's most -- in it's most literal sense, that's what we're trying to begin to do here today. We've got to change the world.

Does anybody think we can lead the world in the 21st century with the energy policy we've had in the last century? Does anybody think we can leave a planet to my grandchildren and their grandchildren that is sustainable without a fundamental change in the way we do business?

But this is a case where, as the Secretary pointed out, not just for the United States but for the world, this can become a win-win situation. You know, it used to be when the construction trades and the building trades would support us, when we'd say, "green" that meant, oh, god, the snail darter, we're not going to have a building, we're not going to build a dam, we're not going to -- people are beginning to understand green means a cleaner economy, and green means jobs, green. Green means economic advancement across the board.

You know, making the world itself better, the air we breathe, the water we drink, the mountains our children will climb, the lakes they'll swim in, that's why Gaylord Nelson started Earth Day 40 years ago, and that's why you're all here today.

And I want to thank you all for helping us literally change the world. So thank you all folks. And may God bless you all and may God bless protect our troops. Keep it up. Thank you. (Applause.)

END

**Diane
Thompson/DC/USEPA/US**
04/19/2011 04:27 PM

To Richard Windsor, Bob Perciasepe
cc Scott Fulton
bcc
Subject Fw: Courtesy Notice

Just FYI -- the 2 of you are on travel so Scott and I will hold down the fort, as it were.

Diane E. Thompson
Chief of Staff
U. S. Environmental Protection Agency
202-564-6999

----- Forwarded by Diane Thompson/DC/USEPA/US on 04/19/2011 04:24 PM -----

From: EPA Security Updates
To: All HQ
Date: 04/19/2011 04:23 PM
Subject: Courtesy Notice

The Department of Interior experienced a disruption yesterday by a group whose issues include the Gulf oil spill and drilling, mountaintop mining, and climate change. Given EPA's mission, this is a courtesy notification that tomorrow, April 20th, security guards may be checking identification badges outside of building entrances. The Security Management Division may take additional security precautions to ensure the appropriate protection of EPA personnel and facilities.

If you have questions, contact Security Operations Branch Chief Diane Dixon at Dixon.Diane@epa.gov or (202) 564-2154.

Diane
Thompson/DC/USEPA/US
08/05/2009 08:04 AM

To Richard Windsor
cc Eric Wachter
bcc
Subject headlines on EIA rept

today's headlines on eia report below. I know david is getting you one pager. let me know if you can access these or need us to paste articles into an email. DT

U.S. climate bill costs low for households: EIA (Reuters) This story also appeared: *Washington Post*

U.S. consumers spared big costs in climate bill (Reuters) This story also appeared: *Washington Post*

Report: Early costs of climate bill will be modest (Associated Press) This story also appeared: *Washington Post*

House bill will spur 20% electricity-price hike by 2030 -- EIA (*Greeniwre*)

Diane E. Thompson
Chief of Staff
U. S. Environmental Protection Agency
202-564-6999

**Diane
Thompson/DC/USEPA/US**
09/08/2009 01:30 PM

To Seth Oster, Richard Windsor, Bob Sussman, Peter Silva,
Arvin Ganesan, David McIntosh
cc Adora Andy
bcc
Subject Re: Mountain Mining Announcement -- News Is Out

Not really anything new here. Everyone knew the announcement was supposed to be today...
Seth Oster

----- Original Message -----

From: Seth Oster
Sent: 09/08/2009 01:24 PM EDT
To: Richard Windsor; Diane Thompson; Bob Sussman; Peter Silva; Arvin Ganesan; David McIntosh
Cc: Adora Andy
Subject: Mountain Mining Announcement -- News Is Out

The news of the upcoming mountain mining announcement has leaked out. Below is a press advisory from Appalachian Voices. We are now receiving many calls.

For the moment -- pending our meeting today at 4 pm -- we are going say, "As has been publicly stated, EPA plans to announce a decision on a number of outstanding mountain mining permits. That announcement has not yet been made, but expects it will take place in the coming days."

Seth

Press Advisory

EPA To Announce Decisions on 86 Mountaintop Removal Mining Valley Fill Permits

Today the US Environmental Protection Agency will announce preliminary decisions on more than 80 valley fill permits associated with mountaintop removal coal mining. During the announcement, the agency will differentiate between permit applications they have determined deserve extended consideration over environmental concerns, and which permit applications may proceed directly to the Army Corps of Engineers for implementation.

The lists of permits slated for the extended review and "enhanced coordination process" will be made public on the websites of EPA Regions 3, 4, and 5, and will become final with approval of the EPA regional offices within 14 days of this announcement. Any permits allowed to proceed past this preliminary review to the Army Corps will mean more headwater streams buried and more Appalachian mountains literally blasted off the map.

In response, Appalachian Voices has created an "EPA Shortlist" section on iLoveMountains.org,

which includes an interactive map and more information to help citizens and the media track the real-time progress of these permits and identify communities and people at risk should these permits be allowed to move ahead. Preview the map at www.ilovemountains.org/epa-short-list/

Early in the Obama Administration, the EPA announced implementation of a stricter review process for mountaintop removal coal mining permits, a move that left coalfield communities hopeful that this would be the beginning of the end for this destructive practice. Today's announcement will reveal if President Obama's EPA is serious about stopping the damage that mountaintop removal wreaks on the mountains, water and communities of Appalachia.

A press release and photographs and b-roll footage of mountaintop removal coal mining will be available, as well as interviews with impacted residents and experts on the environmental impacts of mountaintop removal mining.

For more information, please contact:

Dr. Matthew Wasson, Director of Programs, Appalachian Voices... 828-262-1500

Stephanie Pistello, National Field Coordinator, Appalachian Voices... 917-664-5511

Appalachian Voices

*Bringing People Together To Protect the Land, Air, Water
and Communities of the Central and Southern Appalachians*

Seth Oster
Associate Administrator
Office of Public Affairs
Environmental Protection Agency
(202) 564-1918
oster.seth@epa.gov

Diane
Thompson/DC/USEPA/US
10/16/2009 04:40 PM

To "Richard Windsor"
cc
bcc

Subject Fw: The Administrator Asked About This Issue

Gregory Peck

----- Original Message -----

From: Gregory Peck
Sent: 10/16/2009 02:37 PM EDT
To: Bob Sussman; Arvin Ganesan; Diane Thompson
Subject: The Administrator Asked About This Issue

OSMRE update: Senate has hold on Pizarchik

by Ken Ward Jr.

My sources in Washington are confirming this morning that at least one member of the Senate has a hold on President Obama's nomination of Joe Pizarchik to be director of the Interior Department's Office of Surface Mining Reclamation and Enforcement.

It's not clear which Senator has done so, or exactly what the concerns are. Last week, the Senate Committee on Energy and Natural Resources [approved Pizarchik](#) for the full Senate for a vote. But two committee members — Democrat Robert Menendez and Independent Bernard Sanders of Vermont — voted against Pizarchik. Coalfield citizen groups have raised a variety of concerns about Pizarchik and have discussed them in previous posts [here](#), [here](#), [here](#), [here](#) and [here](#).

Updated:

Kendra Barkoff, press secretary for Interior Secretary Ken Salazar, just issued this statement:

Secretary Salazar believes Joe Pizarchik is the right man at the right time to be the Director of the Office of Surface Mining Reclamation and Enforcement. His expertise proves that he will help move the department forward with coal production in an environmentally responsible way and address the concerns that any Senator might have regarding Joe's qualifications for the office.

Gregory E. Peck
Chief of Staff
Office of Water
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

202-564-5778

Dru Ealons/DC/USEPA/US

06/20/2011 12:09 AM

To Brendan Gilfillan, Richard Windsor, Bob Perciasepe, Diane Thompson, Seth Oster, Adora Andy, Betsaida Alcantara, David McIntosh, Arvin Ganesan, Laura Vaught, Bob Sussman, "owens stephanie", "ealons dru", Joseph Goffman, Gina McCarthy

cc "Dru Ealons", "Stephanie Owens"

bcc

Subject WSJ: APHA's Letter to the Editor on Mercury and Air Toxics Standards

Sunday was a busy day for Mercury and Air Toxics Standards. Below is published the letter to the editor Dr. Georges Benjamin from APHA wrote to the WSJ to speak to the public health perspective on the standard. This was directly in response to what the WSJ wrote in its article "The EPA's War on Jobs".

Dru

Hey Dru -- WSJ posted Dr. Benjamin's LTE -- here it is!

Don

Burning Coal Emits Dangerous Pollutants

Your June 13 editorial "The EPA's War on Jobs" <<http://email.apha.org/exchweb/bin/redir.asp?URL=http://online.wsj.com/article/SB10001424052748703818204576206662079202844.html?mod=article-outset-box>> claims that the EPA's proposed rule to reduce the level of toxic emissions from coal-fired power plants is a "destructive weapon." You disregard the serious, documented, long- and short-term health effects of exposure to mercury, particulate matter and other air pollutants emitted by burning coal.

EPA's proposed rule is a welcome step in safeguarding the public's health from these dangerous air pollutants that can worsen asthma and other respiratory diseases; cause heart attacks, cancers and stroke; and exact an enormous economic toll in terms of health-related costs and lost productivity. The EPA should be congratulated for following the clear evidence in cleaning up these toxins from the air we breathe and protecting the health of the American people. After all, unhealthy people cannot work.

Georges Benjamin, M.D.

Executive Director

American Public Health Association

Washington

Dru Ealons, Director

Office of Public Engagement

202.573.3063

Brendan Gilfillan

----- Original Message -----

From: Brendan Gilfillan

Sent: 06/19/2011 09:36 PM EDT

To: Richard Windsor; Bob Perciasepe; Diane Thompson; Seth Oster; Adora Andy; Betsaida Alcantara; David McIntosh; Arvin Ganesan; Laura Vaught; Bob Sussman; owens.stephanie@epa.gov; ealons.dru@epa.gov; Joseph Goffman; Gina McCarthy

Subject: NYT Editorial: A.E.P. Protests Too Much

A.E.P. Protests Too Much

NY Times editorial

American Electric Power, one of the nation's largest utilities, warned last week that new air quality rules could force it to "prematurely" shut down about two dozen big coal-fired units and fire hundreds of workers. This is a deceptive and particularly cynical claim. The utility is making a business decision that has little to do with the rules.

Here is what A.E.P. is not saying: These units are, on average, 55 years old. Some are running at only 5 percent of capacity. Many had long been slated for retirement, in part to comply with a 2007 settlement with the George W. Bush administration in which the company agreed to settle violations of the Clean Air Act by spending \$4.7 billion to retire or retrofit aging units.

Blaming the rules is a transparent scare tactic designed to weaken the administration's resolve while playing to industry supporters on Capitol Hill. Fortunately, Lisa Jackson, head of the Environmental Protection Agency, which proposed the rules, refuses to be bullied.

Ms. Jackson called the A.E.P. charges "misleading at best" and made clear she would not retreat from her statutory duty to protect public health. She said she would stick to her timetable and make the rules final this year. We hope that the White House is equally determined.

Two rules are at issue. One, proposed last year, would require utilities to sharply reduce emissions of already-regulated soot and smog-forming pollutants like sulfur dioxide. The other, for the first time, would mandate reductions in toxic pollutants like mercury. Coal-fired plants, which generate the vast bulk of A.E.P.'s power, are by far the biggest producers of all these pollutants. Companies will have to begin complying with the soot and smog rules next year and the air toxics rule by 2015.

A.E.P. says this timeline is "unrealistic" and asks for a delay of up to five years; otherwise, it says, it will have to shut down one-fourth of its coal-fired capacity and lay off up to 600 workers. Yet in a June 1 meeting with investors, Michael Morris, the utility's chairman, who last week warned about the impact of the proposed regulations on "our customers and local economies," told investors that the closings were "the appropriate way to go" for customers and shareholders.

As for the utility's claims of undue haste, they don't stand up to even minimal review. Both rules have been in the works since the Clinton administration, and companies that have made their plants more efficient or invested in cleaner-burning fuels or up-to-date pollution control technologies are by now well prepared to deal with them.

A.E.P., by contrast, has always seemed much more interested in fighting the Clean Air Act than in finding sensible ways to meet its requirements. It fought the statute after it passed in 1970 and resisted efforts to strengthen the law under President George H. W. Bush. Even now it is shopping a bill around Capitol Hill that would block or delay the proposed new standards.

The bill does not so far have a sponsor, though it will likely have plenty of sympathizers among Republicans and some Rust Belt Democrats. It does not reflect the interests or wishes of the vast majority of Americans, for whom cleaner air is rightly a higher priority than any company's bottom line.

Dru Ealons/DC/USEPA/US

06/21/2011 02:22 PM

To: Brendan Gilfillan, Richard Windsor, Bob Perciasepe, Diane Thompson, "Seth Oster", Adora Andy, Betsaida Alcantara, Stephanie Owens, David McIntosh, Arvin Ganesan, Laura Vaught, Gina McCarthy, Janet McCabe, Joseph Goffman

cc

bcc

Subject: Environment America's statement on comment period extension

For Immediate Release: For more information:
June 21, 2011 Nathan Willcox,
nathan@environmentamerica.org, (202) 683-1250

Polluters Get Their Wish as EPA Delays Deadline for Public Comments on Mercury Rule

Washington, DC-The U.S. Environmental Protection Agency announced today that it will delay the comment period deadline for its proposed Mercury and Air Toxics Standard for Power Plants by 30 days.

Nathan Willcox, Federal Global Warming Program Director for Environment America, issued the following statement:

"The American people have waited for more than two decades for EPA to update clean air standards to require polluters to clean up mercury, arsenic, and other toxic air pollution from power plants. Now it's time for the coal industry to stop poisoning our kids and clean up the hundreds of thousands of pounds of toxic pollution coal-fired power plants spew into our air every year.

Coal-fired power plants are the single largest source of mercury air pollution in the United States. This mercury ends up in our bodies and puts our children at risk of learning disabilities, developmental disorders, and even lower IQs. Now one in 10 American women of childbearing age has enough mercury in her body to put any child she has at risk of these health threats.

More than 400,000 Americans have said that they want EPA to move forward with the strongest possible standard to cut mercury and other toxic air pollution from power plants, and just this morning 104 members of Congress sent a letter to EPA in support of this standard.

Now that EPA has finally proposed a strong rule-which it estimates would cut mercury and other toxic air pollution by 91 percent, save up to 17,000 lives a year, and prevent 120,000 asthma attacks annually-big polluters like American Electric Power continue to fight tooth and nail to punt new limits on toxic air pollution further down the line.

After decades of delay, we're disappointed that coal companies got their wish by delaying the close of the comment period. EPA must staunch the flood of toxic air pollution and meet its November 16, 2011 deadline for issuing a strong final standard, or every day of delay will mean more deaths and more children at risk."

###

Environment America is a federation of 29 statewide, citizen-based

environmental advocacy organizations working toward a cleaner, greener, healthier future. Find out more at www.EnvironmentAmerica.org

Dru Ealons, Director
Office of Public Engagement
202.573.3063
Brendan Gilfillan

----- Original Message -----

From: Brendan Gilfillan

Sent: 06/21/2011 02:02 PM EDT

To: Richard Windsor; Bob Perciasepe; Diane Thompson; Seth Oster <oster.seth@epa.gov>; Adora Andy; Betsaida Alcantara; Stephanie Owens; Dru Ealons; David McIntosh; Arvin Ganesan; Laura Vaught; Gina McCarthy; Janet McCabe; Joseph Goffman

Subject: ALA statement on comment period extension

FOR IMMEDIATE RELEASE:

Contact: Mary Havell

June 21, 2011
202-715-3459

mhavell@lungusa.org

American Lung Association Calls for EPA to Complete Mercury and Air Toxics Rule on Time, Criticizes Comment Extension

Washington, D.C. (June 21, 2011) — Charles D. Connor, American Lung Association President and CEO, issued the following statement in response to the U.S. Environmental Protection Agency's (EPA) announcement to extend the public comment period on its proposed Mercury and Air Toxics Rule:

"The American Lung Association is deeply troubled by the announcement today by the U.S. Environmental Protection Agency to extend the comment period for the Power Plant Mercury and Air Toxics standards. The cleanup of toxic air pollution from power plants is 20 years overdue. I stood with EPA Administrator Lisa P. Jackson in support of these lifesaving standards when this proposal was announced on March 16, 2011. It is most distressing to see EPA accede to pleas from industry lawyers, lobbyists and their allies in Congress calling for additional time, on top of the 111 days already provided, to review and comment on the proposal.

"Last month, I [wrote](#) to Administrator Jackson urging her to complete action on this rule by the deadline of November 16, 2011. I am reassured today by [Administrator Jackson's renewed commitment](#) to this deadline. This deadline is vital because the Mercury and Air Toxics Rule, when fully implemented, will prevent an estimated 120,000 asthma attacks and 17,000 premature deaths each year."

Dru Ealons/DC/USEPA/US
12/12/2011 03:22 PM

To Richard Windsor
cc Alisha Johnson, Andra Belknap, Betsaida Alcantara, Brendan Gilfillan, Heidi Ellis, Michael Moats, Stephanie Owens
bcc
Subject Re: Fwd:NFL Legend Jerome Bettis, Sue Tierney to Discuss Need

Let's see if we can make it happen...

Dru

Dru Ealons
Director
Office of Public Engagement
Office of the Administrator
US Environmental Protection Agency
202.564.7818 (direct)
202.573.3063 (cell)
ealons.dru@epa.gov



Healthier Families, Cleaner Communities, A Stronger America
<http://www.epa.gov/40th>

Richard Windsor V cool. The BUS ! Would love to met... 12/12/2011 03:04:16 PM

From: Richard Windsor/DC/USEPA/US
To: Betsaida Alcantara/DC/USEPA/US@EPA, Brendan Gilfillan/DC/USEPA/US@EPA, Michael Moats/DC/USEPA/US@EPA, Dru Ealons/DC/USEPA/US@EPA, Stephanie Owens/DC/USEPA/US@EPA, Heidi Ellis/DC/USEPA/US@EPA, Alisha Johnson/DC/USEPA/US@EPA, Andra Belknap/DC/USEPA/US@EPA
Date: 12/12/2011 03:04 PM
Subject: Re: Fwd:NFL Legend Jerome Bettis, Sue Tierney to Discuss Need

V cool. The BUS ! Would love to met him!

Betsaida Alcantara

----- Original Message -----

From: Betsaida Alcantara
Sent: 12/12/2011 02:54 PM EST
To: Richard Windsor; Brendan Gilfillan; Michael Moats; Dru Ealons; Stephanie Owens; Heidi Ellis; Alisha Johnson; Andra Belknap
Subject: Fw: Fwd:NFL Legend Jerome Bettis, Sue Tierney to Discuss Need
nice

----- Original Message -----

From: Emma Post <epost@sloanep.com>
To: epost@sloanep.com
At: 12/12 14:07:55

MEDIA ADVISORY

NFL Legend Jerome Bettis, Clean Air Council and Former Assistant Energy Secretary Sue Tierney to Discuss Need for Timely Implementation of EPA's Utility MACT Rule

WHO: Jerome "The Bus" Bettis, Former NFL All-Pro Player, Asthma Sufferer and Activist

Katie Feeney, Policy Analyst, Clean Air Council

Dr. Sue Tierney, Managing Principal, Analysis Group and former Assistant Secretary for Policy at the U.S. Department of Energy

WHAT: Bettis, Feeney and Tierney will discuss the need for timely implementation of the Utility MACT Rule, and the life-saving effects the rule will have - especially for those who suffer from asthma and other respiratory diseases by reducing hazardous emissions from power plants.

WHY: EPA is expected to sign the final Utility MACT rule on December 16th. The rule has faced criticism from some in the utility industry and Republican members of Congress. Bettis and Feeney are in Washington, D.C. to educate Members about the staggering health benefits that will come from the rule, including the prevention of 17,000 premature deaths and 120,000 cases of aggravated asthma annually, according to EPA. Dr. Tierney will speak to how the utility industry can comply with the rule.

WHERE: Cannon House Office Building, Room 122

WHEN: Thursday, December 15, 2011
1 PM EST

RSVP: Please confirm attendance

Emma Post, 212 446 1878

About Jerome Bettis

The former Pittsburgh Steelers Running Back is one of the greatest running backs in the NFL history (5th overall in rushing). Diagnosed with asthma at age 14, Bettis is a tireless advocate for asthma awareness. Bettis also established "The Bus Stops Here Foundation" in 1996 to help improve the quality of life for disadvantaged and underprivileged children. In 2001, Jerome Bettis was the recipient of the Walter Payton Man of the Year Award.

About Clean Air Council

Clean Air Council is a member-supported, non-profit environmental organization dedicated to protecting everyone's right to breathe clean air. The Council works through public education, community advocacy, and government oversight to ensure enforcement of environmental laws.

#

Emma Post

Sloane & Company

P: 212-446-1878

E: EPost@SloanePR.com<mailto:EPost@SloanePR.com>[attachment "alt_body.html"]

deleted by Betsaida Alcantara/DC/USEPA/US]

**Elizabeth
Ashwell/DC/USEPA/US**
12/30/2011 12:06 PM

To
cc
bcc
Subject HLD -Short-Lived Climate Forcers Launch Event w/ Secretary Clinton

Meeting

Date 02/16/2012
Time 10:30:00 AM to 12:30:00 PM
Chair Elizabeth Ashwell
Invitees
Required
Optional
FYI
Location Treaty Room, State Dept
Ct: Maurice N. LeFranc, Jr., Senior Advisor on International Climate Change (OAR) 564-1813

**Elizabeth
Ashwell/DC/USEPA/US**
02/15/2012 12:24 PM

To
cc
bcc
Subject HOLD: Climate Solutions

Meeting

Date 06/08/2012
Time 05:00:00 AM to 08:00:00 PM
Chair Elizabeth Ashwell
Invitees
Required
Optional
FYI
Location Seattle, WA
Ct: Stephanie Owens 564.6879

**Elizabeth
Ashwell/DC/USEPA/US**
11/18/2011 02:52 PM

To
cc
bcc

Subject Meeting with Local Elected Officials

Meeting

Date 11/30/2011
Time 02:15:00 PM to 03:00:00 PM
Chair Elizabeth Ashwell
Invitees
Required
Optional
FYI
Location Bullet Room
Ct: Sarah Pallone 202-564-7178

Topic: Utility MACT

Attendees:

- Eula McNeill, Mayor Pro Tem, Red Springs, NC
- Clarence Ramsey, Council Member, Monroeville, PA
- William Callaham, Council Member, East Landsdown, PA
- Sharon Steel, Vice Mayor, St. Paul, VA
- Pam Snyder, Commissioner, Greene County, PA
- Scott Finney, Trustee, Sleepy Hollow, IL
- Pete Hennard, Commissioner, Ogemaw County, MI
- Mark Sweeney, Commissioner, Anaconda-Deer Lode County, MT
- Katrina Ross, Commissioner, Mint Hill, NC
- Tom Roberts, Council Member, St. Peters, MO
- David Agnew, White House Intergovernmental Affairs

Staff:

Sarah Pallone (OCIR)
Gina McCarthy, Janet McCabe (OAR)
Laura Vaught (OCIR)
David Agnew (WH Leg)

Optional:

Janet Woodka (OA)
Stephanie Owens (OEAE)

**Elizabeth
Ashwell/DC/USEPA/US**
01/18/2012 05:43 PM

To
cc
bcc

Subject Short-lived Climate Forcers Launch with Secretary Clinton

Meeting

Date 02/16/2012
Time 09:30:00 AM to 10:15:00 AM
Chair Elizabeth Ashwell

Invitees
Required
Optional

FYI

Location Benjamin Franklin Room
U. S. Department of State

State Ct: Jeff Miotke - 202-294-2545
EPA Ct: Maurice LeFranc - 202-564-1813
Adv. Ct: Jeff Tate - 202-564-8902

Press: Open

Run of Show/Participants:

- Special Envoy Todd Stern welcomes everyone
- The Administrator gives remarks
- Minister Hasan Mahmud, Bangladesh, gives remarks
- Minister Peter Kent, Canada, gives remarks
- Ambassador Agyekum , Ghana, gives remarks
- Minister Juan Elvira, Mexico, gives remarks
- Minister Lena Ek, Sweden, gives remarks
- Dr. Achim Steiner, UNEP, gives remarks
- Secretary Clinton gives closing remarks (5-7 minutes in length) from the podium and the program concludes

Attendees: Invited guests, 200-300 people

lisa.jackson@dep.state.nj.us
Sent by:
emailthis@ms3.lga2.nytimes.com

To Richard Windsor
cc
bcc

07/13/2009 06:00 AM

Subject NYTimes.com: Disillusioned Environmentalists Turn on Obama as Compromiser

Please respond to
lisa.jackson@dep.state.nj.us

This page was sent to you by: lisa.jackson@dep.state.nj.us

US | July 11, 2009

[Disillusioned Environmentalists Turn on Obama as Compromiser](#)

By LESLIE KAUFMAN

Compromises made to win passage of a climate-change bill have infuriated and disappointed environmental activists.

1. [Op-Ed Columnist: She Broke the G.O.P. and Now She Owns It](#)
2. [Collect Now, or Later? Timing Social Security Benefits](#)
3. [Watching Whales Watching Us](#)
4. [The Crab Houses of Maryland's Eastern Shore](#)
5. [Op-Ed Columnist: Clean, Sexy Water](#)

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Advertisement

Adam The story of two strangers, one a little stranger than the other. Starring Hugh Dancy and Rose Byrne. In theaters this summer.
[Click here to view trailer](#)

Richard Windsor/DC/USEPA/US@EPA

To Richard Windsor

cc

Sent by:
emailthis@ms3.lga2.nytimes.com

bcc

Subject NYTimes.com: Navajos Hope to Shift From Coal to Wind and Sun

10/26/2010 08:00 AM

Please respond to Richard Windsor/DC/USEPA/US@EPA
--

This page was sent to you by: windsor.richard@epa.gov

SCIENCE | October 26, 2010

Navajos Hope to Shift From Coal to Wind and Sun

By MIREYA NAVARRO

Health and environmental concerns have become a factor in next Tuesday's Navajo Nation presidential election.

Advertisement

EPA Security Updates

04/19/2011 04:23 PM

To All HQ

cc

bcc

Subject Courtesy Notice

The Department of Interior experienced a disruption yesterday by a group whose issues include the Gulf oil spill and drilling, mountaintop mining, and climate change. Given EPA's mission, this is a courtesy notification that tomorrow, April 20th, security guards may be checking identification badges outside of building entrances. The Security Management Division may take additional security precautions to ensure the appropriate protection of EPA personnel and facilities.

If you have questions, contact Security Operations Branch Chief Diane Dixon at Dixon.Diane@epa.gov or (202) 564-2154.

Eric Wachter/DC/USEPA/US

06/10/2009 11:59 AM

To Richard Windsor

cc

bcc

Subject Fw: CLIMATE: Vilsack reverses, vows cooperation with EPA on offsets (06/05/2009)

Message Information

Date 06/07/2009 07:21 PM

From **Lawrence Elworth/DC/USEPA/US**

To jackson.lisap@epa.gov

cc

Subject Fw: CLIMATE: Vilsack reverses, vows cooperation with EPA on offsets (06/05/2009)

Message Body

L - While I assume you have seen this I want to make sure you have it, courtesy of David. Best, L

David McIntosh

----- Original Message -----

From: David McIntosh

Sent: 06/05/2009 05:45 PM EDT

To: Lawrence Elworth

Subject: CLIMATE: Vilsack reverses, vows cooperation with EPA on offsets (06/05/2009)

Allison Winter, E&E reporter

Agriculture Secretary Tom Vilsack pledged today to work with U.S. EPA to oversee farm-related climate programs -- stepping back from assertions that his department should take a lead role in the programs.

Vilsack told reporters he is "absolutely committed" to cooperating with EPA on programs that could pay farmers and ranchers to sequester carbon. He previously said the Department of Agriculture should have sole oversight, coming close to stepping over a line drawn by the White House, which wants details of any climate effort left to Capitol Hill.

Farm-state lawmakers and agriculture groups have criticized the proposed House energy and climate bill, saying they want USDA to have sole authority over emission-offset programs. But Vilsack is not ready to fight on their behalf.

"I think it's important for us to focus on the fact that both agencies need to work together," he said. "This is very complicated legislation, and we both have to work together. I am absolutely committed to working with EPA."

Last week, Vilsack said he would push Congress to add carbon credits for agriculture and forestry and let USDA oversee them. At an event in Kentucky to promote the economic stimulus law, Vilsack said he would be "advocating forcefully" for the two provisions, according to a report from the Institute for Rural Journalism at the University of Kentucky. His statement at the Kentucky event strayed from the White House line, which has been to support cap-and-trade legislation but avoid taking a position on specifics.

Vilsack -- who in his first few months in office repeatedly promoted an active role for agriculture in the climate change debate -- has toned down his statements this week. After a hearing on Capitol Hill yesterday, he told reporters he would "be helpful" or

"provide technical assistance" to lawmakers in the climate debate but did not claim to be taking a very active role.

Vilsack said today that he would leave it to Congress to make policy, and USDA would do what lawmakers decide.

"I think it's important for us to work with agencies; it's not either-or," Vilsack said. "I think there's a lot of work that's going to have to be done if this thing is structured right. So we just want to make sure that the important role that agriculture can play in climate change is recognized."

Farm groups' concerns have emerged as a key issue as the climate bill from Reps. Henry Waxman (D-Calif.) and Ed Markey (D-Mass.) makes its way to a floor vote. Waxman's energy panel approved the bill two weeks ago, but eight other committees -- including the Agriculture panel -- each have a say.

The issue of USDA oversight is a top priority for the House Agriculture Committee, which has presented a potential speed bump for the legislation. Democrats and Republicans on the panel have been sharply critical of the climate bill, and Chairman Collin Peterson (D-Minn.) has said it needs changes to gain his panel's support.

"EPA doesn't have any structure ... they don't have any presence in my state at all," Peterson told reporters this week. "How are they going to do this? USDA has somebody in every county, they have the soil scientists, they have the people who know this best -- it just seems logical."

Many farmers distrust EPA, considering it a source of regulation and fines. And agriculture groups and farm state lawmakers argue that USDA -- with its network of county extension agents -- is better equipped to help farmers and ranchers oversee conservation programs.

OEX Processing Information

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Message Count

Eric Wachter/DC/USEPA/US To Richard Windsor
12/23/2009 05:29 PM cc
bcc
Subject Fw: Commissioner Jackson

----- Forwarded by Eric Wachter/DC/USEPA/US on 12/23/2009 05:28 PM -----

Message Information

Date 12/22/2009 04:26 PM
From **Lawrence Thornton/DC/USEPA/US**
To CN=LisaP Jackson/OU=DC/O=USEPA/C=US@EPA
cc
Subject Commissioner Jackson

Message Body

Just a quick note to let you know that I am working as an IPA to Jerry Johnston, GIO in OEI, for one year on loan from NJDEP, in Sherry Driber's OIRM. As you know I am Manager of the GIS Unit there. I will be working to help Jerry out until October of next year.

Have a great holiday and I look forward to working with EPA next year.

Larry Thornton
Manager NJDEP BGIS and...
EPA/OEI Geospatial Liaison

Lawrence L. Thornton, MS GISP
EPA -OEI Geospatial Liaison

Thornton.Lawrence@epa.gov
202-285-8461

84 Lawrence Ave
Holland, PA 18066

-----LisaP Jackson/DC/USEPA/US wrote: -----

To: Lawrence Thornton/DC/USEPA/US@EPA
From: LisaP Jackson/DC/USEPA/US
Date: 12/22/2009 03:57PM
Subject: Looking Back on a Great 2009

Colleagues:

As we move into the new year, I want to thank you for making 2009 a landmark year for environmental protection. With the many challenges and opportunities we face, I couldn't be

happier or prouder to be back at EPA, where I first started my environmental career, and working by your side on these critical issues.

We already have much to feel good about. Over the course of the past 12 months, we've shown America that EPA is back – once again committed to science, transparency, and the rule of law. With the agency leading the way, our nation took its first serious actions to reduce greenhouse gases, a change that will be remembered for generations. We set out principles to ensure that chemicals in our products and our environment are safe, a critical first step in giving Americans the information and protections they deserve. We've revitalized work on the Clean Water Act and stepped up to protect national treasures like Chesapeake Bay and the Great Lakes. We've been part of the solution for American communities in these challenging economic times by creating green jobs and opportunities through the President's Recovery Act. And we're rapidly expanding the conversation on environmentalism by reaching out to people of all ages, from all backgrounds, and all walks of life.

I could go on.

From joining the Interagency Partnership for Sustainable Communities, to reaching one million Energy Star homes, to traveling to Copenhagen to represent the administration and our country at the start of the Global Climate Summit – and I don't think I'll ever forget being onstage with the Flaming Lips to celebrate Earth Day 2009! This year has been a great year for the EPA, and every one of you across this agency, in every program and region, have contributed to our shared success.

This may be the end of the year, but it's just the beginning of our work together. In the year ahead, we will continue with these and other important efforts to protect our health and our environment. You can expect to hear more about our priorities for 2010 very soon. Until then, I'm happy to close 2009 with a brief video I recorded to say thank you and best wishes for the holiday and the New Year.

[Please click here to watch the video.](#)

Thank you for all that you've done to protect our health and the environment. You've made 2009 a year to remember. Seasons greetings and best wishes for 2010!

Sincerely,
Lisa P. Jackson

OEX Processing Information

Processed Date:	12/23/2009 05:25 PM
Processed By	Cynthia Gaines
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OEX	CMS

Message Count

1

Eric Wachter/DC/USEPA/US

12/27/2010 04:37 PM

To Richard Windsor

cc

bcc

Subject Fw: Happy Holidays

----- Forwarded by Eric Wachter/DC/USEPA/US on 12/27/2010 04:37 PM -----

Message Information

Date 12/23/2010 06:32 PM

From "Doniger, David" <ddoniger@nrdc.org>

To LisaP Jackson/DC/USEPA/US@EPA

cc

Subject Happy Holidays

Message Body

Lisa,

Thank you for all the effort leading to today's announcement. I know how hard you and your team are working to move us forward and keep us on the rails. The announcement is a major achievement. To paraphrase Ben Franklin: "Friends, you have your NSPS, now let's see if you can keep it." We'll be with you at every step in the year ahead.

David

David D. Doniger
Policy Director, Climate Center
Natural Resources Defense Council
1200 New York Ave., NW
Washington, DC 20005
Phone: (202) 289-2403
Cell: (202) 321-3435
Fax: (202) 789-0859
ddoniger@nrdc.org
on the web at www.nrdc.org
read my blog: <http://switchboard.nrdc.org/blogs/ddoniger/>

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Eric Wachter/DC/USEPA/US

12/24/2009 12:35 PM

To Richard Windsor

cc

bcc

Subject Fw: Happy Holidays from the HKS Alumni Association Board

----- Forwarded by Eric Wachter/DC/USEPA/US on 12/24/2009 12:35 PM -----

Message Information

Date 12/23/2009 12:16 PM

From "Rudy Brioche MPP 2000, Chair, HKS Alumni Association Board"
<rudy_brioche@comcast.com>

To LisaP Jackson/DC/USEPA/US@EPA

cc

Subject Happy Holidays from the HKS Alumni Association Board

Message Body

Dear Friends,

Hello fellow Harvard Kennedy School alumni. I hope that this email finds you in excellent health and good spirits. From the global economic crisis to climate control, this year has been tumultuous for world leaders, communities, families, and members of our HKS family. Because of these challenges, we are reminded every day of the importance of public service and the need for skilled and thoughtful leaders who are committed to improving the human condition.

After many years since graduation, I believe more than ever that we, as graduates of the best school of government in the world, continue to make the world a better place. And our individual responses to the clarion call—"Ask what you can do"—share the common theme that we believe that we can make a difference. Our resilient sense of optimism is renewed when we reconnect to fellow alumni, visit HKS, or read a faculty member's article or book.

Another way to renew your optimism is to continue your support of the School's noble mission. As alumni, our support of current and future students is crucial to advancing the public good. Our participation helps the best and brightest students attain HKS degrees, regardless of personal financial means.

I ask you to please join me in making a contribution to the HKS Fund as an investment in our future. Your participation—not the size of your contribution—is essential. By contributing to one of the School's primary sources of financial aid, you are supporting the potential of future leaders who may not otherwise be able to pursue a Kennedy School education.

Information on contributing to the HKS Fund can be found by going to www.hks.harvard.edu/u/about/giving/makeagift. I hope you will consider making a gift that is personally significant to you—**gifts of any and all amounts truly make a difference!**

My warmest wishes for a happy holiday season.

All the best... let's stay connected,
Rudy N. Brioché MPP 2000

Harvard Kennedy School | Office of Alumni Relations and Resource Development | 79 JFK Street | Mailbox 123 | Cambridge, MA 02138

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Sent to 3rd Floor	Sent to 3rd Floor
Message Count	1

Eric Wachter/DC/USEPA/US

10/26/2011 04:44 PM

To Richard Windsor

cc

bcc

Subject Fw: JPA - Climate Change - Associate / Senior Associate Opportunity - Please review

----- Forwarded by Eric Wachter/DC/USEPA/US on 10/26/2011 04:44 PM -----

Message Information

Date 10/26/2011 02:29 PM
From "Paul Palazzolo" <paul@jpamri.com>
To LisaP Jackson/DC/USEPA/US@EPA
cc
Subject JPA - Climate Change - Associate / Senior Associate Opportunity - Please review

Message Body

Lisa,

We hope you are enjoying the cooler weather. We are executing a search for a Climate Change - Associate / Senior Associate for a very good client company in the DC area.

It may be attractive to you or someone you know, and we would appreciate any help you can provide.

If this position isn't for you, perhaps a friend, colleague or someone your current firm has not been able to help might benefit from the opportunity to discuss the details with us.

Any recommendations for networking will remain in strict confidence if requested.

Thank you in advance, for your time and attention to the below position.

Position Title: Associate - Senior Associate / Economist - Climate Change

Location: Greater DC Area

Salary Range: Commensurate with experience

Company Description: Our client is seeking to hire a leader with primary responsibilities for establishing and developing a significant climate change practice for developing countries. This division conducts projects in agriculture, economic development, labor, privatization, trade and environment in developing

countries. This new position will capitalize on our client's existing in-house expertise, excellent reputation, and strong experience in environmental policy. This includes long term service of working with all the major U.S. Government Agencies and other federal clients, and non-governmental organizations on the most cutting-edge environmental issues. Climate change has long been an area where they have serviced these clients and analyzed the health impacts and monetary benefits associated with policies. They have helped to reduce greenhouse gas emissions; assess the environmental consequences of using alternative fuels; and develop a new analytical framework for estimating carbon emissions intensity by industrial sector and state. In order to achieve this we are looking for a technical and management leader to drive this growth.

Our client's scope of services include: Working with federal and state environmental and resource management agencies to address complex policy, management, and regulatory challenges. Services also include economic analysis and climate change impact analysis for developing countries along with risk assessments, Macro and micro-economic climate change modeling expertise with importance on sector and environmental costs of climate change policy impacts on developing and emerging market economies.

Job Description: The incumbent in this position will also have experience or understanding with most of the following technical and management competencies:

- Maintain the development goals of countries by low emissions economic planning and strategies to reduce the growth rate in GHG emissions from alternative economic development policies and enhance climate resilience.
- Oversee low emissions mitigation and adaptation options for developing and emerging market economies by cost benefit, marginal abatement and/or cost effectiveness analysis capabilities.
- Sector economics and effects from diverse low emission growth plans on income, employment, gender, environment and marginalized populations in developing countries.
- Proven experience in leading economic analysis teams and prepares analysis reports in emerging countries.

Requirements: Degree in Environmental Economics or Cost Benefit Analysis and 5+ years' experience in Climate Change, climate change economic analysis, developing country environments, economic modeling, policy analysis, data collection and policy reform in energy or natural resource management. USAID, EPA and DOE experience is a plus.

Sincerely,

Paul Palazzolo
Senior Managing Partner
Jonathan Paul Associates, Inc. (JPA)
One of the nation's leading Environmental Search Firms

(Toll Free) 866.712.1810

paul@jpamri.com

www.jpamri.com

Invite me to LinkedIn at:

<http://www.linkedin.com/in/paulpalazzolo>



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MRINetwork

EXPERTS IN GLOBAL SEARCH



Eric Wachter/DC/USEPA/US To Richard Windsor
12/23/2011 01:41 PM cc
bcc
Subject Fw: MACT-MATS

----- Forwarded by Eric Wachter/DC/USEPA/US on 12/23/2011 01:41 PM -----

From: Brian Hope/DC/USEPA/US
To: Eric Wachter/DC/USEPA/US@EPA
Date: 12/23/2011 01:40 PM
Subject: Fw: MACT-MATS

Message Information

Date 12/23/2011 09:16 AM
From **John Wathen/DC/USEPA/US**
To LisaP Jackson/DC/USEPA/US@EPA
cc
Subject MACT-MATS

Message Body

Ms Jackson--

This is the proudest day for the U.S.EPA. Thank you so much for seeing the MACT-MATS rules through.

Most sincerely,

~John Wathen

John Wathen, Assistant Chief
Fish, Shellfish, Beaches, & Outreach Branch (4305 T)
<}}>< _/)}~ <}}>< _/)}~ <}}><
Standards and Health Protection Division
Office of Science and Technology
Office of Water
US Environmental Protection Agency
1200 Pennsylvania Ave NW
Washington, DC 20460
202-566-0367 phone
202-566-0409 fax
<http://www.epa.gov/waterscience>

OEX Processing Information

Processed Date:	12/23/2011 01:40 PM
Processed By	Brian Hope
PO Office	Category:
OEX	CMS
Message Count	1

Eric Wachter/DC/USEPA/US

To Richard Windsor

01/25/2010 05:40 PM

cc

bcc

Subject Fw: Office of Water Priorities Memorandum

----- Forwarded by Eric Wachter/DC/USEPA/US on 01/25/2010 05:40 PM -----

Message Information

Date 01/25/2010 05:04 PM

From Lori Keyton/DC/USEPA/US

To OW-EVERYONE-HQ

cc OW-NATIONAL-WATER-TEAM; OW-Water Division Directors; RA; Associate Administrators; Assistant Administrators; Scott Fulton/DC/USEPA/US@EPA; Diane Thompson/DC/USEPA/US@EPA; Bob

Subject Perciasepe/DC/USEPA/US@EPA; LisaP Jackson/DC/USEPA/US@EPA
Office of Water Priorities Memorandum

Message Body

January 25, 2010

MEMORANDUM

SUBJECT: Office of Water Priorities

FROM: Peter S. Silva /s/
Assistant Administrator
Office of Water

TO: Office of Water Employees

Building on Administrator Jackson's recent priorities memo, I want to highlight some specific areas in which the Office of Water (OW) is making these themes a reality. The Administrator has also embraced several principles as part of her vision for the Agency, including the importance of transparency, science, and the rule of law and I embrace them as well for the work the Office of Water does. Below are just a few examples of what OW is doing to meet the challenges the Administrator has set for EPA.

Protecting America's Waters

The Office of Water has two organizing themes for the national water program, Sustainable Communities and Healthy Watersheds.

Sustainable Communities - The nation's water resources are the lifeblood of our communities, supporting our economy and way of life. For our communities to be sustainable, our water resources must be sustainable as well.

Making America's Water Systems Sustainable and Secure

Our nation's water infrastructure needs are substantial, and our ability to meet those needs through traditional programs and funding is limited. We are working with our partners to help communities and utilities continue to provide for their residents by improving financing, management, and use of innovative solutions such as green infrastructure and expansion of the WaterSense program. Recovery Act funds and increases in the Clean Water and Safe Drinking Water Act State Revolving Funds have already boosted these efforts. While making water systems more sustainable, we also want to fortify their security and resiliency by working with water utilities to prevent or minimize disruptions in providing clean and safe water for all citizens. OW will build upon the successes of our sustainable infrastructure work to address the needs of disadvantaged urban and rural communities.

Safeguarding Public Health

Using science-based standards to protect our public water systems as well as our ground and surface water bodies has long been an OW priority. Protecting public health through tools such as beach, fish consumption and drinking water advisories is part of EPA's core mission. We are expanding that science to improve our understanding of emerging potential threats to public health to bring a new sense of responsiveness to public needs. By also working closely with the enforcement program, we can ensure safe drinking water and surface water suitable for recreation for all Americans.

Restoring and Protecting Urban Waters

With the water program's new Urban Waters initiative, we can help communities—especially disadvantaged communities and those with environmental justice challenges—access, restore and benefit from their urban waters and surrounding land. By focusing on building capacity and supporting the growth of the green jobs sector in urban communities, OW is helping to make these communities more vibrant and strengthening the connections between a healthy environment and a healthy economy.

Healthy Watersheds – People and the environment both rely on healthy watersheds. By improving our programs and tools to protect our watersheds, we are protecting human health as well as the environment.

Focusing Efforts in Key Geographic Areas

America's largest aquatic ecosystems are seriously impaired, resulting in significant losses to the diversity and productivity of these systems and impaired economic and social values. The water program is leading efforts to restore and protect these treasured resources, and in so doing providing models for broader national applicability. The Great Lakes Restoration Initiative, the Chesapeake Bay Executive Order and Strategy, the Gulf of Mexico Hypoxia Action Plan, the federal Bay-Delta Workplan and the National Ocean Policy are each designed to help one of our nation's key geographic areas address complex and cross-boundary challenges. Through innovative, collaborative approaches across federal, state and local governmental organizations, and with robust use of our existing statutory authority, we help make these programs more effective and restore

these precious resources.

Strengthening Protections for Our Waters

America's waterbodies are imperiled as never before, but we have the tools to help repair them. EPA and its partners can provide better protection of our water resources, including sources of drinking water by strengthening criteria and revising regulations. Some examples are by revising the stormwater rule, updating effluent guideline limitations for construction and development and the steam electric sectors, taking action to reduce the harmful environmental consequences of mountaintop mining, and strengthening protection for wetlands and other waters of the United States. We will continue to work with the states and others to improve monitoring of our waters so that we are better able to measure progress in protecting and restoring them. We also are working closely with the enforcement program to focus on the biggest threats to the nation's water resources.

Improving Watershed-Based Approaches

Complex issues such as nonpoint source and nutrient pollution require holistic, integrated solutions that emphasize accountability. The water program will improve the way existing tools such as water quality standards, protection of downstream uses, permits and total maximum daily loads are used to protect and restore watersheds, explore how innovative tools such as trading and other market-based approaches to watershed protection can be applied, and enhance efforts to prevent water quality impairments in healthy watersheds. Our local partners are becoming more important than ever to the health of our watersheds and estuaries, and we must improve our outreach to them to help them build their capacity to develop and implement their own solutions to local water quality problems.

Taking Action on Climate Change

Addressing the challenges climate change poses for our water resources will take the efforts of many partners. We must work with these partners to identify ways to make our programs more resilient through initiatives such as the Climate Ready Estuaries program and Climate Ready Utilities, while making the water sector more energy-efficient. But it is not only our partners who must innovate: evaluating and providing other means to address greenhouse gas emissions, such as through the sequestration of carbon dioxide in below-ground geologic formations, will allow OW to be a leader in the fight against climate change.

Assuring the Safety of Chemicals

The Office of Water will partner with the Office of Pesticides and Toxic Substances to accelerate testing of potential endocrine disrupting chemicals that can be present in water supplies and surface waters.

Expanding the Conversation on Environmentalism and Working for Environmental Justice

As the federal government, we must ensure that communities disproportionately affected by pollution have clean and safe water, and that environmental justice informs decision-making, including permitting and standards decisions. I want to underscore those principles and ask that

each of you strive to incorporate them in our work. In addition to the Urban Waters initiative which can benefit disadvantaged communities, OW co-leads and actively participates in EPA's Community Action for a Renewed Environment (CARE) program. CARE is providing on-the-ground technical assistance and funding to underserved communities to help them understand, prioritize and address environmental health threats from all sources.

Building Strong State and Tribal Partnerships

We recognize that states are our key partners in implementing the national water program. States write the overwhelming majority of water permits, water quality standards, and total maximum daily loads. Similarly, most inspections are done by states. We have begun working to improve this partnership through increased collaboration on key problems such as nutrients and by providing greater opportunity to discuss strategic and program planning through the Partnership Council of the Office of Water and the States. The Office of Water is also committed to improving tribal access to safe drinking water and, sanitation, and to improve tribes' capacities to assume greater responsibility for waters within their jurisdiction. The National Tribal Water Council is a key mechanism for ensuring that the views of tribal water professionals are considered in our regulatory and other programs.

These priorities will guide the work of the water program in 2010, and the years ahead. I will be discussing this further with the senior water management team, and I look forward to hearing your feedback as well. In the meantime, I want to thank you for your dedication to our mission in the Office of Water, and for your continued support as we work together for a cleaner and safer environment.

cc: Administrator
Deputy Administrator
Chief of Staff
General Counsel
Assistant Administrators
Associate Administrators
Regional Administrators
Water Division Directors

OEX Processing Information

Processed Date:

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Category:

Message Count

Eric Wachter/DC/USEPA/US

06/25/2009 12:28 PM

To Richard Windsor

cc

bcc

Subject Fw: Pew Center urges yes vote for Waxman-Markey Clean Energy Bill (H.R.2454)

Message Information

Date 06/24/2009 04:41 PM

From Eileen Claussen <ClaussenE@pewclimate.org>

To LisaP Jackson/DC/USEPA/US@EPA

cc

Subject FW: Pew Center urges yes vote for Waxman-Markey Clean Energy Bill (H.R.2454)

Message Body

Lisa,

I thought you might like to see this.

Eileen Claussen
President
Pew Center on Global Climate Change
2101 Wilson Blvd., Suite 550
Arlington, VA 22201
www.pewclimate.org



[Sign up for the Pew Center E-Newsletter](#)

From: Pew Center on Global Climate Change [mailto:pewclimate@pewclimate.org]

Sent: Wednesday, June 24, 2009 4:37 PM

To: Eileen Claussen

Subject: Pew Center urges yes vote for Waxman-Markey Clean Energy Bill (H.R.2454)



Pew Center urges YES vote for Waxman-Markey Clean Energy Bill (H.R.2454)

"I write to express the support of the Pew Center on Global Climate Change for the American Clean Energy and Security Act of 2009 (ACES Act), H.R.2454. The ACES Act will help tackle climate change, drive our economic recovery, and advance energy independence. I strongly urge you to vote in favor of this landmark legislation."

Read the letter [here](#).

Eight Myths about the Waxman-Markey Clean Energy Bill

No bill is perfect. Certainly not one that contains a thousand pages and seeks to overhaul the way our nation uses energy. But many of the recent attacks on the American Clean Energy and Security Act (ACES) proposed by Representatives Waxman and Markey go beyond fact-based policy disagreements and venture more into the realm of mythology.

Click [here](#) for a list of a few of these myths, along with our attempt to set the record straight.

The American Clean Energy Security Act: An Honest Look at Potential Consumer Costs

Two recent government analyses that looked at the costs of the cap and trade portion of the American Clean Energy and Security Act of 2009 (ACES) have found that the likely impact of this portion of the bill would be fairly small.

For a comparison of these analyses, click [here](#).

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Pew Center on Global Climate Change | 2101 Wilson Blvd | Suite 550 | Arlington | VA | 22201

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Processed Date:	06/24/2009 12:00 AM
Processed By	Brian Hope
PO Office	Category:
Sent to 3rd Floor	Sent to 3rd Floor
Message Count	1

Eric Wachter/DC/USEPA/US

06/16/2011 06:02 PM

To Richard Windsor

cc

bcc

Subject Fw: power plant emissions rule

----- Forwarded by Eric Wachter/DC/USEPA/US on 06/16/2011 06:02 PM -----

Message Information

Date 06/14/2011 03:36 PM

From Jeanette MacNeille <jeanette@eclipseservices.com>

To LisaP Jackson/DC/USEPA/US@EPA

cc

Subject power plant emissions rule

Message Body

Hi, Ms Jackson,

We met in Philly at Children's Hospital, I stood up to thank you for all you are doing. I felt very much as if I was on the same page as you because you have held a baby who cannot breathe. So you know firsthand how important that capability is. As a severe asthmatic I come face to face with the reality of not breathing much, much more often than I would ever wish.

I see that you are delaying the release of the power plant emission rules. A NY Times blog provides some information and notes that the effects on existing coal-fired plants could be substantial.

It makes sense and it is necessary to consider the broad effects of any regulation or rule or law, but in the end I am sure you will remember, too, the people who cannot draw in their next breath and the urgency and fundamental importance of being able to do so.

Good luck. Out in the field we continue to push full press in favor of cleaner air. I can't think of a more important issue and we appreciate all you are trying to do. One of my favorite congressional staff members used to say to me, "Keep charging." And that's about it, isn't it?

Best wishes as always,

Jeanette MacNeille
President, Millbourne Borough Council
President, Eclipse Services A Division of Quadrivium, Inc.
Sierra Club, SE PA Group, Clean Air Chair

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Processed Date:	06/14/2011 04:11 PM
Processed By	Jacqueline Leavy
PO Office	Category:
OEX	CMS
Message Count	1

Eric Wachter/DC/USEPA/US

04/20/2009 10:31 AM

To Richard Windsor

cc

bcc

Subject Fw: Thank you

Message Information

Date 04/17/2009 06:53 PM

From "Doniger, David" <ddoniger@nrdc.org>

To LisaP Jackson/DC/USEPA/US@EPA

cc

Subject Thank you

Message Body

Lisa,

My personal thanks for the job just done. I greatly appreciate your firm and fast action on the endangerment determination. After 10 years of work, a sweet moment. We've done our best today to reinforce your messages.

Take the rest of the day off.

David

David D. Doniger
Policy Director, Climate Center
Natural Resources Defense Council
1200 New York Ave., NW
Washington, DC 20005
Phone: (202) 289-2403
NRDC Cell: (202) 321-3435
Personal Cell: (202) 445-9023
Fax: (202) 789-0859
ddoniger@nrdc.org
on the web at www.nrdc.org
read my blog: <http://switchboard.nrdc.org/blogs/ddoniger/>

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Eric Wachter/DC/USEPA/US

01/25/2010 10:52 AM

To Richard Windsor

cc

bcc

Subject Fw: Washington Post Climate Panel Question

----- Forwarded by Eric Wachter/DC/USEPA/US on 01/25/2010 10:51 AM -----

Message Information

Date 01/24/2010 02:06 PM

From "Bowles, Ian (EEA)" <Ian.Bowles@state.ma.us>

To LisaP Jackson/DC/USEPA/US@EPA

cc

Subject Fw: Washington Post Climate Panel Question

Message Body

Lisa - fyi on this. All the best, Ian

From: Alicia Cypress <Alicia.Cypress@wpost.com>
To: Bowles, Ian (ENV) <Ian.Bowles@state.ma.us>
Sent: Sun Jan 24 13:22:50 2010
Subject: Re: Washington Post Climate Panel Question

Thanks for this! I can post it later this afternoon.

From: Bowles, Ian (EEA) <Ian.Bowles@state.ma.us>
To: Alicia Cypress
Cc: Keough, Robert (EEA) <Robert.Keough@state.ma.us>; Capone, Lisa (EEA) <Lisa.Capone@state.ma.us>
Sent: Sun Jan 24 13:14:35 2010
Subject: Re: Washington Post Climate Panel Question

Alicia -

I'm out on blackberry only right now, but you can post the following if you want today or I can do it tomorrow:

"The experience here in MA is: 100% auction of GHG permits under RGGI has worked well and produced new funds for our \$2 billion, 3 year energy efficiency program (by far the largest per capita in the US); 10X wind and 15X solar in 4 yrs under Gov. Patrick, rapid growth in green jobs (e.g. more than doubled solar employment in 2 yrs and 4X installer firm base); advanced statewide building code and optional super-efficient "stretch code" being adopted by several municipalities; netmetering and rate decoupling; long term contracts for renewable energy projects; and, doubling in the rate of growth in the state RPS mandate. These measures were enacted in June 2008 on a fully bipartisan basis after 18 months of deliberation in landmark omnibus energy reform legislation called the Green Communities Act. Sen. Brown's republican colleague Sen. Bruce Tarr of Gloucester was a conferee and the final bill won full bipartisan support including from Sen. Brown. The Waxman-Markey legislation would generally not supercede any of these strong state mandates for 10-15 yrs or more and rightly resists the costly an

ill-conceived push to disrupt our strong competitive, low carbon energy markets with expansion of federal mandates on paying for transmission. On the basis of representing MA state and economic interests and existing strong state policies, I'm optimistic Sen. Brown will join Sen. Kerry in getting strong national legislation that puts the rest of the country on the job-creating low carbon trajectory the Commonwealth of Massachusetts has already embarked upon."

From: Alicia Cypress <Alicia.Cypress@wpost.com>
To: Alicia Cypress <Alicia.Cypress@wpost.com>
Sent: Wed Jan 20 11:55:38 2010
Subject: Washington Post Climate Panel Question

Greetings!

We wanted to wait until today to ask this week's question b/c your answers would hinge on the outcome of the Massachusetts senate election.

This week we'd like to know:

What does the outcome of the Massachusetts Senate election mean for the chances of a climate bill passing the Senate this year?

For reference, here's a few stories from today's Post on Scott Brown's (R) win:

<http://www.washingtonpost.com/wp-dyn/content/article/2010/01/19/AR2010011904517.html>

<http://www.washingtonpost.com/wp-dyn/content/article/2010/01/19/AR2010011904883.html>

and juliet eilperin's last story about the status of the bill (from 12/26/09)

<http://www.washingtonpost.com/wp-dyn/content/article/2009/12/25/AR2009122501671.html>

Thanks,
Alicia

Alicia Cypress

Web Editor, Health/Science/Environment

The Washington Post

1150 15th Street NW, Washington, D.C. 20071

p. 202-334-5179 | m. 202-203-8330

alicia.cypress@wpost.com

washingtonpost.com | mobile.twp.com

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Eric Wachter/DC/USEPA/US

12/03/2009 04:32 PM

To Richard Windsor

cc

bcc

Subject Fw: William J. Hughes Center: Newsletter

----- Forwarded by Eric Wachter/DC/USEPA/US on 12/03/2009 04:31 PM -----

Message Information

Date 12/03/2009 03:36 PM

From "Schulman, Sharon" <Sharon.Schulman@stockton.edu>

To LisaP Jackson/DC/USEPA/US@EPA

cc

Subject FW: William J. Hughes Center: Newsletter

Message Body

Hi Lisa.

Hopefully this gets through to you. We did a nice piece on your visit to Stockton with Bob Grady and thought you may enjoy seeing it.

--Sharon

Sharon Schulman

Special Assistant to the President for External Affairs &

Executive Director of the William J. Hughes Center for Public Policy

The Richard Stockton College of New Jersey

P.O. Box 195

Jimmie Leeds Road

Pomona, NJ 08240

609.626.3541 (phone)

609.338.3663 (cell)

Sharon.Schulman@stockton.edu



From: Richard Stockton College of NJ [mailto:Richard_Stockton_College_of_NJ@mail.vresp.com]
Sent: Thursday, December 03, 2009 3:08 PM
To: Schulman, Sharon
Subject: William J. Hughes Center: Newsletter



In This Issue

[Need to Reach Across the Aisle](#) - Former Congressmen Matthew McHugh and Mickey Edwards discussed cooperation between political parties.

[The Future of Environmental Policy](#) - Can crafting environmental policy be bipartisan?

[NJ's Chief Justice Interviews Holocaust Survivors](#) - 3 Holocaust survivors tell about their experiences

[Hughes Center Nuclear and W...](#)
College hosts p... survey of 800.
[South Jersey E...](#)
NJ's Energy Ma...

[Who is William...](#)
the Center's nar... and native of so...

Upcoming Hughes Center Events

Friday, February 5, 2010—Citizens' Campaign: Call to Service Sponsored by The Citizens' Campaign, this event will include a cadre of trained leaders in practical civics. Learn how you can enhance your role as a civically engaged citizen and work to improve government. The event will run from 5:00 p.m. – 8:00 p.m. Registration 5:00 p.m. – 5:30 p.m. A-Wing Gallery.

Friday, March 19, 2010—Jersey Shorecast Co-sponsored with the Greater Atlantic City and Cape May County Chambers of Commerce, designed to coordinate with the spring equinox, a panel of local business people and Stockton College experts prognosticate the future of the Jersey Shore during its peak season. Registration 8:00 a.m. A-Wing Gallery – Program begins at 8:30 a.m. in the Alton Auditorium.

Wednesday, March 24, 2010—Public Service: Why Would Anyone Want to Enter Into It? Beleaguered by scandals and the challenges of public service. Alton Auditorium 6:00 p.m. – 7:30 p.m.

Thursday, April 15th, 2010—Lincoln's Marriage Live Web-Streamed Event: From Camden County College to Stockton College The William J. Hughes Center for Public Policy, Camden County College and the NJ Lincoln Bicentennial Commission. Novelist Mark Epstein will explore the marriage of Abraham and Mary Todd Lincoln, reflecting on how Lincoln's relationship with Mary impacted Lincoln's behavior as the chief executive officer of the United States. Stockton College participants will be invited to participate as speakers. This event begins at 7:00 p.m. Location at Stockton College – TBA.

Thursday, April 22, 2010—Abraham Lincoln: New Findings, Fresh Perspectives Live Event held at Stockton and Webb Schools College. co-sponsored by: The William J. Hughes Center for Public Policy, Camden County College and the NJ Lincoln Bicentennial Commission.

County College participants will be able to pose live questions to the speaker. Guest lecturer, Dr. Michael Burlingame, one of scholars, will draw upon research from his recently published two volume work entitled Abraham Lincoln: A Life in which Burlingame's life account. Alton Auditorium 6:00 p.m. – 7:30 p.m.

Thursday, April 29, 2010–Nuclear Power in Our Future

Southern NJ is home to four nuclear power plants and more may be forthcoming. Former NJ Governor Christine Todd Whitman, President of Public Service Enterprise Group (PSEG), in discussing the economic and environmental opportunities this presents.

Please click [here](#) to find out how to register for any of these events.

If you no longer wish to receive these emails, please reply to this message with "Unsubscribe" in the subject line or simply click on the following link: [Unsubscribe](#)

Richard Stockton College of NJ
William J. Hughes Center for Public Policy
PO Box 195, Jimmie Leeds Rd
Pomona, New Jersey 08240
US



[Read](#) the VerticalResponse marketing policy.

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Category: Sent to 3rd Floor
Message Count: 1

Eric Wachter/DC/USEPA/US

07/01/2009 12:03 PM

To Richard Windsor

cc

bcc

Subject Waxman

FYI

Calif. Democrat Henry Waxman hospitalized

The Associated Press

Wednesday, July 1, 2009 10:41 AM

WASHINGTON -- A powerful House committee chairman with a central role in President Barack Obama's global warming and health care legislation has been hospitalized.

[Rep. Henry Waxman](#), D-Calif., was not feeling well Tuesday and was admitted to Cedars-Sinai Medical Center in Los Angeles for "routine testing," spokeswoman Karen Lightfoot said Wednesday.

She said that Waxman, 69, chairman of the House Energy and Commerce Committee, is "feeling much better now." She said his office had no further details to release.

Waxman just finished steering the climate change legislation through a close House vote and has been gearing up to tackle health care later this summer.

Eric Wachter/DC/USEPA/US To Richard Windsor
12/01/2009 10:16 AM cc Aaron Dickerson
 bcc
Subject Fw: Good luck!

----- Forwarded by Eric Wachter/DC/USEPA/US on 12/01/2009 10:16 AM -----

Message Information

Date 11/30/2009 08:41 PM
From Mark Gold <mgold@healthebay.org>
To LisaP Jackson/DC/USEPA/US@EPA
cc
Subject Good luck!

Message Body

Lisa – I hope you and your family had a wonderful Thanksgiving.

Best of luck on the delegation's trip to Copenhagen. I hope you have great success in getting folks to move forward on the climate issue – including on water!

I hope to talk to you soon.

Mark

Mark Gold, D.Env. | President
Heal the Bay | 1444 9th Street | Santa Monica CA 90401
Tel: 310 451 1500 x123 | Fax: 310 496 1902
mgold@healthebay.org | www.healthebay.org

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Eric Wachter/DC/USEPA/US

05/24/2010 01:52 PM

To Richard Windsor

cc Aaron Dickerson

bcc

Subject Fw: New blog post on clean car and truck announcements

----- Forwarded by Eric Wachter/DC/USEPA/US on 05/24/2010 01:51 PM -----

Message Information

Date 05/21/2010 03:17 PM

From "Doniger, David" <ddoniger@nrdc.org>

To LisaP Jackson/DC/USEPA/US@EPA

cc

Subject FW: New blog post on clean car and truck announcements

Message Body

Thank you, Lisa, for these big new steps.

White House Announces New Clean Car and Truck Peace Treaty

http://switchboard.nrdc.org/blogs/ddoniger/white_house_announces_new_clea.html



David D. Doniger
Policy Director, Climate Center
Natural Resources Defense Council
1200 New York Ave., NW
Washington, DC 20005
Phone: (202) 289-2403

Cell: (202) 321-3435

Fax: (202) 789-0859

ddoniger@nrdc.org

on the web at www.nrdc.org

read my blog: <http://switchboard.nrdc.org/blogs/ddoniger/>

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PO Office

Category:

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Heidi Ellis/DC/USEPA/US

To

02/15/2011 10:38 AM

cc

bcc

Subject Climate Meeting Hosted by Sens. Kerry & Boxer

Meeting

Date 03/01/2011

Time 12:00:00 PM to 01:00:00 PM

Chair Heidi Ellis

Invitees

Required

Optional

FYI

Location Capitol: S-116

Ct: Monee Gardner 564 3143

Matt Summers (Kerry) matt_summers@kerry.senate.gov

Staff:

David McIntosh (OCIR)

Purpose: to discuss legislative proposals to block EPA's work to protect public health and enact deep cuts to critical clean air and water funding

Heidi Ellis/DC/USEPA/US

To

05/03/2010 04:34 PM

cc

bcc

Subject Congressional Briefings - BP Oil Spill

Meeting

Date 05/04/2010

Time 04:30:00 PM to 06:00:00 PM

Chair Heidi Ellis

Invitees

Required

Optional

FYI

Location Capitol Visitors Center

Auditorium

Ct: Arvin Ganesan (OCIR) 564-4741

4:30 Members Briefing

Opening Remarks and Moderator

Secretary Ken Salazar – Opening Remarks and Moderator

Presenters

Deputy Secretary Jane Lute

[DHS' coordination role, spill of national significance, NIC and appointment of Commandant Allen]

Commandant Admiral Thad Allen

[Update on spill containment/treatment, coastal protection efforts, weather update, oil spill trajectory]

Secretary Gary Locke

[Economic issues, fisheries]

EPA Administrator Lisa Jackson

[Air and water quality issues]

Available for Q&A

Carol Browner, Assistant to the President for Energy and Climate Change

Liz Birnbaum, Director of Minerals Management Service

Eric Schwaab, Assistant Administrator for Fisheries and David Kennedy, Acting Director of National Ocean Service

Heidi Ellis/DC/USEPA/US

To

04/13/2010 11:11 AM

cc

bcc

Subject Discussion on Boiler MACT

Meeting

Date 04/14/2010

Time 03:00:00 PM to 03:30:00 PM

Chair Heidi Ellis

Invitees

Required

Optional

FYI

Location Bullet Room

Ct: Cindy Huang (OAR) 564-1850

Staff:

Bob Sussman, Bob Perciasepe, Diane Thompson (OA)

Gina McCarthy, Janet McCabe (OAR)

Scott Fulton (OGC)

Paul Anastas (ORD)

Lisa Heinzerling (OPEI)

Lisa Garcia (OECA)

Mathy Stanislaus (OSWER)

Heidi Ellis/DC/USEPA/US

To

06/08/2010 02:13 PM

cc

bcc

Subject EJ Interagency Workgroup

Meeting

Date 09/22/2010

Time 09:45:00 AM to 11:00:00 AM

Chair Heidi Ellis

Invitees

Required

Optional

FYI

Location 428 EEOB

Ct: Lisa Garcia (OECA)

The meeting will take place from 10-11 AM

Attendees:

Secretary LaHood, Department of Transportation

Secretary Salazar, Department of Interior

Secretary Donovan, Department of Housing and Urban Development

Attorney General Holder, Department of Justice

Administrator Jackson, Environmental Protection Agency

Chair Sutley, Council on Environmental Quality

Carol Browner, Senior Advisor to the President, Office of Energy and Climate Change

Melody Barnes, Director, Domestic Policy Council

John Holdren, Director, Office of Science and Technology

Harris Sherman, Undersecretary for Natural Resources and the Environment, Department of Agriculture

Kristina Johnson, Undersecretary, Department of Energy

Alice Hill, Senior Counselor to the Secretary, Department of Homeland Security

Billy Pizer, Deputy Assistant Secretary for Environment and Energy, Department of Treasury

Ms. Maureen Sullivan, Director for Environmental Management, Department of Defense

Kevin Jennings, Assistant Deputy Secretary for Safe and Drug-Free Schools, Department of Education

Mr. Ed Bradley, Deputy Director, Office of Asset and Enterprise Management, Department of Veterans

Affairs

Heidi Ellis/DC/USEPA/US

To

02/16/2011 09:52 AM

cc

bcc

Subject Follow up on Boiler MACT

Meeting

Date 02/17/2011

Time 11:25:00 AM to 11:40:00 AM

Chair Heidi Ellis

Invitees

Required

Optional

FYI

Location Administrator's Office

Staff:

Diane Thompson, Jose Lozano, Venu Ghanta (OA)

Michael Goo or Bicky Corman (OP)

Mathy Stanislaus, Lisa Feldt (OSWER)

Scott Fulton, Avi Garbow (OGC)

Seth Oster, Dru Ealons (OEAAE)

Michael Goo, Bicky Corman (OP)

Janet McCabe (OAR)

Optional:

Bob Perciasepe, Bob Sussman (OA)

*Hookup to the Administrator's Conference line is needed

Heidi Ellis/DC/USEPA/US

To

02/16/2010 09:58 AM

cc

bcc

Subject Hip Hop Bus Tour Press Event

Meeting

Date 02/24/2010

Time 11:55:00 AM to 01:00:00 PM

Chair Heidi Ellis

Invitees

Required

Optional

FYI

Location 3rd and Maryland Ave. SW

Advance Contact: Clay Diette, 202-384-2797

Press: OPEN

NOTE: This event is taking place outside and it may be in the high 30's

Rev. Lennox Yearwood; President, Hip Hop Caucus will introduce the Administrator.
The Administrator will deliver 3-5 minutes of Opening Remarks followed by the program.

Participants:

Rev. Lennox Yearwood; President, Hip Hop Caucus

Maggie L. Fox; President & CEO, The Alliance for Climate Protection

Marc Morial; CEO, National Urban League *invited*

Gary Flowers; President & CEO, Black Leadership Forum

Phaedra Ellis-Lamkins; CEO, Green For All

DJ Biz Markie

Gloria Reuben; Actress & Alliance for Climate Protection special advisor

Heidi Ellis/DC/USEPA/US

To

01/28/2011 09:24 AM

cc

bcc

Subject Meeting on Utility MACT Check-In (2)

Meeting

Date 02/04/2011

Time 03:00:00 PM to 03:45:00 PM

Chair Heidi Ellis

Invitees

Required

Optional

FYI

Location Bullet Room

re: final issues and option selection

Staff:

Bob Perciasepe, Bob Sussman, Diane Thompson (OA)

Gina McCarthy, Janet McCabe, Joe Goffman, Jeb Stenhouse, Peter Tsirigotis, Sam Napolitano, Steve Page (OAR)

Michael Goo (OP)

Scott Fulton, Avi Garbow (OGC)

Peter Grevatt (OCHP)

Heidi Ellis/DC/USEPA/US

06/17/2010 08:29 AM

To

cc

bcc

Subject Meeting with Bill Becker, Executive Director, Presidential
Climate Action Project

Meeting

Date 06/24/2010

Time 10:30:00 AM to 11:00:00 AM

Chair Heidi Ellis

Invitees

Required

Optional

FYI

Location Administrator's Office

Topic: discuss several ideas for executive action, particularly regarding climate change.

Attendees:

Bill Becker

Staff:

Gina McCarthy (OAR)

David McIntosh (OCIR)

Optional:

Diane Thompson (OA)

Heidi Ellis/DC/USEPA/US

To

02/04/2010 02:55 PM

cc

bcc

Subject Meeting with Nicole Lederer, Co-founder at Environmental Entrepreneurs(E2) and the E2 Washington, DC delegation

Meeting

Date 02/10/2010

Time 01:00:00 PM to 01:30:00 PM

Chair Heidi Ellis

Invitees

Required

Optional

FYI

Location Administrator's Office

Ct: Richie Ackerman 202-289-2408

Subj: Climate legislation

Attendees:

Nicole J. Lederer

Staff (To be invited):

Gina McCarthy (OAR)

David McIntosh (OCIR)

Heidi Ellis/DC/USEPA/US

To

04/27/2011 04:30 PM

cc

bcc

Subject Women and Green Economy (WAGE) Award Presentation at the Climate Leadership Gala

Meeting

Date 05/03/2011

Time 07:00:00 PM to 08:00:00 PM

Chair Heidi Ellis

Invitees

Required

Optional

FYI

Location RRB-Atrium

Ct: Kathleen Rogers 202-518-0044

Open Press

*The Administrator will be the first recipient of the "WAGE Leadership Award"

Format:

-10 min. of mingling

-15 min. of program

-Kathleen Rogers, Pres. of Earth Day Network, introduces the Administrator

-The Administrator gives remarks for 10 min.

Notable Attendees:

Sir Richard Branson, Chairman of Virgin Group

Jose Maria Figueres, former President of Costa Rica

Strive Masiyawa, Founder and Chairman of Econet Wireless

Jigar Shah, CEO of Carbon War Room

Bill Richardson, Former Governor of New Mexico

Bo Derek, Actress

John Corbett, Actor and Energy Star Spokesperson

Janet McCabe/DC/USEPA/US

08/03/2010 11:36 AM

To Richard Windsor, Scott Fulton, Gina McCarthy, Diane Thompson, Bob Sussman, Bob Perciasepe, Joseph Goffman, David McIntosh

cc

bcc

Subject dates for utility MACT

Following up on the question that came up yesterday, the dates for the utility MACT rule are March 16, 2011 for proposal and November 16, 2011 for final.

Janet McCabe
Principal Deputy Assistant Administrator
Office of Air and Radiation, USEPA
Room 5426K, 1200 Pennsylvania Avenue NW
Washington, DC 20460
202-564-3206
mccabe.janet@epa.gov

Janet Woodka/DC/USEPA/US
04/26/2012 01:48 PM

To: Brendan Gilfillan, Arvin Ganesan, Sarah Pallone, Bob Perciasepe, Richard Windsor, Diane Thompson
cc
bcc
Subject: Oklahoma Governor statements from Tues

Worth looking at what the Oklahoma Governor said on Tuesday about the regional haze agreement with R6.

----- Forwarded by Janet Woodka/DC/USEPA/US on 04/26/2012 01:44 PM -----

From: David Gray/R6/USEPA/US
To: Janet Woodka/DC/USEPA/US@EPA
Date: 04/26/2012 01:43 PM
Subject: Govr Fallin Press Release OK Haze

From: Governor Fallin Press [mailto:press@gov.ok.gov]
Sent: Tuesday, April 24, 2012 9:33 AM
To: Governor Fallin Press
Subject: PRESS RELEASE: Oklahoma, EPA, and PSO Reach Agreement on Air Quality Rules

OFFICE OF GOVERNOR MARY FALLIN

MEDIA CONTACTS:

Alex Weintz, Communications Director

Alex.Weintz@gov.ok.gov<mailto:Alex.Weintz@gov.ok.gov>

(405) 522-8819

Aaron Cooper, Press Secretary

Aaron.Cooper@gov.ok.gov<mailto:Aaron.Cooper@gov.ok.gov>

(405) 522-8878

Governor Seal - Low Resolution.jpg

Web: www.governor.ok.gov<http://www.governor.ok.gov>

Facebook: www.facebook.com/GovernorMaryFallin<http://www.facebook.com/GovernorMaryFallin>

Twitter: www.twitter.com/GovMaryFallin<<http://www.twitter.com/GovMaryFallin>>

FOR IMMEDIATE RELEASE

April 24, 2012

Oklahoma, EPA, and PSO Reach Agreement on Air Quality Rules

OKLAHOMA CITY - Today Oklahoma Governor Mary Fallin announced that the State of Oklahoma has reached an agreement with Public Service Company of Oklahoma (PSO) and the Environmental Protection Agency that settles compliance challenges with federal air quality rules relating to PSO's two coal-fired power plants at its Northeastern Station in Oologah, OK.

This Oklahoma based agreement permits PSO to comply with EPA rules, including the Regional Haze Rule and the Mercury and Air Toxics Rule, while simultaneously protecting Oklahoma consumers and ratepayers. Under the settlement agreement, PSO agrees to meet specified emission rates at both Northeastern coal units, retire one unit in 2017, install certain emissions control equipment on one Northeastern unit in 2015, and retire the second unit in 2025 or 2026.

"I am pleased that the parties could come to an agreement that is in Oklahoma's best interest," said Governor Fallin. "This agreement provides much needed certainty for PSO and its utility customers, ensures manageable and acceptable costs to consumers, transitions PSO's fleet to be cleaner and more efficient, and provides real environmental benefits for all Oklahomans," said Fallin.

"I want to thank Secretary of Environment Gary Sherrer and Secretary of Energy Michael Ming, whose leadership was instrumental in achieving this agreement. My thanks go out also to PSO and both state and federal officials who helped to make this possible," added Fallin.

Oklahoma Secretary of the Environment Gary Sherrer praised the cooperative effort.

"It is always more positive when the federal government can work cooperatively with the state government and local companies. In this case, we've been able to develop a common sense solution with PSO that is in the best interests of all involved. I hope this agreement can serve as a model for others to use, as well as improve Oklahoma's environment and provide certainty to ratepayers," said Sherrer.

Oklahoma Secretary of Energy Michael Ming said the settlement agreement would avoid costly litigation while protecting consumers.

"The proposed settlement provides much needed certainty, manageable and acceptable costs to customers, and greatly reduced emissions in addition to leveraging Oklahoma resources," said Ming. "This agreement avoids costly and uncertain litigation and mitigating risks to consumers, all while improving the environment with an Oklahoma solution," Ming added.

The parties to the agreement will work together to develop definitive settlement documents in the next 30-60 days, and the agreement will then be subject to public review and comment. Any necessary approvals will be filed at the Oklahoma Corporation Commission.

For more information on this settlement agreement, please contact Tyler Powell, the director of the Office of the Secretary of Environment, at 405-530-8998.

###

David Gray
Director
External and Government Affairs
US EPA
(214) 665-2100 office
(214) 789-2619 mobile
gray.david@epa.gov

Janet Woodka/DC/USEPA/US
04/12/2012 08:37 AM

To Richard Windsor, Bob Perciasepe, Brendan Gilfillan, Gina
McCarthy
cc
bcc
Subject Fw: API letter

Hi -

I got an advance copy of the API letter which will be sent later today to the Administrator. But I was asked to hold it close so if we can do that, it would be super.

After talking with them, I would characterize their intent more as "summation of their requests". They do think that they have worked really well with Gina and her folks on this and think that most of their issues have been addressed. But since that is always fluid,, they wanted to put their concerns back out there. Also, they decided not to respond to the enviro letter of last week (which was related to an API letter to Jarrett) and instead send this. Let me know if you want any other info - such that i know.

Janet

This e-mail is intended only for the individual to whom it is addressed and may contain information that is privileged, confidential, or exempt from disclosure under applicable law. If you have received this communication in error, please delete the email from your system and notify me immediately.



Jack N. Gerard
President and Chief Executive Officer

1220 L Street, NW
Washington, DC 20005-4070
USA
Telephone (202) 682-8500
Fax (202) 682-8110
Email gerardj@api.org
www.api.org

April 12 , 2011

The Honorable Lisa Jackson
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., NW
Washington, DC 20460

Re: New Source Performance Standards for the Oil and Gas Sector

Dear Administrator Jackson:

API and its member companies have urged EPA to improve the final rule to ensure it is both achievable and environmentally beneficial. API does not oppose the rule if changes can be made to ensure it can be reasonably implemented to avoid negative impacts to domestic oil and gas production and job creation. Now that EPA has obtained a short extension of the deadline for completing this rule, we would like to reiterate two important points.

I. NSPS requires consideration of cost in the selection of control measures.

In our comments on the proposed rule, we explained that, when the VOC content of gas is low, control measures (such as reduced emissions completions, or RECs) achieve very little VOC emissions reduction and are extraordinarily expensive (i.e., not cost-effective). Therefore, imposing control measures on low-VOC gas is not practicable and cannot be justified under the Clean Air Act.

EPA's cost analysis for the proposed rule assumed a fixed gas VOC content of about 18% by weight, which clearly is substantially higher than the VOC content of gas from many of the shale gas formations currently under development around the country. Our analysis shows that the estimated cost of control measures that EPA developed in support of the proposed rule was unrealistically low. For example, EPA's cost estimate for RECs did not take into account the time needed to transport needed equipment to a site and to set up the equipment once it arrives on site.

As a result of high VOC content and low equipment cost assumptions, EPA concluded that control measures, such as RECs, could be cost-effectively implemented at all affected facilities when, in fact, they can not. When applying the cost-effectiveness criteria EPA has routinely used in prior NSPS rules, control measures are not cost-effective unless the VOC content of the gas is 10% or higher.

In addition, even assuming EPA's cost estimates are correct, RECs still would not be cost-effective for a vast number of oil and gas productions sites. For example, we explained in our comments that the average VOC content of gas from coal bed methane wells is close to zero. Using EPA's own REC cost estimates, assumptions about the VOC reductions achieved, and the value of methane that would be captured, the net cost effectiveness of VOC control would still be hundreds of thousands of dollars per ton of VOC reduced. This is plainly not cost-effective.

EPA does not have unlimited authority under § 111. EPA may regulate only to the extent that its rule can be justified under the prescribed statutory factors. A rule that applies without regard to VOC content is beyond EPA's authority.

II. A phase-in period for reduced emissions completions is needed.

In our comments on the proposed rule, we explained that a phase-in period will be needed to assure successful implementation of the new REC requirement where it will apply. We pointed out that about 25,000 new wells are completed each year and that there are approximately 300 REC sets currently in use in the industry. Assuming each REC set can be used to complete 25 wells per year, this means that about 1000 new REC sets will be needed to ensure that the rule can be implemented without unreasonably delaying new well development. In addition, many existing REC sets likely will need to be retrofitted to meet the new standards. This means that all 300 existing sets will not be immediately available upon the effective date of the rule. For these reasons, the REC requirement should become effective two years after the rule is issued.


If EPA requires immediate compliance with the REC requirement, the rule will cause substantial delays in most oil and gas development projects. Not only is this bad energy and economic policy, such an outcome is not supported by the law (e.g., a standard that cannot be met by most affected sources plainly cannot be shown to be achievable). This situation can and should be avoided by providing a short two-year phase-in period for the REC requirement.

While this letter focuses on the REC requirements, similar situations apply to storage vessels and pneumatic controllers. A VOC applicability limit and phase-in period should be included for these two affected sources as well.

Thank you for the opportunity to submit these supplemental comments. Please feel free to contact

me if you have questions or need additional information.

Sincerely,



Jack Gerard
President and CEO
American Petroleum Institute

***** ATTACHMENT NOT DELIVERED

This Email message contained an attachment named
image001.jpg
which may be a computer program. This attached computer program
could
contain a computer virus which could cause harm to EPA's
computers,
network, and data. The attachment has been deleted.

This was done to limit the distribution of computer viruses
introduced
into the EPA network. EPA is deleting all computer program
attachments
sent from the Internet into the agency via Email.

If the message sender is known and the attachment was legitimate,
you
should contact the sender and request that they rename the file
name
extension and resend the Email with the renamed attachment.
After
receiving the revised Email, containing the renamed attachment,
you can
rename the file extension to its correct name.

For further information, please contact the EPA Call Center at
(866) 411-4EPA (4372). The TDD number is (866) 489-4900.

***** ATTACHMENT NOT DELIVERED

Janet Woodka/DC/USEPA/US

01/10/2011 01:37 PM

To Richard Windsor, "David McIntosh", "Seth Oster", "Diane Thompson", "Bob Perciasepe", "Bob Sussman"

cc

bcc

Subject Re: Acc to Poitico, Tom Strickland has resigned from DOI to look for a private sector job.

Tom Strickland to step down as Interior Secretary Ken Salazar's chief of staff

By Allison Sherry

The Denver Post<

mailto:asherry@denverpost.com?subject=The%20Denver%20Post:%20Tom%20Strickland%20to%20step%20down%20as%20Interior%20Secretary%20Ken%20Salazar's%20chief%20of%20staff>

Posted: 01/10/2011 07:00:00 AM MST

Updated: 01/10/2011 08:22:33 AM MST

http://extras.mnginteractive.com/live/media/site36/2011/0109/20110109__20110110_A01_CD10PDCSTRICKLAND~p1_200.JPG<

<http://www.denverpost.com/portlet/article/html/imageDisplay.jsp?contentItemRelationshipId=3514084>>

Tom Strickland says it's time for him to "look for other challenges."

WASHINGTON – U.S. Interior Secretary Ken Salazar's chief of staff, Tom Strickland, will step down in February after 21 sometimes troubling months at a federal agency that is still reeling from one of the largest environmental disasters in U.S. history.

The announcement today comes days before an oil-spill report is set to be released by President Barack Obama's commission probing the disaster, but Strickland and Salazar told The Denver Post that Strickland's departure was voluntary and that it is in no way indicative of a shake-up in the Interior Department.

White House officials said Strickland, who also serves as assistant secretary for Fish and Wildlife and Parks, is leaving the post on his own.

The two-time Democratic U.S. Senate candidate and former U.S. attorney for Colorado says he will likely return to the private sector and stay in Washington, where his wife, an architect, has a job she likes.

"I came to Washington to take on this job and help (Salazar) in the task of cleaning up this department," Strickland said. "We've had even more excitement and challenge than we bargained for. . . . We always brought our best effort. We always tried to do right by the people."

Salazar says he begged Strickland to stay on.

"I asked him not to leave. I begged him. I'll miss his 80-hour weeks," Salazar said. "He wants to move forward and do another chapter."

Tenure overshadowed

Strickland is applauded internally at the department for representing the United States' effort to protect the bluefin tuna and for launching America's Great Outdoors – modeled after Great Outdoors Colorado.

But largely, his Interior tenure is clouded by the Deepwater Horizon oil gusher of 2010, the largest accidental marine oil spill in the nation's history. The April accident killed 11 people and dumped more than 200 million gallons of crude oil into the Gulf of Mexico before the well was capped in July.

Strickland compared it to being sworn in as a U.S. attorney on April 21, 1999, the day after the Columbine High School massacre.

"It was a comparable scale," Strickland said. "The personal tragedy of the families who lost family members will always be there."

Strickland, who took a work-related trip to the Grand Canyon with his wife during the early weeks of the gulf spill, says he went down to the affected area at least 20 times to work on the crisis.

The Grand Canyon trip, widely criticized in Washington as oil poured into the ocean, was something he was asked to do by Salazar. The department didn't know the scope of the tragedy when the decision was made.

"I was doing my job," Strickland said. "I was working hard."

Strickland's long resume reflects the 58-year-old's tension between the lucrative private sector and the public one. He had two stints as a partner at Brownstein, Hyatt & Farber and was also U.S. attorney. He twice ran for the U.S. Senate in Colorado and then worked at United HealthCare, reportedly for more than \$5 million a year.

"I've had a very interesting and varied career," he said. "We've got great people in place, and it's time for me to look for other challenges."

Obama's appointed commission to look into the oil spill is supposed to release its report this week. It is expected to be hard on BP, as well as on contractors working with BP. Salazar had no comment on the report's findings.

A good multitasker

Bill Meadows, president of the Wilderness Society, said balancing the gulf crisis with the other demands of the department showed Strickland's strength as a multitasker.

"The gusher was intense," Meadows said. "It disrupted the positive agendas. He was good at keeping those positive agendas moving. I think we came out with some good policies."

Michael McKenna, a Republican energy lobbyist, said he senses trouble at Interior. It has slowed domestic oil production, and gas prices are rising at a time when Obama is vulnerable.

"I'm surprised that it's him and not the secretary," McKenna said. "Maybe it's a canary in the coal mine."

Allison Sherry: 202-662-8907 or asherry@denverpost.com<<mailto:asherry@denverpost.com>>

Strickland's successors

Interior Secretary Ken Salazar says Tom Strickland's two jobs will be filled by two people.

His next chief of staff will be Laura Davis, who has been serving as deputy chief of staff. Before coming to Interior, Davis worked for Sen. Mark Udall, D-Colo., when he was in the House.

The assistant secretary for Fish and Wildlife and Parks requires a Senate confirmation. During the interim, the job will be filled by Will Shafroth, also from Colorado.

Read more: Tom Strickland to step down as Interior Secretary Ken Salazar's chief of staff - The Denver Post<http://www.denverpost.com/news/ci_17053145#ixzz1Ae99klo4>
http://www.denverpost.com/news/ci_17053145#ixzz1Ae99klo4<
http://www.denverpost.com/news/ci_17053145#ixzz1Ae99klo4>
Read The Denver Post's Terms of Use of its content: <http://www.denverpost.com/termsfuse>

Richard Windsor

----- Original Message -----

From: Richard Windsor

Sent: 01/10/2011 12:47 PM EST

To: "David McIntosh" <mcintosh.david@epa.gov>; "Seth Oster" <oster.seth@epa.gov>; "Diane Thompson" <thompson.diane@epa.gov>; "Bob Perciasepe" <perciasepe.bob@epa.gov>; "Bob Sussman" <Sussman.bob@epa.gov>; Janet Woodka

Subject: Acc to Poitico, Tom Strickland has resigned from DOI to look for a private sector job.

Janet Woodka/DC/USEPA/US

01/18/2012 04:32 PM

To "Richard Windsor", "Bob Perciasepe"

cc

bcc

Subject Fw: 1st DoI NGS article!

Here's the first article on this.
Jared Blumenfeld

----- Original Message -----

From: Jared Blumenfeld

Sent: 01/18/2012 11:44 AM PST

To: Janet Woodka

Subject: 1st DoI NGS article!

<http://www.kold.com/story/16547042/doi-releases-study-of-coal-plant-on-navajo-land>

Jared Blumenfeld
U.S. EPA
Regional Administrator
Pacific Southwest
415-947-8702

Janet Woodka/DC/USEPA/US
07/19/2011 11:55 AM

To "Richard Windsor", "Sarah Pallone", "Stephanie Owens",
"Bob Perciasepe", "Al Armendariz", "John Hankinson", "Seth
Oster", "Lisa Garcia"
cc "Diane Thompson"

bcc

Subject WH awards given to Beth Galante and Harlon Pearce

I'm not sure if we had anything to do with this - but nice recognition for Beth and Harlon.

From: Creative Industry [jnyno@aol.com]

Sent: 07/19/2011 10:52 AM AST

To: Janet Woodka

Subject: Global Green Receives White House Recognition--Help Take Action Today to Support the Gulf

Having trouble viewing this email? [Click here](#)

CONTACTS:

Jeanne Nathan, Creative Industry
917.232.4522; jnathan.ci@gmail.com

Ruben Aronin, GGUSA Director of Communications
310.612.5663; ronin@globalgreen.org

-FOR IMMEDIATE RELEASE-

**GLOBAL GREEN USA'S NEW ORLEANS DIRECTOR BETH
GALANTE HONORED AT WHITE HOUSE AS "CHAMPION OF
CHANGE"**

**CALLS FOR RESTORATION OF ECOSYSTEMS & INVESTMENT IN SAFE,
CLEAN ENERGY FUTURE FOR THE GULF**

July 19, 2011 - Washington, D.C. -Global Green USA's New Orleans Director Beth Galante is being honored today at the White House as a "Champion of Change." Galante will be recognized along with four other New Orleans-area residents for their work to

strengthen the local economy, create jobs and help the Gulf Coast recover from the Deepwater Horizon oil spill.

Galante is being honored for her work building energy-efficient, affordable homes for displaced New Orleanians as part of Global Green President Matt Petersen's vision and six-year initiative to rebuild New Orleans as a model green city post-Katrina. Galante is also participating in the Gulf Coast Sustainable Economies Roundtable at the White House. The Roundtable brings local leaders from around the Gulf Coast together to share best practices and connect them to the resources they need to undertake successful economic development projects and create jobs.

The White House Champions of Change initiative profiles Americans from all walks of life who are helping the country rise to the challenges of the 21st century. These Champions of Change are doing extraordinary things in their communities to innovate, educate and build a better America. For more on Champions of Change, please visit <http://www.whitehouse.gov/champions>.

"I am truly humbled and honored by this honor that I share with the staff and supporters of Global Green USA and with the thousands of my fellow New Orleanians who are tirelessly working every day to create a healthy, vibrant and sustainable Gulf Coast," said Galante.

Additional honorees include Will Bradshaw, Byron Bishop, Carlton Dufrechou and Harlon Pearce. "Will, Beth, Byron, Carlton and Harlon are true Champions of Change," said **Jeffrey King, the Executive Director of the Clean Economy Development Center.** "Their hard work and dedication have been instrumental to helping the Gulf Coast recover. Not only are they all helping their local community and region recover and rebuild, but also they are helping their country recover and grow."

BACKGROUND

Time Magazine has said, "No organization is doing more to rebuild New Orleans green than Global Green USA." Following the tragic BP Oil disaster, Global Green is using its extensive resources and understanding of the challenges and opportunities in New Orleans and the Gulf to call upon President Obama to Create the "Gulf Coast Clean Energy and Healthy Communities Foundation" - to transform the Gulf Coast to the Green Coast by helping the hard working Americans in the Gulf lead us to a stronger and cleaner economy, support wetlands and ecosystem restoration, and create more resilient Gulf Coast communities.

Immediately after Hurricane Katrina struck the Gulf Coast on August 29, 2005, Global Green formulated a vision and a plan to find a silver - or green - lining in the disaster. Thanks to Global Green, numerous rebuilding projects in New Orleans are now offering critical solutions to how we create highly efficient, green homes and schools, while at the same time aiding under-served and underprivileged communities.

GLOBAL GREEN USA

Global Green USA, the American arm of President Gorbachev's Green Cross International, was founded by Diane Meyer Simon in 1993, and is a national leader in creating smart solutions to climate change. For more than 15 years, Global Green's LEED-accredited staff has spearheaded applying green building technology to more than \$20 billion in new schools and affordable housing construction, while advancing groundbreaking solar, green building, and energy efficiency legislation. Global Green opened a New Orleans office shortly after Hurricane Katrina devastated the Gulf and is collaborating with environmentalists, community developers, the Recovery School District, urban organizations, and others to create the building blocks for a climate friendly, model sustainable city for the 21st century.

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This email was sent to woodka.janet@epa.gov by jnyo@aol.com | [Update Profile/Email Address](#) | Instant removal with [SafeUnsubscribe™](#) | [Privacy Policy](#).
Creative Industry | 2300 St. Claude Avenue | New Orleans | LA | 70117

Janet Woodka/DC/USEPA/US
09/22/2011 05:28 PM

To "Richard Windsor", "Seth Oster", "Bob Perciasepe", "Laura Vaught"

cc

bcc

Subject Fw: from the economist - today's hearing

Thought you might like to see this article from the economist...

From: Janet Woodka [jlwoodka@mac.com]
Sent: 09/22/2011 05:00 PM AST
To: Janet Woodka
Subject: from the economist

Congress, climate change and incompetent grandstanding

Feb 9th 2011, 22:18 by E.M. | WASHINGTON, DC

MY COLLEAGUES have been [discussing climate change](#), and it's worth noting that global warming used to be the subject of genuine political debate in Washington as well. Al Gore made a movie about it. Barack Obama vowed to put a stop to it (indeed, he claimed that he had begun to lower sea levels simply by being nominated for the presidency). Congress pored over a series of detailed laws designed to tackle it. The House of Representatives even passed one.

No longer. The bill the House passed made no headway in the Senate, even with a filibuster-proof Democratic majority. Now that the Democrats have lost the House and seen their majority shrink in the Senate, the chances of an emissions-cutting measure getting through Congress are nil. Indeed, Republicans want to move in the opposite direction, and strip the EPA of its authority to regulate greenhouse gases under the Clean Air Act. But the chances of that succeeding are also close to zero, since the president has promised to veto any such move.

It should be of little surprise, then, that the hearing held today by the House's Energy and Commerce Committee on reining in the EPA was more about grandstanding than about legislating. A series of Republicans asked Lisa Jackson (pictured), the head of the EPA, whether she was aware of how many jobs she was killing by raising energy prices and whether she was happy about it. A series of Democrats asked Mrs Jackson whether she was aware of how many lives she was saving by fighting pollution, and whether it would be a good idea to let those people die. Mrs Jackson, the supposed star witness, had only a minor role in it all.



Committee hearings are always like this. After smarmy exchanges about how delighted they are to be speaking to one another, congressmen ask grotesquely biased "Gotcha!" questions that the witnesses, usually harried officials, do their best not to respond to in a meaningful fashion. There are a lot of requests, almost always ignored, for yes or no answers. Mrs Jackson, for example, expended considerable time and effort not saying that greenhouse-gas regulation would raise energy prices and thus harm the economy.

Sometimes, the pretence of give-and-take is abandoned altogether. This morning, Joe "Sorry BP" Barton, a Republican from Texas, asked a laughably leading question, requested a yes or no answer, and then—before receiving one—told Mrs Jackson, "The answer is no." When she asked, with faux naivety, whether Mr Barton wanted her to answer the question herself or comment on his remarks, he replied with admirable honesty that he didn't. What was surprising, given how long Congress has debated this subject, is how incompetent the grandstanding was. I'm reconciled to the fact that America's congressmen are not all silver-tongued Ciceros. Indeed, most of them seem to have trouble following a train of thought, finishing a sentence or getting noun and verb to agree. Several appeared not to know that the heinous acts they were complaining about were committed not by Mrs Jackson and her staff, but by the courts, or by the administration of George W. Bush. One confused cap-and-trade schemes to reduce greenhouse-gas emissions with the more rigid administrative approach used by the EPA, giving Mrs Jackson a let-out from an otherwise awkward question. Another did not seem to know that Congress had the power to overturn executive regulations. A third proudly declared the he was an engineer, and so knew a thing or two about science, only to have Mrs Jackson retort that she too was an engineer (oops!), and so knew the importance of deferring to experts in a given field. A fourth made a fart joke, and then proudly declared, "That's humour!"

But in addition to garbled syntax, muddled arguments and childish behaviour, the Republican attack-dogs were surprisingly off-message (the Democrats shared all these faults too, but this wasn't their show). Some argued that global warming wasn't proven, others that the EPA was misinterpreting the Clean Air Act (something the Supreme Court has cleared it of) and yet others that all the EPA's efforts to control pollution of any sort since its creation in 1970 had placed an intolerable burden on business. A representative from Oregon starting banging on about the treatment of wood-based biomass in a bill that has already been shelved. Another Republican seemed to be arguing that the EPA should adopt more stringent regulations than it has proposed—not a popular idea within the party. Amid all this confusion, the Republicans' best argument—that the costs of regulating greenhouse gases are likely to outweigh the benefits in the short term, at least—got lost. The White House is said to be contemplating postponing the EPA's regulatory drive until after next year's election, for fear that the Republicans will denounce it as "job-killing" on the campaign trail. And so, doubtless, they will. But if today's hearing is anything to go by, they are also likely to sully that message with a lot of extreme—and extremely puerile—talk. (Photo credit: Bloomberg News)

Jared Blumenfeld
<jaredblumenfeld@comcast.net>

11/19/2011 01:27 PM

To Richard Windsor

cc

bcc

Subject Carl Pope steps down as leader of Sierra Club

<http://www.sfgate.com/cgi-bin/article.cgi?f=/c/a/2011/11/18/MN0C1M19HS.DTL&tsp=1>

The leader of the Sierra Club, one of the nation's most influential environmental groups, has stepped down after 18 years amid discontent that the group founded by 19th century wilderness evangelist John Muir has compromised its core principles.

The departure of Carl Pope, 66, chairman of the club and a member for more than 40 years, comes as the nonprofit group faces declining membership, internal dissent, well-organized opponents, a weak economy and hostile forces in Congress trying to take the teeth out of environmental regulations.

He has been replaced by Michael Brune, 40, a veteran of smaller activist groups, who has pledged to base his leadership on grassroots organizing, recruiting new members and focusing on issues such as coal-fired power plants. "We have different approaches," Brune said of his relationship with his predecessor.

Pope said he will leave his position as chairman to devote most of his time to "revitalizing the manufacturing sector" by working with organized labor and corporations. That focus during his tenure caused schisms in the club, most notably when he hammered out a million-dollar deal with household chemical manufacturer Clorox to use the club's emblem on a line of green products, and more recently with its unflinching support of utility-scale solar arrays in the Mojave Desert, the type of wild place the club made its reputation protecting.

"I'm a big-tent guy," Pope said in an interview in the group's San Francisco headquarters. "We're not going to save the world if we rely only on those who agree with the Sierra Club."

Pope led the Sierra Club's efforts to help protect 10 million acres of wilderness, including California's Giant Sequoia National Monument, and brought litigation challenging the right of then-Vice President Dick Cheney's energy task force to secretly hash out energy policy with major oil companies. Pope also co-authored California's [Proposition 65](#), which allowed citizens to sue polluters if they failed to comply with the law. More recently, he helped block 150 proposed coal-fired power plants.

But his tenure was marked by controversial decisions that revealed the costs and political consequences behind the brand of environmental activism he practiced. Acrimony remains over the 2008 Clorox deal, which brought the club \$1.3 million over the four-year term of the contract, according to Pope.

Brune previously worked for the Rainforest Action Network and Greenpeace, groups known for scrappy and theatrical anticorporate tactics. That background emerges in his view of the group's relationship with Clorox.

"We're done with Clorox," Brune said in an interview. "The contract with Clorox runs out in December, and by mutual consent it will not be renewed."

Read more: <http://www.sfgate.com/cgi-bin/article.cgi?f=/c/a/2011/11/18/MN0C1M19HS.DTL#ixzz1eB3A12GM>

**Jared
Blumenfeld/R9/USEPA/US**

05/03/2011 11:51 AM

To Richard Windsor

cc

bcc

Subject Re: EPA tries to win back farm states

Thank you for making ag a priority and for understanding that there are myths that needed busting. How you knew about LW1 and Victorville is a whole nother matter!

Jared Blumenfeld

Sent by EPA Wireless E-Mail Services

Richard Windsor

----- Original Message -----

From: Richard Windsor

Sent: 05/03/2011 09:40 AM EDT

To: "Karl Brooks" <brooks.karl@epa.gov>; "Susan Hedman" <hedman.susan@epa.gov>; "Jared Blumenfeld" <blumenfeld.jared@epa.gov>; Jim Martin; "Al Armendariz" <Armendariz.Al@epa.gov>; Gwendolyn KeyesFleming; Shawn Garvin; "Judith Enck" <enck.judith@epa.gov>; "Curt Spalding" <spalding.curt@epa.gov>; "Dennis McLerran" <mclerran.dennis@epa.gov>

Cc: Janet Woodka

Subject: Fw: EPA tries to win back farm states

Thanks for your help in this effort. Lisa

Sarah Pallone

----- Original Message -----

From: Sarah Pallone

Sent: 05/03/2011 08:31 AM EDT

To: Richard Windsor

Subject: EPA tries to win back farm states

FYI

POLITICO

EPA tries to win back farm states

By: [Robin Bravender](#)

May 3, 2011 04:44 AM EDT

Lisa Jackson is looking for some friends down on the farm.

Farm-state voters have seemingly lost patience with Democrats in Washington. Last fall, the governorships and a combined 16 congressional seats in several key states that supported President Barack Obama in 2008 flipped to Republicans, including Iowa, Michigan, Ohio, Pennsylvania and Wisconsin.

At the center of complaints from farm-state lawmakers: the Environmental Protection Agency's air and water regulations, which they claim will put farms out of business.

In an effort to repair its image in the heartland, EPA Administrator Lisa

Jackson and other Cabinet officials are hitting the road and the airwaves.

Jackson traveled to Iowa last month and California farm country in March, and EPA says additional trips are in the works. She has also been trying to improve EPA's image through appearances on local radio stations and with op-eds in farm states.

"Part of the reason for being here is to speak directly to folks outside of that echo chamber that's the Washington, D.C., world about what's really happening," Jackson told Des Moines, Iowa, radio station WHO last month.

"I call it sort of my 'debunking the myths' tour," she said.

Jackson admits she doesn't have a background in agriculture. "I'm a city girl," the New Orleans native said.

She insists EPA isn't out to put farms out of business but has failed to make much headway on Capitol Hill, where the agency's farm policies have come under fire from Democrats and Republicans alike.

At a heated March House Agriculture Committee hearing, California Democrat Dennis Cardoza told Jackson her agency was "the most unpopular agency in farm country from sea to shining sea, bar none."

The committee's top Democrat, Collin Peterson of Minnesota, said EPA appears to farmers like "an out-of-control agency that doesn't understand agriculture and doesn't seem to want to understand it." And Illinois Republican Tim Johnson told Jackson that her agency has been the "poster child ... for usurpation of legislative authority."

Among the most common anti-EPA talking points: The agency plans to clamp down on farm dust, regulate spilled milk like spilled oil and impose a "cow tax" on farmers for the greenhouse gases emitted by livestock.

Jackson says those are all myths. She told the House panel that the "mischaracterizations" about her agency "are more than simply a distraction" and "could prevent real dialogue to address our greatest problems."

Jackson insists that EPA has no plans to regulate dust on farms, although she hasn't ruled out the possibility. Last month, EPA made good on its promise to exempt milk containers from rules aimed at preventing oil spills from reaching water supplies.

And Jackson says the "cow tax" rumors are hot air. "That myth was started in

2008 by a lobbyist" and quickly debunked by a nonpartisan, independent group, she said at the hearing.

"I have a tremendous respect for the agricultural sector," she said. "Farmers and ranchers are an essential part of our economy; they give us food, fiber and fuel."

Jon Doggett, vice president of public policy of the National Corn Growers Association, said he often hears concerns from growers about not just what they see happening now at EPA but also "what they see coming in the future."

But he said it's a welcome sign that EPA officials are heading out to talk to farmers. "The thing that gets our folks most upset is the feeling that EPA doesn't know what we're doing out on farms," he said.

Pairing Jackson with Agriculture Secretary Tom Vilsack could help on that front.

Jackson and the former Iowa governor last month visited a livestock farm, a row crop farm and a biodiesel plant.

The two also penned an op-ed in The Des Moines Register last week touting the "shared goals" of EPA and farmers and again sought to set straight "some of the misconceptions and myths about the EPA."

Jackson is also known for her ability to put even her fiercest critics at ease when she meets them face to face. She's friendly with the Senate's top climate skeptic, Jim Inhofe (R-Okla.), who regularly berates the administration's environmental policies.

The EPA chief would do well to make stops in places such as Fort Wayne, Peoria or Evanston and answer questions about what much-feared regulations will really do, said a former Senate Democratic aide.

"Lisa Jackson does a very good job in that environment," that person said, because she can easily relate to people and doesn't get rattled.

Jackson also met with farmers and ranchers in Fresno, Calif., in March. In an op-ed in the Fresno Bee, she touted EPA's partnerships with agriculture and said its top brass has met with hundreds of farmers and ranchers across the country in the past year.

Norm Ornstein, a political analyst at the American Enterprise Institute, said the administration is likely trying to avoid fights in states that still rely heavily

on agriculture.

"The last thing you want to do is piss them off for no good reason," he said.

And the attacks from farmers have been amplified amid Republicans' constant criticism of EPA and the Obama administration's environmental agenda.

"If you're aiming at the White House, you're going to use every weapon in your arsenal and everything that you can do to raise the dissatisfaction level in people," Ornstein said.

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"In the end, the proof is in the pudding, you look at what happens day to day," said Paul Schlegel, director of environment and energy policy at the American Farm Bureau Federation.



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for Intergovernmental Relations
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202-564-7178
pallone.sarah@epa.gov

**Jared
Blumenfeld/R9/USEPA/US**
05/03/2011 12:10 PM

To Richard Windsor
cc
bcc

Subject Re: EPA tries to win back farm states

No such thing as useless as you plainly demonstrated yesterday - you are now my hero for life.
Jared Blumenfeld
Sent by EPA Wireless E-Mail Services
Richard Windsor

----- Original Message -----

From: Richard Windsor
Sent: 05/03/2011 12:06 PM EDT
To: Jared Blumenfeld
Subject: Re: EPA tries to win back farm states

Way too much useless info in my head. Tx.
Jared Blumenfeld

----- Original Message -----

From: Jared Blumenfeld
Sent: 05/03/2011 11:51 AM EDT
To: Richard Windsor
Subject: Re: EPA tries to win back farm states

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Sent by EPA Wireless E-Mail Services
Richard Windsor

----- Original Message -----

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Sent: 05/03/2011 09:40 AM EDT
To: "Karl Brooks" <brooks.karl@epa.gov>; "Susan Hedman" <hedman.susan@epa.gov>; "Jared Blumenfeld" <blumenfeld.jared@epa.gov>; Jim Martin; "Al Armendariz" <Armendariz.Al@epa.gov>; Gwendolyn KeyesFleming; Shawn Garvin; "Judith Enck" <enck.judith@epa.gov>; "Curt Spalding" <spalding.curt@epa.gov>; "Dennis McLerran" <mclerran.dennis@epa.gov>

Cc: Janet Woodka
Subject: Fw: EPA tries to win back farm states

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Deputy Associate Administrator
for Intergovernmental Relations
Office of the Administrator
202-564-7178
pallone.sarah@epa.gov

**Jared
Blumenfeld/R9/USEPA/US**
10/26/2010 12:13 PM

To Richard Windsor
cc
bcc
Subject Re: NYTimes.com: Navajos Hope to Shift From Coal to Wind
and Sun

Thx!
Jared Blumenfeld
Sent by EPA Wireless E-Mail Services

From: Richard Windsor
Sent: 10/26/2010 08:05 AM EDT
To: "Jared Blumenfeld" <blumenfeld.jared@epa.gov>; "Michelle DePass" <depass.michelle@epa.gov>
Cc: "Seth Oster" <oster.seth@epa.gov>; Adora Andy
Subject: Fw: NYTimes.com: Navajos Hope to Shift From Coal to Wind and Sun

Interesting. Jared - Region 9 did a good job on this.

From: Richard Windsor
Sent: 10/26/2010 08:00 AM AST
To: Richard Windsor
Subject: NYTimes.com: Navajos Hope to Shift From Coal to Wind and Sun

This page was sent to you by: windsor.richard@epa.gov

SCIENCE | October 26, 2010

Navajos Hope to Shift From Coal to Wind and Sun

By MIREYA NAVARRO

Health and environmental concerns have become a factor in next Tuesday's Navajo Nation presidential election.

Advertisement

Jared
Blumenfeld/R9/USEPA/US
04/20/2012 04:41 PM

To "Lisa P. Jackson"
cc
bcc
Subject Fw: From ClimateWire -- NATIONS: Mexico approves
groundbreaking climate bill

Sent by EPA Wireless E-Mail Services
Enrique Manzanilla

----- Original Message -----

From: Enrique Manzanilla
Sent: 04/20/2012 10:51 AM PDT
To: Tomas Torres
Cc: Amy Zimpfer; Nate Lau; Kelly Zito; Jared Blumenfeld; Teddy Ryerson;
Ben Machol; Dave Fege
Subject: Fw: From ClimateWire -- NATIONS: Mexico approves groundbreaking
climate bill
good article on Mexico's climate bill. Adrian Fernandez quoted. We may need to update Border 2020
draft to acknowledge this development.

Enrique Manzanilla
Director, Communities and Ecosystems Division
US EPA Region 9-Pacific Southwest
(415) 972-3843

--

This ClimateWire story was sent to you by: manzanilla.enrique@epa.gov

Personal message:

An E&E Publishing Service

NATIONS: Mexico approves groundbreaking climate bill

(Friday, April 20, 2012)

Lisa Friedman, E&E reporter

Mexico's Senate unanimously approved landmark climate change legislation yesterday that sets the country on a pioneering path to drastically reduce its domestic greenhouse gas emissions.

The measure calls for Mexico to cut carbon 30 percent below business-as-usual growth by 2030 and 50 percent by midcentury. It now goes to President Felipe Calderón, who has championed action to control climate change and is expected to sign it.

Once the legislation is finalized, Mexico will be only the second country after the United Kingdom to have domestic global warming legislation in place, activists said. It also will be a leader among developing nations taking concrete steps to rein in explosive carbon growth.

"No developing country in the world has a climate law, let alone a climate law that has this vision and this ambition, that integrates all of the sectors at the national level in a system for climate change," said Vanessa Perez-Cirera, head of climate and energy programs for WWF Mexico.

Mexico is the world's 11th-largest economy, as well as the 11th-largest greenhouse gas emitter. But under the rules of the U.N. climate change regime, it is not yet

obligated to curb carbon. Activists said yesterday that Mexico has a long way to go -- the new bill, which passed 78-0 just a week after overwhelming House passage, does not put a price on carbon, nor does it mandate that the country meet the emission reduction goals.

But by putting the targets into law and mandating a set of regulations -- including requiring 35 percent of the country's electricity to come from clean sources by 2024; establishing a voluntary carbon market; developing incentives to promote renewable energy; phasing out fossil fuel subsidies; and forcing companies in the largest carbon polluting sectors to report their emissions -- they said the results could be groundbreaking.

"It's a major thing. We're making these targets legally binding, so we're actually putting our actions where our mouth is," Perez-Cirera said.

A surprise vote

"No longer in the future will the business community, or even a large number of members from Pemex [Mexico's state-owned petroleum company] or local governments be able to say, 'I'm not obliged to do anything.' We've heard that so often," said Adrian Fernandez, environmental and climate adviser to the dean of Metropolitan University in Mexico City.

Particularly critical, Fernandez said, are provisions that establish a high-level climate change commission and a national emissions registry, as well as give the National Institute of Ecology -- sort of an in-house think tank to the environment ministry -- expanded powers. The agency also gets a new name, the National Institute of Ecology and Climate Change.

"This is not a small thing. Now, for the very first time, the various ministries and many others will be able to allocate explicitly financial resources devoted to both mitigation and adaptation," he said. "This will help Mexico in going to the next stage in climate policies, which is tackling the challenge of implementation. Now it's about time to be really moving forward in very serious implementation."

Mexico's iron and steel trade association, CANACERO (Cámara Nacional de la Industria del Hierro y del Acero) did not respond yesterday to a request for comment. The industry group over the past several months has warned that the measure could lead to job losses and hurt the industry's competitiveness.

Analysts said they believe the measure will help shift dynamics in the international climate change talks, where developing and industrialized countries continue to struggle over taking legally binding commitments to cut carbon emissions.

"We see it is in Mexico's interest to achieve these goals, and I would hope Mexico is giving an interesting signal to other countries that this is possible," said Andres Avila, Mexico representative for the Washington, D.C.-based Center for Clean Air Policy.

"This is important, as it shows that Mexico is serious about addressing climate change even if there is a change in leadership," agreed Jake Schmidt, international climate change policy director for the Natural Resources Defense Council. "This is another sign of how times have changed. Developing countries are acting, and questions linger about the U.S.'s actions."

The bill's passage comes on the heels of Mexico's worst drought in more than 70 years, which advocates said played no small part in the debate. The bill focuses heavily on the likely impacts of climate change in Mexico and points to concerns over the increase in extreme weather events.

But with the legislative session ending this week, activists said they were not sure it would actually pass. Avila noted that the bill wasn't even on the Senate calendar yesterday. Its reading and subsequent Senate passage caught even close followers of the legislation by surprise.

"It took us two years to have this law," he said. "Like most things in Mexico, we did it at the last minute. But we managed to accomplish it."

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About ClimateWire

ClimateWire is written and produced by the staff of E&E Publishing, LLC. It is designed

to provide comprehensive, daily coverage of all aspects of climate change issues. From international agreements on carbon emissions to alternative energy technologies to state and federal GHG programs, ClimateWire plugs readers into the information they need to stay abreast of this sprawling, complex issue.

E&E Publishing, LLC
122 C St., Ste. 722, NW, Wash., D.C. 20001.
Phone: 202-628-6500. Fax: 202-737-5299.
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Jeffrey Corbin/CBP/USEPA/US

To Richard Windsor

08/21/2011 08:43 PM

cc Bob Perciasepe, Bob Sussman, Diane Thompson, Heidi Ellis
bcc

Subject Invitation to speak at the Virginia Blue Planet Forum

Administrator - Below is an invitation from the Ches Bay Foundation to speak at the Blue Planet Forum in the Fall. I worked with them to have Gov Kaine speak there back in '09. It's a fairly big deal - sponsored by NOAA, Nauticus, ODU and CBF. It's a great audience, big participation, press...and plenty of flexibility with regards to your topic and schedule.

If you have an interest in doing it I will pursue logistics.

Thanks...jc

Jeff Corbin
Senior Advisor to the Administrator for Chesapeake Bay and Anacostia River
U.S. EPA
(215)667-9304

----- Forwarded by Jeffrey Corbin/CBP/USEPA/US on 08/21/2011 08:34 PM -----

From: "Ann Jennings - ext. 301" <AJennings@cbf.org>
To: Jeffrey Corbin/CBP/USEPA/US@EPA
Cc: Christy Everett <CEverett@cbf.org>
Date: 08/21/2011 11:58 AM
Subject: Informal Request regarding Virginia Blue Planet Forum

Dear Jeff,

Per our conversation last week, I'm sending this informal request regarding the next *Blue Planet Forum: Exploring the Bay and Beyond* lecture. As we discussed, CBF would like to know if it's even appropriate and feasible to host the Forum this fall with Administrator Jackson as the speaker. If you give us the green light, we will send a formal invitation to Administrator Jackson from Will Baker. In fact, all of the Blue Planet Forum partners - Chesapeake Bay Foundation, National Oceanic and Atmospheric Administration, Nauticus, and Old Dominion University, would enthusiastically welcome the opportunity to invite Administrator Jackson!

As a reminder, the Blue Planet Forum, held at Nauticus in Norfolk, VA, is a lecture series that educates and engages citizens on important environmental issues affecting Hampton Roads and the nation. We have sought throughout its inception to feature high-profile speakers, from Jim Woolsey, former CIA Director who spoke on climate change to Governor Tim Kaine, who spoke on the Renew Virginia initiative (video [here](#)). The Blue Planet Forum has consistently drawn hundreds of people. Each audience has represented a diverse cross section of Hampton Roads residents, including elected officials, citizens, professionals, college students, and the military community.

We would certainly offer Administrator Jackson the flexibility to create her own desired topic, but suggest a timely and appropriate topic would certainly be the Chesapeake Bay TMDL. We are also flexible on the date and would look for a mutually agreeable date in the Fall of 2011.

The presentations typically begin at 7:00 p.m and are approximately 30 to 45 minutes, followed by a short audience question and answer segment.

Jeff, we thank you for any assistance you can provide. Please advise at your earliest convenience if we should pursue a formal invitation to Administrator Jackson. Thank you!

Sincerely, Ann

Jeffrey Tate/DC/USEPA/US

03/22/2012 04:51 PM

To windsor.richard

cc

bcc

Subject Black Women's Roundtable

The event at the Renaissance is essentially all set to go. There are only about 50-60 ppl here as opposed to the 250-300 ppl they expected. Many of the women have left because they've been in sessions all day.

Run of show:

Melanie Campbell introduces you

You provide remarks

Felicia Davis (UNCF - she was also in attendance at Cong. John Lewis event in atlanta) provides response & asks question re: climate change

You provide response

Optional Q&A (based on time and if you want to leave) or Departure

See you shortly.

Jeffrey D. Tate

Advance Specialist

Office of the Administrator - U.S. EPA

202.564.8902 (w)

202.480.4457 (cell)

tate.jeffrey@epa.gov

Jim Martin/R8/USEPA/US
12/28/2011 11:03 AM

To Betsaida Alcantara, Brendan Gilfillan, Gina McCarthy, Janet McCabe
cc Richard Mylott
bcc Richard Windsor
Subject Hg edittorial

Sorry for the format -- cannot figure out how to fix that. But very good piece from today's Denver Post.

jim

opinion

Editorial: Long time coming for mercury rules

Until now, the U.S. essentially had no federal limits on certain toxic pollutants from power plants.

Posted: 12/28/2011
01:00:00 AM MST

**By The Denver
Post**



EPA Administrator Lisa Jackson speaks about new mercury emission regulations

during a news conference at the Children's National Medical Center on Dec. 21, 2011, in Washington, D.C. (Mark Wilson, Getty Images)

Stringent new federal standards on emissions of mercury and other air toxics are a landmark public health victory that will have lasting effects in Colorado and the nation.

For all practical purposes, our country until now had no national limits on how much of these substances power plants could emit.

After 20 years of fighting over the shape of these rules, it's about time.

You might think that Colorado's recent action to regulate mercury would mean the federal rules wouldn't change much here.

However, mercury emitted from power plants travels a long way, and has been contaminating Colorado's lakes and fish for decades.

Federal regulation of this potent neurotoxin, long overdue, will make every state adhere to the same sort of tough standards Colorado already has adopted.

We're glad to see it.

Contaminated fish is the main way that people ingest mercury. It's particularly dangerous for

infants, children and developing fetuses, who would be exposed if their mothers ate contaminated fish. The primary effect is impaired neurological development.

Such exposure can result in problems with cognitive thinking, attention span, memory and fine motor skills, according to studies cited by the U.S. Environmental Protection Agency.

Even a mother who shows no symptoms of nervous-system problems can give birth to a child with profound disabilities.

Clearly, this is dangerous stuff.

A couple years back, The Denver Post published a story saying 20 percent of Colorado's lakes and reservoirs tested by the state contained mercury-tainted fish.

About half of the mercury emitted into the environment comes from coal-fired power plants. Mercury can remain in the atmosphere for a year and doesn't respect state lines.

It has been more than two decades since federal lawmakers passed measures requiring the EPA to regulate emissions of toxic substances.

Since then, coal-burning utilities have fought the rules, saying they would require the installation of costly

pollution-control devices.

It's true that the rules will add incrementally to the price of electricity. However, for every dollar spent on pollution control, the EPA estimates a \$3 to \$9 return in health benefits.

Beyond the environmental and health benefits, the rules will have a positive effect on the clean-energy industry, particularly in Colorado.

A Littleton company, ADA-Environmental Solutions, is an industry leader in mercury-scrubbing technology and is poised to gain quite a bit of business from the rules. That means jobs for Colorado.

"It's a pretty significant event for the company," Mike Durham, president and chief executive, told us.

We think it's a significant — and welcome — turn of events for the nation as well.

Read more: [Editorial: Long time coming for mercury rules - The Denver Post](http://www.denverpost.com/opinion/ci_19627470#ixzz1hqUw2WPS)
http://www.denverpost.com/opinion/ci_19627470#ixzz1hqUw2WPS

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James Martin

Regional Administrator

Region 8

U.S. Environmental Protection Agency

Jim Martin/R8/USEPA/US

01/03/2012 03:46 PM

To Gina McCarthy, Janet McCabe

cc

bcc Richard Windsor

Subject Salt lake Trib on Hg MACT

Can't take any credit for this, making it even better.

<http://www.sltrib.com/sltrib/opinion/53155773-82/plants-power-coal-close.html.csp>

James Martin
Regional Administrator
Region 8
U.S. Environmental Protection Agency

Jim Martin/R8/USEPA/US

02/16/2012 10:51 AM

To Richard Windsor

cc

bcc

Subject Fw: EDF online ad campaign

I am sure you have seen this, but just in case.

James Martin
Regional Administrator
Region 8
U.S. Environmental Protection Agency

----- Forwarded by Jim Martin/R8/USEPA/US on 02/16/2012 08:50 AM -----

From: "Vickie Patton" <vpatton@edactionfund.org>
To: "Vickie Patton" <vpatton@edf.org>
Date: 02/16/2012 05:15 AM
Subject: EDF online ad campaign

EDF is running online ads to thank the Obama Administration for a series of positive environmental decisions. The campaign will start February 14th and run through March 25th. The ads will run in CO, FL, OH, PA, VA, NE, NH, NM, NV, MI, and SC. They will appear on Huffington Post, Maddow Blog, MSNBC, Think Progress, Daily Kos, Yahoo content, and many local sites.

Ads:

<http://www.edf.org/sites/default/files/climate/FLAG Banner 300x250 01.gif>

<http://www.edf.org/sites/default/files/climate/FLAG Banner 728x90 01.gif>

<http://www.edf.org/sites/default/files/climate/MPG Banner 300x250 02A.gif>

<http://www.edf.org/sites/default/files/climate/MPG Banner 300x250 02B.gif>

<http://www.edf.org/sites/default/files/climate/MPG Banner 728x90 02.gif>

<http://www.edf.org/sites/default/files/climate/KEYSTONE Banner 300x250 03A.gif>

<http://www.edf.org/sites/default/files/climate/KEYSTONE Banner 300x250 03B.gif>

http://www.edf.org/sites/default/files/climate/KEYSTONE_Banner_728x9005.gif

Jim Martin/R8/USEPA/US
03/09/2012 05:13 PM

To Richard Windsor, Gina McCarthy, Janet McCabe, Bob Perciasepe
cc
bcc
Subject Press releases on Colorado Regional Haze SIP



FOR IMMEDIATE RELEASE

Office of Gov. John Hickenlooper

Mark Salley, 303-692-2013 v

Mark.Salley@state.co.us

Tisha Conoly Schuller, 303-861-0362 v

tisha.schuller@coga.org

Sharyn Stein, 202-572-3396 v

sstein@edf.org

Michelle Aguayo, 303-294-2300 v

michelle.aguayo@xcelenergy.com

Colorado's air quality plan receives initial approval from U.S. Environment Protection Agency

DENVER — Friday, March 9, 2012 — Gov. John Hickenlooper announced today that Colorado's State Implementation Plan for Regional Haze, a comprehensive package of pollutant emissions reduction strategies designed to provide sweeping public health and environmental protections, has received preliminary approval from the U.S. Environmental Protection Agency.

"The EPA's proposal to approve the Regional Haze Plan is a ringing endorsement of a comprehensive and collaborative effort to address this issue," Hickenlooper said. "This plan is a major step in the state's efforts to comply with the federal Regional Haze rule, a congressionally-established air quality goal that seeks to improve visibility in national parks and wilderness areas across the country, while also providing public health benefits."

A key component of the overall plan is the 2010 Clean Air-Clean Jobs Act passed by the Colorado General Assembly that will reduce harmful pollution through emissions controls; retire old, inefficient coal-fired power

plants; and convert certain electric generating units from coal to cleaner-burning natural gas.

By 2018, the plan will result in more than 70,000 tons of pollutant reductions annually, including 35,000 tons of nitrogen oxides, which leads to ground-level ozone formation. In total, the plan covers 30 units at 16 facilities throughout Colorado, including coal-fired power plants and cement kilns.

“Our plan will lead to less haze and improved visibility in some of Colorado’s most treasured and scenic areas including Rocky Mountain National Park, Mesa Verde, Maroon Bells and the Great Sand Dunes,” said Dr. Christopher E. Urbina, Executive Director and Chief Medical Officer of the Colorado Department of Public Health and Environment. “Colorado has long recognized the importance of protecting air quality in national parks and wilderness areas, and has taken a leadership role in developing a plan that reduces emissions of pollutants that adversely impact visibility. The tremendous pollution reductions will also have significant public health benefits.”

“EPA’s proposal to approve Colorado’s plan works for both the environment and our customers,” **said David Eves, president and CEO of Public Service Co. of Colorado**, an Xcel Energy company. “EPA has now joined the Public Utilities Commission, the Department of Public Health and Environment, the Colorado legislature and other stakeholders in endorsing our plan under the Clean Air-Clean Jobs Act. EPA’s action helps assure we can significantly reduce emissions while keeping electricity affordable.”

“This approval is an important endorsement of Colorado’s state-led collaboration,” **said Tisha Conoly Schuller, President & CEO of the Colorado Oil & Gas Association**. “The Clean Air-Clean Jobs Act will support job creation in Colorado’s natural gas sector while measurably reducing air pollutant emissions,”

“Colorado’s bipartisan clean air plan will provide healthier air for our children and help clear the brown cloud over Denver while strengthening our economy,” **said Pamela Campos, an attorney in the Environmental Defense Fund’s Colorado office**. “EPA has shown strong leadership by proposing approval, clearing the way for historic pollution reductions from the single largest emitters in Colorado so that we can all breathe easier.”

“In the eyes of the American Lung Association, policies such as this that clean up our air will help prevent disease, save lives, reduce hospitalizations and improve our overall health, which also has measurable benefits in terms of health-care costs,” said **Curt Huber, Executive Director for the American Lung Association in Colorado**. “Each year, the total benefits of EPA’s air pollution regulations outweigh the costs by as much as 40 to 1,”

EPA will take public comment on its proposed approval and intends to finalize its decision no later than Sept. 10, 2012. The plan, as approved by the Colorado Air Quality Control Commission and submitted to the EPA, can be viewed at <http://www.cdphe.state.co.us/ap/regionalhaze.html>.

###

UNITED STATES CONGRESS

FOR IMMEDIATE RELEASE

Friday, March 9, 2012

CONTACT: Adam Bozzi (Bennet) – 202-228-5905

Tara Trujillo (Udall) – 202-224-4334

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Catherine Mortensen (Lamborn) – 202-841-2653

Leslie Oliver (Perlmutter) – 303-810-6326

Joe Megyesy (Coffman) – 202-744-0288

Chris Fitzgerald (Polis) – 202-225-2161

Rachel Boxer (Gardner) – 970-221-7153

Josh Green (Tipton) – 202-225-4761

EPA Gives Initial Approval to Colorado's Plan - Backed by Delegation - to Reduce Regional Haze Pollution

Washington, DC - The Colorado Congressional delegation today applauded the U.S. Environmental Protection Agency's (EPA) preliminary approval of Colorado's State Implementation Plan (SIP) to reduce regional haze pollution in Colorado's national parks and wilderness areas. The EPA's proposal to adopt the plan would approve the Colorado strategy through 2018.

The SIP is designed to significantly reduce harmful emissions of sulfur dioxide, nitrogen oxide and other pollutants in Class I areas in Colorado, which are national parks and wilderness areas protected under the Regional Haze Program. The SIP was reviewed and endorsed by a broad, bipartisan coalition of stakeholder groups and elected officials in Colorado before Governor John Hickenlooper submitted it to the EPA.

“EPA’s announcement marks a significant endorsement of Colorado’s plan aimed at improving public health, increasing visibility and reducing haze pollution in our great national parks and wilderness areas, which drive so much of Colorado’s tourism and recreation economy,” **said Senator Michael Bennet**. “I am pleased that the EPA has recognized the broad support for this plan in Colorado from conservation groups to electric utilities to both houses of the state legislature.”

“Air pollution in Colorado’s iconic national parks and wilderness areas puts at risk not only the health and enjoyment of our state’s special places - but also the people who depend on recreation and tourism for their livelihoods,” **Senator Mark Udall said**. “I’m extremely thankful for the work of the broad, bipartisan group of Coloradans who worked hard to develop the SIP. And I applaud EPA’s decision to advance the plan to final approval and implementation.”

“Today’s decision by the EPA will help ensure Colorado’s air is cleaner and our families’ health is protected,” **said Representative Diana DeGette**. “As someone who’s worked tirelessly to protect our natural heritage, I’m extremely pleased that the plan will address visibility concerns in our parks and wilderness areas. The exemplary local process to craft the SIP brought together diverse and bipartisan stakeholders like the state’s electric utilities, conservation organizations, state legislature, the governor, and others, and the result is a decision today that will help us all breathe easier.”

“Colorado’s plan to meet regional haze requirements under the Clean Air Act is a carefully designed approach that is the result of a wide ranging public process that included numerous state agencies, environmental groups, industry and the Colorado legislature,” **said Representative Doug Lamborn**. “The plan is consistent with Colorado’s efforts to develop a balanced electricity portfolio that includes well-controlled coal, natural gas and renewable energy and I am pleased to see the EPA indicate it is proposing approving the Colorado plan.”

“Every year pollution costs Coloradans millions of dollars in healthcare costs,” **said Representative Ed Perlmutter**. “I am pleased to work with the EPA to find innovative ways to reduce pollution in our state.”

“Our national parks and wilderness areas are some of our state’s greatest treasures and I am pleased the EPA is going to allow Colorado to proceed with our own plan to reduce

air pollution and improve public health in those areas,” **Representative Mike Coffman** said.

“Colorado is known for its special places and crisp Rocky Mountain air,” said **Representative Jared Polis**. “The EPA’s approval of Colorado’s plan is a testament to stakeholder collaboration and the shared understanding that keeping our state’s celebrated landscapes pristine means protecting Colorado’s health, culture and economy.”

“Colorado’s Regional Haze SIP has had broad, bi-partisan support and will enhance visibility through the reduction in various emissions across Colorado,” said **Representative Cory Gardner**. “I am thrilled that EPA has decided to accept the Colorado plan and look forward to the benefits Coloradoans and their visitors will experience as a result of this decision.”

In December, the delegation sent a [letter to EPA Administrator Lisa P. Jackson](#) in support of Colorado’s State Implementation Plan to reduce regional haze pollution.

###

March 9, 2012
Contact: Daniel Whitten
Phone: [\(202\) 789-8490](tel:(202)789-8490)
E-Mail: dwhitten@anga.us

ANGA Statement on Colorado’s State Implementation Plan for Regional Haze

Background: *Following is a statement by Daniel Whitten, Vice President for Strategic Communications at America’s Natural Gas Alliance, on today’s announcement that the Environmental Protection Agency gave preliminary approval to Colorado’s State Implementation Plan for Regional Haze.*

“ANGA commends the Environmental Protection Agency on its initial approval of Colorado’s State Implementation Plan for Regional Haze.”

“Through the efforts of two governors and two general assemblies and with input from a diverse set of stakeholders –including Colorado’s natural gas producers – the state has developed and is implementing the bipartisan Clean Air Clean Jobs Act. This is a responsible and innovative Colorado-based solution, which will lead to more domestic production of clean-burning natural gas, strong job growth, and cleaner air.

Today’s development is another important step toward greater use of natural gas and toward reduction of emissions of mercury and smog-forming compounds such as NOX and SOX. Natural gas power plants produce virtually no emissions of mercury or SOX, and this plan will reduce NOX emissions at metro-area power plants along the state's Front Range by 70 to 80 percent by 2018.

“Natural gas is substantially cleaner than dominant alternatives for power generation and transportation, and its increased use will lead to better air quality and more jobs. We’re proud of the contributions the natural gas community is making today to provide a clean, abundant, American source of fuel that can help protect Colorado’s majestic outdoors, which are central to Colorado’s tourism industry and advance the state’s economy.”

###

America's Natural Gas Alliance (ANGA) represents 30 of the nation's leading independent natural gas exploration and production companies. ANGA members are dedicated to increasing the appreciation of the environmental, economic and national security benefits of clean, abundant, American natural gas. Learn more about ANGA at www.anga.us

James Martin
Regional Administrator
Region 8
U.S. Environmental Protection Agency

John
Hankinson/DC/USEPA/US
12/11/2011 08:30 PM

To Bryon Griffith, Richard Windsor
cc
bcc

Subject Re: Lead Story in today's Corpus Christi Caller Times

I've been called worse!
John
Bryon Griffith

----- Original Message -----

From: Bryon Griffith
Sent: 12/11/2011 08:24 PM EST
To: Richard Windsor
Cc: John Hankinson
Subject: Fw: Lead Story in today's Corpus Christi Caller Times

Fyi....

The press has been very, very good following your announcement on Monday. I think you two will love the characterizations in this article...

i.e., **"The highlight of the summit was the announcement by Environmental Protection Agency Administrator Lisa Jackson of a far-reaching plan developed by President Barack Obama's Gulf Coast Ecosystem Restoration Task Force and kick-started by a \$50 million endowment from the U.S. Department of Agriculture to begin bringing the Gulf back from decades of neglect.**

"He said some of the top federal leaders are moving to the Gulf coast to personally oversee restoration projects." For instance, John Hankinson Jr., the president's appointee to head the task force, is moving to the Gulf Coast to be there, hands on," he said. Hankinson, a former EPA administrator, is not a typical federal bureaucrat, McKinney said." He is a very common sense leader with no real ego," he said. Hankinson will sit at the top of a pyramid that, McKinney said, hopefully one day will be a monument to progress, not institutional inertia and bureaucratic sloth."

Congratulations!

----- Forwarded by Bryon Griffith/GMPO/USEPA/US on 12/11/2011 08:19 PM -----

From: "McKinney, Larry" <Larry.McKinney@tamucc.edu>
To: Chris Harte <cmh@swr.us.com>, "Elizabeth \"Biddy\" Owens" <bidness59@comcast.net>, Julia Widdowson <juliawiddowson@mac.com>, "Alejandra Manzur (Clariond-Admin)" <alejandra.manzur@cuprum.com>, Alejandro Junco de la Vega <ajunco@elnorte.com.mx>, "Andrew \"Andy\" Sansom" <andrewsansom@txstate.edu>, "Anna Tischer (Fitzsimons-Admin)" <atischer@ufjlaw.com>, "Bert Ragsdale (UoA-Admin)" <bragsdale@uasystem.ua.edu>, "Betty Aridjis (Aridjis-Admin)" <bettyaridjis@yahoo.com>, Bryon Griffith/GMPO/USEPA/US@EPA, Catherine Nixon Cooke <catherinencooke@hotmail.com>, Chula Ross Sanchez <chula@ddc.net>, "Donna Basso (Mote-Admin)" <donna@mote.org>, "Eric W. Gustafson"

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Date:

12/11/2011 05:50 PM

Subject:

Lead Story in today's Corpus Christi Caller Times

Very complimentary story in today's paper. Thanks to all of you and especially the Harte family. We would have had the opportunity without it.

Best regards

Larry

Front page of Caller Times – lead story

Harte Research Institute for Gulf of Mexico Studies at the summit of Gulf restoration plans

Research group presents plans of action

By [Rick Spruill](#)

Corpus Christi Caller Times

December 11, 2011 at 2:54 a.m.

CORPUS CHRISTI — A wide grin unfurls across Larry McKinney's ruddy face anytime the subject of "those guys" comes up.

"Those guys," the now well-known group of endowed chairs who lead the Harte Research Institute for Gulf of Mexico Studies were, for a few days last week, rock stars in comfort shoes and sensible ties. They are the nucleus of a scientific community that heads of state are looking to for help charting a course to bring the Gulf of Mexico back from a decades-long slide.

"I'm no rock star," McKinney said between sessions at last week's second annual Gulf of Mexico Summit, a four-day meeting in Houston of the best minds in the Gulf science business. "But some of my guys

are. I'm so proud of the institute and to be a part of it."

McKinney, the institute's executive director, said the institute, which focused in the months following the 2010 Deepwater Horizon oil spill on sound science and research, is on the verge of taking the science and "doing something with it," a catchphrase used often by the late Ed Harte, the institute's largest benefactor.

Paul Montagna, endowed chair for ecosystems studies and modeling, and James Gibeaut, endowed chair for geospatial sciences, are working on oil spill analysis with the help of \$8 million in related grants, he said. Gibeaut's work in particular will be important in linking the mountains of data collected related to the spill.

The institute is hiring high-level research and data development positions and is growing so fast it is running out of space in its \$18 million, 57,000-square-foot facility on the Texas A&M

University-Corpus Christi campus. Harte gave almost \$50 million in 2000 to the institute with one string attached: Do excellent science and research, and then put it to good use.

The vision took a step forward at the summit, McKinney said. On Wednesday he and Wes Tunnell, a Gulf marine science and research guru who also is associate director of biodiversity and conservation for the institute, unveiled their vision for a Gulf of Mexico report card — a science-based, easy-to-digest progress report on Gulf issues.

The report card, developed by McKinney, Tunnell and teams from Harwell Gentile & Associates, an ecological risk modeling firm, and three scientists from the University of Maryland's Center for Environmental Science, is buoyed by thousands of hours of research conducted since the Deepwater Horizon disaster in 2010.

The report card, once developed, will be used to regularly hold agencies and academics and scientists accountable for the way they spend a tsunami of money — estimates range as high as \$23 billion — paid by BP and other responsible parties to help restore the Gulf's complex ecosystems.

For Corpus Christi and other South Texas coastal communities, the Deepwater Horizon is a warning siren, McKinney said. "For Corpus, where oil and gas plays such a big role in the local economy, all the new finds are in the deep waters of the western Gulf, so the greatest risk for future spills is going to be in our backyard," he said. "We need to deal with the problems now, learn how to minimize impact now, and have a Gulf response plan in hand. Our future is right there. The next one could be off our coastline, and we weren't ready at Macando (Gulf well site)."

"The institute is playing a very important role in Gulf restoration initiatives," said Chris Dorsett, director of the Ocean Conservancy's Gulf restoration program and summit participant. "They've played a

great role in developing the restoration vision." Dorsett said the summit was an opportunity for a meeting of a diverse group that shares a love of the Gulf and a desire to see it protected. "It was a good opportunity for people who don't eat and breathe this stuff every day to understand what restoration means and all the working parts," he said. "It helps us understand the collective effort needed for restoration in the Gulf of Mexico."

The highlight of the summit was the announcement by Environmental Protection Agency Administrator Lisa Jackson of a far-reaching plan developed by President Barack Obama's Gulf Coast Ecosystem Restoration Task Force and kick-started by a \$50 million endowment from the U.S. Department of Agriculture to begin bringing the Gulf back from decades of neglect.

Ray Allen, executive director of the Coastal Bend Bays & Estuaries Program, attended the summit. He said although the Macando spill brought to the forefront the need for better Gulf resources management, it means little without action. "The data and research and planning — it all eventually must lead to on-the-ground efforts," he said. "Habitat restoration and water quality improvement projects are greatly helped by the supporting information behind it." He said there have been earlier Gulf restoration plans. "But the fact is they require money to implement," he said. "These are challenging times. I'm optimistic something can come out of this, but I'm anxious that we actually see some of the penalty dollars are applied to on-the-ground activities, including estuaries."

Allen said some of the \$50 million will be put into the San Antonio Bay area — the northern area of the bays and estuaries program boundary — but did not know whether any will make its way to the program. Allen, like Dorsett, said the institute's role as moderator in Gulf dialogue is an important one. McKinney's involvement is vital, Dorsett said. "With Larry involved I can see many more of these happening," he said.

McKinney said the "art of herding cats — taking a bunch of independent-thinking, brilliant scientists and moving them in one direction," is his strength. "You get everyone moving together and then get out of the way," he said. He said the timing of the summit was coincidental with the federal task force announcement, and acknowledged that it is normal for people to question the role of government in pursuit of such an enormous goal.

"It's like an onion, not a silo — the top officials work closely together and then you go to the lower levels in the field and see good cooperation — it's the middle management empire builders where you see the loggerheads," he said.

He said some of the top federal leaders are moving to the Gulf coast

to personally oversee restoration projects." For instance, John Hankinson Jr., the president's appointee to head the task force, is moving to the Gulf Coast to be there, hands on," he said. Hankinson, a former EPA administrator, is not a typical federal bureaucrat, McKinney said." He is a very common sense leader with no real ego," he said. Hankinson will sit at the top of a pyramid that, McKinney said, hopefully one day will be a monument to progress, not institutional inertia and bureaucratic sloth.

"Last year we all were in a dark time, focused on the spill and gathering the data and doing the science," McKinney said. "Now we are moving beyond the science and addressing the issues such as overfishing, dead zones, freshwater inflows, climate change. ... Now the plan is in place, and we are ready to build a sustainable effort for the whole Gulf.

"We finally are on the brink of no longer talking but doing. It is finally becoming what Mr. Harte envisioned — taking science and doing something with it."

Larry D. McKinney, PhD
Executive Director
Harte Research Institute for
Gulf of Mexico Studies
O 361.825.2070 F 361.825.2050
6300 Ocean Drive Unit 5869
Corpus Christi, Texas 78412-5869
C 361.825.2070
Larry.mckinney@tamucc.edu
<http://www.hartheresearchinstitute.org>

**John
Hankinson/DC/USEPA/US**
10/05/2011 06:18 PM

To: Richard Windsor
cc
bcc
Subject: Fw: AMERICA'S WETLAND FOUNDATION PRAISES GULF
ECOSYSTEM TASK FORCE REPORT

John H. Hankinson, Jr.
Executive Director
Gulf Coast Ecosystem Restoration Task Force
(202) 564-0285 (o)

----- Forwarded by John Hankinson/DC/USEPA/US on 10/05/2011 06:18 PM -----

From: "Lisa L. Noble" <lnoble@americaswetland.com>
To: John Hankinson/DC/USEPA/US@EPA
Date: 10/05/2011 05:40 PM
Subject: AMERICA'S WETLAND FOUNDATION PRAISES GULF ECOSYSTEM TASK FORCE REPORT

Mr. Hankinson:

Val Marmillion asked me to send you a copy of the America's WETLAND Foundation's press release (below) regarding the Gulf Ecosystem Task Force Report, along with our sincere thanks for presenting at the Houma Blue Ribbon Resilient Community Forum last week.

All the best,

Lisa

Lisa L. Noble
America's WETLAND Foundation
562.429.3821 (direct)
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October 5, 2011

FOR IMMEDIATE RELEASE

Contact:
John Hill
504.756.0101

Gulf Coast and Coastal Louisiana Gain Rare Recognition as a Federal Priority

Restoring America's WETLAND Cited as Critical to Nation

America's WETLAND Foundation Chair R. King Milling's statement praising the release today of strategies by the White House and the Environmental Protection Agency's Gulf Coast Ecosystem Task Force:

"We need to commend Lisa Jackson, the Environmental Protection Agency Administrator, and John Hankinson, executive director of the Task Force, for the amount of time they spent in Louisiana and the Gulf Coast, which is an indication of their commitment to get it right in addressing key restoration needs. This task force has done good work. For the first time we have a comprehensive look at our coast as an ecosystem. Although frustrating at times because of the severity of our problem and the slow pace to act, we must see this as a promising sign of commitment from the Administration. Our job is to make sure that the many good findings turn immediately into action.

"We have been through numerous federal administrations where making the case for the restoration of valuable wetlands in Louisiana has been all but ignored. Through the efforts of many, Gulf Coast deterioration is now a national concern, where agendas are forming to bring solutions to a crisis situation. Dramatic land loss threatens a working coast that supports our nation's economy, energy security, maritime and fisheries trades, animal and marine habitat and communities representing over 7 million people.

"Our message has been a sobering one that we cannot afford to lose this region and all that it provides the nation. We are on the brink of a disaster, as coastal erosion takes the equivalent of a football field of land every hour out of commission as an environmental and economic asset and hedge against more substantial storm and tidal events with increased sea level rise.

"We hope to put some meat on the bones of this report during the comment period by using findings and recommendations from 10 resiliency meetings in five states to suggest specific strategies that can hasten coastal restoration. We have to take a look at why a state or local government has to mitigate for environmental restoration projects. We need an emergency rule for speeding up the process of restoration in general to expedite permits for environmental projects.

“We must secure a commitment for beneficial use of dredge materials that now flow inside levees of the Mississippi River and are lost to the deep Gulf. We can no longer allow the federal government to hold monies dedicated to keeping our maritime routes like the Intracoastal Waterway viable. Billions of dollars in the Harbor Maintenance Trust Fund go unspent annually while the need is critical. And, we cannot be the generation who stands by while historic cultures are lost and one of America’s natural treasures like America’s WETLAND, home to rare and endangered species, simply disappears.”

###

The America’s WETLAND Foundation has worked closely with Task force chairman John Hankinson and EPA Administrator Lisa Jackson to raise concerns of communities affected by coastal deterioration through a series of Blue Ribbon Resilient Community leadership forums in the four state energy-producing region dubbed America’s Energy Coast, Texas, Louisiana, Mississippi and Alabama.

Much of the Foundation’s work with the Task Force in the past year has been to elevate examples of how conflicting federal policy has made restoration cost prohibitive. From start to finish, a project can take upwards to thirty years and cannot keep pace with erosion and land loss. The maze of regulations by various agencies tied to sporadic administrative changes in rules causes, not only delays, but uncertainties that confront state and local officials.

The America’s WETLAND Foundation manages the largest, most comprehensive public education campaign in Louisiana’s history, raising public awareness of the impact of Louisiana’s wetland loss on the state, nation and world. The America’s Energy Coast initiative works to sustain the environmental and economic assets of the Gulf Coast region. The initiative is supported by a growing coalition of world, national and state conservation and environmental organizations and has drawn private support from businesses that see wetlands protection as a key to economic growth.

For more information, please visit www.futureofthegulfcoast.org or www.americaswetland.com.



John
Hankinson/DC/USEPA/US
01/31/2012 08:11 AM

To windsor.richard
cc
bcc
Subject Fw: fyi (again)

I'm sure you saw this. I knew Randy Fertel in college; his mom had the first Ruth's Chris steakhouse in N.O.

Mardi Gras has started. I have to stay away from the King cake!

John

David Cohen

----- Original Message -----

From: David Cohen
Sent: 01/30/2012 10:10 AM EST
To: John Hankinson
Cc: Caroline Whitehead; Meredith Berger
Subject: fyi (again)

sorry. in addition to the ap story on gulf restoration (that the post runs in today's edition), the ny times had an interesting op.ed. a few days ago. i completely missed it.

in case you did, too:

OP-ED CONTRIBUTOR

The Mississippi River Delta Must Be Restored

By RANDY FERTEL

Published: January 27, 2012

New Orleans

THE Mississippi River Delta loses the equivalent of a [football field](#) of marshland every hour as it melts into the Gulf of Mexico. Over the last 75 years, we've lost the equivalent of the state of Delaware to erosion. We have a chance to stop this disaster and protect the delta, where much of the nation's seafood is spawned. But for this to happen, Congress must turn over billions in penalties, expected from the BP [oil spill](#), to the Gulf of Mexico states for the restoration of the delta's wetlands.

Since the 19th century, the Army Corps of Engineers has channelized the [Mississippi River](#) to improve navigation while avoiding the expense of dredging. But the [levees](#) built for that goal deprived the marsh of the alluvial silt that nurtured it over millenniums. After the epic 1927 flood, the corps raised the levees higher still. Starved of silt, the marshes are now subsiding into the gulf.

On top of that, sulfur, natural gas and [oil](#) production companies have, since the 1930s, dug close to 10,000 miles of canals into the delta, gaining direct routes to their mineral wealth. These canals brought saltwater deep into the wetlands, killing marsh grasses and encouraging tidal and wave action that eroded banks. Like the pelican, our state bird that, legend has it, feeds its young with its own blood, the Mississippi River Delta has sacrificed itself for the good of the nation. But the nation has not repaid in kind.

Disaster and rebirth is an old story around here. My family has lived that cycle for generations. After the hurricane of 1915, the family spent three weeks on the levee, the only high ground, their cattle and rice, ready to harvest, washed away. Life was hard. But it was also the land of plenty. In deltaic mud 200 feet deep, they farmed rice, indigo and oranges. They hunted and fished. In the Depression, according to my mother, who would later found Ruth's Chris Steak House, "We never knew we were poor. There was always plenty of food for the taking."

What is happening to the delta today is a national crisis. Twenty percent of the seafood caught in the United States in 2009 came from the gulf. (That dropped to 16 percent in 2010, when vast areas of the gulf were closed.) Ninety percent of that catch depends on the wetlands for some part of its life cycle.

The BP spill occurred at just the moment and at just the spot offshore where the magnificent but endangered bluefin tuna spawns. Chances are we've lost at least one generation of bluefin. (Sushi fans, think, no more *toro*.) Another sure sign of loss is how hard oysters are to come by. Oysters have been a mainstay in the seafood gumbo with which my Plaquemines Parish family begins our festive dinners. This

December, oysters for my Christmas dressing came from a friend in Galveston, Tex.

The oil spill may prove to be one too many disasters for the return of the Plaquemines Parish my family once knew — unless we see it as an urgent opportunity for changes long overdue.

The future of all our shellfish and fisheries — shrimp, oyster, redfish, pompano, speckled trout — hinges on restoration of the delta wetlands using the billions that BP and other companies could end up owing. Since a hurricane's storm surge is reduced by the wetlands it travels across — by as much as a foot for every two and a half miles, according to some scientists — the longevity of New Orleans also relies on the wetlands' restoration. How else to get all that grain from the heartland to international markets?

President Obama recently signed legislation appropriating \$9.6 million for restoration studies in the Louisiana coastal area. But we already know how to restore the delta: by diverting the silt-laden Mississippi waters into the wetlands. Pilot river diversion programs are already building wetlands. At Wax Lake at the mouth of the Atchafalaya River, a natural diversion of the Mississippi, silt has built 25 square miles of new wetlands — which would cut a storm surge headed for inland cities and towns by many feet.

The moment is ripe. The Obama administration has called for using BP's fines for coastal restoration. The bipartisan Restore the Gulf Coast Act of 2011 was approved by a key Senate committee in September, but has not come to a vote there or in the House. If it passes, 80 percent of the Clean Water Act penalties against BP would go to the injured parties — the gulf states.

Senator Mary Landrieu, Democrat of Louisiana, rightly argues that the lion's share should be used to restore the delta wetlands, a national treasure that suffered the most harm from the BP oil spill. All that's needed now is a sense of purpose and the political will.

[Randy Ferte!](#) is the author of "The Gorilla Man and the Empress of Steak: A New Orleans Family Memoir."

This article has been revised to reflect the following correction:

Correction: January 29, 2012

An earlier version of this article, and the headline, referred incorrectly to the area around New Orleans that has experienced coastal erosion. It is the Mississippi River Delta (the area where the river empties into the Gulf of Mexico), not the Mississippi Delta (an area along the river in northern Mississippi).

Judith Enck/R2/USEPA/US

11/16/2010 04:48 PM

To Gina McCarthy, Richard Windsor

cc

bcc

Subject NJDEP release on Portland Power

Judith Enck
Regional Administrator
U.S. Environmental Protection Agency
290 Broadway
New York, N.Y. 10007-1866
(212) 637-5000

----- Forwarded by Judith Enck/R2/USEPA/US on 11/16/2010 04:47 PM -----

From: Lisa Plevin/R2/USEPA/US
To: George Pavlou/R2/USEPA/US@EPA, Judith Enck/R2/USEPA/US@EPA
Date: 11/16/2010 04:46 PM
Subject: NJDEP release on Portland Power

a thing of beauty. Martin commends us. George - assume you'll forward to DC staff?

Lisa J. Plevin
Chief of Staff
US EPA Region 2
(212) 637-5000

IMMEDIATE RELEASE
Nov. 16, 2010

Contact: Lawrence Ragonese (609) 292-2994
Lawrence Hajna (609) 984-1795

EPA PLEDGES TO RESPOND TO DEP PETITIONS SEEKING TO REDUCE POLLUTION FROM
PENNSYLVANIA POWER PLANT

(10/P129) TRENTON - DEP Commissioner Bob Martin today commended the federal government for pledging to act by February on the State's petitions to force a coal-powered Pennsylvania power plant to dramatically reduce harmful emissions that are causing a public health concern in North Jersey, and to hold a public hearing in the most impacted area. But the Commissioner also vowed to ensure that federal officials keep their promise to move quickly on the matter.

The Commissioner, responding to a Nov. 10 letter from Environmental Protection Agency Assistant Administrator Gina McCarthy, said he is pleased by EPA's written promise to expedite its response to New Jersey's concerns about RRI Energy's Portland, Pa. generating facility that is spewing pollutants across the Delaware River and directly into Warren County.

"This is an issue of critical importance regarding the health and welfare of our residents, who have a right to be protected from this out-of-state pollution," said Commissioner Martin. "We must work to ensure clean air for the residents of our state, and we are extremely pleased to see the EPA plans to step up and deal with this issue."

"Such action, New Jersey believes, is mandated by the Clean Air Act and, indeed, is at the core of the EPA's responsibility to protect air quality, to safeguard public health and the environment," the Commissioner said in a letter sent today to the EPA.

In her letter, McCarthy said the EPA will formally respond to New Jersey's petitions regarding the Pennsylvania plant with an action plan by February 2011. EPA also will hold a public hearing, she wrote, at a venue to be suggested by the State. The DEP has pressed for a public session in Warren County, to afford the greatest opportunity for the residents to relate the affects of RRI Energy plant's pollution on their lives.

Commissioner Martin in May and September filed petitions under section 126 of the federal Clean Air Act, seeking prompt action by the federal EPA to force RRI Energy to reduce its harmful emissions.

The July supplemental petition showed that sulfur dioxide pollution pouring out of the power plant is more damaging and widespread than previously believed, extending into a much larger area of Warren County and into portions of Sussex, Morris and Hunterdon counties.

Sulfur dioxide emissions are known to cause a variety of adverse health effects, including asthma and respiratory failure, and environmental impacts such as acid rain.

The September petition also cites a tougher new National Ambient Air Quality Standard for sulfur dioxide that was adopted in June. That new federal standard of 75 parts per billion was established to help protect public health, including the health of "sensitive" populations such as asthmatics, children and the elderly.

In his response letter today, Commissioner Martin stated: "Although New Jersey is pleased that EPA recognizes the importance of the issues raised by the petitions, only prompt action will help clean the air that the people of Knowlton Township and Warren County breathe, and keep our streams, lakes and land free of pollution emitted from the Portland plant."

While the EPA will formally seek a six-month extension to respond to the DEP's September filing, McCarthy wrote she does not expect the analysis to take that long and said the EPA would respond by February. Included would be a scientific, economic and policy issues analysis of the situation, with input from the public and regulated community.

"Please be assured that the agency views New Jersey's petitions under Section 126 of the Clean Air Act as a matter of great importance, and we are carefully weighing technical information supporting the petitions," McCarthy wrote.

RRI's power plant emitted more than 30,000 tons of sulfur dioxide in 2009, which is more than all seven of New Jersey's coal-fired power plants combined.

The DEP believes controls, such as a scrubber, should be installed to reduce the RRI Energy plant's emissions by at least 95 percent to less than 1,500 tons per year. Improved sulfur dioxide and particle control also would reduce other hazardous air pollutant emissions, including hydrochloric acid, lead and mercury.

In a separate but related mater, the DEP currently is battling in federal court to require Pennsylvania-based Allegheny Energy Inc. and subsidiaries to reduce emissions of sulfur dioxide and nitrogen oxide at three power plants in

western Pennsylvania. Prevailing wind carries pollutants from these plants to the east, causing ozone smog pollution and acid rain in New Jersey and four other states.

Full text of the 126 petitions on the Portland/RRI issue can be found at:
<http://www.nj.gov/dep/baqp/petition/126petition.htm>

The full text of Commissioner Martin's Nov. 15 letter and EPA Assistant Administrator McCarthy's Nov. 10 letter can be found at:
<http://www.nj.gov/dep/baqp/>

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Judith Enck/R2/USEPA/US
10/31/2011 02:50 PM

To Janet McCabe, Gina McCarthy
cc Richard Windsor
bcc
Subject Fw: SL story on Portland Power

gina and janet: thanks for your great work on this. cheers, Judith



Pennsylvania coal power plant blamed for polluting N.J. air must better control its emissions, federal authorities rule

Published: Monday, October 31, 2011, 1:39 PM Updated: Monday, October 31, 2011, 1:39 PM



By Christopher Baxter/Statehouse Bureau The Star-Ledger



Photo Courtesy of N.J. Department of

Environmental ProtectionThe Portland Generating Station must install the latest technology to capture pollution before sending it from its smokestacks into the air, the U.S. Environmental Protection ruled.

TRENTON — A Pennsylvania coal power plant long blamed for polluting Warren, Sussex, Morris and Hunterdon counties must clean up its act within three years, federal authorities ruled today, handing a victory to New Jersey environmental officials.

The state Department of Environmental Protection last year petitioned the U.S. Environmental Protection Agency to force the power plant, located across the Delaware River from Warren County, to better control its emissions of sulfur dioxide.

Sulfur dioxide can aggravate asthma, cause other respiratory problems and contribute to other, more harmful types of air pollution, the EPA said in a news release.

State officials on both sides of the political aisle — including Gov. Chris Christie — have fought for at least a decade to force the plant to install upgrades because it contributes to New Jersey's air pollution, which does not meet federal clean air standards.

Under the EPA's decision, the Portland Generating Station must install the latest technology to capture pollution before sending it from its smokestacks into the air. The power plant is among the 44 percent of coal-fired plants in the country that do have advanced pollution controls, according to the EPA.

The state Department of Environmental Protection petitioned the EPA to force the plant to clean up in September last year. The EPA earlier this year proposed granting the petition, which was finalized in its ruling today, the EPA said.

Related coverage:

- **Editorial: Time to put politics aside, clean up dirty coal plants to N.J.'s west**
- **Editorial: EPA rule will limit pollution that floats to NJ with the wind**

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Lisa J. Plevin
Chief of Staff
US EPA Region 2
(212) 637-5000

Judith Enck/R2/USEPA/US
09/16/2010 09:54 PM

To mccarthy.gina, "Lisa Plevin", "Richard Windsor"
cc
bcc
Subject DEP Release: Clean Air Trial Begins

See last paragraph of this news release from nj dep
Sent by EPA Wireless E-Mail Services

From: Barbara Finazzo
Sent: 09/16/2010 09:15 PM EDT
To: Judith Enck; George Pavlou; Lisa Plevin; Bonnie Bellow; Kevin Bricke; Joann Brennan-McKee; Raymond Werner; Peter Brandt; Mary Mears
Subject: Fw: DEP Release: Clean Air Trial Begins

FYI

-----Forwarded by Barbara Finazzo/R2/USEPA/US on 09/16/2010 09:14PM -----

To: <depnews@listserv.state.nj.us>
From: "depnews depnews" <depnews@dep.state.nj.us>
Sent by: depnews@dep.state.nj.us
Date: 09/16/2010 03:59PM
Subject: DEP Release: Clean Air Trial Begins

IMMEDIATE RELEASE
Sept. 16, 2010

Contact: Lawrence Hajna (609) 984-1795
Lawrence Ragonese (609) 292-2994

TRIAL BEGINS IN NEW JERSEY CLEAN-AIR SUIT AGAINST WESTERN
PENNSYLVANIA POWER COMPANY

(10/95) TRENTON * A federal trial has begun in a lawsuit filed by New Jersey and four other states to force coal-fired power plants in western Pennsylvania to take steps to clean up emissions of pollutants that degrade air quality in downwind states, including New Jersey.

"Governor Christie and I are committed to improving the state's air quality, even when it means having to fight in federal court to hold power companies in other states accountable to the same high standards and pollution control technologies we require here in New Jersey," said Department of Environmental Protection Commissioner Bob Martin.

"Air quality is a critical issue in New Jersey, and violations of the Clean Air Act that affect our air quality will not be tolerated," said Attorney General Paula T. Dow. "We are committed to working with DEP to protect our residents from potentially harmful contaminants emitted by out-of-state energy plants. We are equally committed to using litigation where necessary to hold companies that operate those plants in violation of federal law accountable."

The bench trial began this week in the U.S. District Court for Western

Pennsylvania in Pittsburgh before Chief Judge Gary L. Lancaster.

New Jersey is joined by Connecticut, Maryland, New York and Pennsylvania in a lawsuit seeking to require Greensburg, Pa.-based Allegheny Energy Inc. and its subsidiaries to install pollution-control equipment, as required by the federal Clean Air Act and Pennsylvania law, to reduce emissions of sulfur dioxide and nitrogen oxide at three power plants. Prevailing wind carries pollutants from these plants to the east, causing ozone smog pollution and acid rain in the five states.

"Air pollution does not adhere to state boundaries," Commissioner Martin said. "Even though Allegheny's power plants are hundreds of miles away, they affect New Jersey's ability to meet federal clean air standards. Our resolve to hold this company accountable to federal law is a strong example of our commitment to protecting New Jersey's air quality from out-of-state sources of pollution."

The three plants at issue in the litigation * the Armstrong, Hatfield's Ferry and Mitchell plants * consist of older, coal-fired generation units. The lawsuit asserts that Allegheny undertook many construction projects over the years to extend the operational lifespan of these plants without complying with federal standards requiring implementation of best available control technology standards or meeting the lowest achievable emission rate to reduce sulfur dioxide and nitrogen oxide emissions.

An analysis of emissions prepared in conjunction with the lawsuit shows that three plants emit nearly 200,000 tons of sulfur dioxide and nitrogen oxide annually.

Nitrogen oxide, in the presence of sunlight, reacts with other chemicals to form ozone smog, which contributes to health problems including chest pain, shortness of breath, coughing, and increased vulnerability to respiratory conditions such as asthma. Nitrogen oxide and sulfur dioxide emissions contribute to the formation of acid rain deposition. Acid rain inhibits the ability of fish to survive in ponds and lakes.

Both pollutants also contribute to excessive nutrient loading in coastal waters, affecting diversity of fish life, and leads to the creation of fine particles that can cause respiratory distress, cardiovascular disease and premature death in people.

New Jersey and the other states are seeking injunctive relief to require Allegheny to reduce its harmful emissions by installing state-of-the-art pollution controls at each of the three plants. The state is also seeking civil monetary penalties and an order for Allegheny to take appropriate actions for the harm done to public health and the environment.

The Allegheny subsidiaries named as defendants are Allegheny Energy Service Corporation, Allegheny Energy Supply Company LLC, Monongahela Power Company, The Potomac Edison Company, and West Penn Power Company.

Chief Judge Lancaster is currently holding the liability phase of the trial. This will be followed by a remedy phase.

Closer to New Jersey, Governor Christie and Commissioner Martin have called on the federal Environmental Protection Agency to expedite action to reduce pollutants spewing from Portland Generating Station, coal-fired power plant operated by RRI Energy in Northampton County, Pa., directly across the Delaware River from Knowlton, Warren County.

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Judith Enck/R2/USEPA/US
07/13/2011 11:40 AM

To Oster.Seth, "Betsaida Alcantara", "Adora Andy", "Richard Windsor", thompson.diane, "Scott Fulton"
cc garcia.lisa, "Cynthia Giles-AA"
bcc

Subject Media clips on doj visit to newark nj yesterday

Tx to cynthia giles and lisa garcia for coming to newark. Lots of good interaction with community leaders, doj, epa and us attorney
Sent by EPA Wireless E-Mail Services
Berry Shore

----- Original Message -----

From: Berry Shore
Sent: 07/13/2011 09:04 AM EDT
To: R2 News Clips Subscribers
Subject: Early Morning Clips

Early Morning Clips

Feds plan environmental reforms in NJ's poor urban neighborhoods

07/12/2011

Asbury Park Press - Online

NEWARK – Environmental justice is a renewed focus of officials with the U.S. Department of Justice and Environmental Protection Agency, who say they are already pursuing a number of violations that disproportionately affect poor urban neighborhoods.

“Communities of color are more likely to have polluted land and water, and their children are more likely” to suffer illnesses linked to industrial contamination, said Paul J. Fishman, the U.S. attorney for New Jersey, at a press conference today after officials toured the city's Ironbound section.

“Ironbound is a very vibrant neighborhood with homes, restaurants and shops,” Fishman said.

But its east side lies hard against a district used by heavy industry for more than a century, and city residents still bear the effects of both ongoing and legacy pollution, he said.

“Our first goal is going after pollution problems that make a difference in the community,” said Cynthia Giles, the EPA's assistant administrator for enforcement. But “if we can still find people from those historic sites who are criminally liable, we will pursue that,” Fishman added.

Fishman said his office is already looking into a number of recent cases that could include illegal dumping, illicit handling of toxic waste and asbestos, and “tampering with drinking water.”

One complicated case here is the old Diamond Alkali chemical plant on the Passaic

River, which manufactured Agent Orange herbicide during the Vietnam war and became heavily contaminated with the byproduct dioxin. Also known as Diamond Shamrock, the site is a major reason for the health advisories that tell people to limit their consumption of some fish from New Jersey waters - and the ban on crabbing in Newark Bay.

Equipment is now being moved into place to begin a long-awaited cleanup.

"The good news is the dredge is about to start phase 1 of the project," said Judith Enck, the EPA's Region 2 administrator. On the legal side, "there are well over 100 companies that are potentially liable for the cleanup," she added. "This is a priority for the EPA in New Jersey."

Fed's top environmental prosecutor promises stepped up enforcement in N .J. visit
07/12/2011
NorthJersey.com

The federal government's top environmental prosecutor said the Obama administration will step up enforcement of environmental laws, particularly where low-income and minority communities are disproportionately affected by pollution.

Ignacia S. Moreno, assistant attorney general of the Environment and Natural Resources Division, was in New Jersey on Tuesday to visit a Superfund site along the Passaic River, tour brownfields projects in Newark's Ironbound section and meet with New Jersey environmental advocates.

"The people of New Jersey understand the critical importance of environmental protection, and the real world consequences of industrial pollution," Moreno said. "By enforcing environmental laws in a fair and even-handed way, we are taking steps to ensure that we achieve environmental justice. We are listening to communities and giving voice to those that have too frequently suffered an unfair burden from pollution."

Moreno, Environmental Protection Agency officials and U.S. Attorney Paul Fishman toured the former Diamond Alkali site along the Passaic River, where the manufacture of Agent Orange, the Vietnam war-era defoliant, left cancer-causing dioxins in the sediment of the river. Heavy machinery was being unloaded Tuesday to begin the first phase of an \$80 million river dredging cleanup operation.

The officials also visited the Kenneth Gibson/Sharpe James/Ironbound Aquatic Center, a public pool on a former brownfields industrial site that has undergone cleanup. And they later met with several dozen community and environmental advocates.

Fishman said his office would also step up efforts to prosecute civil and criminal cases involving environmental violations.

"New Jersey has seen an unjust share of environmental damage, and we have the opportunity and obligation to do something about it," Fishman said. "Specific, targeted criminal and civil enforcement actions can make a real difference to our environment"

They said they would focus not only on the lingering pollution that is the historic legacy of New Jersey's industrial past, but also new cases of illegal dumping and toxic emissions.

Moreno and Fishman said that neighborhood visits like the one they made Tuesday help them better understand the environmental impact of policy and enforcement decisions. They noted seeing examples of illegal dumping during their tour, and the fact that some lower-income neighborhoods abut industrial zones, increasing the potential environmental risk to the residents.

"Low-income communities across the country have historically shouldered a heavy pollution burden," said Judith Enck, the EPA's regional administrator for the district that includes New Jersey, who also attended. "Just because someone lives in a low-income neighborhood, they should not be exposed to air pollution, toxic chemicals, degraded water quality or have less access to parks and open space."

Moreno said that, given the hard economic times, enforcing environmental laws helps ensure a level playing field for companies that abide by the law and spend the extra money to reduce emissions or dispose of hazardous waste properly.

"Some say that job creation and environmental protection are at odds, but I say the opposite," Moreno said.

USDOJ: Justice Department and EPA Officials Focus on Environmental Justice in Newark, New Jersey

7th Space Interactive
July 12, 2011

NEWARK, N.J. - Senior environmental enforcement officials from the United States Justice Department and Environmental Protection Agency (EPA) toured sites in Newark, N.J., today and met with federal partners and with environmental and community organizations to discuss mutual efforts to address environmental challenges and enforce environmental laws, and in particular efforts to achieve environmental justice.

Officials included Ignacia S. Moreno, Assistant Attorney General of the Environment and Natural Resources Division; Paul J. Fishman, United States Attorney for the District of New Jersey; and Cynthia Giles, Assistant Administrator for the EPA Office of Enforcement Compliance Assurance. They were joined by Judith A. Enck, EPA Region 2 Administrator; and Lisa F. Garcia, EPA Senior Advisor for Environmental Justice.

The goal of environmental justice, a major priority of the Department of Justice and the EPA, is to provide all Americans - regardless of their race, ethnicity or income status - full protection under the nation's environmental laws and protection from pollution, hazardous waste and toxic substances.

"The people of New Jersey understand the critical importance of environmental

protection, and the real world consequences of industrial pollution," said Assistant Attorney General Moreno. "By enforcing the nation's environmental laws in a fair and even-handed way, we are taking steps to ensure that we achieve environmental justice. We are listening to communities and giving voice to those that have too frequently suffered an unfair burden from pollution in America."

"New Jersey has seen an unjust share of environmental damage, and we have the opportunity and obligation to do something about it," said United States Attorney Fishman. "Specific, targeted criminal and civil enforcement actions can make a real difference to our environment - preserving it for those who treasure it and punishing those who break laws that protect it."

"Enforcement is a powerful tool in advancing environmental justice and deterring illegal pollution," said Assistant Administrator Giles. "We are aggressively going after pollution problems that make a difference in communities, like keeping raw sewage and contaminated stormwater out of our nation's waters and cutting toxic air pollution that affects communities' health."

"Low income communities across the country have historically shouldered a heavy pollution burden," said Judith A. Enck, EPA Regional Administrator. "Just because someone lives in a low income neighborhood, they should not be exposed to air pollution, toxic chemicals, degraded water quality or have less access to parks and open space. The EPA is committed to protecting public health and environmental quality in every part of the country. With improved environmental quality should also come opportunities for job creation."

Contact: Department of Justice Main Switchboard - 202-514-2000

Reported by: US Department of Justice

Newtown Creek Superfund Cleanup Should Start Soon

Gothamist

By Garth Johnston in News on July 12, 2011 3:00 PM

Newtown Creek, the heavily polluted spit of water separating Brooklyn and Queens (dolphins love it), got its Superfund status last fall and now the decades long project of cleaning it up begins. The feds are now saying that the multi-million dollar cleanup project should start later this summer.

"Newtown Creek is one of the most polluted urban water bodies in the country, and EPA is committed to making sure this waterway receives a thorough cleanup," Judith Enck, the US Environmental Protection Agency's regional administrator, told the Post. The full cleanup of hazardous materials, some of which date back to the '50s, is expected to cost hundreds of millions of dollars and take two decades.

But first the EPA needs to figure out who will foot the bill. Under an agreement Exxon Mobil, the city and four other entities have said they will pay for an investigation of

contamination throughout the waterway as well as pay up \$750,000 for the EPA's previous cleanup work at Newtown Creek. According to the Post the investigation alone is expected to cost \$25 million.

In the meantime, just because the Creek is toxic doesn't mean it isn't a great place for a picnic. In 2008 the city opened the Newtown Creek Nature Walk, a surprisingly entertaining and edifying quarter-mile park on the water itself with interesting plant life and spectacular views of the Manhattan skyline as well as the nearby sewage treatment plants and car dumps. It's way more magical than it sounds.

Feds plan environmental reforms in state's poor urban neighborhoods

By Kirk Moore | Staff Writer

July 12, 2011

A renewed focus on environmental justice by officials with the U.S. Department of Justice and Environmental Protection Agency could bring a new level of federal scrutiny to air pollution and other violations that disproportionately affect poor urban neighborhoods.

An oft-stated priority of the Obama administration, the environmental justice drive is coming at a time when state agencies have less money and people for enforcement, and there is political pressure for decreased regulation.

"This is a tough time for state agencies," said Judith Enck, the EPA's Region 2 administrator. However, she stressed, "I don't think there's a deliberate effort to undermine environmental justice concerns."

"Communities of color are more likely to have polluted land and water, and their children are more likely" to suffer illnesses linked to industrial contamination, said Paul J. Fishman, the U.S. attorney for New Jersey, at a press conference Tuesday after officials toured the city's Ironbound section.

"Ironbound is a very vibrant neighborhood with homes, restaurants and shops," Fishman said. But its east side lies hard against a district used by heavy industry for more than a century, and city residents still bear the effects of both ongoing and legacy pollution, he said.

"Our first goal is going after pollution problems that make a difference in the community," said Cynthia Giles, the EPA's assistant administrator for enforcement.

But "if we can still find people from those historic sites who are criminally liable, we will pursue that," Fishman added.

Fishman said his office is already looking into a number of recent cases that could include illegal dumping, illicit handling of toxic waste and asbestos, and "tampering with drinking water."

The Obama administration wants "renewed and vigorous focus on environmental

enforcement” that protects poor neighborhoods as well as economically better-off communities, and “ensures a level playing field for businesses that comply with the law,” said Ignacia S. Moreno, an assistant attorney general in charge of the Department of Justice’s environment and natural resources division.

Diminished resources have cut back environmental enforcement at lower levels of government compared to the 1990s, when some county prosecutors assigned county investigators to track pollution and illegal dumping.

“It’s been a long neglected issue in New Jersey and we’re going backward on environmental justice,” said Jeff Tittel of the Sierra Club, who was among a number of environmental and community activists that Fishman invited in for meetings in April to express their concerns. “The areas that are going to see the biggest impact (of enforcement cutbacks) are the environmental justice communities.”

“Enforcement action on air pollution is down dramatically and that’s one area that really affects these neighborhoods,” Tittel said. In that respect, the federal agencies “are doing their job, which is oversight,” he said.

“This is the first time in 25 years that I can remember top-level people from Washington coming in like this,” he added. “It shows they’re serious.”

Aging city sewers and violations of sewage discharge rules are another issue that affects both those neighborhoods, the downstream harbor and the Shore.

“We have very serious problems with raw sewage being discharged in New Jersey after rains,” Enck said. Scores of combined sewer overflows in the New York-New Jersey region still discharge mixed storm water and sewage - nearly a quarter-century after they were identified as a major problem during the disastrous beach closing summers of 1987 and 1988.

Some combined sewer overflows were eliminated, but dozens are still active, including 16 in Perth Amboy, 28 in Bayonne, and 34 in Elizabeth, according to a newly issued report by the EPA Region 2 office.

Along with infrastructure improvements to reduce overflows, the EPA is looking for “green infrastructure” to reduce storm water discharges with urban garden spaces and planted areas that also improve residents’ quality of life.

Another complicated case here with effects on the ocean is the old Diamond Alkali chemical plant on the Passaic River, which manufactured Agent Orange herbicide during the Vietnam War and became heavily contaminated with the byproduct dioxin.

Also known as Diamond Shamrock, the site is a major reason for the health advisories that tell people to limit their consumption of some fish from New Jersey waters - and the ban on crabbing in Newark Bay.

Equipment is now being moved into place to begin a long-awaited cleanup. "The good news is the dredge is about to start phase 1 of the project," said Judith Enck, the EPA's Region 2 administrator. On the legal side, "there are well over 100 companies that are potentially liable for the cleanup," she added. "This is a priority for the EPA in New Jersey."

Al Gore's Reality Show

July 13, 2011, 7:22 am

NY Times, Geen Blog

By JOHN M. BRODER

Al Gore, the former vice president, Nobel Prize winner and climate campaigner-in-chief, is opening a new global climate change activism program called the Climate Reality Project.

The group's first program will be a live-streamed event called 24 Hours of Reality and held on Sept. 14-15. According to a press release from the organization, "people all around the globe living with the impacts of climate change will connect the dots between recent extreme weather events – including floods, droughts and storms – and the man-made pollution that is changing our climate."

The video feed will feature scientists, celebrities, executives and citizens from places like Tonga, Mexico City and Alaska, along with Mr. Gore. It will be broadcast over 24 hours in 24 time zones and in multiple languages, the group said.

The idea is to educate the public about the impacts of global warming and to counter what Mr. Gore considers the well-financed disinformation and denial campaign run by the fossil fuel industries.

"The climate crisis knows no political boundaries," he said in a statement. "Ferocious storms and deadly heat waves are occurring with alarming frequency all over the world. We are living with the reality of the climate crisis every day. The only question is, how soon can we act?"

The project used to be known as the Alliance for Climate Protection but has received a new name and a somewhat new mission. It will have the same leader, Maggie L. Fox, a longtime Gore adviser and climate activist.

"Fossil fuel companies and their allies will go to great lengths to deny the fact that climate change is happening now," Ms. Fox said. "But we have one powerful response: reality. We will dedicate our resources toward educating and engaging the public about the reality of the climate crisis and helping build the global movement for change."

Texas Firms Adopt EPA Rules Despite Perry's Protest

Wall Street Journal

July 12, 2011, 4:37 PM ET

Texas Gov. Rick Perry often slams the Environmental Protection Agency for tying Texas businesses in red tape. But some of those companies appear to have decided they can

live with tougher air-quality standards the EPA is pushing over Mr. Perry's objections.

The agency says a number of companies are cooperating, including Exxon Mobil Corp., ConocoPhillips, and a unit of Koch Industries Inc. Yes, that Koch Industries. The one owned by members of the Koch family, longtime donors to conservative causes.

In a written statement Tuesday, the EPA praised Koch's Flint Hill Resources and the other companies for "being far ahead of schedule or reaching an important milestone toward obtaining new [air-quality] permits that satisfies conditions" set by the agency last year. The EPA has complained that Texas' process for approving air-quality permits needed by companies like Koch's and Exxon violates the Clean Air Act, which requires the state to set limits on each of the dozens of individual production units inside a plant. The Texas program sets a general limit on pollutants an entire facility can release.

"It's great that Texas businesses would meet the challenge so quickly," Al Armendariz, the EPA's regional administrator in Texas, said in a statement. "Here we are - one year from beginning to work with the largest 40 permit holders - and we have significant progress with no disruptions, no job losses, and numerous commitments from companies to obtain Clean Air Act compliant permits through a transparent process."

A spokeswoman for Mr. Perry, who has been busy deciding whether to seek the GOP presidential nomination, said the EPA has "strong-armed" Texas businesses into undergoing "unnecessary processes" that "will result in zero environmental benefit while adding an additional layer of costly administrative burdens on employers during these tough economic times."

Last year, Mr. Perry predicted that the EPA's effort to tighten air-quality permitting requirements on Texas businesses would "threaten tens of thousands of good Texas jobs."

House Panel Backs Bill Delaying Air-Pollution Rules

POLITICS

Wall Street Journal

JULY 12, 2011, 1:52 P.M. ET

By RYAN TRACY

WASHINGTON—A House panel voted Tuesday to delay a recently adopted Environmental Protection Agency rule on air pollution by more than a year, another effort by Republicans to slow down or stop the agency's regulatory agenda.

The House Energy and Commerce Committee voted 33-13 to delay a rule the EPA adopted last week governing smog- and soot-causing pollution that blows across state lines, pushing it back to early 2013 from its current effective date of January 2012. Another rule governing power plant emissions, still under development, would also be delayed until that time.

The bill approved by the panel Tuesday would still need to be passed by the full House, which could vote on it before Congress breaks for a recess in August.

Republicans said the delay was to allow for a study of the cumulative effects of EPA regulations. The bill approved Tuesday would create an interagency panel to study that issue and come up with a report by August 2012, in the middle of the presidential campaign season.

The interagency panel would examine the effect of environmental rules on unemployment, gasoline prices, electricity prices and other metrics and report the results to Congress. The EPA wouldn't be allowed to enforce the utility air-pollution rules until six months after the study is issued.

"Why do we create more regulatory burdens at a time when we're trying to create jobs?" asked John Shimkus (R., Ill.), a member of the House committee. "Why don't we just pause and allow the economy to catch up?"

Democrats said the bill was unnecessary because the EPA already conducts an analysis of the impact of its rules. Rep. Henry Waxman (D., Calif.) also said an August 2012 deadline was too soon for such a complicated analysis. "This legislation is likely to produce a report that is full of guesswork and could dramatically underestimate or overestimate the cost of the new programs," he said.

Waste site cleanup plan nearly done

Wednesday, July 13, 2011

BY JOHN PETRICK

STAFF WRITER

The Record

A tentative agreement for cleaning up the contaminated Top Soil Depot dump in Wayne was reached Tuesday among lawyers behind closed doors following daylong negotiations with the state Department of Environmental Protection.

All parties – which include about 20 alleged illegal dumpers named in the DEP's suit against Top Soil – must now sign off on the settlement and return before state Superior Court Judge Margaret Mary McVeigh on July 22 to memorialize the plan on the record.

McVeigh appointed a temporary guardian Tuesday to represent dump site co-owner Allan Rombough Sr. in reviewing the settlement plan, as hearings about whether he is mentally competent continue. The 67-year-old says he has been suffering from Parkinson's disease.

Several doctors, including his own and a court-appointed doctor, are evaluating him so McVeigh can determine whether he knowingly defied court orders to stay off the Top Soil property earlier this year. Rombough and his son, Alex, were caught by a DEP inspector trespassing on the site and throwing records into a trash bin.

The judge also issued a bench warrant – once again – for Rombough's other son, Allan Rombough Jr., who also is named as a defendant in the DEP's case and who was supposed to be in court Tuesday but failed to show up. The last time he failed to appear

was in May, when McVeigh had him arrested and brought into court to explain his absence. At that time, Allan Rombough Jr. said he was in an in-patient rehabilitation program for alcoholism and presented documentation to prove so. The judge ordered sheriff's officers to return him to rehab at his own expense.

McVeigh said that when he completed his rehab stay and the court had been notified of his release, she would hold a hearing in which he would have to prove to her that he did not enter the program simply to evade court. He has since completed the program.

The DEP has sought to jail the elder Rombough for repeatedly violating orders to remove heaps of contaminated material from the Wayne site over many years. Whether he – and the dumpers who disposed of waste at the site – will be fined or jailed for violating the court's orders to stay off the property remains to be determined at a future hearing.

The DEP maintains that the existence of toxic waste on the property, which is in a flood zone at the confluence of three rivers, threatens the region's water supply and contributes to flooding. The state alleges that 20 companies delivered as much as 22,000 cubic yards of fill and solid waste to the site since 2009 in violation of court orders.

Meanwhile, all of the defendants have been working for months now with the DEP to devise a final plan to clean up the site at the defendants' expense.

E-mail: petrick@northjersey.com

House GOP fails to block light bulb bill

Wednesday, July 13, 2011

BY JIM ABRAMS

THE ASSOCIATED PRESS

The Record

WASHINGTON – House Republicans on Tuesday failed to stop the enactment of new energy-saving standards for light bulbs they portrayed as yet another example of big government interfering in people's lives.

The GOP bill to overturn the standards set to go into effect next year fell short of the two-thirds majority needed for passage. The vote was 233-193.

For many Republicans, those curly compact fluorescent light bulbs were the last straw, a symbol of government interference in daily life. Their legislation would have kept the marketplace clear for the cheap, energy-wasting bulbs that have changed little since New Jersey's own Thomas Edison invented them in 1879.

For most Democrats, it was an exasperating debate that, just like the old incandescent bulbs, produced more heat than light.

The standards in question do not specifically ban the old bulbs but require a higher level

of efficiency than the classics can produce, essentially nudging them off store shelves over the next few years. Four of Edison's descendants said the great inventor would be mortified to see politicians trying to get the nation to hang on to an outdated technology when better bulbs are available.

The standards have not been particularly contentious before now. They were crafted in 2007 with Republican participation and signed into law by President George W. Bush. People seem to like the new choices and the energy savings they bring, polling finds.

But now they have become a symbol of a much larger divide in Washington over the size and reach of government itself.

Republicans said people who now buy a bulb for 30 or 40 cents shouldn't be forced to pay \$6 for a fluorescent bulb or more for LED (light-emitting diode) lighting.

"If you are Al Gore and want to spend \$10 for a light bulb, more power to you," said Rep. Joe Barton, R-Texas, sponsor of the bill to overturn the standards. He exaggerated the cost of most energy-efficient bulbs and neglected to mention that they last years longer than old incandescent bulbs, which convert about 90 percent of the electricity they consume into heat and 10 percent into light.

The Obama administration, which opposed Barton's bill, says the new lighting standards will save nearly \$6 billion in 2015 alone. The Energy Department says upgrading 15 inefficient incandescent bulbs in a home could save a homeowner \$50 a year.

Rep. Ed Markey, D-Mass., held up a new Sylvania incandescent that meets the efficiency standards and costs \$1.69. "You don't have to buy one of those funny-looking new light bulbs," he said.

Under existing rules, new bulbs will have to be 25 percent to 30 percent more efficient than traditional incandescent models. As of Jan. 1, 2012, inefficient 100-watt bulbs will no longer be available at most stores.

EPA rule will limit pollution that floats to NJ with the wind

Published: Wednesday, July 13, 2011, 6:07 AM

By Star-Ledger Editorial Board The Star-Ledger

Knowlton Township in Warren County is not the sort of place you would expect to find an air pollution crisis. It is a leafy town that sits on the Delaware River and has no local industry to speak of.

But across the river in Pennsylvania, a few hundred yards away, an old coal plant steadily spews toxins from its tall stack. And because the wind knows no borders, the people of Knowlton have to wipe down their cars and windows when the filth blows their way. Worse, their families are breathing this stuff.

The plant, the Portland Generating Station, would never be allowed to run in New Jersey because the federal Clean Air Act forces states with dirty air, such as New Jersey, to

enact tough regulations. Pennsylvania is not held to the same strict standards.

View full sizeNew Jersey Department of Environmental ProtectionThis model from the New Jersey Department of Environmental Protection's Clean Air Act petition to the Environmental Protection Agency shows sulfur dioxide emission violations from RRI Energy's Portland generating station affecting Warren, Hunterdon, Sussex and Morris counties.

The problem is the wind. Roughly one-third of the pollution we breathe in New Jersey floats in from outside the state's borders, most of it from coal plants in states such as Pennsylvania with weaker regulations.

Now, EPA Administrator Lisa Jackson is moving to fix that problem by imposing new caps on emissions of two key pollutants – nitrous oxide and sulfur dioxide – in 27 states and the District of Columbia. For New Jersey, that will mean less smog and soot, less ozone, and less acid rain.

With this move, Jackson is showing again that she will not be intimidated by the pollution lobby, or by the Republicans in the House who have threatened to curb her powers or cut her budget.

She will soon face even more important tests when the EPA issues standards for hazardous pollutants like mercury, lead and cadmium, and when it settles on new mileage standards for cars. So far, though, Jackson is hanging tough, with the support of the White House.

It's not clear yet if the Portland plant will be shut down, since this is a statewide cap for Pennsylvania. Separately, the Christie administration is pressing Jackson to impose limits on that particular plant, which by itself is putting Knowlton and neighboring towns in violation of the Clean Air Act's standards.

The air today is not clean enough, but it has greatly improved in the past few decades. So let's hear three cheers for government regulation.

I attended and spoke at the EPA public hearing last night in Milford , on the proposed cleanup plan for the Crown Vantage Landfill Superfund site .

Wolfenotes.com

July 13, 2011

The Crown Vantage site is on the banks of the Delaware River, just south of another industrial Superfund site known as Curtis Specialty Papers, and less than a half mile north of the old Riegel Paper Company landfill. (Google maps).

The Riegel Paper Co. Landfill is the site where NJ DEP notoriously claimed that leachate discharging into the River was "natural". DEP subsequently corrected that error and conducted sampling (I have not reviewed the data and don't recall media reports on the results of that effort).

Crown Vantage, Curtis Specialty Paper, and the Riegel Landfill are all geographically

close, as well as historically operationally inter-related with each other.

According to the EPA site history, from the 19030's to the 1970's, the Crown Vantage Landfill received industrial waste from the nearby Curtis Specialty Paper Company and 4 other nearby Riegel Paper Company Mills.

The Riegel Paper Co. Landfill is known to have recieved the same industrial wastes as the Crown Vantage Landfill, yet there is virtually no attention paid to the proper closure and cleanup of the Riegel paper Co. site by the NJ DEP.

One site is a federal Superfund, the other site - same wastes disposed, same sensitive riverbank and adjacent D&R Canal Park location, and actively discharging leachate to the Delaware River - essentially nothing, not even State NJ DEP landfill closure enforcement.

I asked EPA people about this and they passed the buck to the NJ DEP.

Anyway, lets get back to Crown Vantage.

As a result of flooding and erosion, contaminants from chemicals disposed and drums buried on site have migrated off site and polluted the Delaware River, river sediments, and terrestrial and aquatic ecosystems.

Crown Vantage Superfund site, just feet off the D&R Canal path (view from standing on the path)

The site is located between the Delaware River and the extremely popular D&R Canal State Park, and thus poses additional risks to recreational hikers, bikers, birders, hunters, and fishermen. Of course, given its proximity to the Park and secluded riverfront, the site is a magnet for trespassers (ATV's, kids, stealth campers, ramblers, beer parties, etc).

This sensitive situation prompted EPA to force the Responsible Parties (Georgia-Pacific and International Paper Company) to excavate and remove over 2,000 drums, fence and post warning signs at the site, and install a wall to prevent further flooding erosion. Those measures removed the immediate threats and stabilized the site, during which time, EPA required that the RP conduct a full remedial investigation and a feasibility study, outlining alternative final cleanup plans for public review.

The Superfund law establishes what is know as a "preference for parmanent remedies". The law mandates that cleanups must use permanent solutions to the maximum extent practicable (see discussion at page 7).

Yet, despite the statutory preference and mandate for a permanent cleanup (e.g. removal of all buried drums, contaminated soil, et al), a permanent remedy was not even an alternative that EPA proposed for public comment.

EPA proposed 2 alternatives: no action and their preferrred alternative, which is

stabilization of the site by existing forested cover, a previously constructed floodwall, and deed restrictions to prohibit future development.

Some choice! Do nothing or do it our way.

In this case, EPA says the trees on the site basically comprise a cap and containment system. EPA usually requires an engineered cap, so I never heard of that before and asked EPA to justify that approach.

I was pleased that the Express-Times reporter picked up on that important point (see: EPA unveils plans for Crown Vantage Landfill Superfund site in Milford)

EPA Remedial Project Manager Alison Hess said the site presents no imminent risk to public health, and the proposed plan will ensure it stays that way.

"The remaining wastes are considered low-level threat wastes," she said. "Containment is appropriate for those wastes. ...

Bill Wolfe, of West Amwell Township, said he feels capping the site is more appropriate for larger landfills and that the EPA should have considered further removing the remaining pollutants.

"Your first alternative should be to dig it up and take it away, and if it's found not be feasible, then you consider capping and containing," he said.

In addition to concerns about failure to propose a permanent remedy for public comment, I noted the following concerns:

1) Like most old landfills, there is little or no reliable data on historical waste disposal. So, EPA really doesn't know exactly what, where, how much, and what kinds of chemical wastes were disposed there. Additionally, methods of investigation (review of historical aerial photos, geophysical technique to probe subsurface looking for buried drums, dug test pits, borings, etc) are inherently uncertain.

These uncertainties argue in favor of complete removal, yet EPA seems confident that they have removed the "principal threat" and are leaving only small volumes of low risk materials on site. I asked EPA to reconsider, and at a minimum better document and justify these conclusions.

2) despite off site sediment samples that exceeded the NJ DEP ecological risk screening criteria, EPA did not fully investigate potential impacts to fish and aquatic ecosystems. EPA did look at birds and mammals and found no significant risks.

Given documented off site release and sediment data, I asked EPA to conduct an evaluation of fish and aquatic life impacts and work with federal partners to look into seeking compensation and/or restoration for natural resource damage injuries, including loss or impairment of recreational uses of the River and D&R Canal Park.

3) The site was abandoned in Bankruptcy proceedings, so there is no legal owner at this time.

I therefore questioned EPA's proposed plan to allow the Responsible Parties to voluntarily negotiate a deed restriction to prohibit future use of the site. Instead of reliance on voluntary measures, I strongly urged EPA to issue a unilateral Order to the Responsible parties to set specific deed conditions and a deadline for this deed to be finalized.

4) I questioned the wisdom of the remedial objective, which is limited to exposure control (not permanent cleanup and elimination of the risk).

While a deed restriction may prevent some future uses of the site, EPA is unable to control future land use adjacent to the site. NJ has brownfield redevelopment policies that actively provide incentives to redevelop contaminated sites, so no future development related risks can not be assumed. These future land use changes could change the assumptions and conditions upon which the EPA cleanup decisions are based. These uncontrollable future conditions argue in favor of a permanent remedy as the best and only approach to assure long term protectiveness of the cleanup.

5) There is a small area of the site (0.25 acre) where lead levels exceed NJ soil screening levels. I urged that these soils be excavated and removed, instead of being allowed to be left in place on site, as proposed by EPA. Long run, they will migrate off site and further harm the sensitive local environment.

6) I agreed with other residents who asked why insurance companies have not been involved in funding and questioned how EPA would finance and guarantee the long term monitoring and maintenance of the site. There is currently no enforceable agreement on these issues.

EPA responded to these questions by saying that those key issues would be the subject of a future EPA negotiations with RP's on implementing the selected cleanup option.

I urged EPA not to rely on voluntary negotiations but instead issue a unilateral enforcement order.

Very few members of the public realize, despite a multi-year remedial investigation and numerous informal EPA meetings on the site (which can lull the public into a stupor and winnow out involvement over the years), that there is only one legally mandated official on the record public hearing where public comment is meaningful and can actually have an impact on EPA cleanup decisions. That time is now. The public comment period closes on July 30, 2011

EPA Carbon Rules Delayed in House Panel's Bill Cutting Funding

Bloomberg

By Kim Chipman - Jul 13, 2011

Funding for the Environmental Protection Agency would be cut, greenhouse-gas regulations delayed and a ban on uranium mining near the Grand Canyon repealed under legislation approved by a U.S. House panel.

The Republican-led House Appropriation Committee approved the fiscal 2012 spending bill yesterday on a 28-18 vote, sending it to the full [House of Representatives](#).

Republicans led by Representative Mike Simpson of [Idaho](#) said they introduced the measure to rein in regulatory overreach. Democrats said the bill overturns key environmental safeguards. The bill's deepest cuts target the EPA, faulted for hurting the economy with new rules including limits on carbon-dioxide emissions blamed for [climate change](#).

"Wherever I go, the biggest complaint I hear about the federal government is about how the EPA is creating economic uncertainty and killing jobs," Simpson, chairman of the subcommittee on the interior, environment and related agencies, said before the vote.

President [Barack Obama](#)'s environmental regulator is "the scariest agency in the federal government" and has "lost its bearings," he said.

Representative James Moran, a Virginia Democrat, said the Republican measure is a "virtual dump truck" of provisions to protect polluters.

"This bill is too short on needed funds and too long on anti-environmental riders," Moran said. "It's not so much a spending bill as a wish list for special interests."

Under the measure, the EPA's budget would be cut to \$7.1 billion, or 20 percent less than Obama's request. The measure would fund EPA, Interior Department and related agencies at \$27.5 billion in the fiscal year that starts Oct. 1, which is 12 percent less than Obama's request to Congress.

EPA Rule Delay

The bill would delay for one year EPA rules limiting greenhouse-gas emissions from industrial polluters such as [power plants](#) and oil refineries, and prohibit the agency from regulating such discharges from vehicles after model year 2016.

The measure would overturn the Interior Department's temporary prohibition on uranium mining near Arizona's [Grand Canyon](#) and prevent the Obama administration from establishing a long-term ban without congressional approval.

Environmentalists say waste from uranium mines threatens the region's land, wildlife and drinking water.

The House spending measure would expose "the Grand Canyon, and the millions of Americans who depend on the Colorado River for their drinking water, to the long and

well-known hazards of uranium mining,” Moran said. “These riders have nothing to do with budget cuts or deficit reduction and everything to do about carrying out an ideological agenda.”

Simpson said the mining provision won’t harm Grand Canyon National Park in northern [Arizona](#).

Interior Funding

The bill also would provide \$9.9 billion to the Interior Department, about \$1.2 billion less than the president requested. The bill increases funding for oil and gas rig inspections and doesn’t include Obama’s proposal to increase offshore oil and gas inspection fees by \$55 million.

Proposed funding cuts may hurt offshore oil exploration, according to [David Hayes](#), the deputy U.S. Interior secretary.

“The house budget would likely affect our ability to execute our offshore program across the board, in a negative way” Hayes told reporters in Washington yesterday. He declined to elaborate.

Lawmakers also debated the [Endangered Species Act](#), passed by Congress in 1973 to protect plants and animals. The spending bill would ban all new listings of threatened species and permanently prohibit the courts from reviewing proposals to remove from protection gray wolves in [Wyoming](#) and the upper Midwest.

While Democrats and Republicans support the Endangered Species Act, the law needs revision, Simpson said.

Endangered Species

Since being enacted, the law has helped in listing 2,018 species with 21 species recovered, Simpson said.

“By any calculation, that’s a pretty poor track record,” he said. “Any other program with such a poor rate of success would have long since been terminated.”

Environmentalists such as Andrew Wetzler of the [Natural Resources Defense Council](#) say such provisions will damage already vulnerable animal populations.

“Some in Congress want to yank the last safety net away from wildlife that’s hanging by a thread,” Wetzler, director of the New York-based council’s wildlife and land program, said in an interview. “I guess they weren’t satisfied with making it easier to poison our waters and pump filth into our air, so they figure it was time to take a whack at walruses and wolverines too.”

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To contact the editor responsible for this story: Larry Liebert at lliebert@bloomberg.net

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Agreement Clears Way for Cleanup of Newtown Creek : Study Is First Phase For Polluted Waterway

By Brooklyn Eagle

published online 07-12-2011

BROOKLYN – The U.S. Environmental Protection Agency (EPA) Tuesday signed an agreement with six entities that clears the way for the cleanup of the super-polluted waterway.

Five of the six parties that signed the agreement – Phelps Dodge, Texaco, BP Products North America, National Grid NY (formerly Brooklyn Union Gas) and ExxonMobil – are descendants of original companies that are responsible for much of the pollution in the creek. The sixth is the City of New York, which began dumping raw sewage into the creek as early as the 1850s.

EPA added Newtown Creek, which separates western Queens from northwest Brooklyn, to its Superfund National Priorities List of the country's most hazardous waste sites in September 2010. Its water and sediment contain a wide range of contaminants such as pesticides, heavy metals, polychlorinated biphenyls (PCBs) and volatile organic compounds (VOCs).

The huge underground Greenpoint oil spill nearby, caused by industrial accidents at nearby oil refineries, is a separate issue. However, according to Riverkeeper and other environmental organizations, sludge from the underground oil "plume" has also been leaching into the creek for decades.

Pollution at the creek, a natural estuary that was enlarged over the years, began in the mid-19th century. By the end of that century, it was lined with more than 50 oil refineries, petrochemical plants, fertilizer and glue factories, sawmills, and lumber and coal yards. The creek was also crowded with commercial vessels that brought in raw materials and fuel and took out oil, chemicals and metals. A small number of factories and industrial facilities still operate along the creek.

"Newtown Creek is one of the most polluted urban water bodies in the country, and EPA is committed to making sure this waterway receives a thorough cleanup," said EPA Regional Administrator Judith Enck. "This agreement is an important step that will provide a comprehensive study of the contamination in Newtown Creek and the development of options to clean it up. The agreement also ensures that the parties responsible for the pollution, not the taxpayer, will foot the bill."

In addition to funding the study, the agreement also requires that these six parties pay EPA \$750,000 for the agency's previous work at Newtown Creek and reimburse the agency for oversight costs for both the investigation and the study. EPA anticipates that

it will identify additional parties responsible for the contamination in Newtown Creek.

The study will begin later this summer, beginning with an analysis of contamination in Newtown Creek's sediment, surface water and surrounding air. The remedial investigation will take several years to complete, after which EPA will oversee an analysis to develop and assess the full range of options for cleaning up contamination in Newtown Creek.

This Saturday, the Newtown Creek Alliance will hold a free Newtown Creek Boat Tour as part of the Metropolitan Waterfront Alliance's City of Water Day. Its Newtown Creek-bound boat will leave Governors Island at 12:15 p.m. and will return at 1:45 p.m.

Brooklyn's other Superfund Site is also a waterway – the Gowanus Canal. Unlike the controversy that ensued when the Gowanus was declared a Superfund site (because many observers felt that this could hurt housing and commercial development in the area), the news of Newtown Creek being declared a Superfund site was almost universally applauded.

Closter plans dredging to restore Ruckman pond

07/12/2011

NorthJersey.com

CLOSTER – The borough is awaiting state environmental permits to dredge Ruckman Pond in the coming months and help revive the pond and its fish and wildlife populations, say local officials.

Ruckman Pond, the 2.1-acre centerpiece of the Closter Nature Center, has accumulated too much silt and sediment over the years and many fish have died as a result, said Borough Administrator Quentin Wiest.

Officials expect the Department of Environmental Protection permit approvals in October, and they hope to begin dredging by November.

Dredging would remove sediment from the bottom of the pond, improving water quality, deepening the pond and making it more habitable for wildlife. Most importantly, the project would preserve the pond for posterity, said officials.

The Bergen County government would conduct the project through its Mosquito Control Division of Public Works, but Closter would have to pay for engineering, permits and dispose of the materials off-site. Such costs will be covered from funds raised through the local Open Space tax.

Over the years, the pond has accumulated debris and sediment, which has displaced most of its water volume and has caused resident organisms to die off.

"The problem is that it's too shallow and can't hold enough water," said Marc Gussen, director of the Nature Center. The harsh winter also contributed to the poor state of the pond, he added

If such dredging projects are not undertaken, ponds eventually fill in and disappear, said Gussen, adding that the pond contains catfish, bass and sunnies.

"This is saving the pond," he said.

New rule on plant emissions is boon to Del. and other 'downwind' states

07/12/2011

Courier-Post - Online

Delaware has emerged as one of the winners in the long battle for a new federal crackdown on power plant emissions that drift across state lines.

Environmental Protection Agency Administrator Lisa Jackson released a new Cross-State Air Pollution Rule that officials said would eliminate hundreds of thousands of tons of soot and smog-forming pollution, saving an estimated 34,000 lives and averting hundreds of thousands of illnesses yearly as early as 2014.

The new rules targeted smokestack emissions long identified by Delaware and other "downwind" states as problems that made full, local compliance with federal Clean Air Act standards impossible, because no state could fully control emissions arriving from beyond its borders.

Under the new rules, 27 states must significantly reduce power plant emissions that affect their neighbors or more distant regions. Plans would be due as early as 2013.

"I call it the Good Neighbor, Clean Air Rule," Sen. Tom Carper, D-Del., said. "I hope we can now stop battling it out in court and start cutting emissions dramatically."

Carper has sponsored a series of bills over the years to curb emissions of sulfur dioxide, nitrogen dioxide, mercury and other air pollutants tied to human health problems and global climate change. He chairs the Senate's Clean Air and Nuclear Safety subcommittee and is a member of its Environment and Public Works Committee.

Before the EPA's move last week, Carper said, big power plants in the Midwest were able to produce electricity cheaply, while sending air pollution out of their region and across Eastern states, where emissions drive up health care costs from asthma, heart and respiratory diseases and other ailments.

Delaware filed petitions for relief in the past and joined lawsuits to force the change.

Since Congress approved the Clean Air Act amendments of 1990, millions have been spent in Delaware on everything from paint formulations to highway planning, reductions in factory and power plant emissions and changes in fuels and fuel-handling requirements. Yet Delaware continues to have days when soot and ozone levels exceed federal standards, partly because of car and power plant emissions from other states.

"We're still far out of attainment," with federal Clean Air Act standards, DNREC Secretary Collin P. O'Mara said. "Having these new rules is going to give us a lot of relief."

In addition to Delaware, power plants in the District of Columbia, Connecticut, Florida, Louisiana and Massachusetts will get relief from requirements to control year-round emissions of sulfur dioxide and nitrogen oxides.

Texas, which has a large number of coal-burning power plants, will have to step up year-round controls.

Some critics questioned the uneven impact on states and the likely increase in pressure to close at least some of the nation's dirtiest coal-fired plants. The American Coalition for Clean Coal Electricity predicted that the EPA's rules would be the "most expensive ever imposed" on coal-fired generators.

"The EPA is ignoring the cumulative economic damage new regulations will cause," Steve Miller, the coalition's president, said in a written statement. "America's coal-fueled electric industry has been doing its part for the environment and the economy, but our industry needs adequate time to install clean coal technologies to comply with new regulations," he said. "Unfortunately, EPA doesn't seem to care."

An earlier, Bush administration proposal to deal with the issue was tossed out by a federal appeals court.

The new version is expected to cost the power plant industry \$800 million yearly in 2014, according to the EPA estimates, atop existing costs of complying with past efforts to reduce smokestack releases.

The 27 states subject to the rule are Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia and Wisconsin.

Free Tire Drop-off for Somerset County Farmers , Residents: July 14-16

07/12/2011

Home News Tribune

SOUTH BOUND BROOK - The Somerset County Division of Solid Waste Management is partnering with the Somerset County Road Division to collect scrap tires Thursday, July 14, through Saturday, July 16, from 8 a.m. to 1 p.m.

County farmers and residents can drop off up to eight tires per household at the Robert Morris School, located at 122 Elizabeth St. Automobile and truck tires, with or without

rims, will be accepted.

Proof of residency is required to take advantage of this program.

Proper disposal of tires benefits communities. Scrap tires have the potential to collect standing water and attract mosquitoes. To prevent West Nile virus, tires should be stored indoors or in a covered container until they can be properly disposed. This requirement is enforceable by the Somerset County Health Department.

The tire drop-off program is funded through a grant from the state Department of Environmental Protection.

For more information, contact the Somerset County Road Division at
(908) 541-5021.

Dirty Indoor Air Linked To Blood Pressure

07/12/2011

Post Chronicle, The

University of Wisconsin-Madison researchers say indoor air pollution is linked to increased blood pressure among older women.

Jill Baumgartner, who performed the study while a doctoral student at University of Wisconsin-Madison, says the study involved 280 women in an ethnic minority called the Naxi who lived in a remote area of Yunnan province in China. The women wore a portable device that sampled the air they were breathing for 24 hours.

The Naxi live in compounds with a central, free-standing kitchen that often has both a stove and a fire pit, Baumgartner says.

"I spent a lot of time watching women cook in these unvented kitchens, and within seconds, my eyes would burn, it would get a little difficult to breathe," Baumgartner says in a statement.

Many of the women are exposed to this smoke for several hours a day and even if the cook stove is vented, a second fire is often burning for heat, Baumgartner, now at the Institute on the Environment at the University of Minnesota, says.

Baumgartner and colleagues associated higher levels of indoor air pollution with a significantly higher blood pressure among women age 50 and older.

The study, published in the journal *Environmental Health Perspectives*, found small-particle pollution raises blood pressure over the short term by stimulating the nervous system to constrict blood vessels, but in the long term, the particles can cause oxidative stress, which also raises blood pressure. (c) UPI

EPA Mulls Easing Gas Station Rules

07/12/2011

Post Chronicle, The

The Obama administration says it is considering waiving a U.S. requirement for capturing gasoline vapors when refueling vehicles.

The Environmental Protection Agency is issuing a proposal under the Clean Air Act that would end systems used at gas station pumps to capture potentially harmful gasoline vapors during fill-ups.

The proposal is part of the administration's review of outdated and redundant rules in an effort to ensure federal regulations are beneficial without being unnecessarily burdensome to American businesses, an EPA release said Monday.

Gasoline vapor recovery systems have been required at gas station in certain locations since 1994.

However, under the Clean Air Act automobile manufacturers began installing onboard refueling vapor recovery technologies in 1998, and since 2006 all new vehicles have such systems, making gas stations' equipment redundant, the EPA said.

The proposal would still protect air quality and public health while potentially saving affected gas stations more than \$3,000 annually, the agency said. (c) UPI

Wayne waste site cleanup plan nearing completion

07/12/2011

NorthJersey.com

A tentative agreement for cleaning up the contaminated Top Soil Depot dump in Wayne was reached Tuesday among lawyers behind closed doors following daylong negotiations with the New Jersey Department of Environmental Protection.

All parties – which include about 20 illegal dumpers named in the DEP's suit against Top Soil – must now sign off on the settlement and return before state Superior Court Judge Margaret Mary McVeigh on July 22 to memorialize the plan on the record.

McVeigh appointed a temporary guardian Tuesday to represent dumpsite co-owner Allan Rombough Sr. in reviewing the settlement plan, as hearings about whether he is mentally competent continue. The 67-year-old says he has been suffering from Parkinson's disease.

Several doctors, including his own and a court-appointed doctor, are evaluating him so

McVeigh can determine whether he knowingly defied court orders to stay off the Top Soil property earlier this year. Rombough and his son, Alex, were caught by a DEP inspector trespassing on the site and throwing records into a trash bin.

The judge also issued a bench warrant – once again – for Rombough's other son, Allan Rombough Jr., who also is named as a defendant in DEP's case and who was supposed to be in court Tuesday but failed to show up. The last time he failed to appear was in May, when McVeigh had him arrested and brought into court to explain his absence. At that time, Allan Rombough Jr., said he was in an in-patient rehabilitation program for alcoholism and presented documentation to prove so. The judge ordered sheriff's officers to return him rehab at his own expense.

McVeigh said that when he completed his rehab stay and the court had been notified of his release, she would hold a hearing in which he would have to prove to her that he did not enter the program simply to evade court. He has since completed the program.

The DEP has sought to jail the elder Rombough for repeatedly violating orders to remove heaps of contaminated material from the Wayne site over many years. Whether he – and the dumpers who disposed of waste at the site – will be fined or jailed for violating the court's orders to stay off the property remains to be determined at a future hearing.

The DEP maintains that the existence of toxic waste on the property, which is in a flood zone at the confluence of three rivers, threatens the region's water supply and contributes to flooding. The state alleges that 20 companies delivered as much as 22,000 cubic yards of fill and solid waste to the site since 2009 in violation of court orders. Meanwhile, all of the defendants have been working for months now with the DEP to devise a final plan to clean up the site at the defendants' expense.

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Feds plan environmental reforms in state's poor urban neighborhoods

07/12/2011

Asbury Park Press - Online

NEWARK – A renewed focus on environmental justice by officials with the U.S. Department of Justice and Environmental Protection Agency could bring a new level of federal scrutiny to air pollution and other violations that disproportionately affect poor urban neighborhoods.

An oft-stated priority of the Obama administration, the environmental justice drive is coming at a time when state agencies have less money and people for enforcement, and there is political pressure for decreased regulation.

This is a tough time for state agencies, said Judith Enck, the EPA's Region 2 administrator. However, she stressed, I don't think there's a deliberate effort to

undermine environmental justice concerns.

Communities of color are more likely to have polluted land and water, and their children are more likely to suffer illnesses linked to industrial contamination, said Paul J. Fishman, the U.S. attorney for New Jersey, at a press conference Tuesday after officials toured the city's Ironbound section.

Ironbound is a very vibrant neighborhood with homes, restaurants and shops, Fishman said. But its east side lies hard against a district used by heavy industry for more than a century, and city residents still bear the effects of both ongoing and legacy pollution, he said.

Our first goal is going after pollution problems that make a difference in the community, said Cynthia Giles, the EPA's assistant administrator for enforcement.

But if we can still find people from those historic sites who are criminally liable, we will pursue that, Fishman added.

Fishman said his office is already looking into a number of recent cases that could include illegal dumping, illicit handling of toxic waste and asbestos, and tampering with drinking water.

The Obama administration wants renewed and vigorous focus on environmental enforcement that protects poor neighborhoods as well as economically better-off communities, and ensures a level playing field for businesses that comply with the law, said Ignacia S. Moreno, an assistant attorney general in charge of the Department of Justice's environment and natural resources division.

Diminished resources have cut back environmental enforcement at lower levels of government compared to the 1990s, when some county prosecutors assigned county investigators to track pollution and illegal dumping.

It's been a long neglected issue in New Jersey and we're going backward on environmental justice, said Jeff Tittel of the Sierra Club, who was among a number of environmental and community activists that Fishman invited in for meetings in April to express their concerns. The areas that are going to see the biggest impact (of enforcement cutbacks) are the environmental justice communities.

Enforcement action on air pollution is down dramatically and that's one area that really affects these neighborhoods, Tittel said. In that respect, the federal agencies are doing their job, which is oversight, he said.

This is the first time in 25 years that I can remember top-level people from Washington coming in like this, he added. It shows they're serious.

Aging city sewers and violations of sewage discharge rules are another issue that affects both those neighborhoods, the downstream harbor and the Shore.

We have very serious problems with raw sewage being discharged in New Jersey after rains, Enck said. Scores of combined sewer overflows in the New York-New Jersey region still discharge mixed storm water and sewage nearly a quarter-century after they were identified as a major problem during the disastrous beach closing summers of 1987 and 1988.

Some combined sewer overflows were eliminated, but dozens are still active, including 16 in Perth Amboy, 28 in Bayonne, and 34 in Elizabeth, according to a newly issued report by the EPA Region 2 office.

Along with infrastructure improvements to reduce overflows, the EPA is looking for green infrastructure to reduce storm water discharges with urban garden spaces and planted areas that also improve residents quality of life.

Another complicated case here with effects on the ocean is the old Diamond Alkali chemical plant on the Passaic River, which manufactured Agent Orange herbicide during the Vietnam War and became heavily contaminated with the byproduct dioxin.

Also known as Diamond Shamrock, the site is a major reason for the health advisories that tell people to limit their consumption of some fish from New Jersey waters and the ban on crabbing in Newark Bay.

Equipment is now being moved into place to begin a long-awaited cleanup. The good news is the dredge is about to start phase 1 of the project, said Judith Enck, the EPA's Region 2 administrator. On the legal side, there are well over 100 companies that are potentially liable for the cleanup, she added. This is a priority for the EPA in New Jersey.

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SEWERAGE AGENCY SPENT GENEROUSLY ON OFFICIALS' TRAVEL

07/10/2011

Record, The

The agency that provides sewage treatment for 50 Bergen County municipalities has spent more than \$170,000 on travel to conventions and conferences during the past six years, a review of agency records shows.

The Bergen County Utilities Authority's travel expenses include stays at high-end hotels in San Francisco, Orlando and Denver at rates well above those recommended by the federal government's General Services Administration.

On at least one occasion, the authority paid for a golf outing. And in several instances, it paid more than \$100 each for one-way limousine trips to and from Newark Liberty International Airport for its commissioners.

A review of the authority's travel records from 2006 to 2011 also shows:

- * Commissioners received "travel advances" of up to \$500 before going on trips.
- * Authority Chairman Andrew "Chuck" Vaccaro tipped a limousine service \$80 in July 2009 for round-trip service to and from Newark Airport. The total limo bill: \$607.
- * On at least two occasions, a relative accompanied a commissioner on out-of-town trips. The relative paid the airfare but may have stayed in hotel rooms paid for with authority ratepayer money. On other occasions, as many as four or five commissioners and employees traveled to the same conference together.

County officials criticized the spending and described it as excessive in light of the current economy.

"It's unacceptable," Republican Freeholder John Mitchell said. "In this day and age, no one should be traveling -- especially for multiple people. If it's an essential program, one person should go and report back to their colleagues."

The Freeholder Board and county executive recently enacted a budget that kept county taxes level for the first time in several years. Mitchell serves as the board's Budget Committee chairman.

Bergen County isn't the only local government making cuts, though. Municipalities have instituted cost-saving measures as well, and at least six that are served by the utilities authority have passed resolutions protesting its recent fee hikes.

Freeholder John Felice, also a Republican, said the authority needs to provide a "justification" for its travel expenses.

"How much business is being done, and how much leisure is being done?" Felice asked. "With all due respect, even though business may be done on the golf course, the ratepayer shouldn't be paying for that."

Executive Director Robert Laux declined to comment on travel spending prior to his tenure, but said that since taking over in December, travel expenses have been reduced significantly.

"It's pretty much been shut down," he said. "When I first got here, with the budget, the commissioners had already started to look for ways to pare down."

Still, Laux said commissioners and employees continue to travel to conferences for classes or to pick up honors for the authority. He noted that employees often need to attend out-of-town programs to keep their skills and knowledge up to date.

Some of the travel also is necessary because changes to state and federal regulations

sometimes require the authority to apply new techniques that require education and training, Laux said.

"There are many levels of employees, both management and operational, that hold licenses that are required to run the water pollution facility," he said, referring to the authority's main sewage treatment plant in Little Ferry.

Laux noted that he answers to the authority's board of commissioners and is responsible for supervising only the employee staff.

"The commissioners make their own determination on which conferences they need to or should attend," he said. "My approach is any of these employees who answer to me, seeking opportunities for continuing education -- whether it be in-state or out of state -- need to provide advanced requests and obtain pre-approval."

Authority Vice Chairman Ronald Phillips said that his schedule doesn't permit him to travel to many conferences and that other commissioners often inform him of what they've learned while traveling.

"I cross-examine the commissioners," he said. "I do get a pretty good understanding."

Phillips said the reports he receives from other commissioners are verbal, not written.

The BCUA, as it's commonly called, is a public utility that provides sewer service to much of Bergen County. Its Little Ferry plant serves 47 towns, and its Edgewater facility serves three. The authority also coordinates recycling for all 70 municipalities and oversees the county's solid waste management plan, which covers solid waste transfer facilities in the county. Its board chairman and commissioners govern the agency, but do not receive salaries or stipends. They are selected by the county executive and approved by the Freeholder Board.

Bergen County doesn't contribute any funding to the utilities authority, though, and only provides it with such services as trash collection, Mitchell said.

Past issues

Criticism of the authority is nothing new. Before Laux took over as executive director, Richard Wierer held the authority's top paid position. Wierer was appointed as interim executive director in February 2009 after Executive Director Leonard Kaiser retired from the post.

Kaiser, a former councilman and mayor of North Arlington, as well a former county freeholder and member of the New Jersey Meadowlands Commission, later admitted to evading \$5,300 in taxes on \$28,000 that he and his wife took from a campaign fund.

Laux was appointed by the utilities authority board in December against the wishes of the incoming county executive, Kathleen Donovan.

Jeanne Baratta, a spokeswoman for the county, noted that Donovan opposed all the appointments made during the lame-duck session of outgoing Democratic County Executive Dennis McNerney. She added that Donovan has veto power over any action taken at utilities authority meetings and will begin examining its travel spending.

"This is something the Office of Asset Recovery will be looking into," she said. "It's also the reason the county executive reviews all the minutes to all the meetings."

The authority processes the flow of an average of 90 million gallons of wastewater every day. It will collect about \$60 million in fees from Bergen County municipalities this year and has a budget of about \$65.7 million. Laux said the authority also receives grant money and charges connection fees.

He said that recent rate hikes were necessary because of debt accrued as a result of infrastructure upgrades and higher pension and utility costs. Combined with the loss of a \$700,000 PSE&G rebate, Laux said those costs make up much of the budget hike that towns are now absorbing.

Rates are based on the previous year's usage, which is gauged by meters throughout the county.

Careful spending

Laux said he and the authority's commissioners are sensitive to budget issues. He noted that the authority is using bio-gas, a byproduct of sewage processing, to power parts of the plant. Plans to install solar panels also are in the works, he said. Travel expenses make up a relatively small piece of the agency's spending, but it's something Laux said he and the commissioners are examining.

Before this year, BCUA travel outside New Jersey was much more common. And Vaccaro and Commissioner James Krone were two of the most frequent fliers.

Utility authority records from 2006 to 2010 show that Vaccaro took at least 22 trips to conferences out of state and in Atlantic City, and that Krone took 16 trips.

Records also show that both registered to attend the July 2007 National Association of Clean Water Agencies summer conference on "Sustainable Infrastructure Choices" in Cleveland. Registration for them to attend that and the 2007 NACWA Open Golf Tournament cost ratepayers \$1,750 -- \$300 of which paid for the golf.

Authority records show that airfare, hotel and limousine expenses cost ratepayers about \$1,085, bringing the trip total to more than \$2,800.

Laux said that Vaccaro did not attend the conference, though, and that his airfare was refunded. That refund is reflected in a memo from a travel agent to the authority. Laux also noted that authority records show that the registration fee was refunded too, but a

review of those records proved inconclusive.

"He did not go to Cleveland," Laux said.

Krone declined to answer questions about the trip.

Three years after the Cleveland event, Vaccaro and Krone received \$71 a day each for meals and incidental expenses for a July 2010 trip to San Francisco, records show.

That per diem rate is the same amount recommended by the U.S. General Services Administration, which also sets guidelines on hotel costs. But hotel costs for the San Francisco trip exceeded the GSA's recommendations.

Vaccaro, Krone and Eric Anderson, an authority engineer, each stayed at the Ritz-Carlton from July 19 to July 22, according to authority records. The cost for all three to stay there was \$3,729. Before taxes, the nightly room rate for those rooms is \$269, which is \$103 more than the \$166-per-night rate recommended by the General Services Administration.

The total cost of the trip for all three was at least \$9,000, which included \$64 for Vaccaro's "excess luggage costs."

But the trip to San Francisco wasn't the only time that a BCUA commissioner or employee stayed in hotels that cost more than the federal rate. The authority paid more than that rate on trips to Austin, Texas; Anchorage, Alaska; and Palm Desert, Calif., as well.

Vaccaro declined to answer questions about his travel expenses, but released a written statement through Laux. Both Krone and Vaccaro referred questions to Laux.

"It is necessary for commissioners to learn from the experiences of their colleagues and experts on the state and national levels," Vaccaro said in his statement. "We are aware of the need to control spending of taxpayers' dollars and remain confident that the public is better served by a well-informed commissioner whose attendance at conferences and seminars is essential."

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Judith Enck/R2/USEPA/US

04/27/2012 06:11 PM

To Richard Windsor

cc

bcc

Subject nj awards

hi Lisa: at the end of a long week, I thought you would enjoy seeing this. we had a truly inspiring awards ceremony today in region 2. A lot of great working taking place in NJ. cheers, Judith

EPA Honors New Jersey Environmental Leaders

Contact: Elizabeth Myer, (212) 637-3860, myer.elizabeth@epa.gov

(New York, N.Y.) The U.S. Environmental Protection Agency today announced that it has honored ten individuals and organizations from across New Jersey with Environmental Quality Awards for their achievements in protecting public health and the environment. EPA Regional Administrator Judith A. Enck was joined by Mayor Dana Redd of Camden, New Jersey to present the awards to this year's recipients at a ceremony at EPA's offices in Manhattan.

"Change that will create a healthier and more sustainable future begins with people like those the EPA is honoring today," said Regional Administrator Judith A. Enck. "They give of themselves and set a high bar in their actions to protect public health and the environment."

EPA presents Environmental Quality Awards annually during Earth Week to individuals, businesses, government agencies, environmental and community-based organizations and members of the media in EPA Region 2, which covers New Jersey, New York, Puerto Rico, the U.S. Virgin Islands and eight federally-recognized Indian Nations. The awards recognize significant contributions to improving the environment and public health in the previous calendar year. For information about the Environmental Quality Awards in EPA Region 2, visit <http://www.epa.gov/region02/eqa/>.

Attached is a list of the award winners.

2012 ENVIRONMENTAL QUALITY AWARD WINNERS

Individual Citizen

Andrew Kricun

As the Executive Director of the Camden County Municipal Utility Authority, Andrew Kricun has improved water quality and promoted sustainability throughout Southern New Jersey for 26 years. During his tenure at Camden County Municipal Utility Authority, water quality performance has improved 40% while residential

rates remain unchanged. Mr. Kricun's commitment to local, regional and national environmental quality improvements have paved the way for a more sustainable New Jersey.

Donna Macalle-Holly

As an employee of the Lake Hopatcong Commission, Donna Macalle-Holly works closely with four surrounding towns to implement stormwater management projects that reduce the amount of phosphorus entering Lake Hopatcong. Donna worked diligently on the Commission's lake-friendly fertilizer program, developing an educational webpage and creating slogans for signs that were widely distributed in the community. Recently, she worked on an outreach initiative to educate the public on the threat of a new invasive species, the water chestnut. Donna is a regular contributor to local newspapers on the protection of Lake Hopatcong.

Doug O'Malley

Doug O'Malley has been an outstanding advocate for the environment. As Field Director for Environment New Jersey, Doug has been an indefatigable advocate on numerous issues such as climate change and the preservation of open space. Doug has also led efforts to pass comprehensive clean energy and climate legislation in Congress and to fast-track New Jersey's clean energy economy through strong state standards for wind, solar and energy efficiency programs. He has written editorial pieces and has been widely quoted in the press on issues of environmental concern.

Dr. Nicky Sheats

As chair of the New Jersey Environmental Justice Alliance and director of the Center for the Urban Environment at the John S. Watson Institute for Public Policy of the Thomas Edison State College in Trenton, NJ, Dr. Sheats has proven a tireless environmental educator and fighter for environmental justice, both locally and nationally. In recent years, Nicky Sheats has repeatedly stood with low income communities of color throughout New Jersey in their struggles for a clean and healthy environment.

Paul D. "Pete" McLain

Paul D. "Pete" McLain has been a champion of environmental protection for more than 50 years. In his capacity as Deputy Director of the New Jersey Division of Fish, Game and Wildlife, Pete developed the NJ Non-game and Endangered Species Program, the first in the nation. Pete was directly involved in the reintroduction of the peregrine falcon and the revival of osprey populations in New Jersey and has worked

tirelessly to spread information on wildlife and environmental issues via newspapers, magazines, radio and the production of films. He founded the Barnegat Bay Student Grant Committee, which provides funding for student research.

Environmental Education

Project Reservoir

Project Reservoir is a multi-year, multi-disciplinary project designed, implemented and maintained by the students of the Christa McAuliffe School, PS #28 in Jersey City, NJ. The project is focused on the students' efforts to help revitalize and transform an abandoned local reservoir into a first class, state recognized recreation and education center. Throughout the project, the team has partnered with the Reservoir Preservation Alliance to identify problems, design innovative solutions and solicit community support for their vision. The students have enjoyed a unique environmental education experience while learning to apply their academic skills to real world scenarios.

Richard Howlett

Richard Howlett is the Executive Director of the New Jersey Water Association, which plays a pivotal role in the training of small-system water and wastewater operators, provides on-site technical assistance for small systems and helps to implement source water protection. Through innovative approaches, Richard organizes and delivers free training to small systems operators. Over 70 training sessions are offered each year, typically with 35-50 attendees at each meeting. At these sessions, water and wastewater operators are trained in navigating the regulations under the Safe Drinking Water and Clean Water Acts.

Non-Profit Organization, Environmental or Community Group

Duke Farms Foundation

Duke Farms Foundation has recently refocused its mission to be a model of environmental stewardship in the 21st century and inspire visitors to become informed stewards of the land. To carry out its new vision, Duke Farms is upgrading a 22,000 square-foot former barn to LEED Platinum standards to serve as an orientation center. This building's electricity is being supplied by a 640-kilowatt solar array and 50 geothermal wells to heat and cool it. In addition, a constructed wetlands system will treat wastewater on-site, and rain gardens and bioswales will handle stormwater.

Land Conservancy of New Jersey

The Land Conservancy of New Jersey is a member-supported non-profit land trust whose mission is to preserve land and water resources, conserve open space, and inspire and empower individuals and communities to protect our natural land and environment. The Land Conservancy has preserved a total of 18,595 acres in 310 projects, including 14,507 acres in 245 projects in the New Jersey Highlands. It has worked with 60 municipalities impacting over half of New Jersey's counties and benefitting millions of residents across the state.

ReClam the Bay, Inc.

ReClam the Bay is a volunteer organization established by the Barnegat Bay Shellfish Restoration Program, whose partners include Rutgers Cooperative Extension, NJ Department of Environmental Protection Bureau of Shellfisheries, Ocean County and the Barnegat Bay Partnership. The group has trained over 120 certified shellfish gardeners, while its volunteers have put about 10.7 million clams and three million oysters in the Barnegat Bay. In 2011, the Barnegat Bay Shellfish Restoration Program taught nearly 9,500 people about the connection between water quality and life in the bay, as well as how to protect and restore the estuary.

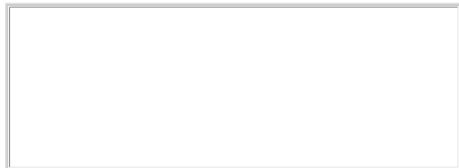
For more details, visit: <http://www.epa.gov/region02/eqa>

Follow EPA Region 2 on Twitter at <http://www.twitter.com/eparegion2> and visit our Facebook page, <http://www.facebook.com/eparegion2>.

12-059

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Judith Enck/R2/USEPA/US

12/29/2010 05:40 PM

To Richard Windsor

cc

bcc

Subject Re: Dow Jones: EPA Warns of PCB Risks in Schools

We also received very positive statements from the nyc teachers union, members of congress, dr phil landrigan, and ngo's. The teachers union is standing with us even though the city is oddly saying they would have to lay off teachers if they make this investment in energy efficiency. I spoke to dep mayor walcott today and he was polite. I am meeting with him next week

Sent by EPA Wireless E-Mail Services

Richard Windsor

----- Original Message -----

From: Richard Windsor

Sent: 12/29/2010 05:33 PM EST

To: Brendan Gilfillan; Bob Perciasepe; Diane Thompson; Bob Sussman; "Seth Oster" <oster.seth@epa.gov>; Betsaida Alcantara; Peter Grevatt; Lisa Garcia; Judith Enck; Steve Owens; Arvin Ganesan; Stephanie Owens; Dru Ealons

Subject: Re: Dow Jones: EPA Warns of PCB Risks in Schools

Nicely done!

Brendan Gilfillan

----- Original Message -----

From: Brendan Gilfillan

Sent: 12/29/2010 05:22 PM EST

To: Richard Windsor; Bob Perciasepe; Diane Thompson; Bob Sussman; Seth Oster <oster.seth@epa.gov>; Betsaida Alcantara; Peter Grevatt; Lisa Garcia; Judith Enck; Steve Owens; Arvin Ganesan; Stephanie Owens; Dru Ealons

Subject: Dow Jones: EPA Warns of PCB Risks in Schools

EPA Warns of PCB Risks in Schools

Dow Jones

By [TENNILLE TRACY](#)

WASHINGTON—Federal authorities are urging schools across the U.S. to replace the electrical components in older light fixtures to reduce the threat of contamination from potentially cancer-causing chemicals.

In nonbinding recommendations released Wednesday, the Environmental Protection Agency says many schools built before 1979 use light fixtures that contain polychlorinated biphenyls, a manmade chemical that can affect the immune system and reproductive system and can cause cancer if they build up in the human body.

The agency urges schools to replace the electrical components in the light fixtures to prevent the escape of PCBs into the air. If the chemicals do leak, they would not represent an immediate threat but could present health concerns if they persist over time, the EPA says.

If the electrical components are already leaking PCBs, federal law requires the schools to

remove them immediately.

The EPA is urging schools to replace the components after a study of three schools in New York City revealed that many fixtures in the schools were leaking PCBs.

The EPA has also worked with school officials in Oregon, North Dakota and Massachusetts to address leaks.

"As we continue to learn more about the potential risks of PCBs in older buildings, EPA will work closely with schools and local officials to ensure the safety of students and teachers," said Steve Owens, EPA's assistant administrator for chemical safety and pollution prevention, in a statement.

But the cost of replacing the electrical components, or the entire light fixture, could be high. New York City officials estimate it would cost \$1 billion to remove and replace lighting fixtures in about 800 buildings across the city.

Because of the expense, New York City officials have balked at the EPA's attempts to make sure the city remove and replace the light fixtures on an expedited schedule.

In a Dec. 21 letter to the EPA, New York City Deputy Mayor Dennis Walcott said the costs of replacing the fixtures, "during this difficult fiscal climate," would force the city to lay off staff and delay school-construction projects.

Mr. Walcott also accuses the EPA of singling out the city and says the agency should require all public and private buildings in the U.S. to replace older light fixtures.

Following the release of the EPA's new recommendation Wednesday, New York's U.S. lawmakers called on the New York City Department of Education to step up its testing and remediation efforts.

"PCB contamination is alarmingly widespread and threatens the health of potentially hundreds of thousands of schoolchildren," Democratic Reps. Jerrold Nadler and Joseph Crowley said in a statement Wednesday.

Prior to 1978, when the manufacture of PCBs was banned, lighting companies used PCBs in electrical equipment because they do not readily burn or conduct electricity. The EPA currently regulates the use, storage and disposal of PCBs, but there are still millions of pieces of equipment in the U.S. that were made prior to the rules, according to the EPA.

Judith Enck/R2/USEPA/US
02/29/2012 09:16 AM

To Richard Windsor, Brendan Gilfillan, Gina McCarthy, Janet McCabe, Arvin Ganesan
cc
bcc
Subject Portland Power Plant to close (Section 126 Petition) in 2015

lehighvalleylive.com

Portland Generating Station, Glen Garner electric station to be deactivated by GenOn in 2015

Published: Wednesday, February 29, 2012, 8:22 AM Updated: Wednesday, February 29, 2012, 8:55 AM



By **Tony Rhodin** | **The Express-Times** The Express-Times

The 53-year-old coal-fired Portland Generating Station in Upper Mount Bethel Township pollutes New Jersey, environmental officials have charged.

GenOn Energy Inc. in 2015 will close electric generating stations in **Upper Mount Bethel Township** and **Glen Gardner** due the cost of upcoming environmental regulations, according to a news release sent this morning to politicians in affected communities.

The **Portland Generation Station**, which employs 80 people in Upper Mount Bethel, will go offline in January 2015 and the Glen Gardner station will shut in May 2015, according to the news release. In all, eight stations will closed between June of this year and May 2015 in Pennsylvania and New Jersey, the company reports.

"This deactivation is being driven by the costs of complying with upcoming environmental regulations, including the U.S. Environmental Protection Agency's (EPA) Mercury and Air Toxics Standards (MATS)," the company said in a related email. The company said in the news release the closures and time frames **"are subject to further review based on market conditions."**

Bangor Borough Councilman Dave Houser said this morning the closure will have an impact on the Bangor Area School District's bottom line as well as on the families of workers.

"If they're going to close it, they're going to close it," he said with a tone of resignation. **"It will have a major impact on the school district. It will have an impact tax-wise and in disrupting families."**

He said it will also affect the landfill, which takes coal ash from the plant.

In late October, the EPA issued a 95-page ruling that the Upper Mount Bethel power plant had three years to reduce its permitted sulfur dioxide emissions by 81 percent. Studies by the EPA and the New Jersey Department of Environmental Protection found the 53-year-old coal-burning

plant was responsible for most of the sulfur dioxide pollution over northern New Jersey.

Although the plant was following all Pennsylvania Department of Environmental Protection regulations, crosswinds carried the pollutants into New Jersey, where they did not meet more stringent state requirements.

GenOn in January appealed the EPA's ruling.

In June, 2011, U.S. Sens. **Pat Toomey**, R-Pa., and **Bob Casey**, D-Pa., and U.S. Rep. **Charlie Dent**, R-Lehigh Valley, in a letter to EPA administrator Lisa Jackson, asked the EPA to consider easing the time restraints of the proposed rule. The legislators said existing laws would require all other power plants in Pennsylvania to meet the same emissions standards, but over a longer period of time.

"We are concerned that prematurely binding GenOn's decisions on how to comply with identified requirements will not result in the best solution and may come at a cost of lost jobs, reduced reliability and higher electric costs. Accordingly, we encourage EPA to provide GenOn with flexibility in the timing of the submission of the compliance plan to meet required emission limits," the lawmakers wrote.

GenOn has said would have cost \$300 million to \$500 million to upgrade the Portland plant and achieve the requirements set by the EPA to cut sulfur dioxide emissions by 81 percent.

The EPA estimates its rules will save up to 34,000 lives, prevent 15,000 heart attacks and stave off 400,000 asthma attacks each year, easing health treatment costs by \$120 billion to \$280 billion across the nation.

Houston-based GenOn Energy owns, contracts or operates 47 generating stations in 12 states, including 18 in Pennsylvania and three in New Jersey, including one in Glen Gardner, Hunterdon County, according to its corporate website. GenOn was formed in December 2010 by a merger between Mirant Corp. and RRI Energy.

GenOn today is announcing an adjusted \$132 million loss for continuing operations in 2011 as compared to adjust income of \$163 million in 2010, according to the news release. Its net loss was \$189 million, compared to \$233 million in 2010.

Mark Baird, GenOn's director of external affairs, did not immediately return a phone call for comment.

Archives Editor KJ Frantz contributed to this report.

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Judith Enck/R2/USEPA/US

11/10/2010 04:36 PM

To Richard Windsor, Gina McCarthy

cc

bcc

Subject fyi

N.J. Gov. Christie 'skeptical' humans cause global warming

Tuesday, November 9, 2010

The Record

THE ASSOCIATED PRESS

TOMS RIVER – Governor Christie says he's skeptical that humans are responsible for global warming.

The governor, a new darling of the Republican Party, made the remark at a town hall meeting he hosted in Toms River Tuesday afternoon.

Asked by a man attending the event whether he thought mankind was responsible for global warming, Christie says he's seen evidence on both sides of the argument but thinks it hasn't been proven one way or another.

Christie says "more science" is needed to convince him.

AP FILE PHOTO : Christie made the remark at a town hall meeting in Toms River.

New York Times

November 9, 2010

Paterson Wants New York to Slash Greenhouse Gases

By MIREYA NAVARRO

After a 10-month study, Gov. David A. Paterson is leaving his successor an ambitious environmental plan to reduce New York's greenhouse gas emissions by 80 percent by the middle of the century.

The plan, released in draft form on Tuesday, calls for doubling the state's sources of renewable energy by 2030, setting stricter efficiency standards for all buildings, shifting private

transportation toward electric vehicles and supporting the creation of jobs in research on energy technology and in clean energy industries.

The long-term plan, assembled with the help of more than 100 experts from energy companies, utilities and labor and environmental groups, came out of a directive that Mr. Paterson signed in August 2009, setting the 80 percent goal for reductions in emissions in the heat-trapping greenhouse gases.

Administration officials said they hoped that Governor-elect Andrew M. Cuomo would use it as a guide in promoting a shift to clean energy. The plan is generally in line with the energy policy that Mr. Cuomo laid out during his campaign. Both Mr. Paterson and Mr. Cuomo are Democrats.

The document is a blueprint not just for reducing emissions but also for expanding the state economy, officials said.

"Transitioning to clean energy means more than driving a zero-emission car," Mr. Paterson said in remarks prepared for an energy research conference on Tuesday in New York City. "It also means manufacturing that car right here in New York, employing New York workers, driving the New York economy and building New York's tax base."

A combination of state policymaking and public and private investment would be needed to halt the rise in emissions in the state – they rose 2 percent from 1990 to 2008, the report notes – and to reduce them by 40 percent by 2030 and 80 percent by midcentury.

"What's being released is a very accurate plan to achieve emissions reductions and economic growth," said Peter M. Iwanowicz, Mr. Paterson's adviser on the environment and the acting chief of the State Department of Environmental Conservation.

Public comments on the document, at nyclimatechange.us/InterimReport.cfm, are being accepted for 90 days.

The governor's plan contrasts with his recent decisions to significantly cut the budget and staff of the Department of Environmental Conservation. Objections raised by the department's previous chief, Alexander B. Grannis, led to Mr. Grannis's dismissal last month.

The governor has also dipped into a state environmental fund, intended to finance programs to cut emissions, to help close the state's budget deficit.

But administration officials maintain that those actions should not tarnish his environmental credentials.

"We're operating right now in a fiscal crisis like we've never seen before," said Morgan Hook, a spokesman for Mr. Paterson. "What that requires is that everybody makes sacrifices. These are choices the governor had to make, not the choices he wants."

Robert Moore, executive director of Environmental Advocates of New York, a group based in Albany that helped draft the environmental plan, condemned the budget cuts last month, saying that the Department of Environmental Conservation suffered disproportionately.

Mr. Moore offered praise for the environmental plan, however, suggesting that Mr. Cuomo could draw on the research and goals in the document to draft his own plans for tackling climate change through state regulation and other programs.

"They want to do something that's strong and robust, and that's a real commitment," he said of the new administration. "They can start borrowing from this blueprint immediately."

New York Times

November 9, 2010

EPA Issues Emissions Reporting Rules for Oil and Gas Industry

By GABRIEL NELSON of Greenwire

U.S. EPA announced the release today of final rules that will require oil and gas facilities and certain electronics manufacturing plants to begin keeping tabs on their greenhouse gas emissions next year.

The new regulations will add those industries to EPA's Greenhouse Gas Reporting Program, which kicked off at the beginning of this year. Companies are not required to achieve any emissions reductions through the program, but they must produce annual emissions reports that

are intended to inform the public and guide policymakers in the quest to address global warming.

The addition of the oil and gas industry is notable because it was the last high-profile sector that was not addressed when EPA issued a set of reporting requirements last year. Sources responsible for about 85 percent of the nation's industrial greenhouse gas inventory were required to begin maintaining emissions data this past January, and on Jan. 1, 2011, that figure will nudge up a little higher.

Petroleum facilities such as oil and gas wells, compressor stations and storage tanks produce an estimated 2 to 3 percent of the nation's industrial greenhouse gases. Under the new regulations (pdf), the operators of those sources will need to track those emissions and submit their first annual emissions reports in March 2012.

"For far too long the public has been kept in the dark about the large volumes of pollution released from facilities in the oil and gas sector," said Emma Cheuse, an attorney at Earthjustice, in a statement. "EPA's action will strengthen public accountability for this major source of global warming pollution."

In addition to carbon dioxide, the oil and gas facilities produce large amounts of methane -- a natural gas component that is about 21 times more effective than CO₂ at warming the atmosphere. Emissions from the oil and gas sector have the same effect as 40 million cars, according to EPA estimates.

Also today, the agency finalized reporting rules (pdf) for sources of fluorinated greenhouse gases, which can be thousands of times more powerful than either CO₂ or methane. Those sources, which include factories that build semiconductors, solar cells and electric transmission equipment, produce about 2 percent of the nation's greenhouse gases, and those emissions are still increasing, EPA says.

At what cost?

Industry groups such as the American Petroleum Institute have criticized the new rules, saying EPA has underestimated the cost of compliance. Because many oil and gas producers rely on smaller facilities in remote areas, the industry will have a harder time complying than other sectors, some of the nation's largest energy companies argued during meetings with White House economists this fall.

The groups had challenged EPA's decision to extend reporting requirements to all of a company's emissions sources within a single geographical basin, rather than using the ordinary definition of a facility. The agency argued this change was necessary to cover the majority of emissions sources, but it will "impose unreasonable reporting obligations on tens of thousands of oil and gas operations," said Howard Feldman, API's director of regulatory and scientific affairs, in a statement today.

EPA estimates that the rules for the oil and gas industry will cost \$62 million for the first year and \$19 million in following years. That translates to about \$22,000 per facility next year.

But according to oil and gas companies, the true cost will be much higher. Some commenters said the average company would need to spend between \$100,000 and \$850,000 on data management software, adding up to between \$123 million and \$1 billion in costs for the industry.

In its final rule, EPA disagrees with that claim, saying the regulations do not require any costly technology. Ordinary spreadsheet software is "capable of managing far more data than will be necessary" for even the largest facilities, the agency wrote.

With today's final rules, just a few significant types of emissions sources remain unaddressed. The White House Office of Management and Budget is currently reviewing a rule that would establish reporting requirements for carbon dioxide injection and sequestration.

Underground sequestration is seen as the hope for continued petroleum use in a carbon-constrained world, but if companies want to prevent the carbon dioxide from contributing to global warming, it will have to stay put.

The same is true for carbon dioxide injection, a practice that is used to enhance recovery of oil from underground wells. While suppliers of the carbon dioxide gas argue that their emissions are negative because the product remains trapped underground, that claim is based upon the assumption that the emissions do not escape.

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Wall Street Journal

NOVEMBER 10, 2010

Agency Pushes Halliburton to Hand Over Drilling Data

By STEPHEN POWER And SIOBHAN HUGHES

WASHINGTON—The Environmental Protection Agency escalated a clash with Halliburton Co. on Tuesday, subpoenaing the oil-field-services giant for information about chemicals used in a controversial technique for extracting natural gas from underground rock formations.

The agency said it issued a subpoena because Halliburton failed to turn over information necessary to move forward with a congressionally requested study of hydraulic fracturing, or "fracking," in which large amounts of water laden with sand and chemicals are pumped deep underground to release natural gas trapped inside rock.

The EPA said Halliburton was the only company among nine contacted by the agency that never committed to providing everything the agency requested on a timely basis.

In a written statement, Houston-based Halliburton said the EPA made "unreasonable demands" that would potentially require the company to prepare approximately 50,000 spreadsheets of data. The company said it had been working with the agency "in good faith" and has turned over nearly 5,000 pages of documents as recently as last Friday.

"We are disappointed by the EPA's decision today," the company said. "Halliburton welcomes any federal court's examination of our good faith efforts with the EPA to date."

The EPA inquiry into hydraulic fracturing is part of a broader conflict over efforts to tap huge stores of natural gas locked in large shale formations, including the Marcellus Shale. That tract stretches from the Ohio River Valley into upstate New York through economically depressed regions where new gas drilling could provide much-needed jobs and income for small farms.

At a news conference the day after his party suffered major losses in the midterm congressional elections last week, President Obama expressed a desire to work more closely with Republicans on energy policy, citing natural-gas production as one area in which he thought cooperation was possible.

"We've got, I think, broad agreement that we've got terrific natural-gas resources in this country,"

Mr. Obama said. "Are we doing everything we can to develop those?"

But environmental groups and some landowners in potential gas-producing areas say hydraulic fracturing puts water supplies at risk. In response to concerns about the effects of hydraulic fracturing on water supplies, Congress directed the EPA to study the issue. EPA officials have since expanded their inquiry to evaluate the impact of the heavy volume of water the process requires. They said they also intended to study the way gas wells are constructed and the risks that wells could leak gas or chemicals into underground water.

Write to Stephen Power at stephen.power@wsj.com and Siobhan Hughes at siobhan.hughes@dowjones.com

Attorney: Rustic Mall developer still committed to project in Manville

11/09/2010

Home News Tribune

MANVILLE – Borough officials are requesting a face-to-face interview with Rustic Mall

owner Zygmunt "Zygi" Wilf following what they described as more delays in paperwork before the site can be removed from a national list of contaminated properties.

The 10-acre Rustic Mall off S. Main Street is slated for redevelopment by

Livingston-based Garden Homes with new residential and commercial construction once the U.S. Environmental Protection Agency removes the property from the national list. The EPA in 2008 completed a \$250 million cleanup of more than 450,000 tons of contaminated soil at the Rustic Mall property, as well as neighboring residential properties, making up what is known as the Federal Creosote Superfund site.

Before the property can be removed from the EPA's national list, a deed notice

describing where creosote levels remain on the soil must be approved by the state

Department of Environmental Protection before the process of removing the property from the list can begin. The process, according to municipal officials, could take at least a year.

New Jersey real-estate mogul Wilf is the founder of Garden Homes and also owns the Minnesota Vikings of the National Football League. Anthony J. Reitano Jr., attorney for the developer with the Warren-based Herold Law firm, said there are two circumstances delaying the property from being redeveloped: Being delisted from the national list and a tough economic climate not attracting retailers to the property.

"We're staying at it," Reitano said. "Certainly, the owners would not stay at it

this long and spend money on a project this long if their intentions were not to do

something with the property."

Councilman Rich Onderko told the public during Monday's Borough Council meeting he is tired of waiting and fears the paperwork is being "kicked back" to the developer due to errors in completing it.

"It looks like we are in a waiting game with the developer," Onderko said, noting

he will be inviting Wilf to Manville for a discussion about the property's future.

DELAYS EXPLAINED

Rich Puvogel, the Federal Creosote Superfund site's remedial project manager, said Tuesday the paperwork involves an exchange between the Rustic Mall owners and what the state is looking for in terms of clarifications. Until the state is satisfied with the information, the deed notice will not be finalized. Puvogel said the EPA put the deed notice together in September

2008 and the developer did not submit the information to the state until March 2010.

Reitano said the process of completing the deed notice requires review and approval by both the EPA and DEP. EPA reviewed the draft deed notice and was satisfied with it. The DEP in July provided comments, which the developer addressed promptly, he said.

Still, resident and former Councilman Frank Jurewicz told the council the zoning board should hold off in granting the developer use of the site -- such as bringing the Big Apple Circus to the Rustic Mall again next year -- until the deed notice is approved.

"The town of Manville deserves better," Jurewicz said. "I walk around town and I think it's pretty clear the people are tired of this."

FUTURE OF THE PROPERTY

Mayor Lillian Zuza replied the paperwork is not a quick process and no one is more frustrated on the site not being developed than herself. ""You're preaching to the choir," she said.

Reitano said he asks members of the public who are frustrated and losing patience in waiting for the site to be redeveloped to hold on a little longer.

"We've been at this a long time, since 1998 when first notice of the issue arose, cooperating with everyone," Reitano said. "I know when you hear it could take a year (to become delisted), understand that's part of the process to bring a long, long cleanup to a close. We hope to continue that cooperation and run with it to the goal line."

Zuza also said she looks forward on Dec. 8 in Newark in seeing the final presentation from the graduate architecture students from the New Jersey Institute of Technology. The students in adjunct professor Susan Pikaart Bristol's architecture and design studio course since September have been studying the property and making recommendations that may ultimately be implemented in the site's redevelopment design.

Watershed coalition reaches land agreement with NYC

11/09/2010

Daily Freeman

MARGARETVILLE – The Coalition of Watershed Towns will meet Saturday to review negotiated changes in how New York City acquires land to protect its water supply.

The meeting is scheduled for 10 a.m. to noon at Margaretville Central School.

The acquisition program is tied to the city's application for a new water supply permit.

After nearly three years of negotiations with city and state agencies and not-for-profit organizations that signed the 1997 Memorandum of Agreement, the coalition has agreed to changes in the acquisition program.

The changes will be highlighted at the meeting, as will other provisions in the extended water supply permit that address longstanding issues associated with the Memorandum of Agreement and the original water supply permit. Among the longstanding issues are the taxation of city lands and waste treatment plants.

The new agreement includes provisions governing the adjustment of the boundaries of hamlets within which the city cannot acquire land.

The meeting will be open to the public and local elected officials are particularly encouraged to attend to understand how the changes may affect watershed communities and constituents.

Coalition attorney Jeffrey Baker said the information to be presented Saturday will be fresh, with some details only being ironed out this week. "On Saturday, we want to walk everyone through what is in the permit. We want everyone to understand what it is and what it means," he said.

Baker said coalition members are "pleased" with the agreement, but one pending sticking point is a way to "reduce the subjectivity" of determining the value of city-owned land beneath the surface of the water in area reservoirs.

City spokesman Farrel Sklerov said the agreement was reached after three years of talks, which paid off.

The state Department of Environmental Conservation, which would issue a new water supply permit to the city, posted a permit draft on its website, kicking off a two-week public comment period that will close Nov. 22.

Elements of the permit include:

- Uses 1997 permit as base. Continues basic framework of program - willing buyer/willing seller; City pays fair market value for land; City pays taxes on all land. City will continue to pursue lands based on Priority Areas established in 1997. City can continue to buy land in fee or acquire easements. Watershed Agricultural Council (WAC) can continue to purchase farm easements. City will continue to allow certain recreational uses on lands.

- Communities were given the opportunity to expand so-called "hamlet" areas that are off limits to acquisition. A number of communities took the opportunity. The goal is to preserve certain areas - with existing concentrations of development and infrastructure - for future economic growth.

- Continued use of "natural features criteria" of wetlands, water courses, steep slopes and other land features to target lands for city purchase that will yield the best water quality protection. Certain thresholds would be established to better guide and define city purchases of land.

- When issued, the new permit will replace the existing permit and remain in effect for 15 years.

For more information, contact a Coalition of Watershed Towns representative or call (518) 589-6871.

SPA LAWYER FACING FRAUD COUNTS

11/05/2010

Times Union

ALBANY -- A Saratoga Springs attorney faces federal fraud charges for allegedly concealing the presence of hazardous material and costly cleanup work from the buyers of a Washington County paper mill.

A federal grand jury handed up an indictment Thursday charging John M. Hogan Jr., 75, with seven counts of wire fraud related to his representation of both the seller and the buyer of the former American Tissue Mills in Middle Falls.

The mill was sold by St. Regis Investment Group to United Fibers in October 2005 for \$1 million, including an \$800,000 mortgage financed by St. Regis.

The indictment alleges Hogan failed to disclose multiple notices from the Environmental Protection Agency that the mill was a Superfund cleanup site and potential liabilities associated with that status. The indictment says the site had numerous containers of unidentified hazardous chemicals, and the former owner notified the EPA in August 2005 he could not pay for cleanup. EPA's cleanup, costing about \$340,000, ended in May 2006.

The indictment alleges an EPA official asked Hogan to set up a meeting with the prospective buyer to talk about the threat posed by the chemicals, but the meeting did not occur and that EPA workers were asked to stay away from the site during a tour with the buyers.

Six of the seven fraud counts stem from e-mails sent by Hogan to the buyer. One is related to a corporate filing submitted by Hogan on behalf of United Fibers to the state of Alaska.

Hogan's arraignment is expected next week. Authorities say the charges carry a maximum penalty of up to 20 years in prison, a \$250,000 fine or both.

The indictment was announced by U.S. Attorney Richard Hartunian and John Pikus, special agent in charge in FBI's Albany division.

Afters Cuts and Firing , Can Agency Still Protect New York 's Environment?

By David King / Nov 10, 2010 / Gotham Gazette

The clean up of Newtown Creek (above) would be in jeopardy if New York withdrew from the federal Superfund program/

"Pete Grannis was fired by Gov. Paterson because he had unpleasant news about what his planned cuts would mean to the state," said River Keeper executive director Paul Gally.

Many activists and others agree. When Gov. David Paterson fired Department of Environmental Conservation Commissioner Pete Grannis in late October, after a memo leaked detailing how cuts would prevent the agency from protecting the environment, legislators and environmental activists joined together to denounce the move and praise Grannis' long service. Grannis denied leaking the memo.

"They shot the messenger," said Gally. While controversy over the firing still rages advocates say the focus must now shift to the agency itself and whether it can protect New Yorkers and the environment while suffering cut after cut. "We need to move on and focus now on the memo and what it says about this agency's ability to function," said Laura Height, senior environmental associate for the New York Public Interest Research Group.

Cuts and More Cuts

According to the memo, the Department of Environmental Conservation may no longer be able to carry out the most basic of its functions.

The DEC had about 3,775 workers to start 2008; since then 260 staffers left under an early retirement program. and 150 more could soon be handed pink slips. Staffers from scientists in wildlife labs to office workers and site inspectors have left their jobs leaving the agency understaffed.

According to the unsigned memo, the DEC will not be able to properly staff cleanup sites, monitor natural gas drilling in the Marcellus Shale, make sure polluters keep up with state standards and manage wildlife at parks. Environmentalists say the crippling of the agency hurts business too.

"There will be huge delays in licensing. They (the DEC) aren't staffed to do permitting anymore,"

said Marcia Bystryn, executive director of the League of Conservation Voters. "Businesses need them before they can start projects, and in this financial climate, time is money -- the delay could kill development across the state."

Gallay agrees that the DEC's current situation could be bad for New Yorkers, the environment and business. "Industry wants a prompt response. Having low staff at the DEC hurts good businesses," he said. "The only people that benefit from lax regulation are bad businesses, and that hurts the businesses that are doing the right things. People think industry wants weak regulations. They don't want weak, they want responsive, they want people to work with." According to Gallay, industry is going to have a hard time finding any sort of response from the DEC. Other environmental groups say that cleanup projects have been abandoned because the department doesn't have enough staff to work on procuring project grants.

Firing Fallout

Grannis was perceived to be unafraid to speak out about what the cuts would mean for the state -- he is close to many legislators because of the years he spent as a member of the Assembly. Albany Assemblymember Jack McEneny called Grannis to tell him, "You are my hero" after the firing. Albany State Sen. Neil Breslin described Grannis as "the brightest person I know in state government."

Controversy over the firing still rages -- Grannis is so popular that legislators have been lead to speculate that his firing was part of the "dirty work" Paterson has undertaken as a favor for Andrew Cuomo to make things easier when the governor elect takes charge. They think Paterson is making unpopular moves for Cuomo because as a lame duck he has nothing left to lose.

Others openly wonder if Paterson fired Grannis or if the move was made independently by top Paterson aide Larry Schwartz. The Times Union, which first broke the DEC memo, reported that Schwartz phoned Grannis demanding he resign because the memo leaked. Grannis reportedly refused and demanded to speak to Paterson. Schwartz refused and then fired him. "Who exactly is running the state?" asked McEneny. "Schwartz or Paterson?" The Assembly plans hearings later this month.

Some activists and legislators want Cuomo to reappoint Grannis.

Leaving Superfund?

Beyond Grannis' firing and the cuts at the DEC, Paterson has proposed withdrawing New York from Superfund projects to clean up toxic sites. Discussing the cuts in a radio program on Oct.

28, Paterson said, "In DEC there will be job losses of approximately 150. This will cause us to reduce some of the services that we have. We'll have to close a few educational programs, we will eliminate the state participation in Superfund. In other words where the federal government is conducting superfund activities, the state will not be involved."

The federal Environmental Protection Agency oversees Superfund projects across the nation, and whoever polluted the site is supposed to cover the cost, but the state pitches in 10 percent of the cost of the projects if the polluter can't be found. In New York, state DEC staffers familiar with the cleanup area help the EPA adjust its plans to specific local concerns. No state in the union has ever withdrawn from the Superfund program.

Two long polluted sites in the city -- the Newtown Creek -- are slated for clean up under the Superfund program. There are 114 Superfund sites in the state. What a state withdrawal would mean for these clean ups is unclear. An EPA spokesman said the agency had not received any proposal from the state and therefore could not speculate on what it would mean.

In fact, Paterson's proposal strikes some environmentalists and legislators as so outlandish that they do not take it completely seriously. "I'm not sure if it is a negotiating ploy, being used as a bargaining chip or what," said Bystryn. "I am certainly optimistic that they won't do this. We would be the first state in the nation."

But Gallay has a different take. "There is no sense in talking about bargaining chips when you have public health and safety at stake. These sites need funding. Some of these sites have been turned into recycling centers or receive other new investment after the cleanup. It helps the local economy. It is essential that the DEC stay involved. The feds have their plans and do a good job, but it is important to have the local office involved," he said.

As to how a withdrawal might work, Yancey Roy, spokesperson for the DEC, explained in an e-mail, "Typically speaking, EPA is the lead agency on federal [Superfund] sites and the state provides assistance/consultation. Often, this involves the state assigning a project manager to stay up to speed on the site, review test results and provide consultation, support and a state perspective. When warranted, DEC has assigned more than one person to a cleanup." In other words DEC staffers would no longer participate.

Gallay, who worked for the DEC, said that during his time there he saw how agency representatives from local offices familiar with the community near the site were able to help "get the right kind of cleanup for the community."

Laura Height of NYPIRG said that Paterson's proposal flies in the face of logic. "Opting out of the superfund program makes no sense," she said. If the state needs money, she said it could apply for federal management assistance grants, such as the one it now has for the clean up of PCBs in the Hudson River But, she said, the state has not done this. "I don't know if it is because they are short staffed or what," she added.

Looking Backward and Forward

Environmental advocates are united in their disdain for the way Paterson has dealt with the environment during the budget crisis, but they do not agree about what they can expect from the incoming Cuomo administration. Gallay estimates that most other agencies have faced about 8 percent cuts in their budgets; he said the DEC faces over 20 percent worth of cuts.

"During hard times we want a strong leader who can make smart, careful cuts. It is all going to hurt, but you want the cuts to be thoughtful. Paterson has not done that. He has made stupid cuts that have backfired on him," said Height.

Bystryn said she is ready to look ahead. "I'm not sure the environment was ever a major concern for Paterson, but Cuomo went to the trouble of putting together policy books which represent parts of an environmental agenda. He also went out of his way to seek our endorsement, and he didn't do that with everyone." Bystryn said she expects Cuomo will consult with her on the DEC budget come January.

"The state is nearly bankrupt, there are clearly going to be cuts, but we need to review each agency and find out what the core mission is and then make sure they are fully staffed to carry out that mission," she said. "I think the DEC's main mission is to protect New York's air, water and environment, and we need to make sure it is more than adequately staffed to do that."

Gallay said he has great hopes that the Cuomo administration will correct what he sees as Paterson's misdeeds. "All this governor has done is pour gas on the fire. I have every hope that Gov. Cuomo will administer his environmental agenda. He is a goal oriented man, and he published his environmental agenda, and he is not the kind of guy that wants to miss his goals. To meet them I think he will have to properly fund the DEC."

Cuomo's Plans

Cuomo, though, has gone on the record supporting layoffs at the DEC. He has also taken an open stance on "hydrofracking" Cleaner, Greener NY" environmental agenda says he supports drilling, but only if it is safe. Environmentalists take that to mean that Cuomo would allow the drilling with DEC oversight, as well as with safeguards to insure the process will not pollute

surrounding water supplies.

His statement also supports improving standards for the clean up of brownfields, partly contaminated former industrial sites, and backs tougher clean air standards. "The state is well served by enacting regulations to address climate change," the Cuomo campaign wrote. "Statutory standards provide certainty to industries and investment will follow." That again indicates to environmentalists that Cuomo supports staffing the agency that oversees polluters.

In its response to Cuomo's "Cleaner, Greener NY," Environmental Advocates of New York praised a number of Cuomo's stances but its executive director, Rob Moore, closed with this:

"In the wake of the sudden dismissal of Department of Environmental Conservation Commissioner Pete Grannis on Oct. 21, 'Cleaner, Greener NY' may underestimate the mess that the next governor inherits at the DEC and the state's other environmental agencies. ... Over the last few years, New York's environmental agencies have been decimated. Many aspects of the 'Cleaner, Greener NY' agenda will be impossible to implement without a significant re-investment in the agencies and an aggressive rebuilding effort. The success or failure of the Cuomo campaign's agenda depends on a commitment to rebuild these agencies."

Height said she does not want to wish anything tragic on New York, but she is concerned that as the DEC becomes less effective, conditions are developing that could lead to real environmental disaster. "The BP oil spill happened when people were asleep at the switch," she said. "We know the agency is already too short staffed to monitor polluters, so we are trusting polluters to follow the rules, and that is dangerous when it comes to public health and safety."

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Judith Enck/R2/USEPA/US

03/22/2011 09:20 AM

To Seth Oster, Gina McCarthy, Richard Windsor

cc

bcc

Subject newark star ledger on air toxics standards

New EPA proposals would reduce coal plants' mercury emissions

The Star-Ledger

Monday, March 21, 2011, 6:54 PM

By Seth Augenstein

The teenaged girl had become withdrawn, her grades worsened and the family was worried. Her mother took her to several doctors before a test finally revealed the problem.

Her blood contained a level of mercury several times what it should be. The family frequently ate fish for its perceived health benefits, but were unaware it is also a common source of mercury, said Robert Laumbach, the doctor who treated the girl last week.

The mercury, he said, is directly attributable to the country's coal-fired power plants, which have historically had no regulations on how much mercury they pump into the air, all of which eventually ends up in water, then fish, and then humans, Laumbach said.

"We all have mercury in our bodies from the emissions from power plants," said Laumbach, an assistant professor at the Environmental and Occupational Health Sciences Institute in Piscataway.

Those coal-fired power plants may soon have to cut back their emissions, after the Environmental Protection Agency last week unveiled the first-ever national standards for mercury, arsenic and other toxic air pollutants.

Under the proposed regulations, mercury emissions would be reduced by 91 percent, according to the EPA, which estimates the new rules could prevent 17,000 premature deaths per year nationwide, as well as thousands of illnesses, like heart attacks and asthma.

About half the nation's coal plants employ pollution-control technologies but still emit nearly half the country's toxic mercury, the EPA said.

New Jersey's standards are already more stringent than the federal proposal — and have been for almost a decade — but limiting emissions elsewhere will have important benefits here, officials said.

"These proposed standards will have a dramatic impact on the health of children here in New Jersey and across the country," said Judith Enck, the EPA's regional administrator. "These standards simply require power plants to install widely available and proven technology to control these pollutants."

Much of the industry is opposed to the changes. Scott Segal, the director of the Electric Reliability Coordinating Council, a coalition of power companies, said the changes could

endanger half of the country's power generation — and the public health benefits are being exaggerated.

"Their benefits analysis is completely smoke and mirrors," he said. "You don't regulate yourself to prosperity."

However, other companies support of the proposal. PSEG invested \$1.3 billion to reduce emissions by 90 percent at its plants in Hudson and Mercer counties, and is urging the EPA to finalize the rule as soon as possible.

"It can be done — we've done it here in New Jersey," said Jenn Kramer, a PSEG spokeswoman. "It's too great of a cost not to make these investments."

New Jersey passed its law limiting emissions in 2004. But it's down-wind from other power plants not currently regulated. In fact, a single power plant across the border in Pennsylvania — the Portland Generating Station in Mount Bethel — accounts for more mercury emissions than all five of New Jersey's power plants combined, according to the state's Department of Environmental Protection.

The EPA will hold a 60-day public comment period before finalizing the rule.

Mitsu Yasukawa/The Star Ledger / A 2008 file photo of the PSEG Hudson coal plant, located in Jersey City.

Judith Enck/R2/USEPA/US

08/04/2011 09:23 AM

To Seth Oster, Richard Windsor, Janet Woodka

cc

bcc

Subject Newsday editorial: Stop chipping away at the EPA

NEWSDAY

Keeler: Stop chipping away at the EPA

August 3, 2011 7:04 PM

By BOB KEELER

Bob Keeler is a member of the Newsday editorial board.

Long before he became our president, Ronald Reagan was widely known for a line he delivered often: "At General Electric, progress is our most important product." What he didn't emphasize was GE's other important product: pollution.

The huge company is fully or partly responsible for dozens of Superfund sites. One example: GE dumped an estimated 1.3 million pounds of a carcinogen, polychlorinated biphenyls (PCBs) into the Hudson River north of Albany from 1947 to 1977.

GE is dredging the Hudson, to remove PCBs from its sediment, so the chemicals can no longer contaminate the fish and endanger the humans who eat them. But this dredging is not an act of corporate altruism. The company had to be pushed, by the federal Environmental Protection Agency. Without the EPA, it's a safe bet that GE's solution, leaving the PCBs in the sediment, would have prevailed.

All this is to point out that the EPA does a vital job, protecting us from environment-killing polluters. But current Republican orthodoxy labels the EPA a "job-killing" pariah.

That expression was polished to a high shine in the GOP phrase factory. Republican candidates at every level use it a lot, usually to describe taxes and regulation. One presidential candidate, Rep. Michele Bachmann (R-Minn.) has used that epithet often, usually when she promises to do away with the EPA if she becomes our president.

But we don't have to wait for the 2012 election to know what lies in store for the EPA -- and for the core legislation that it enforces, such as the Clean Air Act and the Clean Water Act -- if that sort of anti-regulation ideology carries the day.

Last month, the Republican-controlled House of Representatives passed something called the "Clean Water Cooperative Federalism Act of 2011." It sounds innocuous enough. But what it basically means is this: The federal government, through the EPA, will no longer be able to protect the public from water pollution when the states don't do an adequate job.

"This was the first time in 40 years where a house of Congress voted to essentially overturn a base environmental statute," said Scott Slesinger, legislative director of the Natural Resources Defense Council.

So, the EPA couldn't protect one state from what's dumped in the water of another. We have an example right here. The EPA used the Superfund law in the GE situation, but it uses the Clean Water Act to protect Long Island Sound from pollution, by New York, Connecticut or any other state.

For the incurably nostalgic, the death of the EPA can bring back vignettes from days gone by. One that leaps to mind is the day in 1969 when Ohio's Cuyahoga River caught fire. It wasn't the first fiery day on the Cuyahoga. But it was the one that helped lead to the passage of the Clean Water Act in 1972.

For those more interested in health than nostalgia, this bill is pernicious in a bipartisan way. Most of those who voted for it, including Rep. Peter King of Seaford, are Republicans, but a handful of Democrats went along. That includes its co-sponsor, Rep. Nick Rahall of West Virginia. He's upset about the obstacles standing in the way of a coal-mining method called mountaintop removal. Where does the debris end up? In the rivers. And which evil agency is standing in the way? Of course, the EPA.

Happily, it's not likely to pass in this Senate. And the White House has made crystal clear that President Barack Obama would veto it. But if there's a Republican Senate and a Republican president, get ready for dirtier water. Overnight, the guiding principle will change from "the polluter pays" to "polluting pays."

Photo credit: TMS illustration by Matt Wuerke |

Judith Enck/R2/USEPA/US

12/27/2011 09:46 AM

To "Gina McCarthy", "Richard Windsor"

cc

bcc

Subject Good editorials

Fyi. Newday and albany times union. More to come.

Sent by EPA Wireless E-Mail Services

Mary Mears

----- Original Message -----

From: Mary Mears

Sent: 12/27/2011 09:42 AM EST

To: Judith Enck

Subject: editorials

Newsday Editorial

Mercury rule will help clear air

Updated: December 26, 2011 6:11 AM

The Four Corners Power Plant, operated by Arizona Public Service on tribal land near Fruitland, N.M. New Environmental Protection Agency rules aim to reduce mercury pollution from large coal-fired power plants.

One step at a time, President Barack Obama is writing a credible record on preserving our environment and public health. The latest move came last week, when his Environmental Protection Agency made final a new rule to sharply reduce power-plant emissions of mercury and other toxins.

In 1990, Congress amended the Clean Air Act and directed the EPA to control toxins such as mercury. Since then, coal-fired power plants have continued spewing mercury and other pollutants covered by the rule, such as arsenic and cyanide. Mercury is a neurotoxin that gets into our surface waters, the fish we eat and our bodies. It's especially dangerous for the developing brains of children and for pregnant women.

Now, finally, the EPA is directing plant operators to install already available emissions-control technology. (Happily, New York plants have already done a lot of that work.) The agency estimates that the new rule will avert 11,000 deaths a year. The projected avoided cost of health care -- for ailments such as asthma, developmental disorders and others -- vastly outweighs the compliance costs.

Earlier this year, Obama did the right thing on fuel efficiency standards and interstate air pollution. But he put off until 2013 tightening the standard on

smog-producing ground ozone. That was to fend off Republican charges that regulation kills jobs. As to the mercury rule, the EPA says compliance will create 46,000 construction jobs and 8,000 utility jobs.

In taking this step, Obama is simply obeying Congress -- the enlightened one that passed the 1990 amendments, not the current House, which wakes up every day trying to hog-tie the EPA.

**Editorial: In celebration of cleaner air
Albany Times Union
12/27/2011**

THE ISSUE:

New EPA regulations for mercury emissions have been imposed at last.

THE STAKES:

Cleaner air, cleaner water and economic opportunity.

The last days of 2011 offer those concerned about the air we breathe and the waterways we enjoy all the more reason to celebrate. They might party like it's, oh, 1990.

That's when the landmark legislation known as the Clean Air Act had last been amended in any major way.

The law's regulations of air pollutants, significant as they were, had one notable omission: More needed to be done to control the mercury and other toxins from coal- and oil-burning power plants.

President Obama's adoption last week of the Mercury and Air Toxics Standards is a complement to environmental regulation that was two decades in coming.

During that time, about a dozen states — New York among them — imposed adequate reasonable restrictions on mercury pollution. Here, 19 power plants produce about 259 pounds of mercury a year. But in Pennsylvania, for example, 38 power plants are responsible for 4,000 pounds of mercury.

Toxins and the damage they impose make no distinctions for state borders, of course. That left two of New York's greatest environmental treasures, the Adirondacks and the Catskills, vulnerable to acid rain, even as the state tried to stop it. New nationwide rules for mercury emissions are expected to

reduce acid rain by 88 percent.

Those rules don't mean that the utility industry won't be able to produce the power we need, no matter what it might say. The power plants that will soon become obsolete, the Environmental Protection Agency says, produce less than one-half of 1 percent of the nation's generating capacity.

Still, get ready for the less responsible power plant operators to make the same, tired argument that a national economy still struggling to recover from the Great Recession can't afford cleaner air.

That will be their argument as they try to prevail upon Congress and the courts to revoke one of the Obama administration's great environmental achievements.

Good thing, then, that the administration is ready with its rebuttal.

"They knew this was coming," says EPA Regional Administrator Judith Enck.

Some utilities actually have been quite supportive of the new rules. Public Service Enterprise Group, owner of the largest electric utility in New Jersey, spent \$1.3 billion on compliance efforts. The result has been a 90 percent reduction in emissions of mercury and other toxins.

There's economic opportunity in the modification of power plants to accommodate cleaner air requirements. The EPA estimates that some 8,000 jobs will be created in the production of scrubbers and other devices that power plants will need. Some of those jobs will be at Corning Incorporated in western New York.

In time, though, the quest for cleaner air and the health benefits it brings will further alter the economics of the energy industry.

"We're hoping to level the playing field for renewable forms of energy," says Ms. Enck.

Imagine, being able to celebrate a greater capacity for power generation with less pollution.

For that, thank the Clean Air Act and, now, the Mercury and Air Toxics Standards.

To comment: tuleters@timesunion.com or at

<http://blogs.timesunion.com/opinion>

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Judith Enck/R2/USEPA/US

08/30/2011 09:32 AM

To "Janet Woodka", "Sarah Pallone", "Richard Windsor"

cc

bcc

Subject R2 storm damage

These press clips provide the best overview of region 2 impacts. Flooding and to a lesser extent power outages are the biggest issues. Nj has asked for our assistance on petroleum spills and pumping out basements that may have petroleum. Task orders in at fema on both. Ny still doing assessments. We continue to be very focused on the american cyanamid site in nj which is flooded.

Sent by EPA Wireless E-Mail Services
Elias Rodriguez

----- Original Message -----

From: Elias Rodriguez
Sent: 08/30/2011 09:00 AM EDT
To: Elias Rodriguez
Cc: R2 News Clips Subscribers
Subject: Early Morning Clips

NY Daily News

August 29, 2011 6:19 PM Add new comment

Gov. Cuomo: Catskills, Mid-Hudson Region Paying "Terrible Price" After Irene Barrels Through

BY Celeste Katz

Hurricane Irene may have fizzled when she hit New York City, but she still packed quite a punch as she headed upstate.

Our Glenn Blain reports after a helicopter tour of damage along the Mohawk River and the Schoharie Creek:

The Catskills and other communities were literally put under water by the one-time hurricane's drenching rains.

"It is devastating," said Gov. Cuomo, adding that he would seek federal assistance to pay for the damage.

Cuomo flew over the region with FEMA Regional Director Lynn Gilmore Canton and viewed a landscape carpeted by muddy brown water and littered with smashed homes and downed trees.

"We were very lucky in New York City," Cuomo said. "But the Catskills, Mid-Hudson Valley, this is a different story and we paid a terrible price here."

Five people upstate were swept away and killed by the flood waters, officials said. Among them was 82-year-old Rozalia Gluck of Brooklyn, who was killed when flood waters engulfed her Catskills vacation cottage, police said.

Another 124 people upstate were rescued from flood waters during the storm, officials said.

Hurricane Irene N.J. death toll climbs as floodwaters frustrate state
Published: Tuesday, August 30, 2011, 6:30 AM
By Mark Mueller/The Star-Ledger

As the death toll from Hurricane Irene climbed to seven in New Jersey and 40 across the Eastern Seaboard Tuesday, rain-engorged rivers inflicted fresh damage and hardship across the state, washing out highways and chasing thousands more people from threatened homes.

Nine rivers and creeks had reached record flood levels, fed by Irene's unrelenting rains, Gov. Chris Christie said during a press briefing in Manville Tuesday. All but the Passaic River had already crested, leaving residents in Fairfield, Lincoln Park and other hard-hit communities along the river with the specter of worse flooding this morning.

"We're not out of the woods yet," Christie said.

Across New Jersey, it was a day of jarring contrasts, gains and setbacks.

NJ Transit announced it would resume most rail service, easing commutes for hundreds of thousands of people.

For tens of thousands of others, however, a travel nightmare is just beginning. The raging Rockaway River sheared away a portion of Route 287 in Boonton, leaving the northbound lanes closed indefinitely. To the west in Hopewell Township, the Delaware River breached Route 29, ensuring it's closure "for a very extended period of time," police said.

In Atlantic City, where casinos reopened after a costly shutdown of more than two days, Lt. Gov. Kim Guadagno urged New Jerseyans to "get the hell back on the beach," a play on Christie's blunt evacuation order days earlier.

And yet farther north, in Point Pleasant Beach, the bodies of two men washed ashore. Authorities said it appeared they had gone to the water's edge Sunday to watch the surf whipped up by the Category 1 storm.

Utility crews made immense headway, restoring power to more than 300,000 homes and businesses, but as darkness fell, more than half a million customers had no electricity.

The scene in New Jersey was repeated across the Atlantic Seaboard even as Irene faded over eastern Canada last night, its power spent. Rivers spilled their banks. Trees and branches fell. Emergency officials counted the dead.

That toll continued to climb.

Authorities had previously confirmed four New Jersey deaths associated with Irene. Tuesday brought three more.

Michael Kenwood, 39, a member of the Princeton First Aid and Rescue Squad, died of injuries he suffered Sunday when floodwaters ripped him away from a safety line as he investigated a submerged car. The vehicle turned out to be empty.

In Point Pleasant Beach, the body of 25-year-old Jorge Hernandez was found along a Manasquan River inlet jetty. Divers later discovered the body of a second man whose name was not immediately released. Investigators said they suspect the two men, both believed to be residents of the Shore community, had gone out to watch the storm.

Last night, another man was missing and feared dead in the Morris County community of Dover after rescuers called off a five-hour search in the Rockaway River. Earlier, a construction worker had seen the unidentified man clinging to overhanging branches on a small island in the river and calling for help.

Then he disappeared from view.

Rescuers found a pair of boots and wet clothing on the river bank, Assistant Fire Chief John Filosa said.

"There's a lot of uncertainty," Filosa said. "You hope he was able to pull himself out, and there is always the chance that he wasn't. It's frustrating sometimes."

Two New Jersey residents died in other states.

James Palmer, 55, drowned in rough surf spawned by Irene while visiting Florida Saturday. Tuesday, authorities in Hockessin, Del., said they had found the bodies of two men, one of them identified as Jean Baptista, 25, of Clark. Baptista and his friend had ventured out in the storm on foot Sunday and were likely caught in a flash flood, police said.

The dangers continue.

In Pompton Lakes Tuesday morning, an unoccupied home exploded in a vacated flood zone, sending a cloud of black smoke over the area. With floodwaters chest high, firefighters battled the ensuing blaze from boats. The explosion's cause was not immediately determined, though authorities noted natural gas service to the area had not been disconnected at the time.

Elsewhere, water rescues continued in places where water typically has no business being.

Authorities plucked 50 people to safety on West Grand Avenue in Rahway. In Parsippany, two New Jersey National Guard trucks were called in to rescue people trapped in a pair of hotels surrounded by water.

After touring flooded-out sites in Pompton Plains, Wayne and Little Falls Tuesday, U.S. Sen. Frank Lautenberg called the damage historic.

"It's more widespread," he said. "It's a terrible situation."

A power failure at St. Clare's Hospital in Sussex County led to its evacuation. Patients were taken to another facility in the St. Clare's Health System.

The number of road closures because of flooding improved some, but for those driving, it was all relative. More than 80 roads and highways remained closed, down from 300 Sunday, Christie said at his briefing in Manville Tuesday afternoon.

Several feet of water covered Manville and Bound Brook, which bore the brunt of the damage when Tropical Storm Floyd passed through 12 years ago. But with the Raritan River already receding, the communities escaped with less damage this time.

There was more concern in Fairfield, which authorities turned into a virtual island, closing off all but a few entry points in anticipation of epic flooding this morning. Tuesday, water rushed down Route 46 near the Willowbrook Mall and several other roads. First-responders made at least two water rescues, Mayor James Gasparini said. In an effort to save lives wherever necessary, Essex County put together a rapid-deployment team made up of officers from throughout the county, Sheriff Armando Fontoura said. About 30 members of the National Guard are helping with the response, he said.

"People are going to be on an island for a couple of days," Fontoura said. "It's going to be devastating. The worst is all to come."

Irene is likely to enter the record books as the second-wettest storm in New Jersey, after a hurricane in 1903, state climatologist David Robinson said. Freehold was hit by the most rain during Irene, with 11.2 inches. Other communities saw 6 to 10 inches.

"No one was immune," Robinson said.

Many residents are now worried about how they will pay for the damage, particularly if they do not have flood insurance.

Speaking Tuesday night on radio station 101.5 FM, Christie said President Obama called him personally during the day to give him assurances that resources will be available.

"I think he deserves great credit for how FEMA operated in the storm," Christie said. "I told the president that tonight."

Staff writers Ted Sherman, Sue Epstein, Jarrett Renshaw, Ryan Hutchins, Bill Wichert, Eugene Paik, Amy Brittain, Eugene Paik, Tom Haydon, Leslie Kwoh, Eliot Caroom, Seth Augenstein, Tomas Dinges and Ginger Gibson contributed to this report. Material from the Associated Press also was used.

THE RECORD

NorthJersey.com

Flood threat remains in North Jersey in Irene's wake [video]

TUESDAY, AUGUST 30, 2011

LAST UPDATED: TUESDAY AUGUST 30, 2011, 8:17 AM

BY MARLENE NAANES, JUSTO BAUTISTA AND KIBRET MARKOS

Flooding Tuesday morning on Morlot Avenue at 2nd Street in Fair Lawn has the roadway closed.

The state's biggest concerns: the raging Passaic and Ramapo rivers, Governor Christie has said.

Authorities in Fair Lawn and Paterson evacuated people from floodwaters Monday night and Tuesday morning as the Passaic River was cresting just above what authorities had previously expected. As of 6:30 a.m., the river was just above 14 feet, twice the level of flood stage, according to the National Weather Service.

River conditions

A majority of major rivers and streams in and around Passaic County were still above flood stages Monday, with the Passaic River still rising and expected to crest Tuesday.

Most waterways in Bergen County have settled below their banks:

Hackensack River at New Milford

Flood level: 6 feet, topped out at 11.8 feet

Hohokus Brook at Ho-Ho-Kus

Flood level: 3 feet, topped out at 6.7 feet

Lake Tappan at Old Tappan

Flood level: 55 feet, topped out at 55.7 feet

Pascack Brook at Park Ridge

Flood level: 4.5 feet, topped out at 6.8 feet

Pascack Brook at Westwood

Flood level: 5 feet, topped out at 8.7 feet

Ramapo River near Mahwah

Flood level: 8 feet, topped out at 15.9 feet

Saddle River at Lodi

Flood level: 6 feet, topped out at 13.5 feet

Saddle River at Ridgewood

Flood level: 6 feet, topped out at 11.5 feet

Saddle River at Upper Saddle River

Flood level: 4.5 feet, topped out at 5.2 feet

Molly Ann Brook at North Haledon

Flood level: 6 feet, topped out at 8.4 feet

Passaic River at Little Falls

Flood level: 7 feet. Passaic topped out at 14.17. That potentially is the crest, though it will remain about that level most of the day.

Peckman River at Little Falls

Flood level: 7 feet, topped out at 9.2 feet

Ramapo River below dam at Pompton Lakes

Flood level*: 11.7 feet, topped out at 22.6 feet

Wanaque River at Awosting

Flood level: 5 feet, topped out at 7 feet

Wanaque River at Wanaque

Flood level: 5 feet, topped out at 7.9 feet

Passaic River at Pine Brook

Flood level*: 19 feet, at 23.8 feet and rising

Pompton River at Pompton Plains

Flood level*: 16 feet, topped out at 25.1 feet

Rockaway River at Boonton

Flood level*: 5 feet, topped out at 9.3 feet

* Record level set

While that may be the crest, the river is expected to remain above 14 feet all day. Relief is days away: It will remain at "major flood" levels through Thursday, when it will have receded to 10 feet, meaning it will still be above flood stage, according to the National Weather Service.

The cresting river spilled into several streets in Fair Lawn, including Morlot Avenue, Wagaraw Road and Lincoln Avenue, police said. Fair Lawn police evacuated some residents in flooded areas, and Paterson firefighters had to use boats to rescue residents on the other side of the river, authorities said.

The Ramapo, Pompton, Pequannock rivers in Wayne were also still raging on Tuesday

and are expected to crest sometime today, said Sandy Galacio of the township's Office of Emergency Management.

Meanwhile, in Bergen County, water will continue to pour over the swollen Oradell Dam today. The flooding has inundated New Milford – where 200 people were evacuated by boat Sunday night – Oradell and other Hackensack River communities. About 3.2 billion gallons passed over the dam Monday – down from 6 billion on Sunday - but the reservoir remains swollen.

Mahwah was seeing some relief on Tuesday. The Ramapo River at Mahwah was falling after cresting at 15.78 feet Sunday afternoon. It was expected to fall below flood state Tuesday afternoon, said Joseph Pollina, a meteorologist with the National Weather Service.

Thousands of residents throughout North Jersey have been displaced by the floodwaters. Paterson firefighters were evacuating hundreds by boat in the city's north side late Monday night because the Passaic was coming up quicker than expected. About 700 homes and 1,400 people had been affected by the flooding in Little Falls alone, said Fred Batelli, coordinator for the Little Falls Office of Emergency Management. In Hackensack, construction official Joseph Mellone said more than 1,500 residents occupying 12 multifamily buildings in Hackensack remain displaced. Neighborhoods along South Road in Wayne are under at least hip-deep water, said Christian Till, 41, who lives on Audubon Parkway. He canoed to his home Monday morning from Black Oak Ridge and South roads.

So far, Irene has been blamed for seven deaths statewide, including a 39-year-old Wanaque man who was swept away by a fast-moving stream Sunday.

And Monday, there was a new threat: suspected gas explosions at homes in Pompton Lakes and Wayne. There were no reported injuries.

More than 600,000 remain without power across the state, down from 850,000 on Sunday. That includes 60,000 Bergen customers.

Public Service Electric and Gas Co. has cut off natural gas service to about 2,000 buildings in North Jersey because of flooding, said Ralph LaRossa, president and chief operating officer of PSE&G.

"We are working as hard as we can," LaRossa said.

Rescuers plucked residents from flooded North Jersey neighborhoods late Monday night and early Tuesday as rivers rose faster and higher than expected.

TARIQ ZEHAWI / STAFF PHOTOGRAPHER

WSJ

AUGUST 30, 2011

States to Seek FEMA Help

By LISA FLEISHER And JACOB GERSHMAN

New Jersey Gov. Chris Christie has asked the federal government to skip a usual damage assessment and directly send aid to people and businesses affected by Hurricane Irene, officials said.

New York Gov. Andrew Cuomo and Connecticut Gov. Dannel Malloy are also expected to make formal requests for federal aid as soon as tomorrow, people familiar with the

matter said.

Mr. Christie signed the letter asking for expedited aid at about 6:45 p.m. in a radio studio just before he went on a monthly call-in show. On air, he said he had the State Police send it along to be scanned and sent to the president.

All three governors had asked for, and were granted, disaster declarations before Irene landed on Sunday. The storm sent raging floodwaters through inland areas of New Jersey, upstate New York and coastal Connecticut. At least 10 people were killed in the region.

Federal assessors have been on the ground in all three states for at least three days, officials said.

Mr. Christie said he had just spoken with President Barack Obama, who pledged to do everything he could for the people of New Jersey. Mr. Cuomo said he had a similar conversation with the president.

Mr. Christie sounded confident the aid would come within days.

"He is encouraging Secretary of Homeland Security [Janet] Napolitano to cut the red tape on FEMA stuff so that it can flow even more quickly," Mr. Christie said of his conversation with Mr. Obama. "When the president of the United States is making those kinds of assurances, I believe that he's going to be able to get it done, and I think he deserves great credit for the way FEMA operated in this storm."

The New Jersey request is rare but not unusual for large-scale disasters, FEMA spokesman Bill McDonnell said. Officials usually tour affected areas and then make a decision. On air, callers pleaded with the governor for faster relief, and he told them he had asked for it.

All three governors toured the devastation Monday. Mr. Cuomo flew over the Schoharie Creek and Mohawk River regions on Monday, while Mr. Christie drove through flooded Manville, N.J., in the middle of the state.

Mr. Christie has estimated the economic damage to be in the billions, including lost tourism business along the Jersey Shore.

U.S. officials are "still very concerned" about flooding in a number of states caused by Hurricane Irene, FEMA Administrator Craig Fugate said Monday, suggesting several days of additional effects from the storm could be felt along the East Coast. "We don't know how big the numbers are going to be on this storm," Fugate said, predicting it could take days as state and local officials along the storm's path assess the damage.

Rutgers University Prof. Joseph Seneca said the storm's economic effect would be neither "permanent nor deep."

"The spike in consumer spending in anticipation of the storm was a short term stimulus, although some of this spending was borrowed from the future," Mr. Seneca said.

James Hughes, dean of the Edward J. Bloustein School of Planning and Public Policy at Rutgers, said construction spending may go up, evening out the economic losses as businesses rebuild without income.

"Thus, in many cases, the overall economy will be 'rebalanced,' with overall activity minimally impacted," he said.

—Shelly Banjo and Michael R. Crittenden contributed to this article.
Write to Jacob Gershman at jacob.gershman@wsj.com

WSJ

AUGUST 30, 2011

Tally of Damages Put at \$12 Billion, but That Number Could Yet Rise

By CONOR DOUGHERTY And LESLIE SCISM

The economic damage wrought by Hurricane Irene—everything from washed-out roads to lost hotel bookings—could hit \$12 billion or more.

That's the initial assessment of economists and insurance-industry officials who are beginning to count what was lost in the storm.

Tallying hurricane costs means looking both at the physical damage as well as lost economic output. At this point, insurers are estimating they will pay out between \$3 billion to \$6 billion in claims. As a rule of thumb, economists figure the total economic losses from such storms are roughly equal to twice the size of the insured losses.

The wild card that could push the total up even further is flooding, which is continuing.

"The wind is not going to be the story with this thing," said Jonathan Hall, executive vice president of commercial insurer FM Global. "The worst of the flooding really hasn't happened yet," he said.

Mr. Hall said claims thus far have been concentrated in North Carolina, New Jersey and Pennsylvania, and much of that involves flooding and business disruptions resulting from lost power and infrastructure problems.

Whatever the final cost, it's unlikely to register on the national scale. The U.S. economy produces some \$14 trillion in goods and services annually, rendering even a \$12 billion price tag—spread over several months—little more than a rounding error.

"Much of the lost output will be made up in the next few weeks as the insurance checks are sent out and the government provides some financial help," said Mark Zandi, chief economist at Moody's Analytics.

"For the quarter as a whole I don't think it will have a meaningful economic impact," Mr. Zandi added.

The aftermath of storms also can provide a short-term boost for the affected economies as insurance and aid payments flow in, providing new business and jobs for idle workers. The construction sector—one of the hardest hit by the 2007-2009 recession—may well see a short-term benefit. Since 2006, a net 329,000 jobs have been lost in areas that were hit by the storm, according to data from Moody's Analytics.

"We could expect to see some reconstruction feeding into gross-domestic-product figures," said David Resler, an economist at Nomura Securities.

This is not to suggest the economy is better off, as there is still a substantial loss of wealth and output that can never be made up.

Vermont and coastal North Carolina, two heavily affected states, have higher-than-average employment in the tourism sector and are now likely to see less business in the waning weeks of summer.

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New York Times

August 29, 2011

In Catskill Communities, Survivors Are Left With Little but Their Lives

By NOAH ROSENBERG and PETER APPLEBOME

PRATTSVILLE, N.Y. — It chewed up Moore's Trailer Park, sweeping up homes and discarding them in devastating piles of wood, plastic, orphaned automobile wheels and broken children's toys. It tore apart painstakingly maintained Victorians, their pastel-colored and gingerbread-style exteriors cracked and caved-in, their front lawns, porches and sidewalks replaced by muddy lagoons.

Even the town cemetery, where Prattsville's founder, Zadock Pratt, was buried in 1871, was littered with fallen trees and cracked tombstones from Tropical Storm Irene's wind and water as it ripped through the Catskills.

And then there were the businesses, like O'Hara's service station, open since 1925. It had been run by Kory O'Hara's family for five generations. On Sunday it simply vanished, swallowed by the Schoharie Creek, swollen to several times its usual size.

Asked where the business went, Mr. O'Hara, 34, slowly shook his head.

"In the reservoir," he said.

"Everything's gone," he added. "My life is gone."

It was the day after in Prattsville, and in Jewett, Maplecrest, Windham, and other normally placid Catskill communities where the storm's devastation played out with some of its most ferocious malice about 140 miles north of Midtown Manhattan. There was no Internet, no telephone service and power only for those with their own generators. So under deceptively cheery blue skies, there was not much to do but to mourn, to begin cleaning out and to figure out what, if anything, would come next.

Mr. O'Hara was worried about more than just his business.

"Main Street, Prattsville, is a total loss at this point," said Mr. O'Hara, who is in his fourth year as town supervisor. "We just don't know where we're headed. I don't know if there's

anybody in the town of Prattsville who can answer that question.”

He said that the town is in the floodplain and that, as a result, “nobody can afford flood insurance.”

“We’ve lost a lot of businesses that employed a lot of people,” he added, “and there are a lot of people who aren’t going to be around here for a long time because their homes are gone.”

So it went throughout Greene County, fictional home of Rip Van Winkle, where 49,000 people are spread out over 658 square miles.

A small crowd gathered Monday afternoon where the main bridge used to be in Maplecrest, once home to the Sugar Maples Resort, a ghost of the Catskills’ past. On Monday, Maplecrest looked like a ghost version of the hamlet that existed just a day before.

There was no longer a bridge. The wheels of two cars, overturned and buried under debris, were partly visible. A barn was half in the river, whose banks were still pulsing with rust-colored water.

“I saw motorcycles and four-wheelers and oil tanks floating by,” Dan Shaul, 61, said.

Mr. Shaul, who is in a motorized wheelchair, lives just across the street from the bridge, on higher ground. “I just watched as everything got washed downhill,” he said.

Some of the mourning was for the dead.

In Maplecrest, Lorraine Osborn died trying to escape the rising water. A Greene County legislator, Jim Hitchcock, said Ms. Osborn, an elderly woman with a walker, was in her modular home when the water lifted it up. He said her husband, Bud, was in the garage trying to plan a way out for them and could not get back to her. Her body was recovered on Monday morning.

“She was a wonderful lady,” Mr. Hitchcock said. “She always spoke her mind, and we loved her for it.”

The living were trying to figure out the next step.

Anastasia Rikard, 22, sat on a chair in her backyard, or what was left of it, on Monday evening, surrounded by the few things she could salvage: a TV, a suitcase of some clothes, a box of liquor. Her 100-year-old yellow, blue and white Victorian home, which she shared with her father, a cat and a dog, toppled forward with her in it on Sunday morning. She said the house, which also served as her father’s law office, had begun filling up with water shortly after she dropped off her father, also a firefighter, at the Prattsville firehouse about 9 a.m. on Sunday.

Ms. Rikard said she had planned to leave town, but by the time she had changed her clothes, it was too late.

"I was in there when it went down," she said. "It was really quick. It was really loud."

On Monday, a moat of filthy water gathered around it. Ms. Rikard said that a cousin had caught a 12-inch bass in the front yard and that she had seen catfish swimming in the backyard.

"I had to climb out the window there," Ms. Rikard said, pointing to a ladder leaning against a second-story window. She said she was rescued by boat hours after the house had toppled, because firefighters had had to wait until the water outside, on Route 23, subsided.

Asked what she and her father planned to do, Ms. Rikard was, for a few seconds, speechless.

"I don't know," she finally said, asking the same question and coming up with the same answer as most people here: "Try to pick up what we can and start over."

Susanne Craig contributed reporting from Windham and Maplecrest, N.Y.

New York Times

August 29, 2011

Storm's Push North Leaves Punishing Inland Floods

By ABBY GOODNOUGH and DANNY HAKIM

CHESTER, Vt. – While most eyes warily watched the shoreline during Hurricane Irene's grinding ride up the East Coast, it was inland – sometimes hundreds of miles inland – where the most serious damage actually occurred. And the major culprit was not wind, but water.

As blue skies and temperate breezes returned on Monday, a clearer picture of the storm's devastation emerged, with the gravest consequences stemming from river flooding in Vermont and upstate New York.

Here in southern Vermont, normally picturesque towns and villages were digging out from thick mud and piles of debris that Sunday's floodwaters left behind. With roughly 250 roads and several bridges closed off, many residents remained stranded in their neighborhoods; others could not get to grocery stores, hospitals or work. It was unclear how many people had been displaced, though the Red Cross said more than 300 had stayed in its shelters on Sunday, and it expected the number to grow.

In upstate New York, houses were swept from their foundations, and a woman drowned on Sunday when an overflowing creek submerged the cottage where she was vacationing. Flash floods continued to be a concern into Monday afternoon. In the

Catskills, where Gov. Andrew M. Cuomo led a helicopter tour of suffering towns, cars were submerged, crops ruined and roads washed out. In tiny, hard-hit Prattsville, what looked like a jumble of homes lay across a roadway, as if they had been tossed like Lego pieces.

“We were very lucky in the city, not quite as lucky on Long Island, but we were lucky on Long Island,” Mr. Cuomo said. “But Catskills, mid-Hudson, this is a different story and we paid a terrible price here, and many of these communities are communities that could least afford to pay this kind of price. So the state has its hands full.”

In Vermont, officials recovered the body of a man who was tending the municipal water system in Rutland during the storm. They said his son, who was with him at the time, was also feared dead. A 21-year-old woman died after being swept into the Deerfield River in Wilmington, a small town west of Brattleboro. And a man was found dead in Ludlow. As of Monday afternoon, the storm had caused at least 40 deaths in 11 states, according to The Associated Press.

“This is a really tough battle for us,” Gov. Peter Shumlin of Vermont said after surveying the damage across the state in a helicopter. “What you see is farms destroyed, crops destroyed, businesses underwater, houses eroded or swept away and widespread devastation.”

In the Catskills, state and local officials had, by Monday afternoon, carried out 191 rescues since the storm began, often plucking people from cars or homes as water rose. State officials confirmed six people had died in connection with the storm: five drowned and one was electrocuted.

Gov. Chris Christie of New Jersey said his state was facing some of the worst inland flooding it had seen in years. Many small streams are now at flood level and some larger rivers – including the Ramapo, Passaic and Delaware – were peaking on Monday or expected to peak over the next 24 hours, reaching record or near-record levels. Almost 200 New Jersey roads were either partially or fully closed. About 110 people were forced to leave their homes Monday morning in Vineland and 60 people in Millville because of possible breach of two dams in the area.

In Connecticut, officials were grappling with damage from the storm surge on Long Island Sound, which punished shore communities like East Haven and Milford, as well as rising rivers and streams inland. Colleen Flanagan, a spokesman for the governor’s office, said some waterways, like the Connecticut River, were not expected to crest until Wednesday.

Hundreds of miles to the south, in North Carolina, where Hurricane Irene first made landfall, state-operated ferries began on Monday to move personnel and supplies to Hatteras Island on the Outer Banks, where an estimated 2,500 residents remained cut off from the mainland by damage to the main highway.

And all up the East Coast, an estimated five million people remained without power on

Monday, including more than 800,000 in New York State, with work crews working frantically to restore service.

Most New York City residents would have power restored fairly quickly, state officials said. "Upstate is a more difficult situation," said Howard B. Glaser, director of state operations for the Cuomo administration. "It's not safe to go into some of these areas."

Some places could see extended blackouts lasting into next week, Mr. Glaser said.

In Chester, Vt., a village of about 3,000 on the Williams River, Thelma Dezaine's 7-year-old son looked out their window as torrential rain fell Sunday and started screaming.

"He was saying, 'We've all got to get out of here; we're all going to die,' " said Ms. Dezaine, who was pulling sodden furniture and clothing from the first floor of the house she rents here. "We didn't have time to grab anything because the water rose too fast."

Her neighbor, Mike Surething, who had four feet of water in his house, said, "As soon as the river crested that bank over there, within half an hour it was up to our windows."

Of his modest home, he said, "Everything in there is a loss."

Down the road in Rockingham, Heath Stevens, 42, was taking pictures of a covered bridge that appeared to barely survive the floods. Several others around the state were swept away, just as a number of historic homes tumbled into brooks.

"My wife's 93-year-old grandmother played on that covered bridge when she was a kid," Mr. Stevens said. "It stood the test of time until yesterday."

Central Vermont was affected, too. In Waterbury, a state office complex that houses more than 1,000 workers was flooded, and officials said they would evacuate all patients in the state psychiatric hospital there.

In Rutland, Sandy Cabell spent most of the storm in her basement keeping floodwaters at bay while a small river – she figured five feet wide and more than two feet deep with periodic whitecaps – flowed through the lowest point in her yard.

Neighborhoods below hers were evacuated and were underwater for hours, Ms. Cabell said. One neighbor sent her a video of a sinkhole 50 feet wide where a highway used to be, just two miles away from her.

"I haven't ventured out today because I don't want to see anymore," said Ms. Cabell, a retiree who grew up in the area and returned 21 years ago. "It is a beautiful day today. You wouldn't think it was so cruel yesterday."

About 300 guests were trapped Monday by a flooded road at the Inn of the Six Mountains in Killington, where part of the K-1 ski lodge had also collapsed because of

flooding damage, The Associated Press reported.

In Greene County, N.Y., several bridges were wiped out and numerous roads were impassable, stranding residents in remote mountaintop areas, said Shaun Groden, a county administrator.

"You have the wash-outs, you have houses coming off foundations because of flash flooding," Mr. Groden said from the county's emergency operations center, in Cairo, noting that Prattsville was the hardest-hit town.

"It's been devastated," Mr. Groden said of Prattsville, adding that the towns of Windham, Jewett and Lexington were also hard hit. "People last night were saying it looks like a war zone."

Mr. Groden said four helicopters that were to deliver medical supplies and other provisions to stranded residents, who he said had "hunkered down" during the storm, had been grounded Sunday night because of strong crosswinds.

"And now they're running out of water, running out of food," Mr. Groden said. "We'll walk it into them if we have to."

Mr. Groden said that counties beyond Greene County had been blindsided by the storm, too. The county manager for nearby Schoharie had said the normally slow-moving Schoharie Creek "had more volume than Niagara Falls."

In Fleischmanns, N.Y., an 82-year-old Brooklyn woman vacationing with a group of friends from her Hasidic Jewish community in a Catskill motel drowned after a creek overflowed and engulfed her one-story cottage. More than six feet of water swept the cottage more than 30 feet from its foundation.

In Maplecrest, a hamlet of Windham, N.Y., the storm caused widespread flooding from the Batavia Kill. Jere and Diane Baker were trying to shore up what remained of their blue stucco house standing amid new 20-foot craters in their front yard. On Sunday afternoon, they realized that flooding was inevitable; numerous trees had been uprooted by the water, eroding the banks. The Bakers evacuated to higher ground, taking their trailer.

They returned Monday and saw the damage: half of their front yard had been washed away, and the house's foundation was crumbling.

"I've lived here even before they had a dam and I've never seen anything like this," said Mr. Baker, 62.

A bit down the road, Tom and Mary Donovan recalled the sound of a rumble at 3 a.m. on Monday, as an adjacent hill began roaring toward their house.

"We threw the lights on," Ms. Donovan said. "We couldn't believe it."

Abby Goodnough reported from Chester, Vt., and Danny Hakim from Albany. Reporting was contributed by Noah Rosenberg from Cairo, N.Y.; Susanne Craig from Windham, N.Y.; Dirk Van Susteren from Waterbury, Vt.; Amy Zuckerman from Amherst, Mass.; Kevin Sack from Atlanta; and Lisa W. Foderaro, Thomas Kaplan, Lori Moore and Susan Saulny from New York.

NYT

August 29, 2011

Storm's Worst Deluge Swamped the Mountains in the Northeast

By HENRY FOUNTAIN

In the end, the storm made more waves in the mountains than it did along the shore.

Before Hurricane Irene's arrival, there were fears of devastating storm surges along the Eastern Seaboard, from North Carolina to New England. But while its winds did lead to surges that produced tidal flooding, the worst floods were inland, especially in upstate New York and Vermont.

These floods had nothing to do with tides and little to do with wind, experts said. They were mostly about topography and the sheer size of the storm – not its intensity, but its geographical area.

Even though Irene weakened to barely hurricane force on Sunday, it was still an enormous storm, a spiral of warm, wet tropical air more than 500 miles wide. "It had a lot of moisture with it to begin with," said Dave Radell, a meteorologist with the National Weather Service in Upton, N.Y.

When a hurricane hits land, it loses some of its moisture when the colder ground causes condensation and rainfall. That happened when Irene passed over coastal North Carolina on Saturday. But the storm was so big that even while part of it passed over land, much of it was still over water, gathering more moisture, said Frank Marks, director of the hurricane research division of the National Oceanic and Atmospheric Administration.

When Irene reached the New York City area, it started to move inland, its winds reduced to tropical storm level, less than 73 miles an hour. Then topography took over.

As the warm, moist air hit the Catskills and other mountains, it was forced upward, what meteorologists call upslope flow. That brought it into an area of higher, colder air that made the tropical air condense, producing heavy rainfall. "The air is forced to rise a bit and that wrings out the moisture," Mr. Radell said.

It is a common atmospheric effect, often seen in the Rockies. In this case, it was enhanced by westerly winds from the west side of Irene, Mr. Radell said. In the Hudson Valley and Vermont, he said, "we had a good six to eight hours of heavy rainfall."

And that meant rainfall of up to eight inches in Vermont, according to the National

Weather Service office in Burlington. In New York, the most rainfall recorded in the 24 hours that ended Monday morning was more than eight and a half inches in Delanson, west of Schenectady.

NYT

August 29, 2011

The Cost of Business Lost and Property Damaged

By PATRICK McGEEHAN

A day after Tropical Storm Irene blew through, New York City wrung itself out on Monday under a blue sky and started getting back to business.

While officials worked to calculate the storm's costs, residents navigated flooded streets in Queens and a limping commuter rail system to return to their offices and shops. Government agencies and the financial markets opened on time, but some businesses struggled to regroup, while repair companies were overwhelmed by demand for basement pumping and roof patches.

The recovery was aided by the reopening of the subways. The Metropolitan Transportation Authority was able to restore service to relatively normal levels, calming fears that transit problems would hobble the city for days.

In Coney Island, mechanics at Deno's Wonder Wheel Park began reattaching eight cars to the giant Ferris wheel after taking them off to reduce its wind resistance. Dismantling the Wonder Wheel was a first in the park's 91-year history, as was closing for an entire summer weekend, said Dennis D. Vourderis, a co-owner.

"That was very painful, both mentally, physically and in the pocket," Mr. Vourderis said as workers rushed to get the park's wilder rides ready for the Labor Day weekend. He estimated that the lost revenue would approach \$100,000.

New York's governor, Andrew M. Cuomo, said the toll on the state's economy would be significant but could not yet be determined. He cited damage to both private and state-maintained property, saying that "these economic consequences are going to be very difficult."

In the city, the medical examiner's office confirmed that the storm had a human cost: the first New York City death linked to it, that of Jose Serra, 68, who drowned in a City Island marina while checking on his boat.

At the city's Economic Development Corporation, analysts had just begun tallying the impact on the economy, but Mayor Michael R. Bloomberg described it as "a mixed bag." With the airports closed and no trains or buses running for most of the weekend, he said, "there were tourists who couldn't get here, but there were tourists who couldn't get out and still spent money."

Still, from the time the subways stopped running at noon on Saturday, visitors and

residents could not partake of many of the city's attractions. Broadway theaters canceled shows, reducing sales for the week by more than one-third, or as much as \$8 million. Halting travel to the Statue of Liberty and Ellis Island for three days cost the vendors that transport and feed the throngs almost \$1 million in revenue, they estimated.

While city residents did not face the kind of heavy flooding and other catastrophic damage that occurred in upstate New York and other parts of the Northeast, some found their basements flooded. In some neighborhoods, trees fell on houses, cars and power lines.

At Aqua House, a Japanese restaurant on Jamaica Bay, rising water damaged a wooden deck. Raymond Lai, the restaurant's manager, estimated that repairs would cost nearly \$150,000, in addition to about \$25,000 to fix the flooded floor in the dining area.

Mr. Lai said he hoped to start serving takeout again on Wednesday or Thursday and put his lost revenue at \$50,000 or more. But he said he was thankful that the restaurant did not lose power, spoiling its meat and fish, which could have cost another \$10,000.

Thousands of residents remained without electricity on Monday. Consolidated Edison had restored power for most of the 187,800 customers who lost it in the city and in Westchester County, but more than 17,000 in Queens still had none. An additional 2,000 customers in the Bronx were advised that they might be without power until Thursday.

Dan Andrews, a spokesman for the Queens borough president, Helen M. Marshall, said the power failures were the worst problem in the borough. But he said all small businesses in Broad Channel, an area that was flooded on Sunday, had reopened.

Of course, the losses were bound to yield gains for others, like Joe Kielbasa.

Mr. Kielbasa, who runs a flood-response service on Staten Island, said he had received hundreds of calls since Saturday night, when the storm began battering the city. His half a dozen employees were on call all weekend and have been working nonstop since the storm hit.

"It's unfortunate, but a lot of people are not covered for the damages that the storm created," Mr. Kielbasa said. "And a lot of people are in very dire straits."

John Plotke, who owns a roofing company on Long Island, was busy boarding up windows for clients before the storm struck and knocked out his phone service. When it was restored on Monday morning, his Web site had logged twice as many requests for service in a day as it would in a normal week, he said.

Mr. Bloomberg said businesses might recoup some losses through insurance or through aid from the Federal Emergency Management Agency.

"It's built into most people's business plans, and we'll try to get as much federal monies as we can," the mayor said. "There will be some who are badly hurt, and we'll have to try to find some ways to help them."

Sydney Ember and Thomas Kaplan contributed reporting.

Living Green: Why drinking tap water is the way to go

08/29/2011

Times Union
All Bottled Up

No doubt about it, bottled water is convenient. When we're on the run, it's easy to grab that icy- cold bottle from the refrigerator. And it's certainly caught on – more than half of Americans drink it regularly, according to the Natural Resources Defense Council, a national environmental action group.

The obvious environmental threat of the bottled water craze, of course, is the plastic that ends up in the landfill or, worse, discarded as litter. Additionally, greenhouse gas emissions and fossil fuel consumption are involved in the production of those bottles and any processing that the water must undergo. The Container Recycling Institute, a nonprofit dedicated to improving our recycling methods, estimates that more than 50 billion beverage cans and bottles are dumped in landfills each year. Even more sobering: plastic water bottles are shielded from sunlight in landfills, prohibiting them from decomposing for thousands of years, according to the federal Clear Air Council.

But hope, let's say, does spring eternal. In March 2010, New York State passed its Returnable Container Act, also known as the "Bottle Bill." It stipulates that certain chain retailers must install a specific number of reverse vending machines, depending on the size of their business. A reverse vending machine collects empty beverage containers, including water bottles, and returns money to the collector (usually five cents) while recycling the container. Reverse vending centers exist at area colleges including the University at Albany and Hannaford grocery stores throughout the Capital Region.

But environmental concerns aren't the only reason to avoid bottled water: From a health perspective, bottled water is unnecessary, experts say. "No one in the Northeast should have a health concern about drinking tap water," says Andrew Stone, executive director of the American Ground Water Trust in Concord, NH. "There is no doubt in my mind that tap water is equal in quality to bottled water." The primary purpose of Stone's organization is to protect ground water and promote public awareness of its environmental and economic importance, according to the trust's mission statement.

Drinking water and its sources – rivers, lakes, reservoirs, springs and ground water – are regulated and protected by the Safe Drinking Water Act (SDWA) passed by Congress in 1974 and amended in 1986 and 1996. The Environmental Protection Agency (EPA) oversees compliance by states, localities and water suppliers, which are required to periodically report drinking water information to the agency. Members of the

public interested in determining if a local water supply is safe can access that data through the EPA website's Enforcement and Compliance History Online (ECHO) feature (www.epa-echo.gov/echo). The ECHO tool also maintains a list of water suppliers that are serious violators of EPA regulations, a list that is available to the public.

EPA reports indicate that only about four percent of the total U.S. water supply is in serious trouble. The Capital Region, meanwhile, has not had any significant violations in the last five years.

In New York, every public water supply is filtered and disinfected, according to the New York Department of Health. While contaminants occasionally do get into the water either at the source or at the treatment plant, it is usually discovered immediately due to constant monitoring. The supplier is required to notify all who draw from it, asking them to refrain from using it. Cleanup generally takes place quickly.

All suppliers, meanwhile, are required to produce an annual Consumer Confidence Report on water quality and make it available to the public at city or town offices after July 1.

“Public water suppliers do an unparalleled and incredibly good job of processing municipal water from surface sources. Their product is absolutely safe,” Stone says. “It is a perception that bottled water is superior. If you read labels, you will be surprised at how many bottlers take their water from a municipal source.” Indeed, 44 percent of “purified” bottled water sold in the U.S. started out as municipal water, according to the Clean Air Council.

Well users are also generally in good stead. According to Stone, water that feeds into wells comes from aquifers 200 to 300 feet underground where it is relatively pure and generally cannot be reached by outside contaminants. This ground water travels through a pressure tank and a pump before entering the tap, a direct, uninterrupted route that allows no outside exposure. A poorly installed well or a well that develops cracks can allow contaminants from animal or human activity to enter the water, he says, but despite the use of millions of private wells throughout the country, and no health statistics anywhere indicate inherent problems.

To be safe, however, well owners should always have their system installed by a licensed, certified service, and make sure that the last 20 to 40 feet is sealed off to protect the supply, Stone says. Yearly testing for radon, arsenic and fluoride is important, he notes, and is best done by professionals. Kits that can be purchased in home goods stores are not as thorough or reliable.

So why do bottled water sales continue to boom? “It comes down to taste, but also aesthetics,” Stone says. “The public needs to realize that bottled water folks are in the beverage industry, no different really than beer or soda ... not the water industry. In their angst about water quality, consumers confuse these two industries.”

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Heard Around Town, Aug. 29, 2011

By City Hall

CITY & STATE FIRST READ

HEARD AROUND TOWN - HURRICANE EDITION :

* New York City officials didn't highlight it, but the city survived another hazard in the storm: It evacuated 8,500 vulnerable people from hospitals and nursing homes without a single death or serious injury among them. From Bloomberg on down, city officials were warned that some frail, elderly, comatose or critical patients might not survive being transferred, but decided it was worth the risk. "You have to make decisions based on imperfect information, and they have real consequences," said one person in those meetings. Ellen Borakove, spokeswoman for the chief medical examiner's office, confirmed the city registered no deaths related to the evacuation.

* Besides the felled trees and power outages, the weekend deluge also overflowed city sewers and sent waste flowing into the Hudson River. "I wouldn't swim in the water now because it's been raining for many, many, many, many hours," said John Lipscomb, who tests water quality on the Hudson for Riverkeeper. "A vast amount of sewage has been flowing into the harbor. Regardless of the level of contamination, it's a certainty that it's contaminated." Rainfall boosts sewage levels in the Hudson to unsafe levels, a recent Riverkeeper report found. This month the group called on the city to send out alerts when that happens, and the Department of Environment Protection has said it would take steps to do so. One silver lining is that very heavy rain can be somewhat better since it dilutes contamination. "On a number of occasions, a super heavy rain had less contamination than a moderate rain," Lipscomb said. "Both of them exceeded the federal guidelines. It's not like a heavy rain makes it swimmable."

* New York state got its first real sense of how Cuomo handles a crisis over the weekend, and it's as hands-on and closely held as everything else in his administration. Cuomo dispersed his commissioners across the state at county emergency offices, then traveled from upstate to Long Island for solo appearances before and after the storm - even posting his own cellphone pictures online. "I am the governor, and I made the decision," he said at one point about the MTA's unprecedented shutdown. In contrast, Bloomberg kept his top officials close at his emergency headquarters and brought all of them into his press briefings.

* Just because the city handled the hurricane far better than the blizzard, don't think Bloomberg was trying to redefine his legacy with a better response. Multiple people involved in handling the disaster said the mayor was as unconcerned as ever about public opinion of his performance. Still, his administration learned from past mistakes. Among the changes: The administration regularly briefed City Council members and other pols, who responded with praise. The city also launched a tow truck staging system to handle stranded cars, after failing to do so in the blizzard, and used a new downed-tree management system developed after the 2010 Brooklyn tornado to survey, track and clear them. "Removing trees requires a lot more coordination than you'd think," said Office of Emergency Management spokesman Chris Gilbride.

* Among the thousands of evacuees from yesterday's tropical storm: Rockaway resident Bob Turner. The Republican congressional candidate was forced to flee his home on Saturday as Hurricane Irene bore down on the city, going to stay with his brother in Richmond Hills. After the storm passed, he returned home to find five inches of water in his basement, but nothing too devastating. "I spent the day checking on things in the district," he said Sunday evening, after spotting nothing worse than downed tree limbs. "People had their chainsaws powered up. ... I'm impressed with the professionalism I saw from the city and the volunteers." Today it's back to the campaign trail, with a 5:30 a.m. interview for a local television station.

WSJ

AUGUST 30, 2011

Irene's Floods Prove Deadly as Water Continues to Rise

By JERRY A. DICOLO, CAMERON MCWHIRTER and EMILY STEEL

Associated Press

A lock in Rotterdam, N.Y., overflows with angry, brown water Monday in the wake of Irene. Floodwaters sent a metal barge crashing into the gates here.

Early estimates suggest Hurricane Irene caused somewhere around \$8 billion in damages and business interruptions, and some economists believe the overall economic toll could reach \$16 billion. Conor Dougherty has the latest on The News Hub. Hurricane Irene never packed the catastrophic winds of more famous tropical storms, but by the time its remnants finally blew into Canada Monday, it had proved to be a slow killer, leaving behind a vast swath of shattered communities and dozens of fatalities. After churning up the Eastern seaboard and then pounding the suburbs of New York City, where the storm made landfall as a weakening hurricane Sunday morning, Irene unleashed torrential rains in Vermont. Rivers overflowed their banks, washed out roads and bridges in every county of the state and isolated thousands of residents. Three people were known to have died in floodwaters, and another was missing.

By early Tuesday, at least 46 deaths had been attributed to the storm, stretching from North Carolina to Vermont. The rising death toll puts Irene among the 30 deadliest hurricanes in U.S. history.

More than half a million residents remained without electricity in New Jersey, where river levels continued to rise in some areas. At least 20 communities had no running water or had ordered residents to boil all drinking water. Close to a million people had no power in New York state, and flooding in the Hudson River valley threatened significant new destruction. Hundreds of thousands more residents in Massachusetts, Connecticut and Rhode Island were also without power. Companies warned customers to be ready for outages lasting up to several weeks, though on Monday some utilities in North Carolina and New Jersey signaled they could deal with the majority of the outages by next weekend.

The economic damage—ranging from wrecked roads to lost hotel bookings—could hit \$12 billion or more, according to initial estimates from economists and insurance industry officials.

Throughout the day Monday, as frustrated residents clamored for restoration of electricity and rail service in some areas, new crises continued to develop.

An entire community in the northern Catskills, tiny Prattsville in Greene County, was swept away, officials said. "It's been leveled. All you see is foundations popping out of the floor. The rest is gone," said Greene County's administrator, Shaun Groden. On Monday, a police helicopter airlifted 21 people in nearby Jewett. Dozens of more people were still stuck in their homes with dwindling food.

In Green Island, N.Y., wedged between the floodwaters of the Hudson River and a swollen tributary of the Mohawk River, members of the community rallied to fight back the rising waters. A grab-bag of village workers and volunteers placed sandbags around the homes most at risk. A plea for help on Facebook brought about 100 volunteers out Sunday night to defend the village's only school.

As of Monday afternoon, water was lapping up against the school, but had not seeped into the building. "School kids, their parents, everybody just sandbagging in the pouring rain" said Sean Ward, who oversees the village's emergency response. "They were doing what was best for their community."

In Wilmington, Vt., a picturesque village of about 2,300 people, Joe Specht had just finished putting a new coat of bright yellow paint on his art gallery when Irene's rains began. The torrent that poured for hours all day Sunday lifted the building off its foundation and smashed it to pieces against a telephone pole. The pieces floated into a reservoir. By Monday, the entire building was gone.

"No one could possibly anticipate that the scale of the flood was going to be what it was," said the 60-year-old co-owner of the Ann Coleman Gallery, standing in thick mud and debris on Main Street near his destroyed business.

It was the worst flooding that anyone in Wilmington had ever experienced. The Deerfield River, which flows through Wilmington, overran its banks and poured through South Main Street, smashing out windows and destroying offices. Most of its downtown was destroyed.

The major roads connecting the village to the outside world were washed out or blocked. "We can't get anywhere," said Leslie Fraser, co-owner of "A Place in Vermont" real estate, speaking by

Associated Press

Tom Chase waved from the top of a friend's damaged beach house in East Haven, Conn., Monday.

State-by-State

See details on how Hurricane Irene is affecting states along the Eastern Seaboard.

The Vermont Emergency Management agency estimated more than 250 roads—essentially every state road except for the two interstates bisecting the state—had been closed, at least temporarily. Many were washed out by streams that had been transformed into raging rivers in a matter of hours by runoff from hills and mountains.

"Many of them are impassable," the agency said. It was clear that repairs to the gaping holes, fallen shoulders and other remnants of the flood would take weeks. Rebuilding the state's wrecked infrastructure will take even longer.

In New Jersey, more than a day after the rains subsided, shell-shocked residents in some parts of the state were struggling to cope. Some were beginning to show frustration as it became apparent that life won't return to normal for a long time.

In one area of Hamilton Township, N.J., neighbors gathered at an intersection turned into a muddy-brown swamp by the overflowing Assunpink Creek. The tops of mailboxes

and stop signs stood like flood gauges in the water. The electricity was off, and wires draped low along the surface. At the end of the street, about two-hundred yards down, a 100-foot oak tree dangled on power lines.

Some believed the flooding was made worse by local government's failure to keep a nearby pond dredged.

"For years and years they let it go," said George Persichetti, a retired electrician sitting in his backyard eating crackers as he pumped water out of his basement. "Nobody wanted to spend the money to clean it out. We got to put some pressure on these politicians." Albert Carocci rushed back to his home on Cosey Beach Avenue in East Haven, Conn., during the storm on Sunday, hoping to protect it. The 46-year-old attorney had left the previous night with his black Labrador retriever. When he came back, high winds and a surge from the sea were wrecking the neighborhood, leaving it among the most severely damaged in the state.

When Mr. Carocci arrived on Sunday, the street was covered with water up to his armpits. People were kayaking down the street to reach their homes. His was flooded with sea water. The rear wall was gone, and the ocean was lapping where more than 20 feet of beach had been before.

"I'm in a state of shock," he said. "Where do I go?"

—Devlin Barrett and Jon Kamp contributed to this article.

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politickernj.com

Lautenberg calling for billions for depleted FEMA reserve

By Timothy J. Carroll | August 29th, 2011 - 4:42pm

LITTLE FALLS - U.S. Sen. Frank Lautenberg (D-NJ) said today that he's going back to Washington D.C. to ask Congress to bulk up the national emergency reserves.

After touring flood sites in Little Falls along the Passaic River and in Pompton Lakes where the Ramapo, Pequannock, and Wanaque rivers run by, Lautenberg told reporters that he was agitated that U.S. Rep. Eric Cantor (R-VA) was putting the brakes on emergency funding. Cantor asked for the spending to be identified as paid-for in the federal budget before being allocated to recovering eastern seaboard states.

"Politics rears its ugly head," Lautenberg said outside the Little Falls Town Hall. "We'll just have to keep providing the funding."

The Federal Emergency Management Agency has under \$1 billion in reserve, the senator said, and as vice chairman of the Senate subcommittee overseeing homeland security, he will ask for that reserve to be increased to between \$5 billion and \$9 billion.

Compared to almost \$1 trillion on war spending, Lautenberg sees the request as reasonable.

The Passaic River is expected to crest Tuesday at 5 a.m., Little Falls emergency

management said, just under the historical high of 17 feet. Lautenberg said the dam in Pompton Lakes was overflowing, "like looking at a giant boiling pot of water."

Lautenberg said man made global warming is increasing these types of events, even if only evidenced anecdotally by his memory of growing up along the Passaic. "We have to do some work convincing people," he said.

Asked about the suspension of commuter rail service in New Jersey, Lautenberg, long a champion of public transportation, said he'll leave the decisions on whether or not to operate to the experts.

politickernj.com

Christie hints at government layers overlapping ineffectively during storm crisis , but has overall praise for response

By Max Pizarro | August 29th, 2011 - 6:22pm

MANVILLE - The waters of a bulging Raritan River roiled behind Gov. Chris Christie's lectern this afternoon, but it was, inevitably the GOP presidential contest that provided another backdrop for this Republican governor's latest statewide challenge.

As the contenders for president try to run to the right in appeasement of a Tea Party fundament that government is bad, national party star Christie amid the entrenchments of government - National Guard trucks, EMS vehicles, police and fire, local, county and state elected officials - gingerly aimed at some perspective.

"Philosophically I believe government is too big, and I've said that many times," the governor said today following his tour of a shelter at the VFW Building in the aftermath of this weekend's tropical storm, which mauled the south side of this town, displacing 300 people.

Christie admitted that during this weekend's crisis, overlapping government entities might have been guilty, in his words, "of jumping the gun," running headlong into crisis management only to have their actions undone later for the sake of effectiveness and economy.

He refused to grade himself or his government.

"The world is made for Monday morning quarterbacks," the governor said. But "I'll tell you why no one died at the Jersey Shore, because there was no one at the Jersey Shore. ...I'm trying to do the best job I can."

PolitickerNJ.com gutchecked a Christie detractor off the record about the governor's performance, and specifically asked the source to comment on the Republican governor's heavy lean on government.

"Masterful," the source said on condition of anonymity. "Was his appearance on national television overkill? Sure. Sure, it was. But will he get a bounce in the polls as a result of

his performance? Sure, sure he will. He's great at the politics. This is the guy who runs around attacking the machine, and then makes use of the machine (New Jersey's layers of government) when he stands at a podium in a crisis. You didn't see Chris Christie rescuing anyone from boats."

Grudgingly, though, the source said he/she had to credit the governor's decision-making.

"I think that evacuating the shore was the right move," said the source.

politickernj.com

Nine rivers reach record levels, says Christie

By Max Pizarro | August 29th, 2011 - 5:06pm

MANVILLE - Nine river locations have reached or passed record flooding levels, including the Passaic and Ramapo rivers, Gov. Chris Christie told reporters after touring the flood-wrenched Somerset County community.

In Manville, the water levels are at 16.5 feet, or just below record levels.

Six-hundred thousand people still don't have power, said Christie, including U.S. Rep. Leonard Lance (R-7) of Lebanon.

"Over the last few days I've been saying this, we are not out of the woods yet regarding this storm," said the governor. "The good news I received from the DEP commissioner is there is just minor beach erosion. Good news. What that should mean to folks is if you are planning to go to the Jersey Shore for the last weekend, there is no reason not to. Get in your cars and go."

Lt. Gov. Kim Guadagno was in Atlantic City today for the reopening of the casinos.

"Let's enjoy this last week of summer," Christie said.

Having just spent time with displaced residents at the VFW Building, the governor said the National Guard provided a much-needed new generator to the shelter in Manville.

"Sometimes government gets things right," Christie said.

Standing on the bridge at the Dukes Parkway-North Manville Main Street juncture amid the working props of National Guard troop carriers and accompanied by First Lady Mary Pat Christie, national guardsmen and DEP Commissioner Robert Martin, Christie fielded several questions from reporters about federal funding.

These were offerings from those who remembered his rejection of federal funds for the Access to the Region's Core (ARC) monies from the feds.

"I'm willing to consider another tunnel," he insisted.

Just not the one that was proposed, he said. It was headed for the basement of Macy's and didn't benefit New Jersey as much as New York.

He again credited President Barack Obama for the president's response to the storm.

"The president's done a very good job," the governor said.

Philadelphia Inquirer

August 30, 2011

New Jersey assesses Irene's damage and tries to recover

By Edward Colimore, Maya Rao, and Paul Nussbaum

Rachel Duclos fought back tears Monday as she stood in front of her house on Monroe Street in Mount Holly.

The building had six feet of water in the basement, thanks to floods from Hurricane Irene, and had been deemed uninhabitable by township inspectors.

"This was supposed to be my future. Now we won't have anything," Duclos said of the investment rental property.

Irene will not soon be forgotten by thousands of New Jersey residents displaced and discomforted by Irene. On Tuesday, many remained without power and had to improvise a route to work because of washed-out roads, discontinued rail service, and reduced bus schedules.

Communities from Vineland and Millville on the Maurice River in South Jersey, to Hoboken, across the Hudson River from New York City, were evacuated Monday as streams and rivers rose.

About 110 people near Willow Grove Lake in Vineland were taken to a local shelter after area roads flooded, state police said. In Mount Holly, where the municipal building remained inundated, police had to relocate their operations.

New Jersey is "not out of the woods yet," Gov. Christie warned at a news conference Monday. Water levels had matched or set records at nine river locations, he said.

At least six deaths in New Jersey had been blamed on Irene, and about half a million customers remained without electricity late Monday afternoon, as an army of utility repair crews worked to restore power.

The hurricane also has affected farmers. About 30 percent to 40 percent of the late peach crop was lost, said Jerry Frecon, a Gloucester County agricultural agent, adding that ground crops such as squash and pumpkins will have to be monitored for rot.

But signs of better times had begun to show up. Jersey Shore resort communities - which were not hit as hard as officials had expected - were slowly coming back after the

weekend's mandatory evacuation. All 11 of Atlantic City's casinos resumed operation, and the beaches reopened.

Christie, who warned tourists Friday to "get the hell off the beach," invited them back Monday. He visited Atlantic City and Lake Como in Monmouth County to promote the Shore during the tourism industry's all-important pre-Labor Day week.

There could be vacancies, so "you'll probably get a good price," he quipped.

Some erosion was reported along the 127-mile coastline, particularly on portions of Long Beach Island. But Christie and Environmental Protection Commissioner Robert Martin, who flew up and down the coast Sunday to look for damage, were encouraged. Christie said a recent beach-replenishment project had helped save lives and homes.

"This doesn't happen by accident," he said. "Part of it's good fortune from the way the storm weakened a little bit before it came on shore, but part of it is because these guys have made investments. . . . The dunes did their jobs. They protected the beach."

Across the state, though, normal will take a while.

More than 300 highway locations were covered with floodwaters or obstructed by debris, the New Jersey Department of Transportation reported Monday.

Southbound lanes of the Garden State Parkway south of Exit 98 at Interstate 195 reopened, though detours remained between Exits 98 and 91. Eastbound lanes of the Atlantic City Expressway at Pleasantville were to reopen Monday afternoon.

The Route 322 bridge over Mullica Pond in Mullica Hill remained impassable as it awaited a state inspection.

Traffic backed up in Mount Holly because of closures affecting Rancocas Road from the Mount Holly Bypass. The Burlington County Courthouse will remain closed Tuesday because of flooding. The Burlington County government building stayed open, though the parking lots across the street were a lake.

Public transportation across the state was heavily affected.

Assunpink Creek, at a record level, submerged train tracks at the Trenton train station that are used by Amtrak and commuter trains. The situation forced suspension of much of the Northeast Corridor's rail service north of Philadelphia, as Amtrak, NJ Transit and SEPTA trains were unable to operate.

Amtrak service between Philadelphia and Boston was halted, and NJ Transit trains operated only on the Atlantic City Line. Seventeen SEPTA railcars were stranded at the Trenton station, where waters from the overflowing Assunpink lapped over the tracks.

Amtrak's Acela service from Boston to New York will resume Tuesday, the railroad said

Monday afternoon. But it was unclear when service could be restored between Philadelphia and New York. Maintenance crews first must inspect the tracks, rail bed, and power lines.

The River Line light-rail service was operating between Trenton and Camden, but buses replaced trains between Camden's Walter Rand Transportation Center and the waterfront Susquehanna Bank entertainment center because of flooding.

"Our goal is to resume service as quickly and safely as possible," said James Weinstein, New Jersey Transit's executive director. "However, customers should not expect a normal weekday [Monday] for transit services as crews continue to assess damage around the state, particularly on the railroad."

New Jersey highways also were inundated with post-hurricane flooding. The water and debris slowed efforts Monday by utility crews to restore power to New Jersey customers.

In Mount Holly, Cory Taylor was looking for a way to charge his phone Monday so that he could make arrangements to drop his 6-year-old son off in Willingboro, which incurred less damage.

Like many residents in Mount Holly, Taylor had lost his electricity and was told it might not come back on until the weekend.

"I can't even shave or anything now because I can't even see," Taylor said. "I'm looking a little scruffy."

What's more, he said his basement flooded Sunday night, ruining his son's new school supplies.

Public Service Electric & Gas had about 147,000 customers without service as of 9 p.m. Monday. Atlantic City Electric was reporting 37,000 without service. Jersey Central Power & Light reported about 300,000 homes and businesses without service. Most should have power restored by Wednesday, the companies said.

As of Monday, Irene was known to have claimed six lives in the state.

Michael Kenwood, 39, an emergency-medical technician, died of injuries he suffered in Princeton on Sunday during a hurricane-related rescue operation, police said.

In Salem County, Celena Sylvestri, 20, of Quinton, drowned Sunday when she drove onto a flooded stretch of Route 40 in Pilesgrove Township.

In Wanaque, Passaic County, Scott Palecek, 39, was walking Sunday when a pipe broke loose and swept him away. He was found 100 feet away, drowned.

In Kearny, Hudson County, Ronald Dawkins, 47, a postal worker from Orange, abandoned his vehicle Sunday when it became partly submerged and was wading

through rising water when he disappeared into a hidden drainage creek.

And at the Jersey Shore, the bodies of two men were recovered Monday. Jorge Hernandez, 25, of Point Pleasant Beach, was found about 10:40 a.m. in a jetty of the Manasquan River inlet, and a second man, whose identity had not been determined, was found near the inlet in Point Pleasant Beach about 1:15 p.m.

Hernandez and another man had planned to go to the inlet early Sunday, possibly to watch the storm's approach, Ocean County authorities said.

Asthma takes a heavy toll in PR
By CB Online Staff
cbnews@caribbeanbusinesspr.com

The incidence of asthma in Puerto Rico is among the highest in the world, with nearly 300,000 of the island's 3.8 million residents suffering from the respiratory disease, local Health Department officials say.

"There are 143,000 minors and 147,000 adults with this condition," Health Department official Margaret Wolfe said during a recent conference on asthma in San Juan.

The annual conference on trends in the treatment of asthma was organized by the Puerto Rico Asthma Project and the Health Department.

"The main aim of the Health Department is to raise awareness to improve diagnosis and treatment by providing the most complete information through experts in the field," Wolfe said.

Wolfe, diagnosed with asthma at a young age, offered insight into some of the limitations she faced as a child because of the ailment.

The daylong conference covered a range of issues including: a revision of the epidemiology of asthma in Puerto Rico; the impact on the quality of life of patients; the importance of developing response plans; and the importance of identifying possible aggravating factors as well as foods that can help control the disease.

Nurse Vivian Medina, of the Pediatric Pulmonology Center at Auxilio Mutuo Hospital, explained to patients and family members various methods for managing asthma in and out of the home.

"It is very important for parents to take steps so that their asthmatic children don't miss school. We can't expect teachers to take care of the welfare and future of our children," Medina said.

Children with uncontrolled asthma can miss more than two weeks of school a year, often forcing single parents to forgo work. Even when children go to school, teachers have no training or resources to deal with an asthma attack, according to Dr. Alberto Rivera Rentas, who has researched the effect of fungi on asthma in Puerto Rico and works for

the U.S. National Institute of General Medical Sciences.

Children in Puerto Rico are nearly 300 percent more likely to have the respiratory ailment than white non-Hispanic children in the continental United States.

The island already has 2.5 times the death rate stemming from asthma as the mainland, according to the U.S. Centers for Disease Control & Prevention. Puerto Ricans in the U.S. also have been hit hard by asthma, with an asthma attack rate 2.5 times higher than for whites.

Adding to the problem is that Puerto Rican children do not respond as well as those from other ethnic groups to the number one medication prescribed to asthmatics: Albuterol, which comes in an inhaler used to relieve sudden attacks. As a result, several major pharmaceutical companies are working to create another medication, but they are still years away from doing so.

No one knows for certain why Puerto Ricans suffer so much from asthma, despite decades of research.

Theories include volcanic ash that drifts in from nearby Montserrat, clouds of Sahara dust that blanket the city in the summer and fungi that flourish in the tropical humidity – particularly bad in rainy seasons.

Some researchers suspect poverty and the prevalence in low-income housing of mice and cockroaches – known asthma triggers.

Puerto Ricans, even when living in the same environmental conditions as other ethnic groups, still show higher rates of asthma, which suggests that genes are at least partly to blame,” according to Dr. Esteban González Burchard, director of the Center for Genes, Environments & Health at the University of California, San Francisco.

U.S. and Puerto Rican health officials have launched many research projects to attack the problem, but in the meantime, it is costing the island untold amounts in lost productivity and missed school days, burdening a health care system already overwhelmed with wheezing kids.

An average of 25,000 asthma-related emergency room claims are filed a year, and in the span of one year, nearly 90,000 Puerto Rican adults could not work or do regular activities because of asthma, according to a 2007 and a 2009 study by the island’s Health Department.

Asthma takes the fun out of childhood and makes parents anxious, because they do not know when the next attack might be coming, said Dr. Gilberto Ramos, a professor at the graduate School of Health at the University of Puerto Rico.

Asthma usually hits people in the U.S. Caribbean territory as infants.

Nearly 30 percent of children in Puerto Rico are diagnosed with asthma, and the rate increases to 40 percent among kids in public housing projects, said Dr. Floyd Malveaux, former dean of the College of Medicine at Howard University.

Malveaux is overseeing a \$1 million, four-year program funded by the Merck Childhood Asthma Network that will target asthmatics in one of San Juan's largest public housing projects. The aim is to provide access to better health care and teach parents and children how to prevent attacks.

A similar project in the early 2000s targeted two other housing projects in San Juan, where health officials monitored more than 200 asthmatics and visited their homes to encourage people to quit smoking and help eliminate mold, cockroaches and other allergens.

Emergency room visits dropped by 30 percent.

People with asthma often feel like they are being suffocated and have a heavy weight on their chest. Some describe an attack as trying to breathe quickly through a very narrow straw.

Inter News Service and the Associated Press contributed to this report.

NYT

AUGUST 26, 2011, 6:06 PM

Wading Into New York City's Future

By MIREYA NAVARRO

Better get used to it. More frequent and intense storms are what studies and New York City's own panel on climate change have predicted for the city as average temperatures and sea levels rise over the next decades.

By midcentury, city officials say, New York City's average temperature is projected to increase three to five degrees Fahrenheit and sea levels are expected to rise by more than two feet. By the end of the century, they say, New York City may feel more like North Carolina.

Hurricane Irene is a reminder of the city's vulnerabilities, but some environmental groups say the good news is that the city is taking steps to prepare.

"We consider New York City to be one of the leaders nationally," said Ben Chou, a water policy analyst with the Natural Resources Defense Council in Washington. "They are already looking at how climate change is going to impact the city."

The N.R.D.C. this month released a report summarizing water-related threats to a dozen cities around the country. Most face increased flooding and problems like shoreline erosion and saltwater intrusion into sources of drinking water. The report recommends that cities undertake full assessments of the risks now so they can start protecting their

water resources and taking other necessary measures to prepare.

New York City has already convened a panel on climate change and an adaptation task force. It has also begun investing in environmental techniques to capture and retain storm water and is moving critical equipment in city buildings to higher elevations— like pump motors and circuit breakers at the Rockaway Wastewater Treatment Plant in Queens.

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ASSOCIATED PRESS

August 29, 2011, 11:02AM ET text size: TT

Flood impacts multiply as water rises across NJ

By DAVID PORTER

POMPTON LAKES, N.J.

A house exploded in an evacuated flood zone early Monday, one of the most dramatic moments in New Jersey in the wake of Hurricane Irene, which led to record flooding, caused widespread power outages and was being blamed for at least three deaths.

Pompton Lakes, where the house exploded, is surrounded by three rivers and was seeing serious flooding Monday. Record crests were expected in the area.

The house exploded early Monday, sending a cloud of smoke over the area as firefighters sought to contain the flames from a boat.

Maryann Waibel, who lives a few blocks from the house, said she heard an explosion around 6:30 a.m. "I heard the bang and the house trembled," she said. "I thought, 'Did my foundation crack?' Then I went outside and saw the billowing smoke."

Pompton Lakes Police Lt. Ronald Thomas said it was assumed no one was in the house because of the evacuation, and there were no reports of any injuries. Natural gas service had not been turned off in the neighborhood, he said.

Neighborhoods from Mount Holly near Philadelphia to Hoboken outside New York City were evacuated as the state's streams and rivers rose.

The water was exceptionally high along the Raritan and Passaic Rivers, among other waterways across the state.

When Trenton's Assunpink Creek flooded to a record level, it submerged train tracks in the state capital that are used by Amtrak and commuter trains.

The flooding made scores of roads big and small impassable. That meant New Jersey Transit buses were altering routes. Most of the state's train lines were shut down. Gov. Chris Christie told the state's residents to stay home if they could on Monday, but didn't

close state government offices.

State climatologist David Robinson said Irene would join the handful of storms whose names make people wince, like Hurricane Floyd in 1999, the Ash Wednesday Nor'easter of 1962 and the memorable storm of 1944.

He said that as a rainstorm, it will end up about as bad as Tropical Storm Doria, which doused the state on Aug. 27 and 28, 1971 -- exactly 40 years ago. The only worse flooding, statewide, was the Great Flood on 1903, which came in October of that year, the month after the last hurricane that made landfall in the state.

"We're talking a tragic mass of flooding," he said.

For rivers like central New Jersey's Millstone, it's the fourth -- and most severe -- major flood since Floyd a dozen years ago.

He said the state seems to be in a pattern of frequent heavy rains. It's not all explained by impervious surfaces brought in by sprawl. "It's not as if in 1999, New Jersey suddenly developed," he said.

Irene brought about 10 inches of rain in Stockton and Wayne, and at least 5 inches almost everywhere.

It had been a wet month before Irene's rains arrived Saturday. Robinson said the average total rainfall from observation centers across the state will be about 15 inches for the month -- 3 inches more than October 2005, which had been the rainiest recorded in the state. Some locations have had about 2 feet of rain in all.

By Monday morning, about 625,000 homes and business still had their power knocked out, down from a high of over 900,000. If the winds at the shore had been a bit higher than Sunday's peak gusts of 60 to 69 mph, power outages would have been even more severe.

With the heavy volume of work and obstacles presented by flooded roads and downed trees, utilities said it could take up to a week to restore power to everyone. That left people fretting about the contents of their freezers, living by candlelight and trying hard to preserve their cellphone batteries so they could maintain a link to the rest of the world.

The storm is being blamed for at least three deaths in the state, all Sunday: a 20-year-old Salem County woman found in her flooded car, a 39-year-old man from Wanaque swept away as he walked around looking at damage and a postal worker from Orange, who was swept away after his car was marooned near the Kearny facility where he works.

Associated Press Writers Geoff Mulvihill and Shawn Marsh in Trenton contributed.

Possibly contaminated groundwater found near chromium site in Jersey City

Published: Monday, August 29, 2011, 4:38 PM Updated: Monday, August 29, 2011, 4:38 PM

By Terrence T. McDonald/The Jersey Journal

Jersey Journal file photo

Possibly contaminated groundwater was found today near the chromium site on Garfield Avenue in Jersey City.

Pools of groundwater possibly contaminated with chromium were found today near a Garfield Avenue site in Jersey City after officials inspected the site in the aftermath of Hurricane Irene.

The 16-acre site, the location of a plant that processed chromium until 1963, was "battened down" before the hurricane, but flooding caused by the storm likely resulted in the possibly contaminated water, said Mike McCabe, who was appointed to administer the chromium cleanup at the 16-acre site.

Residents have nothing to fear, and tests may yet show that the water contains no chromium, McCabe said.

"Rather than wait ... we put into action a plan to completely vacuum up all the water that was there," he said.

The possibly contaminated water was found off-site, near the intersection of Halladay Street and Carteret Avenue. Local police and hazmat units helped secure the area and collect the water samples, McCabe said.

NY Magazine

Hurricane Irene Could Be a Toxic Shitstorm in the Gowanus Canal

8/27/11 at 12:51 PM 35Comments

The Gowanus Canal on Saturday morning.

Photo: Adam Pasick

When Hurricane Irene hits the New York area on Sunday, the neighborhoods surrounding the Gowanus Canal are in for a literal shitstorm – and that may be the least of their problems.

The latest projections anticipate a storm surge of seven to fifteen feet in New York Harbor on Sunday. A dome of water would travel from Upper New York Bay, through Gowanus Harbor, and into the 1.5-mile-long Gowanus Canal near Smith and 9th Street. Once in the canal, it could stir up a heady mix of pollutants – essentially oil, heavy metals, and human excrement – and distribute it throughout the slowly gentrifying area that sits among some of Brownstone Brooklyn's priciest neighborhoods.

Ask any Gowanus resident, or any of the artists and restauranteurs who have recently staked out space there, and they'll tell you that it's no fun for anyone with a functioning olfactory system to be near the canal when it rains. That's because the city's sewer system overflows into the canal whenever it maxes out its capacity to handle runoff, which happens all too often, resulting in a disgusting wave of human poop. The canal can be even fouler at low tide on a sunny day, when water levels drop low enough to

expose the polluted sludge – mostly 100-year-old oil and coal byproducts, and PCBs from metal and paint factories – that lines its banks.

If Irene hits with sufficient force, a flood of the human waste quaintly known as combined sewer overflow (CSO) is almost a certainty. What is less certain is how much of the heavier, more dangerous contaminants will be churned up by the storm surge and heavy winds and deposited by the flood waters. There is a worrying precedent in Hurricane Katrina, which inundated several Superfund sites such as the Agriculture Street Landfill. Like the Gowanus Canal, the landfill had accumulated decades worth of various pollutants, and after Katrina the area around the landfill showed "disturbingly high" levels of cancer-causing chemicals from soot and petroleum-based products. Those are known as polyaromatic hydrocarbons (PAHs), and EPA testing has confirmed high levels of them in the Gowanus Canal, the result of oil and coal refinery runoff a hundred years ago.

The 50-odd blocks that surround the canal – known lately for open-air dance parties and hipster houseboats – are in Zone A and are subject to mandatory evacuation. The two neighborhoods that border the Gowanus, Park Slope and Carroll Gardens, are both uphill from the canal. But whether those hills are steep enough to turn back a toxic shitstorm won't be known until Irene passes through.

###

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Judith Enck/R2/USEPA/US

03/31/2011 09:17 PM

To "Richard Windsor"

cc

bcc

Subject Fw: DEP Release: Christie Administration Wins Battle for
EPA Action on Polluting PA Power Plant

Sent by EPA Wireless E-Mail Services

----- Original Message -----

From: Barbara Finazzo

Sent: 03/31/2011 07:10 PM EDT

To: Kevin Bricke; Joann Brennan-McKee; Raymond Werner; William Baker; Judith Enck; George Pavlou; Lisa Plevin; Bonnie Bellow

Subject: Fw: DEP Release: Christie Administration Wins Battle for EPA
Action on Polluting PA Power Plant

FYI

Sent by EPA Wireless E-Mail Services

----- Original Message -----

From: "depnews depnews" [depnews@dep.state.nj.us]

Sent: 03/31/2011 04:39 PM AST

To: <depnews@listserv.state.nj.us>

Subject: DEP Release: Christie Administration Wins Battle for EPA
Action on Polluting PA Power Plant

IMMEDIATE RELEASE:

March 31, 2011

Contact: Lawrence Ragonese (609) 292-2994

Lawrence Hajna (609) 984-1795

CHRISTIE ADMINISTRATION WINS BATTLE FOR EPA ACTION ON
POLLUTING PENNSYLVANIA POWER PLANT

(11/P43) TRENTON - The federal Environmental Protection Agency accepted New Jersey's Clean Air Act petition that seeks to force a Pennsylvania coal-fired power plant to dramatically reduce harmful air pollutants that drift over the Delaware River and into North Jersey, and which has caused longstanding public health concerns for residents living in that region, DEP Commissioner Bob Martin announced today.

The EPA, in accepting the State's petition, has proposed a rule to require the power plant, operated by GenOn Energy (formerly Reliant or RRI Energy) in Portland, Pa., to cut its sulfur dioxide (SO₂) emissions by 81 percent over a three-year period, significantly reducing pollutants that can aggravate asthma and cause other respiratory difficulties.

"It is a priority of this Administration to achieve improved air quality for

all residents of New Jersey," said Governor Christie. "Targeting out-of-state air pollution that negatively impacts our State is just one of many initiatives we are undertaking to benefit the public health and improve our environment."

"I commend the federal government for taking positive action on the State's petition," said Commissioner Martin. "Most important, this is a win for the public health and welfare of North Jersey residents, and especially people in Knowlton Township and Warren County, who have long been directly in the path of these unhealthy emissions. That situation is not acceptable."

Commissioner Martin vowed to ensure that the federal process - prompted by the State's filing of a Section 126 Clean Air Act petition -- continues to move along as quickly as possible. He plans to testify in person at a public hearing which has been scheduled by the EPA on April 27 in Oxford, Warren County.

The DEP had pressed for a public hearing in Warren County to afford the greatest opportunity for the residents most affected by the air emissions to relate the effects of GenOn Energy plant's pollution on their lives.

The 126 Petition filed by the DEP in 2010 included evidence to show that damaging sulfur dioxide pollution produced by the GenOn power plant adversely impacts most of Warren County and sections of Sussex, Morris and Hunterdon counties, as well as at least three counties in Pennsylvania. The sulfur dioxide coming from the plant is known to cause a variety of adverse health effects, including asthma and respiratory failure, and environmental impacts such as acid rain.

RRI's power plant emitted more than 30,000 tons of sulfur dioxide in 2009, which is more than all seven of New Jersey's coal-fired power plants combined in that year.

The DEP believes modern air pollution controls, including a scrubber, should be installed to substantially reduce the Portland plant's emissions. Improved sulfur dioxide and particle control also would reduce other hazardous air pollutant emissions, including hydrochloric acid, lead and mercury.

In addition to the 126 Petition to limit air pollution from this plant, the State also has an ongoing legal action against GenOn to reduce emissions of nitrogen oxides, as well as sulfur dioxide, at the Portland facility.

Also, the State is battling out-of-state air pollution in two ongoing pending federal court cases. The DEP is attempting to require Pennsylvania-based Allegheny Energy Inc. and subsidiaries to reduce emissions of sulfur dioxide and nitrogen oxide at three power plants in western Pennsylvania. The Department also is seeking to substantially cut the amount of sulfur dioxide pollution pouring from the massive Homer City Station power plant in western Pennsylvania.

Those emissions, in the form of nitrogen oxides and fine particulate matter, are carried eastward by prevailing winds towards New Jersey, causing ozone smog pollution, visible haze and acid rain.

EPA will accept written comments on the State's 126 Petition until May 27. For more information on the petition and the scheduled April 27 public hearing visit: <http://www.epa.gov/ttn/oarpg/new.html>

Full text of New Jersey's 126 petitions on the Portland/RRI issue can be found at:

<http://www.nj.gov/dep/baqp/petition/126petition.htm>

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- - - - -
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Judith Enck/R2/USEPA/US

02/21/2012 11:34 AM

To "Richard Windsor", Brendan Gilfillan

cc Lisa Plevin

bcc

Subject NJ op-ed by commissioner martin

Fyi

Sent by EPA Wireless E-Mail Services
Beth Soltani

----- Original Message -----

From: Beth Soltani

Sent: 02/21/2012 11:31 AM EST

To: Judith Enck

Subject: A more efficient path to cleaner water

A more efficient path to cleaner water

02/16/2012

Star-Ledger

By Bob Martin

Bipartisan legislation on water quality management plans, signed into law by Gov. Chris Christie last month already is paying dividends for New Jersey. All of the state's 21 counties are expediting efforts to submit long-stalled plans that will improve New Jersey's ability to protect some of the state's most environmentally sensitive lands and better safeguard the state's water quality.

The new legislation makes it possible for the Department of Environmental Protection to protect at least 250,000 acres of environmentally sensitive lands across the state. It allows for removal of those important properties from existing -- and, in some instances, obsolete -- sewer service area designations.

In addition, the DEP can now move ahead with a long-stalled process that has left vulnerable lands unprotected and counties in a no-win bureaucratic bind. Most important, it will benefit the state's water quality.

This is all part of the Christie administration's continued commitment to a vigorous water quality planning process that protects the environment, offers better protections than nearby states do and, despite EPA Administrator Lisa Jackson's opinion, meets our federal Clean Water Act obligations.

Unfortunately, there has been a lot of misleading commentary on this important issue.

The new legislation does not delay wastewater planning for two years, as critics allege, but expedites the process. It creates a 180-day, simplified and rational process to bring counties into compliance by permitting a phased submission of information.

It does not change the DEP's approach to implementing water quality management planning rules adopted in 2008. Environmentally sensitive wetlands, stream corridors, steep slopes and habitat for endangered plants and animals will be removed from existing sewer service areas, many of which are based upon decades-old, outdated maps.

Water quality management plans are, essentially, maps that define areas where sewer service should be located. Finalizing those plans to remove sensitive lands from sewer service areas is crucial to protecting our environment and limiting development sprawl.

The new legislation fixes broken rules that made it virtually impossible for counties to complete that task and allows them to more efficiently get maps done.

We have accelerated this process. Under new rules, all 21 counties must provide at least sewer service area plans to the DEP within 180 days, and we anticipate having all plans by July and adopting those plans by the fall.

The Corzine administration put unworkable rules in place in 2008 that made it difficult for counties to succeed in this effort. The old rules would have harmed the state's economy by requiring a halt to all development if plans could not be finalized.

The new law allows DEP to accept modernized sewer service area maps without waiting for the remaining portion of planning work, municipal zoning changes and ordinance adoption to be accomplished by local governments.

This will result in real improvements to water quality within a reasonable time frame.

The Christie administration continues to focus on improving water quality in New Jersey. The governor has demonstrated his commitment to better water quality through a series of initiatives, from the Barnegat Bay Restoration Plan to continued land preservation to protecting water quality, and decisions such as his veto of liquefied natural gas facilities off our shores.

Implementing a workable water quality management plan will allow us to continue forward with that commitment to enhancing New Jersey's water quality.

Bob Martin is commissioner of the New Jersey Department of Environmental Protection. Have an opinion? Visit njvoices.com.

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Judith Enck/R2/USEPA/US
12/20/2011 12:14 PM

To "Richard Windsor", "Brendan Gilfillan", "Sarah Pallone",
"Arvin Ganesan"
cc
bcc
Subject From yesterday

Sent by EPA Wireless E-Mail Services
Beth Soltani

----- Original Message -----

From: Beth Soltani
Sent: 12/20/2011 09:46 AM EST
To: Judith Enck
Subject: Re: Fw: Google Alert - Judith Enck

Christie administration's portrayal of 2008 sewer rules 'very unfortunate,' EPA region chief says

Gov. Chris Christie's environmental commissioner, Bob Martin, made "very unfortunate" and incorrect assertions that former New Jersey governor Jon S. Corzine and his environmental commissioner – now U.S. Environmental Protection Agency Administrator Lisa Jackson – knew proposed sewer rules would fail in New Jersey, said Judith Enck, the EPA's regional administrator.

"Lisa Jackson would never have spent years and years working on these regulations if there was no chance of those plans working," Enck said, after Martin said last week that the Christie administration inherited unusable guidelines for water quality management plans.

Federal officials provided \$1.6 million in economic stimulus money for New Jersey to give counties so they could finish the sewer planning, Enck said. With 85 percent of those funds spent, the EPA expects to see results, she added.

The state Department of Environmental Protection stood by Martin's remarks Monday, fueling a controversy between the agency and environmental groups who say suspending the sewer plans will endanger Barnegat Bay and clean water across the state.

"The rules that were in place were in fact unworkable. Counties were not complying," said Larry Ragonese, a DEP spokesman. "The counties put together their own small bureaucracies to try and make a complex and difficult process work."

Some counties like Monmouth and Ocean are almost ready to present complete plans, "but most of the others are not really close," Ragonese said.

While county governments and regional sewage treatment agencies adjust those boundaries, new measures being fast-tracked through the state Legislature would delay the new plans by at least two years – and allow property owners and builders to lock in some permits under the old plans, so projects can happen near drinking water sources, wildlife habitat and other areas the Corzine administration sought to protect.

Maps for planning sewer service areas effectively set borders to the suburbs. Without public

sewers, it's impractical to building housing developments and strip malls.

In 2008, the Corzine administration proposed new boundaries to protect critical environmental areas like drinking water reservoirs and wildlife habitat by pulling back those development boundaries. Enck said it's a broad landscape planning action to ensure drinking water supplies stay safe, while promoting "smart growth" that uses existing sewer systems in older town centers instead of pushing growth into fringe areas where it consumes farmland and woods.

With new plans readied by some counties, "I don't think there is any logical reason to stop this," Enck said of a last-minute rush by the state Legislature to delay new sewer area boundaries, and allow exemptions so developers can build on sites that would be excluded from sewer connections.

Enck said EPA officials were taken aback last week when Martin stated the Christie administration sees the sewer plans as unworkable and a threat to the construction industry.

Martin emphatically defended the Christie administration's support for state lawmakers like Sen. Paul Sarlo, D-Bergen, who want to again suspend deadlines for finalizing sewer plans the DEP proposed back in 2008. Corzine vetoed a similar attempt by Sarlo, and now the Legislature could vote to approve his latest effort in the first week of January.

"We support them, and here's why," Martin said Dec. 15, as the state Assembly Environment and Solid Waste Committee released a bill to push back the deadline and allow exemptions for sewer connections.

Martin told reporters that Corzine and Jackson "put in water quality management plans that they knew could never get approved. All building would stop in the state of New Jersey."

As Christie's people came into state offices in January 2010, they could see the sewer plans "were nowhere near done," Martin said.

The EPA has been pressing New Jersey since 1996 to update its sewer plans, and with the 2008 proposals "there are already a series of compromises with the builders built into the plan," said Jeff Tittel of the Sierra Club.

If state lawmakers and the DEP try to suspend the rules, the EPA could rescind agreements that delegate clean-water enforcement to the state, Tittel said. "It's happened before. ... There is a history of the regional (EPA) administrator, whether they are Democratic or Republican, stepping forward" to stop New Jersey from taking wrong steps on clean water, he said.

"The commissioner's statement is unfortunate and not based on the facts," Enck said. "Reasonable people can disagree on policy ... but those are just not the facts."

Judith Enck	plz cut and paste this article in the body...	12/19/2011 04:54:05 PM
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From: Judith Enck/R2/USEPA/US
To: Beth Soltani/R2/USEPA/US@EPA
Date: 12/19/2011 04:54 PM
Subject: Fw: Google Alert - Judith Enck

plz cut and paste this article in the body of an email to me tx
Judith Enck

Regional Administrator
U.S. Environmental Protection Agency
290 Broadway
New York, N.Y. 10007-1866
(212) 637-5000

----- Forwarded by Judith Enck/R2/USEPA/US on 12/19/2011 04:53 PM -----

From: Google Alerts <googlealerts-noreply@google.com>
To: Judith Enck/R2/USEPA/US@EPA
Date: 12/19/2011 04:40 PM
Subject: Google Alert - Judith Enck

News

1 new result for **Judith Enck**

[Christie administration's portrayal of 2008 sewer rules 'very ...](#)

Asbury Park Press

... Protection Agency administrator Lisa Jackson – knew proposed sewer rules would fail in New Jersey, said **Judith Enck**, the EPA's regional administrator. ...

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Karl Brooks/R7/USEPA/US
04/15/2012 09:08 AM

To Al Armendariz, "Elworth, Larry", Gina McCarthy, "Windsor, Richard", Bob Perciasepe, "Sussman, Bob"
cc
bcc
Subject Re: Very thoughtful piece about climate change and ag: -- American Corn Growers Association - June bugs in March give this farmer pause:

Agreed on the authors open minded approach. Tx for fwdg. I'll let u all kno if we encounter more such in r7.

Cheers
Karl
Al Armendariz

----- Original Message -----

From: Al Armendariz
Sent: 04/14/2012 11:49 AM EDT
To: "Elworth, Larry" <elworth.lawrence@epa.gov>; Gina McCarthy; "Windsor, Richard" <windsor.richard@epa.gov>; Bob Perciasepe; "Sussman, Bob" <sussman.bob@epa.gov>; Karl Brooks
Subject: Very thoughtful piece about climate change and ag: -- American Corn Growers Association - June bugs in March give this farmer pause:
Fyi.
Al

Recent reports urge adaptation to a new environment

Tilden, Neb., April 6, 2012.

Keith Dittrich is a corn and soybean farmer in Tilden, Neb. He is a co-chairman of the board of the American Corn Growers Institute for Public Policy.

On the last day of March, I sat on our patio after another spectacularly warm day, enjoying all the flowering trees. Towards evening, I heard the buzz, and a cat scrambled to catch the June bug that crash landed on the floor. June bugs in March in Nebraska? Next day, on a trail ride across the scenic--though dry--grasslands near Ashfall Fossil Beds north of our farm, I saw grasshoppers flying on the first of April (my birthday). Was this April fool baby just seeing things?

The ride was in remembrance of my twin sister, Denise Dittrich, taken almost a year ago by a cruel cancer. She worked in our nation's capital, where she pressed for regulatory changes to avert the impending banking crisis years before it happened. She was very wise, able to think clearly about the long-term effects of short-term actions, and to accurately predict when short-term gain or unwillingness to face facts resulted in longterm pain.

From a farmer's perspective, what causes me anxiety is that we have been fooled into complacency about risks to our economy and environment. What happens if the climate change naysayers are wrong, and even those who warn of risks have underestimated the seriousness of the situation?

The old timers say they have never seen a winter and spring like they have this year. I am no scientist, and neither are the old-timers with whom I have spoken. But I do have an open mind and I do read what the experts say about our earth's climate. In my business, I use experts all the time to assist me in making good choices about what to plant, how to fertilize and when to market. Why not use the experts for longer term weather risks? Typically farmers laugh at weather forecasters since we live the weather

and know the forecasts certainly don't always come true. And how can forecasters predict accurately if historic patterns are mutating?

But recent news on climate change comes from unimpeachable sources such as the International Energy Agency and the United Nations. The IEA says that our earth could warm by 3.5 degrees Celsius/6.3 degrees Fahrenheit by 2035. The UN is encouraging countries to prepare to adapt to rapidly changing weather patterns--an expected increase in heat waves, more intense rains and floods, and a probable rise in the intensity of droughts. According to a recent article, reports that current weather is highly likely caused by increased CO2 levels in the atmosphere [accessed March 30, 2012 <http://readersupportednews.org/news-section2/312-16/10620-earth-sends-climate-warning-by-busting-world-heat-records>].

On this farm we have moved from asking why this is happening, why doesn't everyone agree, and why the weathermen can't get it right. Today we're asking how. How are we going to deal with the effects of a changing climate on our farm, how early do we plant, how do we manage our risks and market our crops? How are we going to help the rest of our world survive in a changing environment and mitigate the changes that are taking place long-term? Cumulatively, how are we going to protect our farms, our livestock, our productive capacity, and our families in the decades to come?

Farmers' endless optimism sometimes gets in the way. Years of struggle, ups and downs, and we start to believe that things have a way of working out. But ask the folks near the Missouri or Mississippi Rivers, who dealt with the 300 year floods last year, their thoughts now. Ask the rhinos buried at Ashfall Fossil Beds under 11 feet of ash eons ago how it worked out for them.

Keith Dittrich is a corn and soybean farmer in Tilden, Neb. He is a co-chairman of the board of the American Corn Growers Institute for Public Policy.

http://www.acga.org/index.php?option=com_content&task=view&id=175&Itemid=42

Al Armendariz
Regional Administrator
U.S. EPA - Region 6
armendariz.al@epa.gov
214-665-2100
twitter: @al_armendariz

**Katharine
Gage/DC/USEPA/US**
03/25/2010 04:36 PM

To
cc
bcc

Subject Briefing to discuss Boiler MACT

Meeting

Date 03/30/2010
Time 02:00:00 PM to 02:45:00 PM
Chair Katharine Gage

Invitees
Required
Optional

FYI

Location Administrator's Office

Ct: Georgia Bednar 564-9816

Staff:

Gina McCarthy, Janet McCabe (OAR)
Paul Anastas, Science Advisor (by phone)
Bob Sussman, Bob Perciasepe, Diane Thompson (OA)
Lisa Heinzerling (OPEI)
Scott Fulton, Avi Garbow (OGC)
Lisa Garcia (OECA)

*Hookup to Administrator's Conference line needed

**Katharine
Gage/DC/USEPA/US**
08/10/2009 12:05 PM

To
cc
bcc

Subject Briefing to discuss the Surface Coal Mining MOU Policy
Options and Permit Review Update

Meeting

Date 08/17/2009
Time 03:30:00 PM to 04:15:00 PM
Chair Daniel Gerasimowicz
Invitees
Required
Optional
FYI
Location Bullet Room
Ct: Lori Keyton (OW) 564-5768

Staff:
Bob Sussman, Lynn Zipf, Scott Fulton (OA)
Pete Silva, Mike Shapiro, Greg Peck, Suzanne Schwartz, Jim Hanlon, Ephraim King, David Evans, Brian Frazer, Ann Campbell
(OW)
Catherine McCabe, Randy Hill, Susan Bromm (OECA)
Steve Neugeboren (OGC)

(hookup to Admin's conference line needed for R3, 4, 5)

**Katharine
Gage/DC/USEPA/US**
08/10/2009 12:05 PM

To
cc
bcc
Subject Briefing to discuss the Surface Coal Mining MOU Policy
Options and Permit Review Update

Meeting

Date 08/17/2009
Time 03:30:00 PM to 04:15:00 PM
Chair Daniel Gerasimowicz
Invitees
Required
Optional
FYI
Location Bullet Room
Ct: Lori Keyton (OW) 564-5768

Staff:
Bob Sussman, Lynn Zipf, Scott Fulton (OA)
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(OW)
Catherine McCabe, Randy Hill, Susan Bromm (OECA)
Steve Neugeboren (OGC)

(hookup to Admin's conference line needed for R3, 4, 5)

**Katharine
Gage/DC/USEPA/US**
12/01/2009 01:40 PM

To
cc
bcc

Subject FYI - Steering Committee for the Interagency Climate
Change Adaptation Task Force

Meeting

Date 01/13/2010

Time 03:30:00 PM to 05:00:00 PM

Chair Katharine Gage

Invitees

Required

Optional

FYI

Location CEQ, 722 Jackson Place

Bob Perciasepe will attend for EPA

**Katharine
Gage/DC/USEPA/US**
12/08/2009 03:03 PM

To
cc
bcc

Subject Meeting with first-ever accredited Youth Delegation to UN
Framework Convention on Climate Change

Meeting

Date 12/09/2009
Time 11:15:00 AM to 11:45:00 AM
Chair Katharine Gage
Invitees
Required
Optional
FYI
Location Bella Center, Copenhagen

**Katharine
Gage/DC/USEPA/US**
07/15/2009 06:29 PM

To
cc
bcc

Subject Meeting with Secretary Vilsack

Meeting

Date 07/21/2009
Time 02:00:00 PM to 02:30:00 PM
Chair Katharine Gage

Invitees
Required
Optional

FYI

Location Administrator's Office

Ct: Sally Cluthe

Staff:

Larry Elworth (OA)
David McIntosh (OCIR)

Attendees:

Secretary Vilsack
Ms. Grant Leslie, Senior Advisor to the Secretary
Mr. Robert Bonnie, Senior Advisor for Environment and Climate

**Katharine
Gage/DC/USEPA/US**
02/25/2010 12:14 PM

To
cc
bcc

Subject Newsweek Briefing and Interview

Meeting

Date 03/02/2010
Time 05:00:00 PM to 05:30:00 PM
Chair Katharine Gage

Invitees
Required
Optional

FYI

Location Administrator's Office

Ct: Brendan Gilfillan
In person print interview - No Photog

5:00-5:15 Briefing for the Administrator
5:15-5:30 Interview

Staff:
Adora Andy, Brendan Gilfillan (OPA)

Re: Climate and GHG Regulation

**Katharine
Gage/DC/USEPA/US**
07/10/2009 02:55 PM

To
cc
bcc

Subject Panel Discussion:Climate Change: Global Warming and its
Consequences for Latinos

Meeting

Date 07/15/2009
Time 02:30:00 PM to 03:45:00 PM
Chair Katharine Gage
Invitees
Required
Optional
FYI
Location LULAC

**Katharine
Gage/DC/USEPA/US**
05/19/2009 03:43 PM

To
cc
bcc

Subject Tour Arch Coal's Black Thunder Coal mine

Meeting

Date 05/21/2009

Time 08:00:00 AM to 11:45:00 AM

Chair Katharine Gage

Invitees

Required

Optional

FYI

Location Gillette, WY

FYI: Press on board

Megan Cryan/DC/USEPA/US
06/24/2009 12:44 PM

To: Richard Windsor
cc
bcc
Subject: Re: Denver Post: EPA Chief uses Denver as growth role model

THANK YOU!
Richard Windsor

----- Original Message -----

From: Richard Windsor
Sent: 06/24/2009 12:37 PM EDT
To: Megan Cryan
Subject: Re: Denver Post: EPA Chief uses Denver as growth role model

Fuhgeddaboutit. Funny.
Megan Cryan

----- Original Message -----

From: Megan Cryan
Sent: 06/24/2009 11:27 AM EDT
To: windsor.richard@epa.gov
Subject: Fw: Denver Post: EPA Chief uses Denver as growth role model

Sure u already saw this, but wanted to make sure. And apologize. It will never happen again. I'm really sorry.
Wendy Chipp

----- Original Message -----

From: Wendy Chipp
Sent: 06/24/2009 08:19 AM MDT
To: Lawrence Grandison; Richard Mylott
Cc: Sandy Fells; Mike Gaydosh; Carol Rushin; Betsaida Alcantara; Megan Cryan; Laura Niles
Subject: Denver Post: EPA Chief uses Denver as growth role model

denver and the west

EPA chief uses Denver as growth role model

Garden Village is called just what Obama wants

By Claire Trageser

The Denver Post

Posted: 06/24/2009 01:00:00 AM MDT

Updated: 06/24/2009 01:05:55 AM MDT



Environmental Protection Agency Administrator Lisa Jackson laughs as Denver Mayor John Hickenlooper retrieves an EPA emblem that fell off the lectern. (Andy Cross, The Denver Post)

As President Barack Obama scouts solutions to the country's economic and environmental problems, one of the

Environmental Protection Agency director Lisa Jackson and Mayor John Hickenlooper visited Highlands' Garden Village to recognize its answer to some of the country's biggest problems.

"There are a host of economic challenges we must face, and there are also escalating environmental consequences. Obama has said we don't have to choose, because we can have both a green environment and a green economy.

"What we're seeing right here is how we can make that change happen."

Developer Chuck Perry took Jackson and Hickenlooper on a brief tour of the 10-year-old neighborhood — built to show off some of its most environmentally friendly features.

"Solar awnings, those are so cool," Hickenlooper said when Perry pointed out the technology attached to a 24-hour building. "Solar awnings, those are so cool," Hickenlooper said when Perry pointed out the technology attached to a 24-hour building. "Solar awnings, those are so cool," Hickenlooper said when Perry pointed out the technology attached to a 24-hour building. "Solar awnings, those are so cool," Hickenlooper said when Perry pointed out the technology attached to a 24-hour building. "Solar awnings, those are so cool," Hickenlooper said when Perry pointed out the technology attached to a 24-hour building.

Perry also described the community's buildings, which are partially made of recycled material and use energy-efficient lighting. Perry also described the community's buildings, which are partially made of recycled material and use energy-efficient lighting. Perry also described the community's buildings, which are partially made of recycled material and use energy-efficient lighting.

In addition to reducing its environmental impact, Hickenlooper said, Highlands' Garden Village benefits the local economy. In addition to reducing its environmental impact, Hickenlooper said, Highlands' Garden Village benefits the local economy. In addition to reducing its environmental impact, Hickenlooper said, Highlands' Garden Village benefits the local economy.

"This shows that sustainability and economic development can go hand in hand," he said.

The development offers 75,000 square feet of commercial space, more than a third occupied by Sunflower Market. The development offers 75,000 square feet of commercial space, more than a third occupied by Sunflower Market. The development offers 75,000 square feet of commercial space, more than a third occupied by Sunflower Market.

and environmental efficiency from the U.S. Green Building Council.

A quarter of the development's apartments are for Denver residents who make less than half of the city's median income. Another quarter of the apartments are for residents who make less than 60 percent of the median income.

Jackson said the development's combination of economic stimulation and environmental innovation is what the project is all about.

This week, top White House administrators are visiting other environmental projects across the country to highlight the benefits of green building. Last month, the House's Energy and Commerce Committee passed the Waxman-Markey American Clean Energy and Security Act, which would encourage renewable-energy creation and emissions cuts.

The EPA has teamed with the Transportation and Housing and Urban Development departments to encourage more green building in the Garden Village area.

"Colorado has been a leader in growing the green economy," Jackson said. "We want more communities just like Garden Village."

Claire Trageser: 303-954-1638 or ctrageser@denverpost.com

Megan Cryan/DC/USEPA/US

06/24/2009 11:27 AM

To windsor.richard

cc

bcc

Subject Fw: Denver Post: EPA Chief uses Denver as growth role model

Sure u already saw this, but wanted to make sure. And apologize. It will never happen again. I'm really sorry.

Wendy Chipp

----- Original Message -----

From: Wendy Chipp

Sent: 06/24/2009 08:19 AM MDT

To: Lawrence Grandison; Richard Mylott

Cc: Sandy Fells; Mike Gaydosh; Carol Rushin; Betsaida Alcantara; Megan Cryan; Laura Niles

Subject: Denver Post: EPA Chief uses Denver as growth role model

denver and the west

EPA chief uses Denver as growth role model

Garden Village is called just what Obama wants

By Claire Trageser

The Denver Post

Posted: 06/24/2009 01:00:00 AM MDT

Updated: 06/24/2009 01:05:55 AM MDT



Environmental Protection Agency Administrator Lisa Jackson laughs as Denver Mayor John Hickenlooper retrieves an EPA emblem that fell off the lectern. (Andy

Cross, The Denver Post)

As President Barack Obama scouts solutions to the country's economic and environmental problems, one of the p
Environmental Protection Agency director Lisa Jackson and Mayor John Hickenlooper visited Highlands' Garden Village to
minimize its environmental impact, Tuesday to recognize its answer to some of the country's biggest problems.

"There are a host of economic challenges we must face, and there are also escalating environmental consequences
Obama has said we don't have to choose, because we can have both a green environment and a green economy.

"What we're seeing right here is how we can make that change happen."

Developer Chuck Perry took Jackson and Hickenlooper on a brief tour of the 10-year-old neighborhood — built to
show off some of its most environmentally friendly features.

"Solar awnings, those are so cool," Hickenlooper said when Perry pointed out the technology attached to a 24-hour
sunlight to power the fitness center's parking lot and lobby, Perry said.

Perry also described the community's buildings, which are partially made of recycled material and use energy-efficient
said the compact neighborhood — 306 single-family and apartment homes in a 27-acre lot — minimizes resident

In addition to reducing its environmental impact, Hickenlooper said, Highlands' Garden Village benefits the local

"This shows that sustainability and economic development can go hand in hand," he said.

The development offers 75,000 square feet of commercial space, more than a third occupied by Sunflower Market
and environmental efficiency from the U.S. Green Building Council.

A quarter of the development's apartments are for Denver residents who make less than half of the city's median
apartments are for residents who make less than 60 percent of the median income.

Jackson said the development's combination of economic stimulation and environmental innovation is what the p

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Last month, the House's Energy and Commerce Committee passed the Waxman-Markey American Clean Energy
renewable-energy creation and emissions cuts.

The EPA has teamed with the Transportation and Housing and Urban Development departments to encourage m
Garden Village.

"Colorado has been a leader in growing the green economy," Jackson said. "We want more communities just like

Claire Trageser: 303-954-1638 or ctrageser@denverpost.com

Noah Dubin/DC/USEPA/US

To

05/12/2011 10:46 AM

cc

bcc

Subject Boiler MACT Discussion

Meeting

Date 05/18/2011

Time 02:40:00 PM to 03:10:00 PM

Chair Noah Dubin

Invitees

Required

Optional

FYI

Location Administrator's Office

Ct: Venu Ghanta 564-1374

Purpose: To discuss the schedule for reconsideration

Staff:

Bob Perciasepe, Bob Sussman, Diane Thompson (OA)

Gina McCarthy, Janet McCabe, Joe Goffman, Steve Page, Peter Tsirigotis (OAR)

Scott Fulton (OGC)

Michael Goo (OP)

Seth Oster (OEAE)

**Teleconferencing is required for this meeting

Noah Dubin/DC/USEPA/US

To

09/30/2011 09:17 AM

cc

bcc

Subject Boiler MACT Follow-up Discussion

Meeting

Date 09/30/2011

Time 01:45:00 PM to 02:15:00 PM

Chair Noah Dubin

Invitees

Required

Optional

FYI

Location By Phone/Deputy Administrator's
Office

Ct: Noah Dubin - 202-564-7314

Staff:

Bob Sussman, Bob Perciasepe (OA)

Gina McCarthy, Janet McCabe, Joe Goffman (OAR)

Michael Goo (OP)

Arvin Ganesan (OCIR)

Scott Fulton (OGC)

**Teri will call the Administrator's cell

Noah Dubin/DC/USEPA/US

To

06/02/2011 03:14 PM

cc

bcc

Subject Boiler MACT Meeting with Senators

Meeting

Date 06/16/2011

Time 12:00:00 PM to 12:50:00 PM

Chair Noah Dubin

Invitees

Required

Optional

FYI

Location Sen. Wyden's Office,
223 Dirksen

Ct: Wayne BinkleyWayne_Binkley@wyden.senate.gov

EPA Ct: Arvin Ganesan 564-4741

Attendees:

-Senator Wyden (OR)

-Senator Pryor (AR)

-Senator Landrieu (LA)

-Senator Collins (ME)

-Senator Alexander (TN)

Staff:

Arvin Ganesan (OCIR)

Gina McCarthy (OAR)

Mathy Stanislaus (OSWER)

Noah Dubin/DC/USEPA/US

To

04/24/2012 11:39 AM

cc

bcc

Subject Climate and Energy Funders Annual Meeting

Meeting

Date 04/26/2012

Time 08:30:00 AM to 09:15:00 AM

Chair Noah Dubin

Invitees

Required

Optional

FYI

Location Millennium UN Plaza Hotel,
1 United Nations Plaza,
New York City, NY

Noah Dubin/DC/USEPA/US

To

05/25/2012 11:31 AM

cc

bcc

Subject Conference Call re: Region 4 Kentucky Coal Permit Hearings

Meeting

Date 05/29/2012

Time 02:45:00 PM to 03:15:00 PM

Chair Noah Dubin

Invitees

Required

Optional

FYI

Location Administrator's Office

Ct: Brenda Beverly - 404-562-8348

Staff:

Bob Perciasepe, Bob Sussman, Janet Woodka (OA)

Brendan Gilfillan (OEAE)

Sarah Pallone, Arvin Ganesan (OCIR)

Shawn Garvin (R3)

Gwen Keyes Fleming, Stan Meiburg (R4)

**Aaron will open the Administrator's conference line

Noah Dubin/DC/USEPA/US

To

02/03/2012 03:07 PM

cc

bcc

Subject Discussion on Coal Ash Beneficial Use Evaluation

Meeting

Date 02/06/2012

Time 02:15:00 PM to 02:45:00 PM

Chair Noah Dubin

Invitees

Required

Optional

FYI

Location Green Room

Ct: Don Maddox - 202-564-7207

Staff:

Bob Sussman (OA)

Mathy Stanislaus, Lisa Feldt (OSWER)

Arvin Ganesan or Laura Vaught (OCIR)

Scott Fulton or Avi Garbow (OGC)

Optional:

Diane Thompson (OA)

Noah Dubin/DC/USEPA/US

To

05/25/2011 12:37 PM

cc

bcc

Subject Discussion on Coal Combustion Residuals

Meeting

Date 06/09/2011

Time 10:45:00 AM to 11:30:00 AM

Chair Noah Dubin

Invitees

Required

Optional

FYI

Location Administrator's Office

Ct: Nelly Torres 564-5767

Staff:

Bob Sussman (OA)

Mathy Stanislaus, Lisa Feldt (OSWER)

Seth Oster (OEAAE)

Avi Garbow (OGC)

Michael Goo or Bicky Corman (OP)

Arvin Ganesan (OCIR)

Noah Dubin/DC/USEPA/US

To

04/12/2011 03:11 PM

cc

bcc

Subject Early Guidance Briefing: Coal Combustion Residuals (SAN 4470; Tier 1)

Meeting

Date 05/23/2011

Time 11:15:00 AM to 12:00:00 PM

Chair Noah Dubin

Invitees

Required

Optional

FYI

Location Bullet Room

Ct: Nelly Torres 564-5767

Staff:

Bob Sussman, Lisa Garcia, Charles Imohiosen, Janet Woodka (OA)

Mathy Stanislaus, Lisa Feldt, Barry Breen, Suzanna Rudzinski, Robert Dellinger, Betsy Devlin, Richard Mattick, Matt Straus (OSWER)

Michael Goo (OPEI)

Scott Fulton, Laurel Celeste (OGC)

Steve Owens (OCSPP)

Paul Anastas (ORD)

Rosemarie Kelley, Sandra Connors (OECA)

Gina McCarthy (OAR)

Nancy Stoner (OW)

William Early (R3)

Gwendolyn Keyes-Fleming (R4)

Margaret Guerriero (R5)

Rebecca Weber (R7)

James Martin (R8)

Jeff Scott (R9)

Optional (Work Group members/ Regulatory Steering Committee members - calling in):

Steve Souders, Bonnie Robinson, Mark Eads, Rachel Alford, Becky Cuthbertson, Zubair Saleem, Ronald Jordan, Velu Senthil, Bill Maxwell, Pete Raack, James Thompson, Jace Cuje, Susan Thorneloe, Thomas Groeneveld, Laurel Celeste, Paul Balsarak, Robin Jenkins, Mary Hunt, Andrea Barbieri, Jon Johnston, Susan Mooney, Robert-Eu Smith, William Swietlik, Richard Benware, Julie Gevrenov, Ellen Kurlansky, Steve Smith, Matthew Sander, Cari Shiffman, Rick Rogers, Nicole Wilson, Nicole Moran, John Schofield, William Nickerson, James Kohler, Lynn Beasley, Kendra Morrison, Ginny Phillips, Souhail Al-Abed, Thabet Laymet

Rita Tate, Maryanne Ruiz, Michelle Boyd, Annette Hill, Robert Tolpa, Rita Culp, Alice Todd, Sonya Moore, Kathy Meltzer, Lesley Schaaff, Stuart Miles-McLean, Angela Hofmann, Lisa Verdonik, Robert Fegley, Gerard Kraus, Wanda Farrar, Tom Eagles, Pat Williams, Sandy Evalenko, Perry Gerain, Nick Hilosky

**Teleconferencing is required for this meeting

Noah Dubin/DC/USEPA/US

To

08/09/2011 04:06 PM

cc

bcc

Subject **JIUS Session II--Presentations: The Opportunities and Challenges of Urban Sustainability**

Meeting

Date 08/16/2011

Time 12:30:00 PM to 01:40:00 PM

Chair Noah Dubin

Invitees

Required

Optional

FYI

Location Palacio do Itamaraty

Presenter: Alberto Silva, Port Redevelopment Company

Agenda:

12:1:30-12:45 PM: Scene setter: Rio de Janeiro, Mega-Cities, and Options for a Greener Future

-Janice Perلمان, Founder, Mega-Cities Project

12:45-1:00 PM: Presentation: FBDS: TBC

-Andre Urani

1:00-1:15 PM: Presentation: Defining the benefits of investing in sustainability - an example from Rio de Janeiro

-Cristina Mendonça, City Director, Clinton Climate Initiative

1:15-1:30 PM: Presentation: Investing in a Green Economy for the 21st Century and the Role of Urban Centers

-Dr. David Wood, Director of the Center for Responsible Investment, Harvard University

1:30-1:40 PM: Q&A

-Moderated by Israel Klabin and Judith Rodin

Noah Dubin/DC/USEPA/US

To

04/25/2011 12:31 PM

cc

bcc

Subject Meeting with Earth Justice

Meeting

Date 05/03/2011

Time 05:15:00 PM to 05:45:00 PM

Chair Noah Dubin

Invitees

Required

Optional

FYI

Location Green Room

Ct: Dru Ealons 564-7818

*This meeting will begin at 4:30 PM with Senior Leadership from OAR and OSWER, but the Administrator will join at 5:15 PM until 5:45 PM

Run of Show:

Introduction of Administrator Jackson - Dru Ealons or Stephanie Owens

Administrator Jackson - 5 mins remarks

50 States Welcome Speaker (1-2 min)

Mercury Air Toxics: Comments from a health professional (1-2 min each plus EPA response)

Cement Kiln Standard (1-2 min plus EPA response): Community representative

Smog & PM Standards (2 min plus EPA response): Health community representative

Definition of non-hazardous Solid Waste (1-2 min plus EPA response): Community representative

Coal ash (1-2 min plus response): Community representative

Tribal Concerns (1-2 min plus EPA response): Tribal community representative

Wrap-up & thank you: Community representative

Noah Dubin/DC/USEPA/US

To

09/01/2011 01:16 PM

cc

bcc

Subject Options Selection: National Emission Standards for Hazardous Air Pollutants for Solid Waste Incinerators and Boiler MACT

Meeting

Date 09/29/2011

Time 02:05:00 PM to 02:45:00 PM

Chair Noah Dubin

Invitees

Required

Optional

FYI

Location Bullet Room

Ct: Cindy Huang - 202-564-7314

Staff:

Bob Perciasepe, Bob Sussman, Dan Kanninen (OA)

Lisa Garcia (OEJ)

Gina McCarthy, Janet McCabe, Joseph Goffman, Lorie Schmidt, Don Zinger (OAR)

Scott Fulton, Avi Garbow (OGC)

Michael Goo (OP)

Cynthia Giles (OECA)

Mathy Stanislaus (OSWER)

Paul Anastas (ORD)

Dennis McLerran (R10)

Arvin Ganesan, Laura Vaught (OCIR)

Barbara Bennett (OCFO)

Optional:

Diane Thompson (OA)

Janet Woodka (Reg. Ops)

Robert Wayland, David Cozzie, Brian Shrager, Jim Eddinger, Toni Jones, Wanda Farrar, Tom Eagles (OAR)

Marilyn Kuray, Wendy Blake, Paul Versace (OGC)

Lesley Schaaff, Nicole Owens, Tom Gillis, Peter Nagelhout (OP)

Gerard Kraus, Gregory Fried, Sally Harmon (OECA)

Gerain Perry, George Faison (OSWER)

Bob Fegley, Stan Durkee, Andy Miller, Brian Gullett (ORD)

Heather Valdez, Andrea Schrock (R10)

**Teleconferencing is required for this briefing

Noah Dubin/DC/USEPA/US

To

01/05/2012 02:25 PM

cc

bcc

Subject Options Selection: Standards for the Management of Coal Combustion Residuals Final Rule (SAN 4470; T 1)

Meeting

Date 02/13/2012

Time 10:00:00 AM to 10:45:00 AM

Chair Noah Dubin

Invitees

Required

Optional

FYI

Location Bullet Room

Ct: Nelly Torres: 202-564-5767

**Teleconferencing is required for this briefing

Staff:

Bob Perciasepe, Bob Sussman, Lisa Garcia (OA)

Mathy Stanislaus, Lisa Feldt, Barry Breen, Betsy Devlin, Ross Elliott, Mark Huff, Elaine Eby, Lee Hofmann, Richard Mattick (OSWER)

Nancy Stoner (OW)

Malcolm Jackson (OEI)

Gina McCarthy (OAR)

Cynthia Giles (OECA)

Paul Anastas (ORD)

Jim Jones (OCSPP)

Scott Fulton (OGC)

Michael Goo (OP)

Shawn Garvin (R3)

Gwen Keyes Fleming (R4)

Susan Hedman (R5)

Karl Brooks (R7)

James Martin (R8)

Jared Blumenfeld (R9)

Optional:

Diane Thompson, Janet Woodka (OA)

Arvin Ganesan (OCIR)

Noah Dubin/DC/USEPA/US

12/22/2011 01:29 PM

To

cc

bcc

Subject Pre-Brief for Options Selection: Standards for the
Management of Coal Combustion Residuals Final Rule (SAN
4470; T 1)

Meeting

Date 01/19/2012

Time 03:15:00 PM to 03:45:00 PM

Chair Kate Bluhm

Invitees

Required

Optional

FYI

Location Bullet Room

Ct: Nelly Torres (OSWER) 202-564-5767

Staff:

Bob Perciasepe, Bob Sussman (OA)

Mathy Stanislaus, Lisa Feldt(OSWER)

Scott Fulton, Avi Garbow (OGC)

Michael Goo, Bicky Corman (OP)

Gina McCarthy, Janet McCabe (OAR)

Ken Kopocis (OW)

Optional:

Diane Thompson (OA)

Arvin Ganesan, Laura Vaught (OCIR)

Noah Dubin/DC/USEPA/US

To

06/13/2011 11:42 AM

cc

bcc

Subject Pre-Brief to Boiler MACT Meeting with Senators

Meeting

Date 06/14/2011

Time 10:15:00 AM to 10:45:00 AM

Chair Noah Dubin

Invitees

Required

Optional

FYI

Location Administrator's Office

Ct: Arvin Ganesan 564-4741

Staff:

Arvin Ganesan (OCIR)

Scott Fulton (OGC)

Gina McCarthy (OAR)

Mathy Stanislaus (OSWER)

Optional:

Diane Thompson, Bob Sussman (OA)

Noah Dubin/DC/USEPA/US

To

05/04/2011 05:24 PM

cc

bcc

Subject US-China Strategic & Economic Dialogue

Meeting

Date 05/09/2011

Time 02:15:00 PM to 03:45:00 PM

Chair Noah Dubin

Invitees

Required

Optional

FYI

Location Department of State

2:15 - 3:45 PM: Strategic Track Plenary Session I: US-China Cooperation (Camera Spray)

Location: Loy Henderson Auditorium

**2:39 - 3:27 PM: Cooperation on Clean Energy, Climate Change, and Environment (U.S. leads)

Location: Loy Henderson Auditorium

Ray Spears/DC/USEPA/US

04/30/2009 04:00 PM

To Bob Sussman, Lisa Heinzerling, David McIntosh, Scott Fulton, Allyn Brooks-LaSure, Arvin Ganesan, Marcia Mulkey, Craig Hooks, Eric Wachter, Robert Goulding, Diane Thompson

cc Richard Windsor

bcc

Subject Fw: HQ-RIN-01159-09 (Landmark Foundation - Michael O'Neill)

FYI. Below is a new FOIA request that may be of interest. The request seeks records relevant to the Agency's recent endangerment findings.

Ray E. Spears, Esq.
Deputy Chief of Staff
Office of the Administrator (1101A)
(202) 564-4715
(202) 501-3202 FAX

----- Forwarded by Ray Spears/DC/USEPA/US on 04/30/2009 03:57 PM -----

From: Trina Porter/DC/USEPA/US
To: Patricia Porter/DC/USEPA/US@EPA, John Mack/DC/USEPA/US@EPA, Deborah Johnson/DC/USEPA/US@EPA, Eric Wachter/DC/USEPA/US@EPA, Robert Goulding/DC/USEPA/US@EPA, Lisa Heinzerling/DC/USEPA/US@EPA, Bob Sussman/DC/USEPA/US@EPA, Marygrace Galston/DC/USEPA/US@EPA, Daniel Gerasimowicz/DC/USEPA/US@EPA, Valerie Washington/DC/USEPA/US@EPA, Sally Shaver, Alicia Kaiser/DC/USEPA/US@EPA
Cc: Ray Spears/DC/USEPA/US@EPA, Brian Hope/DC/USEPA/US@EPA, Byron Brown/DC/USEPA/US@EPA, Kevin Miller/DC/USEPA/US@EPA, Georgia Bednar/DC/USEPA/US@EPA, Gladys Stroman/DC/USEPA/US@EPA, Aaron Dickerson/DC/USEPA/US@EPA, Sharnett Willis/DC/USEPA/US@EPA, Rory Boyd/DC/USEPA/US@EPA
Date: 04/30/2009 03:51 PM
Subject: HQ-RIN-01159-09 (Landmark Foundation - Michael O'Neill)

The Office of the Administrator is in receipt of the above referenced Freedom of Information Act request. The request is as follows:

Requestor: Michael O'Neill

Firm: Landmark Legal Foundation, The Ronald Reagan Legal Center

Request: (verbatim)

1. Any and all records identifying the names of individuals, groups and/or organizations outside the EPA with which the EPA, EPA employees, EPA contractors, and/or EPA consultants communicated with pertaining to the endangerment and cause or contribute findings for greenhouse gases under the Clean Air Act or proposal RIN-2060-ZA14 between October 31, 2008 and April 23, 2009.
2. Any and all records evincing preliminary reports or findings produced by the EPA or at the direction of the EPA and provided or made available to organizations or individuals outside of EPA (including members of the U.S. Senate and/or the U.S. House of Representatives) pertaining to the endangerment or cause or contribute findings for greenhouse gases under the Clean Air Act or RIN 2060-ZA14 not currently available at [HTTP://epa.gov/climate change/endangerment.html](http://epa.gov/climate_change/endangerment.html).
3. Any and all records evincing communications between the EPA and members of the United States

House of Representatives or members of the U.S. Senate (as well as communications between the EPA and staff to said members) pertaining to the endangerment and cause or contribute findings for greenhouse gases under the Clean Air Act or RIN 2060-ZA14 from October 31, 2008 to April 23, 2009.

4. Any and all records evincing communications between the EPA and the White House or the Executive Office of the President pertaining to the endangerment and cause or contribute findings for greenhouse gases under the Clean Air Act or RIN2060-ZA14 from October 31, 2008 to April 23, 2009.

5. Any records produced by the White House or the Executive Office of the President that have been integrated into Agency files or records pertaining to the endangerment and cause or contribute findings for greenhouse gases under the Clean Air Act or RIN2060-ZA14 from October 31, 2008 to April 23, 2009.

6. Any and all records evincing communications between the EPA and the Obama transition team pertaining to the endangerment and cause or contribute findings for greenhouse gases under the Clean Air Act or RIN2060-ZA14 from October 31, 2008 to April 23, 2009.

7. Any records produced by staff of the Obama transition team that have been integrated into Agency files or records pertaining to the endangerment and cause or contribute findings for greenhouse gases under the Clean Air Act or RIN2060-ZA14 from October 31, 2008 to April 23, 2009.

The term "records" includes all information maintain electronically (including computer databases, e-mail, list servers ("listservs")). Further, "records" includes the original or any copy of any documentary material and is in any form including a card, computerized records, correspondence, drawing, film, microfilm, photograph, recording or tape.

Due Date: 5/15/09

Note:

Questions 2 and 3 apply to OCIR.

OAR is the lead.

Please keep an accurate account of the search and review times for the annual report.

Fee waiver request has been granted and expedited request has been denied.

If you know of any other program office or staff member that might have responsive records, please contact me immediately so that I can forward this request to them.

Please contact me or Rory Boyd for pick-up of responsive records.

Trina M. Porter
AO Sr. FOIA Coordinator
(202) 564-4322
Rory Boyd
AO FOIA Assistant
564-3966
Room 2411, ARN
MC 1105A

Ray Spears/DC/USEPA/US

04/08/2009 02:01 PM

To Bob Sussman, Scott Fulton, Lisa Heinzerling, David McIntosh, Craig Hooks, Allyn Brooks-LaSure, Arvin Ganesan, Eric Wachter, Robert Goulding

cc Brian Hope, Trina Porter

bcc Richard Windsor

Subject New FOIA Requests

The Agency has received 2 new FOIA requests that may be of interest.

1. HQ-RIN-01050-09 dated April 7, 2009. Request from Public Employees for Environmental Responsibility (PEER) for information concerning potential political interference with the exercise of legal responsibilities of EPA with respect to a proposed Fall River/New Bedford, Massachusetts commuter rail. Request is for (1) a copy of all communications between EPA and members of the Massachusetts congressional delegation, their staffs, members of the administration of Massachusetts Governor Deval Patrick or any other Massachusetts official regarding a proposed Fall River/New Bedford commuter rail line; and (2) all communications between EPA and the US Arm Corps of Engineers concerning the proposed project.

Assigned: OCIR and Region I

2. HQ-RIN-01032-09 dated April 6, 2009. Request from Woody Pfister for all records of communications between 1/20/2009 and 4/03/2009 between Administrator Jackson, her staff, her special advisors and counsel, Robert Sussman and representatives of the following: the Sierra Club, Earth Justice, Natural Resource Defense Council, League of Conservation Voters, and the World Wildlife Fund regarding greenhouse gas regulation, global warming, greenhouse gas endangerment finding, and coal fired power plant air permits.

Assigned: AO and OAR

Ray E. Spears, Esq.
Deputy Chief of Staff
Office of the Administrator (1101A)
(202) 564-4715
(202) 501-3202 FAX

Ray Spears/DC/USEPA/US

04/08/2009 02:25 PM

To Robert Goulding

cc Allyn Brooks-LaSure, Arvin Ganesan, Bob Sussman, Brian Hope, Craig Hooks, David McIntosh, Eric Wachter, Lisa Heinzerling, Scott Fulton, Trina Porter

bcc Richard Windsor

Subject Re: New FOIA Requests

Rob, I see that Trina has given you the due dates for the 2 earlier requests. Note also that as regards the Pfister request, OAR is primary lead for the response. I also just received notice regarding another request. While it does not directly involve Front Office staff, it may be of interest.

HQ-RIN-01035-09 dated 4/03/2009. Ian Talley of the Dow Jones Newswires requests the full text of any responses of all Obama administration EPA nominees - except for Administrator Lisa Jackson- to questions from every member of the Senate Environment and Public Works Committee.

Assigned: OCIR with target due date of 5/04/2009

Ray E. Spears, Esq.
Deputy Chief of Staff
Office of the Administrator (1101A)
(202) 564-4715
(202) 501-3202 FAX

Robert Goulding [Thanks Ray. When are these due to t...](#) 04/08/2009 02:03:14 PM

From: Robert Goulding/DC/USEPA/US
To: Ray Spears/DC/USEPA/US@EPA
Cc: Allyn Brooks-LaSure/DC/USEPA/US@EPA, Arvin Ganesan/DC/USEPA/US@EPA, Bob Sussman/DC/USEPA/US@EPA, Brian Hope/DC/USEPA/US@EPA, Craig Hooks/DC/USEPA/US@EPA, David McIntosh/DC/USEPA/US@EPA, Eric Wachter/DC/USEPA/US@EPA, Lisa Heinzerling/DC/USEPA/US@EPA, Scott Fulton/DC/USEPA/US@EPA, Trina Porter/DC/USEPA/US@EPA
Date: 04/08/2009 02:03 PM
Subject: Re: New FOIA Requests

Thanks Ray. When are these due to the requestors?

Robert Goulding
Director of Operations
US EPA - Office of the Administrator
1200 Pennsylvania Ave., NW
Washington, DC 20004
(p) 202-564-4700
(f) 202-501-1450

*Please consider the environment before printing this e-mail

Ray Spears [The Agency has received 2 new FOIA r...](#) 04/08/2009 02:01:35 PM

From: Ray Spears/DC/USEPA/US
To: Bob Sussman/DC/USEPA/US@EPA, Scott Fulton/DC/USEPA/US@EPA, Lisa Heinzerling/DC/USEPA/US@EPA, David McIntosh/DC/USEPA/US@EPA, Craig Hooks/DC/USEPA/US@EPA, Allyn Brooks-LaSure/DC/USEPA/US@EPA, Arvin

Ganesan/DC/USEPA/US@EPA, Eric Wachter/DC/USEPA/US@EPA, Robert
Goulding/DC/USEPA/US@EPA
Cc: Brian Hope/DC/USEPA/US@EPA, Trina Porter/DC/USEPA/US@EPA
Date: 04/08/2009 02:01 PM
Subject: New FOIA Requests

The Agency has received 2 new FOIA requests that may be of interest.

1. HQ-RIN-01050-09 dated April 7, 2009. Request from Public Employees for Environmental Responsibility (PEER) for information concerning potential political interference with the exercise of legal responsibilities of EPA with respect to a proposed Fall River/New Bedford, Massachusetts commuter rail. Request is for (1) a copy of all communications between EPA and members of the Massachusetts congressional delegation, their staffs, members of the administration of Massachusetts Governor Deval Patrick or any other Massachusetts official regarding a proposed Fall River/New Bedford commuter rail line; and (2) all communications between EPA and the US Arm Corps of Engineers concerning the proposed project.

Assigned: OCIR and Region I

2. HQ-RIN-01032-09 dated April 6, 2009. Request from Woody Pfister for all records of communications between 1/20/2009 and 4/03/2009 between Administrator Jackson, her staff, her special advisors and counsel, Robert Sussman and representatives of the following: the Sierra Club, Earth Justice, Natural Resource Defense Council, League of Conservation Voters, and the World Wildlife Fund regarding greenhouse gas regulation, global warming, greenhouse gas endangerment finding, and coal fired power plant air permits.

Assigned: AO and OAR

Ray E. Spears, Esq.
Deputy Chief of Staff
Office of the Administrator (1101A)
(202) 564-4715
(202) 501-3202 FAX

Richard Windsor/DC/USEPA/US
07/30/2009 12:36 PM

To Aaron Dickerson
cc
bcc

Subject Re: Obama's EPA: Changing The Regulatory Environment

Tx

Aaron Dickerson

----- Original Message -----

From: Aaron Dickerson
Sent: 07/30/2009 12:25 PM EDT
To: Richard Windsor
Subject: Obama's EPA: Changing The Regulatory Environment

Obama's EPA: Changing The Regulatory Environment

Law360, New York (July 06, 2009) -- "Elections have consequences," newly installed chair of the Senate Environment and Public Works Committee, Democratic Senator Barbara Boxer, quipped in a much publicized exchange with a Republican Senator during a hearing on global warming following the 2008 election.

While this is no doubt true, it is perhaps nowhere more evident to environmental law practitioners than in the changes in administrative agency practices that frequently follow presidential elections.

The changes within the U.S. Environmental Protection Agency that have occurred since President Obama's election, however, have proven to be particularly dramatic in terms of the speed at which they have been implemented, their scope and their significance.

Indeed, since President Obama took office on Jan. 20, 2009, the EPA has reviewed, and in many cases rescinded, revised or delayed, the implementation of significant Bush administration rules and policies affecting virtually every one of the agency's regulatory programs.

The broad sweep of changes in the EPA, and its demonstrated willingness to reconsider its prior position on a variety of issues, presents both potential pitfalls and opportunities for those with an interest in the agency's regulatory and enforcement programs.

Compliance and Enforcement

As with any change to an EPA regulatory program, the failure to comply with newly imposed requirements can result in violations, enforcement actions, significant administrative penalties, as well as civil and criminal liability.

The failure to remain informed of rapidly changing regulatory requirements, or the adoption of new interpretations of existing requirements, therefore can have serious consequences for the uninformed. This is especially true now, as the EPA intends to significantly step up its enforcement efforts.

Although the EPA's new enforcement priorities are still evolving and hard numbers regarding the agency's enforcement efforts are not yet available, the regulated community should expect an increase both in the number of enforcement actions initiated and the vigor with which they are prosecuted.

Enforcement actions that have remained dormant for nearly a decade under the Bush administration are being revived, information requests are being sent out, and potential cases prepared.

In addition, sources within the EPA have indicated that the agency intends to more aggressively prosecute enforcement actions, by restricting the use of tolling agreements during administrative settlement negotiations, facilitating the sharing of information between the EPA and the U.S. Department of Justice,

and increasing the number of cases referred to the DOJ for civil and criminal enforcement.

The EPA's budget requests confirm this new emphasis on increased enforcement. The agency sought and was awarded approximately \$600 million for enforcement in fiscal year 2010. This is the largest enforcement budget ever sought by the agency.

A portion of this request would be used to fund the addition of up to 30 civil and criminal enforcement staff. In addition, the agency is seeking to direct \$184 million to its CERCLA, or Superfund, enforcement program.

The rapidly evolving regulatory scheme and an increased focus on enforcement efforts make it critically important for members of the regulated community — and the lawyers that advise them — to remain informed about changing regulatory requirements.

Now, perhaps more than any time in recent memory, they also must be proactive in ensuring compliance by employing tools such as audits and site visits.

The costs of a robust compliance program quite simply pale in comparison to the defense costs, penalties and negative publicity associated with an actual or even threatened enforcement action.

Opportunities for Input

Less obvious than compliance and enforcement, but equally important, are the opportunities to participate in the process of shaping agency policy and the development of the administrative records that will provide the basis for any future agency actions.

Under the Obama administration, the EPA has already agreed to reconsider a host of formal rules and policies established by the previous administration, with potential implications for virtually every sector of the regulated community and of the economy as a whole.

For example, in the Clean Air Act's New Source Review program alone, the EPA has, since Jan. 20, 2009, formally granted requests to reconsider Bush-era rules and policies governing fine particulate matter (PM_{2.5}), fugitive emissions, recordkeeping requirements and the application of the "aggregation" principle.[1]

Likewise, in what is perhaps the most striking example of the shift between EPA policy under the Bush and Obama administrations, the EPA has taken the first steps toward the regulation of greenhouse gas emissions.

To that end, in just over five months, the EPA has formally agreed to reconsider the Bush administration's policy concerning the regulation of greenhouse gases under the Clean Air Act's Prevention of Significant Deterioration ("PSD") program;[2] issued a proposed endangerment finding regarding greenhouse gas emissions from mobile sources and a long-awaited greenhouse gas reporting rule;[3] and left open the possibility of state regulation exceeding the current requirements of federal law.[4]

While the passage of federal climate change legislation may moot some of these regulatory actions, such legislation will only reinforce the central role that the EPA will play in the implementation of any congressional plan to reduce nationwide greenhouse gas emissions.

Other changes are also on the way. For example, for the first time in nearly 35 years, the EPA has proposed, and is currently seeking comment on, a rule strengthening the primary National Ambient Air Quality Standard for nitrogen dioxide ("NO₂") by, among other measures, establishing a one-hour NO₂ standard.[5]

The EPA is also considering revisions to controversial rules promulgated under the Bush administration amending the definition of "solid waste" under the Resource Conservation and Recovery Act,[6] planning to withdraw the "comparable fuels" rule that reclassified certain manufacturing byproducts as nonwastes,[7] and proposing stringent new engine and fuel standards for large, ocean-going vessels.[8] These are just a few examples.

These ongoing revisions to EPA rules and policies present opportunities for members of the regulated community to participate in the development of agency policy going forward.

As the above developments indicate, these opportunities may come in many different forms, including

formal notice and comment rulemaking, invitations for input at public meetings and the solicitation of comments prior to the issuance of proposed rules, and the reopening of the administrative record to reconsider previously promulgated rules and policies.

It is therefore important for interested parties to engage the agency or forego opportunities both to participate in the development of policy and to build a record for potential challenges to final agency determinations.

Litigation and Permitting Decisions

In addition to the development of formal rules and policies, the EPA has demonstrated its willingness to revisit and abandon permitting decisions and litigation positions consistently taken by the agency only months ago.

Indeed, in a number of recent cases, the agency has boldly reversed its litigation position, electing to reconsider permits that the Bush administration had previously issued.

For example, on April 27, 2009, the EPA filed a motion with the Environmental Appeals Board to remand a PSD permit for the proposed Desert Rock coal-fired power plant in New Mexico for further consideration of several issues, including the facility's CO₂ emissions and the use of the pollution control technology Integrated Gasification Combined Cycle, or "IGCC."^[9]

Prior to the filing of this motion for voluntary remand, the EPA had consistently taken the position that CO₂ emissions and IGCC need not be considered in issuing PSD permits to new coal-fired power plants. Similarly, within weeks of President Obama's inauguration, the EPA moved to dismiss its previously filed petition for writ of certiorari with the United States Supreme Court that sought to uphold the Clean Air Mercury Rule, a key component of the Bush administration's "Clear Skies Initiative" that had been invalidated by the D.C. Circuit Court of Appeals.^[10]

In May 2009, the EPA yet again reversed itself, this time submitting a brief opposing an en banc rehearing of a D.C. Circuit decision that had vacated a separate Bush-era rule exempting from permitted emission limits those hazardous air pollutants emission exceedances occurring during "upset" events (i.e., startup, shutdown and malfunction).^[11]

In both instances, the EPA's pleadings mark the formal abandonment of the agency's previous litigation posture, and further confirm that Bush-era agency positions are afforded little, if any, deference by the current administration.

The EPA's willingness to reconsider permitting decisions and litigation positions suggests that permittees and others with a vested interest in pending litigation can no longer rely on the agency to prosecute and defend actions taken by the agency just a few months ago.

Conclusion

The dramatic reversal of past EPA policy by the Obama administration has been met with mixed reviews. Environmental groups in most instances have lauded the EPA's decisions to revisit the Bush administration's interpretations of environmental statutes and regulations, and praised what they have called a return to science-based policy at the agency.

Others, particularly some in the business community, have questioned the wisdom of such dramatic changes in EPA practice.

These interested parties have argued that such remarkable changes in the agency's interpretation of the environmental statutes it enforces both upset settled expectations and undermine the credibility of the agency and the processes it employs to develop those interpretations.

Whatever the merits of these respective positions, the EPA's actions under the Obama administration serve as a stark reminder of both the breadth of the EPA's discretion and the need for interested parties to look for and recognize the many opportunities and pitfalls that such vigorous agency activity presents. Elections do, indeed, have consequences.

John Bottini and John Fortuna are both associates with King & Spalding in the firm's Atlanta office. The opinions expressed are those of the authors and do not necessarily reflect the views of Portfolio Media, publisher of Law360.

[1] See Letter from Lisa P. Jackson to Paul R. Cort (Apr. 24, 2009) (granting Sierra Club and the Natural Resource Defense Council's ("NRDC") petition for reconsideration of specific provisions of EPA's PM_{2.5} Implementation Rule, 73 Fed. Reg. 28,321 (May 16, 2008)); Letter from Lisa P. Jackson to John Walke (Apr. 24, 2009) (granting NRDC's petition for reconsideration of EPA's Fugitive Emissions Rule, 73 Fed. Reg. 77,882 (Dec. 19, 2008)); Letter from Lisa P. Jackson to Anne Milgram (Apr. 24, 2009) (granting the State of New Jersey's petition for reconsideration of EPA's New Source Review "Reasonable Possibility in Recordkeeping" rule, 72 Fed. Reg. 72,607 (Dec. 21, 2007)); Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NSR): Aggregation, 74 Fed. Reg. 7,193 (Feb. 13, 2009) (granting NRDC's petition for reconsideration of EPA's New Source Review "Aggregation" Rule, 74 Fed. Reg. 2,376 (Jan. 15, 2009)).

[2] Letter from Lisa P. Jackson to David Bookbinder (Feb. 17, 2009) (granting Sierra Club and others' petition for reconsideration of former EPA Administrator Stephen Johnson's Dec. 18, 2008, memorandum defining the pollutants subject to regulations under the Clean Air Act's PSD program).

[3] Proposed Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act, 74 Fed. Reg. 18,886 (Apr. 24, 2009); Mandatory Reporting of Greenhouse Gases, 74 Fed. Reg. 16,448 (Apr. 10, 2009).

[4] For example, at the request of the California Air Resources Board, EPA recently granted California's requested waiver of preemption under the Clean Air Act enabling the state to enforce its own greenhouse gas emissions standards for new motor vehicles — a waiver that the Bush-era EPA had denied. See California State Motor Vehicle Pollution Control Standards; Notice of Decision Granting a Waiver of Clean Air Act Preemption for California's 2009 and Subsequent Model Year Greenhouse Gas Emission Standards for New Motor Vehicles (June 30, 2009), available at www.epa.gov/otaq/climate/ca-waiver.htm.

[5] See Proposed Rule, Primary National Ambient Air Quality Standard for Nitrogen Dioxide, Docket ID No. EPA-HQ-OAR-2006-0922, available at www.epa.gov/air/nitrogenoxides/pdfs/20090626proposal.pdf.

[6] See Definition of Solid Waste Public Meeting, 74 Fed. Reg. 25,200 (May 27, 2009). EPA's decision to seek comment on possible revisions was prompted by a petition by the Sierra Club, and opposed by industry groups, requesting that the agency repeal the October 2008 revisions to the definition of solid waste rule and stay the implementation of the rule.

[7] Press Release, EPA Announces Next Steps on Two Hazardous Waste Rules (May 5, 2009).

[8] See Notice of Proposed Rulemaking: Control of Emissions from New Marine Compression-Ignition Engines at or Above 30 Liters per Cylinder (June 26, 2009), available at www.epa.gov/otaq/regs/nonroad/marine/ci/c3reg.pdf.

[9] EPA Region 9's Motion for Voluntary Remand, In re Desert Rock Energy Company LLC, PSD Appeal Nos. 08-03, 08-04, 08-05, 08-06 (E.A.B. Apr. 27, 2009) (docket available at yosemite.epa.gov/oa/EAB_Web_Docket.nsf/f22b4b245fab46c6852570e6004df1bd/7c0e2fa7cd40282f852574a900678970!OpenDocument).

[10] See *New Jersey v. EPA*, 513 F.3d 574 (D.C. Cir. 2008).

[11] See *Sierra Club v. EPA*, 551 F.3d 1019 (D.C. Cir. 2008).

Richard Windsor/DC/USEPA/US
10/06/2009 07:13 PM

To Adora Andy
cc
bcc
Subject Re: CEI: GOV-FUNDED RESEARCH UNIT DESTROYED CLIMATE DATA

Tx
Adora Andy

----- Original Message -----

From: Adora Andy
Sent: 10/06/2009 06:27 PM EDT
To: Richard Windsor; David McIntosh; Bob Sussman; Lisa Heinzerling
Cc: Brendan Gilfillan; Betsaida Alcantara; Allyn Brooks-LaSure; Arvin Ganesan; Seth Oster; Michael Moats
Subject: CEI: GOV-FUNDED RESEARCH UNIT DESTROYED CLIMATE DATA

I'm sending you this stuff because Greenwire/NYT is asking for comment by tomorrow morning. Working on that now, but just a heads up:

Competitive Enterprise Institute:

Govt-Funded Research Unit Destroyed Original Climate Data

CEI Petitions EPA to Reopen Global Warming Rulemaking

Washington, D.C., October 6, 2009—In the wake of a revelation by a key research institution that it destroyed its original climate data, the Competitive Enterprise Institute petitioned EPA to reopen a major global warming proceeding.

In mid-August the University of East Anglia's Climate Research Unit (CRU) disclosed that it had destroyed the raw data for its global surface temperature data set because of an alleged lack of storage space. The CRU data have been the basis for several of the major international studies that claim we face a global warming crisis. CRU's destruction of data, however, severely undercuts the credibility of those studies.

In a declaration filed with CEI's petition, Cato Institute scholar and climate scientist Patrick Michaels calls CRU's revelation "a totally new element" that "violates basic scientific principles, and "throws even more doubt" on the claims of global warming alarmists.

CEI's petition, filed late Monday with EPA, argues that CRU's disclosure casts a new cloud of doubt on the science behind EPA's proposal to regulate carbon dioxide. EPA stopped accepting public comments in late June but has not yet issued its final decision. As CEI's petition argues, court rulings make it clear that agencies must consider new facts when those facts change the underlying issues.

CEI general counsel Sam Kazman stated, "EPA is resting its case on international studies that in turn relied on CRU data. But CRU's suspicious destruction of its original data, disclosed at this late date, makes that information totally unreliable. If EPA doesn't reexamine the implications

of this, it's stumbling blindly into the most important regulatory issue we face.”

Among CRU's funders are the EPA and the U.S. Department of Energy – U.S. taxpayers.

> Read the [CEI petition to the EPA](#).

> Read more about the data dump: [The Dog Ate Global Warming](#) , by Patrick J. Michaels.

Adora Andy
Press Secretary
U.S. Environmental Protection Agency
Office of Public Affairs
202-564-2715
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Richard
Windsor/DC/USEPA/US
09/16/2009 06:07 PM

To Adora Andy
cc
bcc
Subject Re: FYI: NEED FOR EPA IG INVESTIGATION OF
TREATMENT OF BLACK COMMUNITIES

Yup. Tx.
Adora Andy

----- Original Message -----

From: Adora Andy

Sent: 09/16/2009 05:54 PM EDT

To: Richard Windsor; Allyn Brooks-LaSure; Seth Oster

Subject: FYI: NEED FOR EPA IG INVESTIGATION OF TREATMENT OF BLACK

COMMUNITIES

Making sure you saw this:

Dissident Voice Blog:

Need for EPA Inspector General Investigation of Region 4 Treatment of Black Communities

by Robert D. Bullard / September 14th, 2009

President Barack Obama made a bold move this year by selecting [Lisa P. Jackson](#), the first African American to the EPA. Now he is set to select EPA regional administrators—ten important and powerful posts that can reshape the agency to provide equal protection for all. Historically, regional administrators have served as a bridge between EPA headquarters and the state and local governments. While on the surface this traditional role may be appealing to state and local government officials who would move the center of power and authority away from Washington, DC to regional offices, it has been a disaster for African Americans in [Region 4](#), eight states in the Deep South (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee).

Fundamental change is needed in Region 4, a region which has a legacy of slavery, Jim Crow segregation, and resistance to civil rights and equal environmental protection. It is not an accident that the modern civil rights movement and environmental justice movement were born in the South. Nearly four decades of Region 4 harmful and discriminatory decisions have turned too many black communities into the [dumping grounds](#), lowering nearby residents' property values, stealing their wealth, and exposing them to unnecessary environmental health risks. There is a clear need for an EPA Office of Inspector General ([OIG](#)) investigation of Region 4 enforcement, waste management, facility permitting, hazardous waste cleanup and disposal, and property assessments and relocation pre- and post-closure. Environmental Justice [Executive Order 12898](#), with specific emphasis on the treatment of African Americans in the region. Unequal protection threatens the health and safety of millions of African Americans in the region.

A 1992 *National Law Journal* special report uncovered glaring inequities in the way the EPA enforces its Superfund laws placing communities of color at special risk—with White communities seeing faster action, better results and stiffer penalties than communities where blacks, Hispanics and other people of color live and with unequal protection often occurring whether the community is wealthy or poor.

The 2007 [Toxic Wastes and Race at Twenty](#) report found people of color make up about one third of the nation's population and more than 56 percent of the residents living in neighborhoods within two miles of commercial hazardous waste facilities and 69 percent of the residents in neighborhoods with clustered facilities. Although African Americans and other people of color comprise 28.5 percent of EPA Region 4 population, they are overrepresented

among residents living within two miles of commercial hazardous waste facilities in EPA Region 4 states: Alabama (66.3%), Florida (52.7%), Georgia (55.6%), Kentucky (51.5%), Mississippi (50.6%), North Carolina (55.9%), South Carolina (43.9), and Tennessee (53.8%).

African Americans make up 21 percent of the population in Region 4. Except for Florida, African Americans comprise the largest ethnic minority in the region. Hispanics make up 20.1 percent of Florida's population compared to 15.3 percent African Americans. African Americans comprise 26.3 percent in Alabama, 29.6 percent in Georgia, 7.6 percent in Kentucky, 37.1 percent in Mississippi, 21.3 percent in North Carolina, 28.6 percent in South Carolina and 16.6 percent in Tennessee.

Many of the bad Region 4 EPA waste facility permitting and disposal decisions flow directly from backroom deals and compromises made with state and local government officials, often at the expense of African Americans and people of color communities. Communities on the fenceline with polluting facilities have suffered the brunt of the bad decisions.

Sumter County, Alabama (1974)

In 1974, EPA nominated Sumter County, Alabama as a possible hazardous waste landfill site. The county, located in the heart of Alabama's Black Belt, is 71.8 percent black. Over 35.9 percent of the county's population is below poverty. In 1977, Resource Industries Inc. purchased a 300-acre tract of land just outside of Emelle, Ala. where 90 percent of the residents are black. The permit for the facility was approved by the Alabama Department of Environmental Management (ADEM) and EPA Region 4 over opposition of local residents who thought they were getting a brick factory. In 1978, Chemical Waste Management, a subsidiary of Waste Management Inc. bought the permit from Resource Industries Inc. and opened the nation's largest hazardous waste landfill, often tagged the Can of Dumps.

Sumter County has a legacy of farming and cotton production dating back to the plantation system of slavery and sharecropper tenant farming system that followed. The hazardous waste facility was lured to the predominately black county during a period when the residuals of Jim Crow segregation still ruled the day. No blacks had held public office or sat on governing bodies from the predominately county, including the state legislature, county commission or industrial development board from the county.

Warren County, North Carolina (1979)

Between June 1978 and August 1978, over 30,000 gallons of waste transformer oil contaminated with polychlorinated biphenyls (PCBs) were illegally discharged on roadsides in fourteen North Carolina counties. The PCBs resulted in the U.S. EPA designating the roadsides as a superfund site to protect public health. North Carolina needed a place to dispose of the PCB-contaminated soil that was scraped up from 210 miles of roadside shoulders. In 1979, North Carolina Department of Environment and Natural Resources (DENR) along with EPA Region 4 selected rural, poor and mostly black Warren County as the site for the PCB landfill.

In 1982, the local National Association for the Advancement of Colored People (NAACP) filed suit in district court to block the landfill. The residents lost their case in court despite the fact that the Warren County PCB Landfill site is not scientifically the most suitable because the water table at the landfill is very shallow, only 5-10 feet below the surface and where the residents of the community get all of their drinking water from local wells. William Sanjour, head of the EPA's hazardous waste implementation branch, questioned the Warren County landfill siting decision. The first truckload of contaminated soil that arrived at the landfill in September 1982 was met by protesters. More than 500 demonstrators were jailed protesting the landfill, sparking the national Environmental Justice Movement.

Warren County which was 54.5 percent black in 1980 is one of six counties in North Carolina's "Black Belt." The other North Carolina counties where African Americans comprise a majority of the population include Bertie County (62.3%), Hertford (59.6%), Northhampton (59.4%), Edgecombe (57.5%), Warren (54.5%), and Halifax (52.6%).

Eastern North Carolina is also significantly poorer than the rest of the state.

Region 4 and North Carolina officials insisted the PCB landfill was safe and would not leak. They were dead wrong. Warren County resident Dolly Burwell and her fellow protesters were right. The landfill was suspected of leaking

early as 1993. It took more than two decades for Warren County residents to get the leaky landfill site detoxified the state and federal government. In all, a private contractor was paid \$18 million to dig up and burn more than 8 tons of contaminated soil in a kiln on site.

Dickson County, Tennessee (1988)

The collaborations between EPA Region 4, the State of Tennessee, and the City and County of Dickson failed to protect the health and the environment of a black family who lives in Dickson's Eno Road community. EPA Region 4 records indicate that trichloroethylene or TCE, a "reasonably anticipated to be a human carcinogen," was found in the Harry Holt family's wells as early as 1988, the same year the Tennessee Department of Environment and Conservation (TDEC) issued a permit to Dickson County for operation of a sanitary landfill in Dickson's mostly white Eno Road community.

A 1991 EPA Site Inspection Report completed by Haliburton documents several state and federal approved contamination cleanups (i.e., wastes from on-site industrial dumps, plant contamination, soil containing TCE, benzene, toluene, ethylbenzene, xylenes and petroleum hydrocarbons from underground storage tank cleanups, and wastes from a train derailment) from mostly white areas in Dickson County were trucked to the landfill on Eno Road. A Region 4 chronology shows that in December 1988, TDEC sent letters to the Harry Holt family informing them of the test results and the finding of contaminants in their wells. The letter states: "Your water is of good quality for all parameters tested. It is felt that the low levels of methylene or trichloroethene may be due to either lab or sampling error." On December 3, 1991, EPA Region 4 sent the Harry Holt family a letter informing him of three tests performed on his well and deemed it safe. The letter states: "Use of your well water should not result in any adverse health effects."

A December 17, 1991 TDEC internal memorandum expressed some concern about the level of TCE contamination found in the Holt's well and recommended the well continue to be sampled. However, no government tests were performed on the Holts wells between January 1, 1992 and October 8, 2000, an eight year and nine-month gap in testing, even though government tests were conducted nearly each year on private wells and springs located within one and two-mile radius of the leaky landfill. In 1995, government tests were performed on nearby private wells, springs, duck ponds, and even a well at the Humane Society of Dickson County (410 Eno Road), located across the street from the Holt's homestead (340 Eno Road). In April 1997, TCE was detected in water from a production well (DK-21) operated by the City of Dickson and located northeast of the landfill. The city well was later closed. The Holt family's well lies between the landfill and the DK-21 well.

Tests were finally conducted on the Harry Holt well on October 9, 2000—where results registered 120 ppb TCE. A second test on October 25, 2000 registered 145 ppb—24 times and 29 times, respectively, higher than the maximum contaminant level (MCL). The Holts were placed on the city water system on October 20, 2000—twelve years after the first government test found TCE in their well in 1988.

Escambia County, Florida (1991)

Margaret Williams, a 73 year old retired Pensacola, Florida school teacher, led a five-year campaign against EPA Region 4 to get her entire community relocated from environmental and health hazards posed by the 26-acre Escambia Treating Company (ETC) contamination, the nation's third largest Superfund site. In 1991, EPA inspectors found that leaking drums had contaminated the site with dioxin, one of the most dangerous compounds ever made, nine years after it was abandoned by the owner.

The ETC site was dubbed "Mount Dioxin" because of the 60-foot high, 1000 feet long, and 40 feet wide mound of contaminated soil an EPA contractor dug up from the neighborhood and covered with plastic tarp. Some residents described EPA's plastic cover as a "Ban-Aid on a cancer." By January 1993, the L-shaped mound held more than 255,000 cubic yards of soil contaminated. In December 1994, the ETC site was placed on the Superfund National Priorities List (NPL).

Because of the reckless digging, bulldozing, and faulty containment of the dust and runoff from the site, Margaret Williams help start Citizens Against Toxic Exposure or CATE. During excavation in 1992, residents living in ne

Rosewood Terrace, Oak Park, Goulding, and Clarinda Triangle communities constantly complained to Region 4 officials about acute respiratory problems, headaches, nausea, skin rashes, and other ailments.

CATE also questioned the fairness of EPA's site plan. Region 4 officials first proposed to move only 66 households most affected by the Superfund site. After prodding from CATE, EPA then added 35 more households for a total of \$7.54 million. The original Region 4 [plan](#) left behind 257 households or nearly three-quarter of the households in the impacted area, including an apartment complex.

CATE refused to accept any relocation plan unless everyone was moved. The partial relocation was tantamount to partial justice. CATE took its campaign on the road to EPA's National Environmental Justice Advisory Council (NEJAC). In May 1996, the group was successful in getting EPA's NEJAC Waste Subcommittee to hold a [Superfund Relocation Roundtable](#) in Pensacola. At this meeting, CATE's total neighborhood relocation plan won the backing of more than 100 grassroots organizations. EPA nominated the Escambia Wood Treating Superfund site as the country's first pilot program to help the agency develop a nationally consistent relocation policy that would consider not only toxic levels but welfare issues such as property values, quality of life, health and safety.

On October 3, 1996, EPA officials agreed to move all 358 households from the site at an estimated cost of \$18 million. EPA officials deemed the mass relocation as "cost efficient" after city planners decided to redevelop the site for light industry rather than clean the site to residential standards. After more than a dozen neighborhood relocations across the nation, the Escambia County decision marked the first time that an African American community had been relocated under EPA's Superfund program and was hailed as a landmark victory for environmental justice.

On July 8, 2009, the [last shovel](#) last shovel of soil from the ETC stockpile was excavated and permanently interred along with approximately 500,000 cubic yards of contaminated soil in an 18-acre on-site containment cell. The formerly cleaned up site will provide nearly 100-acres of real estate for redevelopment into the Palafox Midtown Commerce Park.

Relocation was only a partial victory for the residents since they still faced discrimination in their property assessments. Many residents received artificially "low" assessment and were not "made whole" as promised by the government. The first wave of property appraisals ranged from \$20,000 to \$27,000—far less than comparable homes sold in the area valued at \$134,900 to \$135,000. The racism did not stop with the property appraisals. It also extended to the Region 4 buyout plan—with Pensacola residents paying a "[hidden cost](#)" of being black.

A March 1998, EPA Office of Inspector General (OIG) [report](#) indicates that white homeowners in Pennsylvania, [Region 3](#), were given a better deal for their loss than the black residents in Florida, Region 4. Forty homeowners in an all-white neighborhood were relocated from the contaminated [Austin Avenue Radiation Site](#) in Delaware County, Pa. Region 3 took extra steps and expense to make the white homeowners whole. For example, 18 of the 40 homes were decontaminated at a cost of \$24 million while the residents were placed in temporary housing. The Pensacola residents had to suffer through and endure the cleanup while still in their homes. The other 22 Delaware County homeowners were given the option either to relocate or have new homes built under a program that cost an additional \$24 million.

Region 4 offered to buy Pensacola, Fla. African American homeowners existing homes in their price range. On the contrary, Region 3 offered the Delaware County, Pa. white homeowners brand new homes that cost an average of \$651,700 each. These types of glaring inequities should not exist if there is one EPA and one set of rules that apply equally to all Americans, regardless of region or race.

Perry County, Alabama (2009)

In December 2008, a wall holding back 80 acres of [sludge](#) from the Tennessee Valley Authority (TVA) [Kingston Fossil Plant](#) broke spilling more than 500 million gallons of toxic [coal ash](#) over a dozen homes and up to 400 acres of the surrounding landscape, endangering aquatic life and the water supply for more than 25,000 residents. Six months after this tragedy in July 2009, a major environmental injustice was perpetrated by EPA Region 4 [approval](#) of TVA's decision to [ship](#) 5.4 million cubic yards of toxic coal ash by railcar from the mostly white east Tennessee Roane County to a landfill located in the heart of the Alabama Black Belt, Perry County (69% African-American with n

than 32% of its residents living in poverty) and to rural Taylor County, Georgia (41% of the population is African-American and more than 24% of residents live in poverty).

Region 4 justifies the Perry County decision in its “Frequently Asked Questions ([FAQs](#)) by declaring the Arrowhead Landfill to be located in “an isolated area, surrounded by large tracts of property, farms and ranches.” However, “isolated” is not defined. There are black home owners and black cattle farmers who live across from the landfill. The agency goes on to state that the “nearest residence is approximately 250 to 300 feet away from the site.” It failed to report how many homes and households line Cahaba Road (County Road 1) and Whitehill Road—two major roads that buttress the landfill property.

An established black community exists on two sides of the landfill with a population large enough to support at least three churches (Star Bethel Church, Living Hope Baptist Church, and Shady Grove Church). An old cemetery is located near the entrance of the landfill on County Road 1 and another cemetery was found during the construction of the landfill, which provides further support for the historic nature of the community that borders the landfill.

The FAQs also failed to report how many families in the adjacent community are on well water. Nowhere in the FAQs does the term “environmental justice” appear. No report has been made public to date indicating that Region 4 conducted an environmental justice analysis on its Perry County decision as called for under the 1994 Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which seeks “to ensure that no segment of the population, regardless of race, color, national origin, income, or net worth bears disproportionately high and adverse human health and environmental impacts as a result of EPA’s policies, programs and activities.” Under this Order, each Federal agency must make achieving environmental justice a part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health and environmental effects of its programs, policies, and activities on minorities and low-income populations.

EPA Region 4 had enough time to conduct a comprehensive environmental justice analysis between December 2, 2008 and July 2, 2009, a full five months, to answer these and other related equity questions about the potential adverse and disproportionate impact of its decision on low-income and minority populations.

Perry County is not the only Alabama black belt county [targeted](#) for waste dumping. In 2000, national civil rights and environmental justice groups successfully blocked landfills from being built in Macon County (86.4% black) near Tuskegee University and in Lowndes County (75.7% black) off U.S. 80 Highway, designated in 1996 the [Selma to Montgomery National Historic Trail](#). Some waste companies and government agencies see nothing wrong with “trashing” Black History or black communities. Six years later, in 2006, Perry County’s Uniontown residents fought the Arrowhead Landfill. However, without national support, Perry County residents were not able to stop the landfill from being built and permitted.

It is time for this toxic [Dumping in Dixie](#) madness in Region 4 to end. It is time for bold leadership and real change in the region.

Adora Andy
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Richard Windsor/DC/USEPA/US
09/16/2009 11:36 AM

To Adora Andy
cc
bcc
Subject Re: Google Alert - lisa jackson epa

:)

From: Adora Andy
Sent: 09/16/2009 11:32 AM EDT
To: Richard Windsor; "Seth Oster" <oster.seth@epa.gov>; "Allyn Brooks-LaSure" <brooks-lasure.allyn@epa.gov>
Subject: Re: Google Alert - lisa jackson epa

Maybe ours should be "Life in the HOV lane?"

From: Richard Windsor
Sent: 09/15/2009 08:00 PM EDT
To: "Seth Oster" <oster.seth@epa.gov>; "Allyn Brooks-LaSure" <Brooks-lasure.allyn@epa.gov>; Adora Andy
Subject: Fw: Google Alert - lisa jackson epa

Lahood's blog - called welcome to the fast lane. :)

From: Google Alerts [googlealerts-noreply@google.com]
Sent: 09/15/2009 11:48 PM GMT
To: Richard Windsor
Subject: Google Alert - lisa jackson epa

Google Blogs Alert for: **lisa jackson epa**

[Matthew Yglesias » About that **EPA** Regulatory Authority](#)

By myglesias

About that **EPA** Regulatory Authority. **Lisa Jackson**. Ted suggests that I might want to start taking my cues from Katherine Weymouth and offer some cheerier stories: Also, Matt, I think *your* readers might appreciate some cheerier stories ...

[Matthew Yglesias - http://yglesias.thinkprogress.org/](http://yglesias.thinkprogress.org/)

[ECO-BUSINESSWIRE.COM » Everything you always wanted to know about ...](#)

By rafael

Lisa Jackson's EPA has been hashing through the issues quickly. The final endangerment finding is coming soon, the mobile-source proposal is already on paper, and the stationary-source regulations ... well, they're another matter. ...

[ECO-BUSINESSWIRE.COM - http://news.eco-businesswire.com/](http://news.eco-businesswire.com/)

[Welcome to the Fast Lane: The Official Blog of the U.S. Secretary ...](#)

By Ray LaHood

This is one of those days when I am so clearly reminded of why I joined this Administration. Today, **EPA** Administrator **Lisa Jackson** and I announced a proposed rule that would bring our nation a step closer to a

future...

[Welcome to the Fast Lane: The... - http://fastlane.dot.gov/](http://fastlane.dot.gov/)

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Richard Windsor/DC/USEPA/US
04/14/2010 03:31 PM

To Adora Andy
cc
bcc
Subject Re: Ken Ward: Rep. Capito turns focus back on attacking EPA

Yup. Tx.
Adora Andy

----- Original Message -----

From: Adora Andy
Sent: 04/14/2010 03:26 PM EDT
To: Michael Moats; "Brendan Gilfillan" <gilfillan.brendan@epa.gov>; "Betsaida Alcantara" <alcantara.betsaida@epa.gov>; Alisha Johnson; Peter Silva; "Richard Windsor" <windsor.richard@epa.gov>; Bob Perciasepe; Diane Thompson; "Bob Sussman" <sussman.bob@epa.gov>; David McIntosh; "Seth Oster" <oster.seth@epa.gov>; "Allyn Brooks-LaSure" <brooks-lasure.allyn@epa.gov>; "Arvin Ganesan" <ganesan.arvin@epa.gov>; Stephanie Owens
Subject: Ken Ward: Rep. Capito turns focus back on attacking EPA
Rep. Capito turns focus back on attacking EPA
April 14, 2010
by Ken Ward Jr.

This statement just came in from the office of Rep. Shelley Moore Capito, R-W.Va.: WASHINGTON—Rep. Shelley Moore Capito, R-W.Va., made the following opening statement at today's Select Committee on Energy Independence and Global Warming's hearing titled, "The Role of Coal in the New Energy Age": "Mr. Chairman, thank you for hosting today's important hearing. "Even though today's hearing focuses on the role of the coal industry in the new age, I think it is important for us to recognize the sacrifice miners make to provide the energy and power so many of us take for granted. "Last week's mine disaster at Montcoal, WV that killed 29 miners was the worst in the U.S. coal industry in 40 years. "Just four years ago, 12 people were killed at the Sago Mine disaster in my district. With the investigation underway and as further details are available on the cause of the accident, we must continue our commitment to keep our miners safe. "The Upper Big Branch Mine disaster only furthers people's poor image of mining and has led many to discuss the future of coal. "Coal is a prime energy source throughout the world. Fast-growing countries such as China and India rely on the low-cost fuel to meet their electricity demand. "Here in the United States, coal is our nation's most abundant domestic energy resource with recoverable reserves sufficient to last 250 years. Coal currently fuels more than 50% of all electricity generation in the United States. "In my home state of West Virginia, 98% of our electricity comes from coal. "It provides 125,000 direct high-paying jobs for U.S. coal miners and supports hundreds of thousands of additional jobs throughout the supply chain. "When considering the future of coal in the global warming debate, the first thing that we need to remember is that climate change and energy policies are inextricably connected with economic, environmental and social issues. "Last year, the House passed the American Clean Energy and Security Act. I did not support the legislation because I believe it stood to push energy prices upward and threaten an economy that is already in trouble. "A tax increase on carbon dioxide emissions will come directly out of customers' pockets in the form of higher electric rates. "Manufacturing output would also fall considerably. Manufacturing firms who have traditionally relied on low and stable electric rates in our states will be subject to massive cost increases, likely forcing them out-of-business or to relocate their operations overseas. "Instead, we need to do much more accelerate the development of advanced clean coal technologies, including and most importantly, carbon capture and storage technologies (CCS). Carbon capture is important to West Virginians and ensuring our national energy independence. Without it, we deprive ourselves of the most effective tool for addressing CO2 emissions from coal. "We need to provide sufficient funding and incentives to accelerate the development, demonstration and broad commercial deployment of CCS technologies. "The American Electric Power Mountaineer Plant located in New Haven, WV represents an important milestone in our efforts to bring CCS online. The facility began operations last fall and captures and stores approximately

100,000 metric tons of carbon dioxide per year. The Mountaineer Plant is the first demonstration of CCS from an existing coal-fueled power plant. "The implementation of CCS technology will not only benefit a state like mine with jobs and revenue, it will also benefit our nation by making clean coal a reality." In addition to climate change, coal has been the subject of continued federal scrutiny for its impact on water quality. "Recent action by the Obama Administration and the EPA to further scrutinize mining permits only confirms their anti-coal agenda." The Minority Staff of the Senate Committee on Environment and Public Works initiated an investigation into EPA's handling of Clean Water Act Section 404 permits for coal mining in Appalachia and found that in 2009, EPA froze 235 coal mining 404 Permits, claiming that additional time was needed to assess the environmental impacts of mining operations. "Since the initiation of the investigation, EPA issued 45 of the 235 permits. To date, there are 190 permits that EPA continues to hold for operations including surface, underground and refuse operations." Furthermore, decisions being made by federal environmental regulators are not focused enough on the importance of coal to the economy. In my conversations with Lisa Jackson, the head of the U.S. Environmental Protection Agency, she said that she explicitly omits economic considerations from her decision-making process. "I find this particularly troubling. The EPA's delays in handling these permits will jeopardize jobs in Appalachia and weaken energy security for the nation." Even more disturbing, on March 26, the EPA announced their intent to veto the existing Spruce Mine permit. The Spruce permit is the most scrutinized and fully considered permit in West Virginia's history. The 13-year permitting process included the preparation of a full environmental impact statement. "In the course of the permit's review, EPA had ample opportunity to review and comment on the mine's decision. The EPA also had the chance to use its veto authority at the time the permit was issued instead of waiting until production had started." The decision by the EPA to veto the Spruce permit brings into question the reliability of the entire permitting process and shows their complete disregard for the impacts it will have on West Virginia's economy.

Richard Windsor/DC/USEPA/US
08/24/2009 10:09 PM

To Adora Andy
cc
bcc
Subject Re: LA TIMES: Chamber v EPA

Alrighty then. Tx.
Adora Andy

----- Original Message -----

From: Adora Andy
Sent: 08/24/2009 10:03 PM EDT
To: "Richard Windsor" <windsor.richard@epa.gov>
Cc: "Allyn Brooks-LaSure" <brooks-lasure.allyn@epa.gov>; "Seth Oster" <oster.seth@epa.gov>
Subject: LA TIMES: Chamber v EPA
U.S. Chamber of Commerce seeks trial on global warming

Tue 25 Aug 2009

By Jim Tankersley

Multiple Page View

Reporting from Washington-- The nation's largest business lobby wants to put the science of global warming on trial.

The U.S. Chamber of Commerce, trying to ward off potentially sweeping federal emissions regulations, is pushing the Environmental Protection Agency to hold a rare public hearing on the scientific evidence for man-made climate change.

Chamber officials say it would be "the Scopes monkey trial of the 21st century" -- complete with witnesses, cross-examinations and a judge who would rule, essentially, on whether humans are warming the planet to dangerous effect.

"It would be evolution versus creationism," said William Kovacs, the chamber's senior vice president for environment, technology and regulatory affairs. "It would be the science of climate change on trial."

The goal of the chamber, which represents 3 million large and small businesses, is to fend off potential emissions regulations by undercutting the scientific consensus over climate change. If the EPA denies the request, as expected, the chamber plans to take the fight to federal court.

The EPA is having none of it, calling a hearing a "waste of time" and saying that a threatened lawsuit by the chamber would be "frivolous."

EPA spokesman Brendan Gilfillan said the agency based its proposed finding that global warming is a danger to public health "on the soundest peer-reviewed science available, which overwhelmingly indicates that climate change presents a threat to human health and welfare."

Environmentalists say the chamber's strategy is an attempt to sow political discord by challenging settled science -- and note that in the famed 1925 Scopes trial, which pitted lawyers Clarence Darrow and William Jennings Bryan in a courtroom battle over a Tennessee science teacher accused of teaching evolution illegally, the scientists won.

The chamber proposal "brings to mind for me the Salem witch trials, based on myth," said Brenda

Ekwurzel, a climate scientist for the environmental group Union of Concerned Scientists. "In this case, it would be ignoring decades of publicly accessible evidence."

In the coming weeks, the EPA is set to formally declare that the heat-trapping gases scientists blame for climate change endanger human health, and are thus subject to regulation under the Clean Air Act. The so-called endangerment finding will be a cornerstone of the Obama administration's plan to set strict new emissions standards on cars and trucks.

The proposed finding has drawn more than 300,000 public comments. Many of them question scientists' projections that rising temperatures will lead to increased mortality rates, harmful pollution and extreme weather events such as hurricanes.

In light of those comments, the chamber will tell the EPA in a filing today that a trial-style public hearing, which is allowed under the law but nearly unprecedented on this scale, is the only way to "make a fully informed, transparent decision with scientific integrity based on the actual record of the science."

Most climate scientists agree that greenhouse gas emissions, caused by the burning of fossil fuels and other human activities, are warming the planet. Using computer models and historical temperature data, those scientists predict the warming will accelerate unless greenhouse gas emissions are dramatically reduced.

"The need for urgent action to address climate change is now indisputable," said a recent letter to world leaders by the heads of the top science agencies in 13 of the world's largest countries, including the head of the U.S. National Academy of Sciences.

The EPA's endangerment finding for greenhouse gases, as proposed in April, warned that warmer temperatures would lead to "the increased likelihood of more frequent and intense heat waves, more wildfires, degraded air quality, more heavy downpours and flooding, increased drought, greater sea level rise, more intense storms, harm to water resources, harm to agriculture, and harm to wildlife and ecosystems."

Critics of the finding say it's far from certain that warming will cause any harm at all. The Chamber of Commerce cites studies that predict higher temperatures will reduce mortality rates in the United States.

jtankersley@latimes.com

Richard Windsor/DC/USEPA/US
03/19/2010 03:18 PM

To Adora Andy
cc
bcc

Subject Re: NEWSWEEK: THE GREEN FIGHTER

All Cool ? What happened to the MTM meet?
Adora Andy

----- Original Message -----

From: Adora Andy
Sent: 03/19/2010 03:13 PM EDT
To: Richard Windsor; Seth Oster; Allyn Brooks-LaSure; David McIntosh; Arvin Ganesan; Bob Perciasepe; Bob Sussman; Diane Thompson; Gina McCarthy; Stephanie Owens
Cc: Brendan Gilfillan; Betsaida Alcantara; Michael Moats; Alisha Johnson
Subject: NEWSWEEK: THE GREEN FIGHTER

The Green Fighter

By **Daniel Stone** | NEWSWEEK

Published Mar 19, 2010

From the magazine issue dated Mar 29, 2010

Washington, D.C., is littered with the careers of well-meaning public servants who came to do good but fell victim to politics. Lisa Jackson is determined not to become one of them. As head of the U.S. Environmental Protection Agency, she oversees the quality of America's air and water and monitors pollution levels. It's a job that endears her to green activists (and anyone who likes clean air and water)—but it puts her at odds with some of the nation's largest, richest industries.

For decades, big manufacturers and commercial farmers—who retain powerful lobbyists and make large contributions to the election campaigns of members of Congress—have pushed back against the EPA's efforts to enact stricter controls on pollution. In the George W. Bush years they often got their way, as the EPA rolled back on enforcement.

Now Jackson is out to change that. With the backing of her boss, President Barack Obama, she has announced that unless Congress acts by next January, the EPA will use its authority under America's Clean Air Act to phase in new restrictions on carbon dioxide, the greenhouse gas that contributes to climate change. It's an audacious gambit by a single agency—essentially a threat from Jackson to Congress that unless it gets its act together, she'll move unilaterally. The U.S. emits nearly a quarter of the world's carbon dioxide; late last year EPA scientists identified CO₂ and five other less prominent greenhouse gases as a threat to public health, and Jackson has vowed to cut back on all of them. "The difference between this administration and the last is that we don't believe we have an option to do nothing," she says.

In making her announcement, Jackson and the White House weren't just putting U.S. polluters on notice. They were also sending a symbolic message to Congress and the rest of the world that, 12 years after it refused to sign the Kyoto treaty, and after offering virtually no concessions in Copenhagen, the United States is now taking climate change seriously. It was no coincidence that Jackson released the agency's research on the opening day of December's Copenhagen summit. "These long-overdue findings cement 2009 as the year when the U.S. government began addressing the challenge of greenhouse-gas pollution and seizing the opportunity of clean-energy reform," she said then.

Environmentalists applauded. But three months later, Jackson—a chemical engineer who spent

years working within the EPA bureaucracy—is starting to see how difficult that may be to do back home. Already, powerful interests are lining up against the anticipated changes, which she and agency scientists have promised to detail later this year. Industry groups like the American Public Power Association are readying lobbying campaigns to kill or at least slow the impending regulations, and more than 100 agriculture and energy groups have asked Jackson to stand down. "It will create a huge competitive disadvantage to our industry," says Nancy Gravatt, a spokesperson for the American Iron and Steel Institute. "We already filed a legal challenge. The further this gets, the more of that we will be doing. We will continue to contest this."

Politicians on Capitol Hill are also agitating against the cuts. "Getting climate policy right will take a lot of work and should be done by those elected to Congress," says Republican Sen. Lisa Murkowski of Alaska, one of the nation's largest producers of oil and paper. "We may not be moving as fast as some would like, but we are working. And we're trying to make sure we balance our need to curb emissions with our need for a robust and growing economy. That's a balance the EPA can't guarantee."

Jackson knew that threatening to act by executive fiat wouldn't be popular. But she also knew it would get people's attention, and maybe prod Congress to act. She says that she would prefer to go through—instead of around—Congress. "You can definitely cut emissions through regulation, but a much more efficient way is through legislation," she says. For one thing, Congress could sugarcoat a carbon-cutting bill with tax cuts and other incentives, making it easier to get industry on board.

Jackson's do-it-or-else version contains none of that. Yet despite protests by members of Congress that she is infringing on their turf, leaders on Capitol Hill—bogged down with health-care reform and worried about a double-dip recession—have shown little interest in taking action themselves. Republicans, largely skeptical of climate change, are opposed to steep emissions cuts. And even many Democrats who are sympathetic to the cause in principle don't want to make trouble with big employers (and donors) back in their home districts. (Some lawmakers have introduced protest bills that threaten to rewrite the Clean Air Act to curtail the EPA's power, and even to dry up Jackson's budget. The bills aren't expected to go anywhere, although Jackson says she's prepared to fight such measures if they do.)

The members of Congress who do want to act on global warming recognize that pushing for emissions cuts is the last way to win the support of their colleagues. In the Senate, Democrats John Kerry and Joe Lieberman and Republican Lindsey Graham are working on a broad energy bill that will include government subsidies for businesses to use renewable energy sources. But the measure is expected to be lax on actual carbon reductions, and thus is unlikely to make a meaningful dent in the nation's greenhouse-gas emissions.

The big question in Washington isn't whether the EPA has the authority to go it alone and force polluters to change; the U.S. Supreme Court ruled in 2007 that it does. It's whether the White House is actually serious about carrying out Jackson's plan—or if it is just noisily bluffing to get Congress to move, even if it falls short of Jackson's ambitious proposals to monitor the biggest polluters.

The one to watch for that answer isn't Jackson, but Obama. If the January deadline approaches and Congress still hasn't budged, it will fall to him to decide if he has the stomach to make good on Jackson's ultimatum. It wouldn't be a quiet fight. The other side would attack him as anti-business and anti-job—and that would include some Democrats.

Already there are signs that it may not come to that. As Jackson talks tough about deadlines and cuts—trying to convince industry that the administration is standing behind her plan—the president himself has been notably quiet on the question. His aides, meanwhile, are sending signals that Obama is looking for a way to avoid such a showdown. "The president understands that the EPA must follow the science and its legal obligations," says a White House official who spoke under the usual rules of anonymity. "But he has made abundantly clear that his strong preference is for Congress to pass energy and climate legislation." Hardball Washington

translation: let's make a deal.

Find this article at <http://www.newsweek.com/id/235141>

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Richard Windsor/DC/USEPA/US
08/24/2009 12:18 PM

To Adora Andy
cc
bcc

Subject Re: NRDC: EPA WON'T RESTRICT TOXIC HERBACIDE - WH DOCUMENTS SAY INDUSTRY INFLUENCED DECISION

Am I correct in my understanding that all the allegations are about EPA actions taken in 2003? If so, the title is very misleading.

Adora Andy

----- Original Message -----

From: Adora Andy

Sent: 08/24/2009 11:47 AM EDT

To: Allyn Brooks-LaSure; Seth Oster; Richard Windsor

Subject: NRDC: EPA WON'T RESTRICT TOXIC HERBACIDE - WH DOCUMENTS SAY INDUSTRY INFLUENCED DECISION

EPA Won't Restrict Toxic Herbicide Atrazine, Despite Health Threat

White House documents obtained by NRDC reveal that industry influenced the decision.

The EPA has decided not to limit one of the nation's most widely used weed-killers, a chemical that, according to several recent studies, threatens human health and the environment. The October 2003 decision -- which the EPA was required to make under a court-approved consent decree reached with NRDC in 2001 -- will allow Syngenta, the main manufacturer of atrazine, and other companies to continue to sell the chemical in the United States with no significant restrictions.

To determine whether industry played a role in shaping the EPA's decision, NRDC filed a series of Freedom of Information Act requests with the White House and the EPA, which failed to produce relevant documents. In November 2003, NRDC filed a lawsuit charging that the White House and the agency were violating the freedom of information law by withholding documentary evidence. The following month, the White House released 22 documents, with most of their contents blacked out, including a memo from former senator Bob Dole to a high-level White House official urging the EPA not to restrict the hazardous weed-killer despite the environmental risks. The White House continues to withhold more than 80 other relevant documents.

In a lawsuit filed in August 2003, NRDC charged the EPA with failing to protect endangered species from atrazine, despite having acknowledged that the weed-killer might cause widespread harm to endangered species. NRDC is calling on the EPA to fulfill its obligations under the Endangered Species Act and ban atrazine from the market. NRDC has also asked Syngenta to hand over to the EPA, and to make readily available to the public, any other data it may have on atrazine's health effects.



A 2002 study by Dr. Tyrone Hayes of atrazine's effects on frogs found that sexually mature male

In 2003, Dr. Hayes found that atrazine induced hermaphroditism at 0.1 ppb in American leopard

In announcing its October 2003 decision not to restrict atrazine use, the EPA said it found that atrazine is not likely to cause cancer in humans. However, an August 2003 report from the EPA's independent scientific advisory panel noted that atrazine exposure could not be ruled out as the cause of cancers observed in studies of the chemical.

Several recent studies show that atrazine causes sexual abnormalities in frogs, and another revealed elevated levels of prostate cancer in workers at an atrazine manufacturing plant. Some of the findings resulted from research funded by the manufacturer itself. In at least one case, when the data's damning implications became clear, the company repeatedly insisted on new tests. Indeed, the frog data only became public after the scientist conducting the research ended his contract with the manufacturer -- a company formed by the merger of Novartis and Zeneca and now called Syngenta -- and re-ran his experiment independently.

Because of atrazine's risks, several European countries have already banned the chemical, and the European Union has announced it will ban it entirely by early 2005. In America, though, farmers continue to spray the weed-killer heavily on corn, sugarcane and other crops throughout the country. As a result, some portion of the more than 60 million pounds of atrazine applied annually makes its way into streams, rivers, lakes and drinking water supplies. The problem is at its worst in the spring, when atrazine is applied most heavily, then washed by rain into waterways.

EPA Cut Private Deal with Manufacturers

Under the deal, the EPA will adopt no regulatory restrictions on atrazine use, and more than 96 percent of the streams that the EPA has identified as being at highest risk from atrazine contamination will remain untested by Syngenta. Nor will the EPA take any steps to protect those streams.

The EPA has found that atrazine is toxic to some species in water at levels as low as 2.16 parts per billion (ppb). Under the new agreement, however, Syngenta will only be required to take additional steps, such as increased monitoring, when a stream exceeds a "level of concern" -- apparently a range from 10 to 20 ppb -- over a vaguely defined "prolonged period," and only then for the most contaminated of the 40 monitored streams.

Sexual Deformities in Frogs

Atrazine Application on Corn

Crops by State, 2001	
State	Pounds of Atrazine
CO, GA, KY, NC, ND, NY, PA, SD, TX, WI	Between 166,000 and 1,915,000
MI, MO, MN	Between 1,915,000 and 3,664,000
KS, OH	Between 3,664,000 and 5,413,000
NE	Between 5,413,000 and 7,162,000
IA, IN	Between 7,162,000 and 8,911,000
IL	Between 12,409,000 and 14,158,000
No data or very little data: AL, AR, AZ, CA, CT, DC, DE, FL, ID, LA, MA, MD, ME, MS, MT, NH, NJ, NM, NV, OK, OR, RI, SC, TN, VA, VT, WA, WV, WY	
Data: National Agriculture Statistics Service, Agricultural Chemical Use Database	

One of the first of several studies to turn up evidence of sexual deformities in frogs exposed to atrazine was conducted by Dr. Tyrone Hayes, and published -- after much delay -- in April 2002. Dr. Hayes conducted initial research with funding from Syngenta, and the deformities he found in the frogs included hermaphroditism.

Syngenta responded by repeatedly sending him back to re-run his research, and apparently did not submit the findings about hermaphroditism to the EPA. Frustrated by the delays, Dr. Hayes eventually gave up his Syngenta funding, ran the experiments again independently, and found the same results. Since then, Syngenta-funded researcher Tim Gross has reported similarly damaging effects to a different species of frogs exposed to atrazine, including males with abnormal female skin coloration.

Atrazine May Contribute to Human Cancers

Separately, data gathered by Syngenta also shows a potential link to prostate cancer in

humans. But, as with the frog research, the company's data was suspiciously slow in reaching the public and the EPA. In the summer of 2001, NRDC learned that Syngenta had been tracking prostate cancer in the employees of its St. Gabriel, Louisiana atrazine plant. Only after NRDC alerted the EPA did Syngenta submit reports of numerous recent cancer cases to the agency. The study has since been published in the *Journal of Occupational and Environmental Medicine*. Its most significant finding is that Syngenta employees have elevated rates of prostate cancer -- a rate more than three-and-a-half times higher than the Louisiana statewide average. One worker employed by the St. Gabriel facility in the mid-1970s said that he "worked 'eyeball' deep in the powder [atrazine]" and recalls instances of employees "eating meals . . . in areas covered with atrazine dust." Another worker recalls his supervisors telling him that "atrazine could be eaten without any adverse health effects."

The Syngenta study might even understate the problem, because the company has not updated the numbers to include new cancer cases since 1999. While the company proposes that the increased detection of cancers is due to a company prostate screening program, it provides no data to support this view.

Protecting Your Family from Atrazine

Some large water systems test for atrazine in their water supplies and filter it from drinking water if necessary, but smaller systems often do not. The good news is that a simple activated carbon-based water filter -- like the ones commonly available in grocery stores and elsewhere in pitcher and faucet-mount varieties -- can filter atrazine from drinking water.

###

Adora Andy
Press Secretary
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Richard Windsor/DC/USEPA/US
01/13/2010 02:55 PM

To Adora Andy
cc
bcc
Subject Re: POLITICO: Lobbyists led meeting on Murkowski EPA amendment

Oh my
Adora Andy

----- Original Message -----

From: Adora Andy
Sent: 01/13/2010 02:16 PM EST
To: Richard Windsor; Bob Perciasepe; Diane Thompson; Bob Sussman; Lisa Heinzerling; Gina McCarthy; David McIntosh; Arvin Ganesan; Seth Oster; Allyn Brooks-LaSure; Stephanie Owens
Cc: Betsaida Alcantara; Brendan Gilfillan; Michael Moats
Subject: POLITICO: Lobbyists led meeting on Murkowski EPA amendment

POLITICO
POSTED BY GLEN THRUSH
January 13, 2010
Categories:
Energy

Lobbyists led meeting on Murkowski EPA amendment

New details are emerging of just how involved a pair of energy industry lobbyists were in writing a controversial amendment by Alaska Republican Sen. Lisa Murkowski that would strip the EPA of its authority to regulate CO2 as a pollutant.

Murkowski's proposed amendment to the Clean Air Act has been attacked by Obama administration officials and environmental advocates as an industry-led attempt to hamstring efforts to regulate carbon -- the only option available in the absence of a viable Senate climate change bill.

Jeffrey Holmstead, head of the environmental strategies division at Bracewell & Giuliani and Roger Martella Jr., a partner at Sidley Austin LLP, walked Senate staffers through the details of the amendment, via speakerphone, during a meeting held at 8:45 a.m. in room 370 of the Hart Senate Office Building on Sept. 23, 2009, a person familiar with the meeting told POLITICO. The meeting, convened by aides to Murkowski and Sen. James Inhofe (R-Okla.), was called to gauge interest among staffers to four or five Democrats.

Murkowski has postponed introduction of the amendment.

Murkowski's energy committee staffer, Colin Hayes, was present at the September meeting, along with Mike Catanzaro, the Environment and Public Works Committee minority deputy staff director, the person said.

The Democratic staffers were allowed to take notes -- but reportedly GOP aides refused to allow them to take away handouts with draft language of the amendment.

On Monday, Greenpeace wrote a letter to the Senate Ethics Committee asking to investigate the role Holmstead and Martella played in drafting the amendment with Murkowski -- which environmentalists fear could wedge coal-state Democrats from party environmentalists if it comes to a vote.

A Murkowski spokesman called the letter, which came after Washington Post reporter Juliet Eilperin broke the news of the lobbyists' work on the amendment in a Jan. 11th "Post Carbon" blog entry, "**totally bogus.**"

Her office didn't immediately respond to questions about the Sept. 23rd meeting.

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Richard
Windsor/DC/USEPA/US
09/24/2009 04:02 PM

To Adora Andy
cc
bcc
Subject Re: WSJ blog: Less Awkward: Senators Backtrack on Plans
to Rein in EPA

Yeah - like that.
Adora Andy

----- Original Message -----

From: Adora Andy
Sent: 09/24/2009 03:58 PM EDT
To: Richard Windsor; David McIntosh; Arvin Ganesan; Allyn Brooks-LaSure;
Seth Oster
Subject: WSJ blog: Less Awkward: Senators Backtrack on Plans to Rein in
EPA

Less Awkward: Senators Backtrack on Plans to Rein in EPA

By Stephen Power

Yesterday, we wrote about how members of the U.S. Senate were trying to strip the Environmental Protection Agency's powers to fight climate change – even though the U.N., was trying to persuade other countries to take action.

We noted that both Sens. Tom Harkin and Lisa Murkowski, he an Iowa Republican, were offering different legislative maneuvers that would both strip the EPA's powers. Well, a lot has changed since yesterday. (See the original post [here](#).)

Turns out Sen. Murkowski won't be offering her amendment after all. The EPA Administrator Lisa Jackson and the [Alliance of Automobile Manufacturers](#) sent letters to Sen. Murkowski's amendment would prevent the EPA from finalizing its rule on automobile greenhouse gas emissions. If that had happened, the industry would have been in a "conflicting state and federal regulations," the Alliance warned in its letter. A spokesman for Sen. Murkowski says Senate Democratic leaders prevented her amendment and that the senator disputes the EPA administrator's view that the rule would prevent the EPA from finalizing its vehicle proposal. "They've gone out of their way to debate the merits of this bill," the spokesman said.

Environmentalists are [crowing](#) at the turn of events - a rare case where environmentalists are with auto makers in favor of regulation.

"The good news is that a major effort failed to pull the rug out from under the nation's most successful environmental laws. But now, rather than just sitting on the sidelines, the Senate must take a leap forward to repower America with clean energy."

making America more energy independent, and creating millions of clean jobs. EPA Administrator Lisa P. Jackson said in a letter to the Environment America Federal Global Warming Program Director Emily Harkin. Meanwhile, it seems Sen. Harkin has decided to shelve his amendment to the Clean Air Act that would require EPA to promulgate rules that attempt to measure the global-warming impact of biofuels such as ethanol. EPA Administrator Lisa P. Jackson's spokesman for the senator says he's been assured by the EPA administrator that the agency "recognizes the uncertainty in calculating the indirect effects on land use change from biofuels production" and will "carefully quantify and consider these uncertainties in developing the rules. In light of these assurances, outlined in a [letter dated Sept. 23](#), the senator will not press the amendment today," his spokesman added. "All the withdrawal of the amendment means is that the EPA can do what it is supposed to do, which is to make sure that biofuels won't do harm to the climate," says Franz A. Hurn, executive director of the Natural Resources Defense Council.

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Richard Windsor/DC/USEPA/US
03/07/2010 10:14 AM

To Adora Andy
cc
bcc
Subject Re: Gazette: EPA delays action on mountaintop removal plan

saw it. v good job on your part.

Adora Andy	Charleston Gazette: EPA delays action...	03/07/2010 10:13:31 AM
From:	Adora Andy/DC/USEPA/US	
To:	"Richard Windsor" <windsor.richard@epa.gov>, "Bob Sussman" <sussman.bob@epa.gov>, "Bob Perciasepe" <Perciasepe.Bob@epamail.epa.gov>, "Diane Thompson" <Thompson.Diane@epamail.epa.gov>, "Peter Silva" <Silva.Peter@epamail.epa.gov>, "Seth Oster" <oster.seth@epa.gov>, "Allyn Brooks-LaSure" <brooks-lasure.allyn@epa.gov>, "Arvin Ganesan" <ganesan.arvin@epa.gov>, "David McIntosh" <McIntosh.David@epamail.epa.gov>	
Cc:	"Betsaida Alcantara" <alcantara.betsaida@epa.gov>, "Brendan Gilfillan" <gilfillan.brendan@epa.gov>, "Michael Moats" <Moats.Michael@epamail.epa.gov>, "Stephanie Owens" <Owens.Stephania@epamail.epa.gov>, "Alisha Johnson" <Johnson.Alisha@epamail.epa.gov>	
Date:	03/07/2010 10:13 AM	
Subject:	Gazette: EPA delays action on mountaintop removal plan	

Charleston Gazette:
EPA delays action on mountaintop removal plan

March 6, 2010

By Ken Ward Jr.

Staff writer

The Obama administration has delayed action on a set of broad-ranging and specific measures to reduce the environmental impacts of mountaintop removal, after details of the plan were leaked to coal-state mining regulators.

U.S. Environmental Protection Agency officials are also facing a cool reception from other government agencies, including the federal Office of Surface Mining Reclamation and Enforcement.

"EPA is under significant pressure from the coal industry and its friends," said Joe Lovett, director of the Appalachian Center for the Economy and the Environment. "But the science has now become clear that mountaintop removal is harming the state's water resources in real and measurable ways, and EPA has no choice but to do this."

Details of the EPA proposals are being circulated among state regulators in coal-producing states after EPA southeastern regional officials leaked the information to those regulators.

EPA has for months been close to finalizing a plan the agency hopes would provide coal companies with clearer guidelines for obtaining new permits, but also mandate tougher protections to limit damage to water quality.

Agency officials are pushing for more stringent water pollution standards, tougher permit requirements and more extensive monitoring downstream from mining operations.

Among the initiatives are initial steps toward tighter mining discharge limits on the toxic pollutant selenium and on electrical conductivity, which serves as a measure of harmful salts and metals and has been

identified by scientists as an indicator of coal-mining water damage. An announcement had been planned for Wednesday, but has been delayed for at least several weeks.

Adora Andy, press secretary for EPA Administrator Lisa P. Jackson, said late Friday that Jackson had previously assured West Virginia Sen. Robert C. Byrd that EPA "will release additional guidance about how it reviews water quality impacts.

"We will keep that commitment and we will issue that guidance soon," Andy said.

OSM Director Joe Pizarchik refused an interview request for this story, and agency spokesman Peter Mali said OSM would have no comment.

Carol Raulston, a spokeswoman for the National Mining Association, said her organization is familiar with some of the EPA proposals but is not yet prepared to offer specific comments on them.

"I think we're still gathering information," Raulston said Friday. "Right now, we're in the process of reviewing it with our membership."

A year ago, the Obama administration announced a crackdown on mountaintop removal. The administration has said it is taking "unprecedented steps" to reduce mining's environmental impacts, with a focus on cutting the downstream water quality effects.

So far those steps have focused on EPA's taking a closer look at Clean Water Act permits being issued by the Army Corps of Engineers and state regulators. In one instance, the Hobet 45 permit along the Boone-Lincoln county line, EPA's review forced Patriot Coal to cut its stream impacts in half while still mining nearly all of the coal it originally sought.

Administration officials have refused to support a complete ban on the practice, or to propose new rules to outlaw the burial of streams by valley fills.

EPA has not announced specific new limits on mining pollution, opening itself up to criticism from industry and coalfield politicians that the industry needs "clarity" about what is required for permit approval.

The delay in EPA's announcement of more detailed permit guidelines came last week, as the agency also asked U.S. District Judge Robert C. Chambers for more time to decide if it will veto the largest mountaintop removal mining permit in West Virginia history, the nearly 2,300-acre Spruce No. 1 Mine in Logan County.

In mid-February, EPA southeastern regional officials leaked to Alabama regulators details of the federal agency's plans to toughen coal mine regulations. The Interstate Mining Compact Commission, the lobby group for coal-state regulatory agencies, quickly spread word of those details to its members.

Greg Conrad, the commission's executive director, told group members in an e-mail message that EPA planned to announce initiatives including:

Requiring states to include in all coal-related water pollution permits a detailed analysis of whether the proposed mining would be expected to violate narrative water quality standards, which prohibit adverse impacts to aquatic life.

Forcing states to include discharge limits in permits that will ensure such violations of narrative water quality standards don't occur.

Imposing on mine operators tougher new discharge limits for selenium runoff from mining sites. Selenium can be toxic to fish in very tiny amounts, and has been tied to fish deformities downstream from at least one major mining operation in West Virginia, Patriot Coal's Hobet 21 Mine along the Boone-Lincoln County line.

EPA is also seeking to force states to require mine operators to perform water sampling called whole effluent toxicity, or WET, testing. This method better accounts for the impacts on aquatic life from a mix of various pollutants, such as that discharged by strip mines.

But perhaps the biggest changes being planned by EPA involve conductivity, which is a measure of the electrical charge of water and is a key indicator of the presence of many harmful pollutants, include chlorides, sulfides and dissolved solids.

One widely cited EPA study, published in 2008, found that streams with high conductivity -- above 500 on a scale measured in micro-siemens per centimeter -- were biologically impaired.

According to Conrad's e-mail, EPA planned to require additional monitoring of any permits where conductivity was measured above 400 micro-siemens per centimeter, and a reduction in mine size or a stop of mining above 500 micro-siemens per centimeter.

Already, EPA Region III officials have been seeking to impose such standards on water pollution permits for coal mines in West Virginia, according to comment letters submitted by EPA to the state Department of Environmental Protection.

At the same time, though, an EPA scientific report due out soon is expected to conclude that conductivity above 300 micro-siemens per centimeter should be avoided to protect water quality.

DEP Secretary Randy Huffman said his agency would want to take a very close look if EPA proposed the 300 number.

"If we decide that is where impairment occurs, we better be right," Huffman said. "Because the impact to the state economy is pretty severe."

But in at least one watershed cleanup plan issued for the Coal River, DEP experts pinpointed 300 micro-siemens per centimeter as the level at which conductivity can impair aquatic life.

DEP officials have identified high levels of conductivity as part of the cause of the Dunkard Creek fish kill in Monongalia County, and have listed conductivity as the cause of biological impairment in other heavily mined watersheds, including the Upper Kanawha and the Gauley.

In each instance, though, state officials said, "Because available information is insufficient to address biological impairment attributed to ionic toxicity," the DEP would propose no action on the problem.

Last week, EPA's Jackson said her agency is analyzing pending U.S. Senate legislation to ban valley fills and is increasingly concerned about the water quality impacts it sees from mountaintop removal. EPA has not supported that legislation.

"Certainly it is my belief as we learn more and more from outside scientists and inside scientists, we know that there are clear water quality impacts that come from filling in streams," Jackson told a Senate Appropriations subcommittee. "That's pretty intuitive."

Reach Ken Ward Jr. at kw...@wvgazette.com or 304-348-1702.

Richard Windsor/DC/USEPA/US
09/21/2009 08:38 PM

To Adora Andy
cc
bcc

Subject Re: PLEASE REVIEW (LPJ): Tomorrow's GHG Release

k

Adora Andy FOR IMMEDIATE RELEASE: Septemb... 09/21/2009 04:00:46 PM

From: Adora Andy/DC/USEPA/US
To: Richard Windsor/DC/USEPA/US@EPA
Cc: Seth Oster/DC/USEPA/US@EPA, Allyn Brooks-LaSure/DC/USEPA/US@EPA
Date: 09/21/2009 04:00 PM
Subject: PLEASE REVIEW (LPJ): Tomorrow's GHG Release

FOR IMMEDIATE RELEASE:

September XX, 2009

EPA Finalizes the Nation's First Greenhouse Gas Reporting System

Reporting to Begin in 2010

WASHINGTON – On January 1, 2010, the U.S. Environmental Protection Agency will, for the first time, require large emitters of heat-trapping emissions to begin collecting greenhouse gas (GHG) data under a new reporting system. This new program will cover approximately 85 percent of the nation's GHG emissions and apply to nearly 10,000 facilities.

“For the first time, we will begin collecting data about just how much greenhouse gas pollution is being emitted throughout the country,” said EPA Administrator Lisa P. Jackson. “With this information, we’ll continue to work cooperatively with businesses, labor and academia to tailor common-sense actions that affect only the nation’s largest polluters, the ones responsible for nearly 70% of the non-vehicle carbon pollution released into our skies.”

EPA’s new reporting system will provide a better understanding of where GHGs are coming from and will guide development of the best possible policies and programs to reduce emissions. The data will also allow businesses to track their own emissions, compare them to similar facilities, and provide assistance in identifying cost effective ways to reduce emissions in the future. This comprehensive, nationwide emissions data will help in the fight against climate change.

Greenhouse gases, like carbon dioxide, are produced by burning fossil fuels and through industrial and biological processes. Fossil fuel and industrial GHG suppliers, motor vehicle and engine manufacturers, and facilities that emit 25,000 metric tons or more of CO₂ equivalent per year will be required to report GHG emissions data to EPA annually. This threshold is equivalent to about the annual GHG emissions from 4,600 passenger vehicles.

The first annual reports for the largest emitting facilities, covering calendar year 2010, will be submitted to EPA in 2011. Vehicle and engine manufacturers outside of the light-duty sector will begin phasing in GHG reporting with model year 2011. Some source categories included in the proposed rule are still under review.

More information on the new reporting system and reporting requirements:

<http://www.epa.gov/climatechange/emissions/ghgrulemaking.html>

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Richard Windsor/DC/USEPA/US
01/19/2010 02:04 PM

To Adora Andy
cc Allyn Brooks-LaSure, Arvin Ganesan, Bob Perciasepe, Bob Sussman, David McIntosh, Diane Thompson, Gregory Peck, Peter Silva, Seth Oster
bcc
Subject Re: COLBERT REPORT CLIP: MTM AND THE EPA

Mountain flounder. Hysterical.

Adora Andy	http://www.colbertnation.com/the-colbe...	01/19/2010 10:21:43 AM
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From: Adora Andy/DC/USEPA/US
To: Richard Windsor/DC/USEPA/US@EPA, Seth Oster/DC/USEPA/US@EPA, Allyn Brooks-LaSure/DC/USEPA/US@EPA, David McIntosh/DC/USEPA/US@EPA, Arvin Ganesan/DC/USEPA/US@EPA, Bob Sussman/DC/USEPA/US@EPA, Diane Thompson/DC/USEPA/US@EPA, Bob Perciasepe/DC/USEPA/US@EPA, Peter Silva/DC/USEPA/US@EPA, Gregory Peck/DC/USEPA/US@EPA
Date: 01/19/2010 10:21 AM
Subject: COLBERT REPORT CLIP: MTM AND THE EPA

<http://www.colbertnation.com/the-colbert-report-videos/261997/january-18-2010/coal-comfort---margaret-palmer>

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Richard
Windsor/DC/USEPA/US
02/23/2010 03:48 PM

To Adora Andy
cc "Arvin Ganesan"
bcc
Subject Re: Greenwire: EPA chief goes toe-to-toe with Senate GOP
over warming science

Arvin's headline.
Adora Andy

----- Original Message -----

From: Adora Andy
Sent: 02/23/2010 03:36 PM EST
To: "Richard Windsor" <windsor.richard@epa.gov>; Bob Perciasepe; Diane Thompson; Gina McCarthy
Cc: "Arvin Ganesan" <ganesan.arvin@epa.gov>; "Seth Oster" <oster.seth@epa.gov>
Subject: Greenwire: EPA chief goes toe-to-toe with Senate GOP over warming science

Brendan Gilfillan

----- Original Message -----

From: Brendan Gilfillan
Sent: 02/23/2010 02:59 PM EST
To: Seth Oster <oster.seth@epa.gov>; Allyn Brooks-LaSure; Adora Andy; Betsaida Alcantara; Michael Moats
Subject: Greenwire: EPA chief goes toe-to-toe with Senate GOP over warming science

CLIMATE: EPA chief goes toe-to-toe with Senate GOP over warming science (02/23/2010)

Robin Bravender, E&E reporter

U.S. EPA Administrator Lisa Jackson today defended the science underpinning pending climate regulations despite Senate Republicans' claims that global warming data has been thrown into doubt.

"The science behind climate change is settled, and human activity is responsible for global warming," Jackson told the Senate Environment and Public Works Committee. "That conclusion is not a partisan one."

Jackson's comments came as the Senate panel scrutinized President Obama's \$10 billion budget request for EPA. The administration's fiscal 2011 proposal would cut the agency's total funding by about \$300 million from 2010 levels while allotting \$56 million -- including \$43 million in new funding -- for regulatory programs to curb greenhouse gas emissions.

Senate Republicans used the hearing as a platform to blast EPA over its plans to begin rolling out greenhouse gas regulations next month after it determined last year that the heat-trapping emissions endanger human health and welfare.

Sen. James Inhofe (R-Okla.), the panel's ranking member, called on EPA to reconsider that determination after recent reports have revealed errors in the reports from the Intergovernmental Panel on Climate Change (IPCC) that were used to underpin EPA's finding and a recent controversy surrounding e-mails stolen from climate scientists that some have dubbed "Climategate."

"We've been told that the science still stands," Inhofe said. "We've been told that the IPCC's mistakes are trivial. We've been told that Climategate is just gossipy e-mails between a few scientists.

"But now we know there's no objective basis for these claims," he added. "Furthermore, Climategate shows there's no 'consensus;' the science is far from settled."

Committee Republicans released a [report](#) today detailing concerns over the content of the e-mails that were lifted last year from computers at the Climatic Research Unit of the University of East Anglia, a research institute whose studies help form the basis of the IPCC reports.

Some of the e-mails reveal frustration with attacks from global warming skeptics, and opponents of greenhouse gas regulations have pointed to several of the exchanges as proof that scientists intentionally withheld climate data.

The Obama administration, as well as the majority of climate scientists and Democratic lawmakers, have maintained that nothing in the e-mails upends the scientific consensus that man-made emissions are contributing to climate change.

Jackson said that although science "can be a bit messy, the dust will settle" and that she has not seen anything at this point to show that the endangerment finding is not on solid ground.

"I do not agree that the IPCC has been totally discredited in any way," Jackson said, adding that it is important to understand that the IPCC is a body that follows open and impartial practices.

"Let me be very clear," said Sen. Barbara Boxer (D-Calif.) the committee chairwoman. "The majority of this committee believes in strong numbers that we must act," on global warming, she added.

Sen. Bernie Sanders (I-Vt.) angrily blasted his Republican colleagues for their implications that global warming science had not been settled. "This country faces many many problems, not the least of which, we have national leaders rejecting basic science," Sanders said. "I find it incredible, I really do, that in the year 2010 on this committee, there are people who are saying there is a doubt about global warming. There is no doubt about global warming."

Richard Windsor/DC/USEPA/US
07/14/2011 03:57 PM

To Al Armendariz
cc
bcc
Subject Re: Houston Chronicle -- Blowing smoke: New EPA rulings on pollutant emissions make good sense | Editorial |

Congrats!
Al Armendariz

----- Original Message -----

From: Al Armendariz
Sent: 07/14/2011 03:43 PM EDT
To: "Windsor, Richard" <windsor.richard@epa.gov>; Gina McCarthy; Seth Oster; "McCabe, Janet" <mccabe.janet@epa.gov>; "Sussman, Bob" <sussman.bob@epa.gov>; Bob Perciasepe; Diane Thompson; "Alcantara, Betsaida" <alcantara.betsaida@epa.gov>; Adora Andy
Subject: Houston Chronicle -- Blowing smoke: New EPA rulings on pollutant emissions make good sense | Editorial |
This makes both the ed boards of the two largest papers in the state. -- Al

Blowing smoke
New EPA rulings on pollutant emissions, opposed by Texas officials, make good sense.
HOUSTON CHRONICLE
July 13, 2011, 7:45PM

Last week, the Environmental Protection Agency issued a new ruling that requires 27 states, including Texas, to address pollution from dirty power plants that fouls the air in other states. It's a reasonable plan, one that will help Texans breathe cleaner air and will save lives and taxpayer dollars.

The ruling, as reported by the Chronicle's Matthew Tresaugue ("EPA air rule to affect Texas plants," Page B1, July 8), will require coal-fired power plants, the worst offenders, to be upgraded with modern equipment to reduce emissions of nitrogen oxide and sulfur dioxide. Combined with other initiatives, it will reduce sulfur dioxide emissions nationally by 73 percent from 2005 levels by 2014, and nitrogen oxide by 54 percent, according to the EPA.

But Texas officials, who have long feuded with the EPA, are screaming foul. Gov. Rick Perry responded to the ruling with the same language he has used for numerous federal initiatives – from health care to unemployment benefits, airport pat-downs to light bulbs: "... another example of heavy-handed and misguided action from Washington, D.C., that threatens Texas jobs and families.... Texas will keep standing up to this destructive federal overreach."

Bryan Shaw, chairman of the Texas Commission on Environmental Quality and another constant critic of the EPA, said in an opinion piece in the Chronicle Tuesday ("EPA decision will cost Texas jobs," Page B11) that the ruling will "cut Texas jobs" and "increase Texas energy costs," and will possibly cause "an increased incidence of heat stroke and heat stress" on the elderly in the hot Texas summer. U.S. Sen. John Cornyn, R-Texas, called it "outrageous," and said it would "adversely affect thousands of Texas job creators and electricity consumers."

But the EPA's projections are far from outrageous: They estimate that a typical family's electricity bill will increase by less than \$1 per month, and by 2014 the rule will prevent up to 34,000 premature deaths, 400,000 cases of aggravated asthma and 1.8 million sick days a year, saving up to \$280 billion annually in health costs. Those savings will far outweigh the projected \$800 million in annual costs to implement the new rule and the estimated \$1.6 billion annually to comply with a previous rule. And, according to EPA Administrator Lisa Jackson, the rule will also prevent from 670 to 1,700 premature deaths per year in Texas alone.

Texas power plants emit more nitrogen oxide than any other state, and are surpassed only by Ohio in emissions of sulfur dioxide, which causes acid rain and soot that can exacerbate asthma and cause respiratory illnesses. Coal-fired plants are the largest contributors to greenhouse gases, and we have 19 of them, more than any other state, and more to come in the next few years.

We're well aware that Perry is contemplating a presidential run, and that "federal overreach" plays well to some Texas voters, but clean air doesn't stop or start at the state line. Texas emissions pollute the air of other states, including Louisiana, Illinois and Michigan, but our Texas air is in turn polluted by emissions from at least 12 other states.

We're all in this together. So maybe it's time to start looking at ourselves as beneficiaries, not victims, of the EPA's efforts, and to cooperate instead of blowing smoke.

<http://www.chron.com/disp/story.mpl/editorial/7652357.html#ixzz1S5Y2Rojd>

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Richard Windsor/DC/USEPA/US
07/11/2011 06:19 AM

To Al Armendariz
cc
bcc
Subject Re: Houston Chronicle Op-Ed: "Texas is vulnerable to warming climate"

Nice.
Al Armendariz

----- Original Message -----

From: Al Armendariz
Sent: 07/10/2011 11:53 PM EDT
To: Gina McCarthy; "Anastas, Paul" <anastas.paul@epa.gov>; Seth Oster; Brendan Gilfillan; "Windsor, Richard" <windsor.richard@epa.gov>; "Sussman, Bob" <sussman.bob@epa.gov>; Bob Perciasepe
Subject: Houston Chronicle Op-Ed: "Texas is vulnerable to warming climate"
<http://www.chron.com/dispatch/story.mpl/editorial/outlook/7646498.html>

As you sit by the pool and sweat this summer, one book you should be reading is *The Impact of Global Warming on Texas* (University of Texas Press, June 2011, second edition). This book, written by a group of Texas academics, is a sober analysis of our state's vulnerability to climate change – and the things we can do about it.

It is a particularly appropriate read as we suffer through the hellish summer of 2011. While it is unknown exactly how much human activities are contributing to this summer's unpleasant weather, one lesson from the book is clear: Get used to it. The weather of the 21st century will be very much like the hot and dry weather of 2011. Giving extra credibility to this forecast is the fact that the weather extremes that we are presently experiencing were predicted in the first edition in 1995.

The changes in temperature and precipitation, along with rising sea levels, will leave no part of Texas unchanged. This includes both the natural landscape and the cities, the wildlife and important economic sectors, like agriculture. While climate change may be good for some parts of the globe (e.g., Siberia, northern Canada), Texas is most definitely not one of them. Rather, the vulnerability of Texas is more akin to that of the low-lying island states of the Pacific that are going to be inundated by sea-level rise over the coming century.

This makes the refusal of our leaders in Austin to take action on climate change that much more unfortunate.

There are few qualified atmospheric scientists who would argue with the assessment in the book. And there are none in Texas. Attempts over the last few years to stage a debate in Texas about the science of climate change have required flying a skeptic in from out of state.

In one case, they had to import one from Canada.

Yet despite the overwhelming agreement by scientific experts on these points, rancorous debate over policy remains. People are worried that policies to address climate change will hurt their standards of living.

But unchecked climate change will also cost them money. This summer, for example, Texans with air conditioning are paying quite a bit more for electricity to cool their houses than they have in the past. And while it has not hit yet, the impact of the summer weather will eventually lead to higher agricultural commodity prices.

Thus, there is no free lunch: Either we pay to reduce emissions of greenhouse gases or we pay for the impacts of a changing climate.

Economists have looked at this problem repeatedly over the last two decades and virtually every mainstream economist has concluded that the costs of reducing emissions are less than the costs of unchecked climate change - the only disagreement is on the optimal level of emissions reductions.

Given the uniformity of expert opinion that reductions of emissions make sense, why is the debate so polarized? Psychologists and other cognitive experts have found that disagreements over climate change are rooted not in disagreements over science or economics, but are instead rooted in views of the merits of government action. Climate skeptics are almost uniformly distrustful of government action in society and are frightened that climate change will be used as a pretext to take away our individual liberties or interfere with the free market. This explains why every staunch climate skeptic I've ever met is also rabidly opposed to Obama's health care reform (a conclusion also backed by polling data).

The good news is that this points to a way to break the deadlock in the climate debate. First, we need to stop arguing about science.

The primary conclusions of mainstream climate science - that the Earth is presently warming, humans are very likely the cause of it, and future warmings may be significant - are all well established.

Rather, we need to focus on negotiating policies that both sides can agree with - policies that reduce emissions of greenhouse gases, but without unacceptable government intervention in the markets or control over our lives.

One idea recently floated by a former Republican congressman is that of a revenue-neutral carbon tax swap. The idea would be to put a tax on carbon, while at the same time reducing income taxes so that total revenue raised by taxes does not change.

Such a policy would cost the average family zero: Prices of carbon-intensive goods and services (i.e., electricity) would go up, but decreases in income taxes would offset that. At the same time, it provides a clear signal in the economy for people and companies to take actions to reduce their emissions.

Obviously, the devil is in the wonky details, and care must be exercised to ensure that any such policy is fair - e.g., accommodating those at the bottom of the economic ladder who pay no income tax.

Whatever policy we adopt, it should be soon. As this book points out, the longer we wait to begin reducing emissions, the more climate change Texas will experience. In this way, climate policy is like steering a supertanker - if we wait to start turning until we see the rocks, then we cannot avoid them. Rather, we need to realize that the rocks are out there - and start turning the ship now.

Andrew Dessler is a professor of atmospheric sciences at Texas A&M University in College Station.

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Richard Windsor/DC/USEPA/US
08/02/2011 08:41 PM

To Al Armendariz
cc
bcc
Subject Re: Wall street research firm: U.S. Utilities: Can Texas Comply With The Cross-State Air Pollution Rule? Yes, If Existing Scrubbers Are Turned On.

Tx

From: Al Armendariz
Sent: 08/02/2011 06:32 PM CDT
To: mccabe.janet@epa.gov; Gina McCarthy; windsor.richard@epa.gov; Seth Oster; Bob Perciasepe; sussman.bob@epa.gov; Diane Thompson
Subject: Wall street research firm: U.S. Utilities: Can Texas Comply With The Cross-State Air Pollution Rule? Yes, If Existing Scrubbers Are Turned On.

Independent Wall street analysts looking at Texas utilities have put out this report for investors.
--Al

U.S. Utilities: Can Texas Comply With The Cross-State Air Pollution Rule? Yes, If Existing Scrubbers Are Turned On.

Investment Conclusion

In this research note, we analyze the potential for the state of Texas to comply with CSAPR without costly upgrades or plant closures. We find that if Texas utilities were simply to run their existing scrubbers continuously, and switch unscrubbed units to lower sulfur coal, Texas could likely comply with its SO2 budget under CSAPR in 2012.

Link to report (also attached):

<http://www.supportcleanair.com/resources/studies/file/Bernstein-on-Texas-EPA.pdf>

Texas media discussing report:

<http://texasclimateneews.org/wp/?p=2317>

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twitter: @al_armendariz

Richard Windsor/DC/USEPA/US
12/29/2011 12:28 PM

To Alisha Johnson
cc
bcc

Subject Re: CNN: Protecting babies from neurotoxins

Nice job!

Alisha Johnson

----- Original Message -----

From: Alisha Johnson

Sent: 12/29/2011 11:29 AM EST

To: Richard Windsor; Bob Perciasepe; Bob Sussman; Brendan Gilfillan; Betsaida Alcantara; Andra Belknap; David Bloomgren; Arvin Ganesan; Sarah Pallone; Laura Vaught; Michael Moats; Diane Thompson; Jose Lozano; Elizabeth Ashwell; Heidi Ellis; Stephanie Owens; Dru Ealons; Gina McCarthy; Janet Woodka; Janet McCabe; Joseph Goffman; Michael Goo; Bicky Corman

Subject: CNN: Protecting babies from neurotoxins

Protecting babies from neurotoxins

CNN

By William Hudson, CNN

Thu December 29, 2011

(updated 9:43 AM EST)

It's well known that mercury causes damage to developing fetuses, with long-term effects on the child.

The new limits are projected to prevent 130,000 cases of asthma, 6,300 cases of bronchitis. Methylmercury, found in fish and shellfish, can harm a child's thinking, language. The new EPA rule also limits emissions of hazardous air pollutants like arsenic, benzene.

(CNN) -- The Environmental Protection Agency recently finalized a rule that for the first time requires U.S. coal and oil-fired power plant operators to limit emissions of mercury and other hazardous air pollutants.

EPA rules in place under the 1990 Clean Air Act have targeted acid rain and smog-forming chemicals emitting from power plants. But perhaps surprising to many, those rules have never included limits on mercury, a neurotoxin known to damage developing fetuses and children.

How this policy affects your health

The benefits of this new rule, in terms of dollars saved and death prevented, far outweigh the costs to companies and consumers, according to peer-reviewed EPA studies.

U.S. power plants account for only about 1% of global mercury emissions. Even so, for each dollar spent reducing mercury and hazardous air pollutant emissions under the new rule, the EPA projects up to \$9 in health benefit savings by preventing an estimated 11,000 premature deaths and 4,700 heart attacks each year.

Among children, the new limits are projected to prevent 130,000 cases of asthma and 6,300 cases of acute bronchitis each year, the EPA estimates.

"These standards rank among the three or four most significant environmental achievements in the EPA's history," said John Walke, Clean Air director of the National Resources Defense Council, an environmental advocacy group. "This rule making represents a generational achievement."

Despite federal limits on emissions of mercury from other sources, such as waste incinerators, there have been no limits on coal-fired power plants, which the EPA says constitute the single largest source of mercury emissions.

"As a mom, I'm especially excited to know that millions of mothers and babies will now be protected from mercury poisoning," said Mary Anne Hitt, director of Beyond Coal Campaign, a clean energy advocacy group.

"We all teach our kids the simple rule that if you make a mess you should clean it up - and now polluters will have to follow that same rule," she wrote in an e-mail conversation.

"Mothers around the country who have been worried about mercury pollution causing learning disabilities and other problems for their kids will be able to sleep easier tonight."

Health experts have known for a long time that mercury causes damage to developing fetuses, with long-term effects on the child.

Methylmercury, found in fish and shellfish, can harm a child's thinking, language, fine motor skills, memory, attention, and visual spatial skills when exposed in the womb. One study estimates that for each part per million of mercury found in a mother's hair -- a common way of testing for mercury exposure -- her child loses approximately 0.18 IQ points.

Outbreaks of methylmercury poisoning have resulted in some children being born with severe disabilities, even when their mothers did not show signs of nervous system damage. But adults are at risk for mercury poisoning too; symptoms can include impairment of vision, speech, hearing and walking.

In addition to mercury, the new EPA rule also limits emissions of hazardous air pollutants like arsenic, benzene, chromium, formaldehyde, hydrochloric acid, and nickel.

How to protect against mercury exposure

Once airborne, mercury enters bodies of water through precipitation, becomes methylmercury, and accumulates in the food chain.

The EPA and the Food and Drug Administration recommend that pregnant women and young children limit their consumption of fish and shellfish to two meals a week, because the methylmercury contamination found in fish can cause harm to humans.

The EPA and FDA say that some larger predatory fish, such as shark, swordfish, king mackerel, and tilefish, should be avoided entirely by pregnant women and children.

Exposure can also occur from breathing in polluted air, for example near incinerators and coal-burning power plants.

A lab test using blood or hair sample can determine the methylmercury levels.

What's the controversy?

The new rule requires that the vast majority of mercury contained in coal be captured and prevented from releasing into the air when burned for energy. It would require operators to shut down or upgrade the most environmentally dangerous power plants.

Power plant operators have three years to comply with the new standards, but plant operators may be granted additional time to install the necessary emissions improvement technologies if they are able to demonstrate a valid need.

Not everyone supports the new limits, in part because the new rules will increase costs for plant operators who need to make upgrades.

The rule has been criticized by industry groups and some Republicans.

"Analyses predict EPA's rules will force the premature retirement of power plants that are needed to provide affordable, reliable power to consumers and our growing economy," said Fred Upton, the chairman of the House Energy and Commerce Committee.

"Other plants will require multi-million dollar retrofits that will result in higher electricity bills," said the Republican congressman from Michigan.

The EPA states that its rule is cost-effective and "ensures electric reliability," noting that the agency has

received more than 900,000 comments from industry and the public to better inform the decision.

Amid a divisive political climate and persistent unemployment, the EPA noted in its March 2011 rule proposal that it "finds that more jobs will be created in the air pollution control technology production field than may be lost as the result of compliance with these proposed rules."

The final EPA rule regulating power plant mercury emissions has been decades in the making.

The 1990 version of the Clean Air Act signed into law by President George H.W. Bush directed the EPA to conduct studies to determine whether regulating mercury and other hazardous air pollutants from power plants was "appropriate and necessary."

In December 2000, having completed the required studies, the EPA formally announced its intention to regulate mercury emissions from power plants.

Then in 2005, under the administration of President George W. Bush, the EPA reversed its determination that mercury regulations were "appropriate and necessary," and removed power plants from the list of sources to be regulated. Instead the Bush-era EPA proposed the "Clean Air Mercury Rule," a cap-and-trade system for mercury emissions.

Under "cap and trade," mercury emissions would not be restricted, but heavy polluters would pay a fee that could be pocketed by companies whose factories or power plants pollute less.

In February 2009, the new EPA Administrator Lisa Jackson announced a return to the 2000 decision to put limits on mercury emissions. The rule proposed on March 2011 was made final in an announcement on December 21 at the Children's Medical Center in Washington.

Altogether, the environmental regulations beginning with the 1970 Clean Air Act have saved millions of American lives, according to the EPA.

The reductions in fine particle and ozone pollution emissions mandated under the 1990 Clean Air Act prevented more than 160,000 cases of premature mortality, 130,000 heart attacks, and 1.7 million asthma attacks in just the year 2010, according to EPA figures.

Richard Windsor/DC/USEPA/US
07/24/2011 08:59 PM

To Alisha Johnson
cc
bcc
Subject Re: LA Times (Green blog): EPA Chief Lisa Jackson speaks at NAACP convention in Los Angeles

Great. Tx.
Alisha Johnson

----- Original Message -----

From: Alisha Johnson
Sent: 07/24/2011 08:49 PM EDT
To: Seth Oster; Richard Windsor; Adora Andy; Brendan Gilfillan; Andra Belknap; Dru Ealons; Stephanie Owens; Michael Moats
Subject: LA Times (Green blog): EPA Chief Lisa Jackson speaks at NAACP convention in Los Angeles
EPA Chief Lisa Jackson speaks at NAACP convention in Los Angeles
LA Times (Green blog)
July 24, 2011 | 4:59 pm

U.S. Environmental Protection Agency Administrator Lisa Jackson spoke to the NAACP National Convention at the Los Angeles Convention Center on Sunday about the impact of pollution on minority communities, an issue that will be also be explored during a Monday afternoon panel: "The air we breathe: taking action against toxic exposures in African American communities" from 2 to 4 p.m.

Before her speech, Jackson spoke with The Times about her approach to environmental justice.

Q: What does environmental justice mean to you?

A: It is one of my priorities and I define it fairly broadly. The simplest way to describe it is it's really the unfinished business of the EPA; there are still communities in this country where there's a disproportionate collection of smokestacks and tailpipes. Those sources of pollution mean that the communities that live around them have more exposure to pollution than other communities. Since air blows and water flows you can't really clean up this nation's air and water without addressing those communities as well. We know about them and have really strong efforts underway in those communities, but I would like to see progress and the progress continue.

Q: What is being done to address pollution in minority communities?

A: You have to do it on a number of levels. Probably the one that is most germane here is air pollution. L.A. knows as well as anyone that air pollution is not just a problem for the environment, it's a public health threat. Dirty air means premature death. Dirty air means respiratory illnesses, most notable asthma, but a number of respiratory ailments that are made worse on bad air days, and we've had a lot of that this summer, although not here in lovely L.A.

We have a study, a peer reviewed study, that said \$2 trillion in healthcare costs saved from implementation of the Clean Air Act from 1990 to 2020. Usually that number stops people in their tracks. So implementing the Clean Air Act is not only because it's the right thing to do, it's to save lives, to make our children healthier and address issues for the elderly and people with health impairments.

For most Americans, though, the No. 1 environmental issue is water. We have about 92% of Americans have water that meets federal standards. That means 8% of Americans in this day and age do not. That's way too high. Those folks are concentrated on Indian land and along our border with Mexico and in rural areas of the country where people really struggle to meet federal standards. It's not acceptable for anybody not to have clean drinking water.

In the broader picture, the work we've done it's not just the water we drink -- it's the loss of wetlands, which is even more critical now. Besides the ecological benefits, they're also sponges. We see as the climate changes what's going to happen with flooding. Loss of wetlands makes us that much less able to deal with flooding.

Q: Are those minority issues -- not just clean air and water in urban areas but also wetland preservation?

A: Remember, I grew up in New Orleans. So I always tell people my mother, who never really understood much about the environment in terms of what I did, it really came home for her after Hurricane Katrina. It became very much widely known in the city that the loss of the wetlands south of the city had really contributed to the severity of the damage and the lives lost, the death toll, because the wetlands form a barrier for storm and dissipate some of their energy. There used to be miles and miles of wetlands that used to act as a first break, and they weren't there.

And remember that the most low-lying communities, the least desirable communities, are often the poorer communities -- the land on the other side of the tracks, the land down by the river -- was what was left, especially in parts of the South, for African Americans. So it's very much of an environmental justice issue. A lot of times people think well all you care about are salamanders and frogs. Well, we do, certainly, but we also care about them because they play such an important role in keeping people safe.

L.A. has done a lot of work to highlight the importance of doing work to deal with the corridors of transportation. Our country also historically has communities that are poorer next to major transportation arteries. The big sources of air pollution in our country are power plants and the way we get around, the way we move goods.

Q: The EPA recently granted California an extension until 2015 to meet the 1997 air quality standards--won't that have a disproportionate harmful impact on minority communities?

A: We believe that it's our job to oversee state programs. California has really strong programs compared to other places in this country, but they also have really big problems and challenges and have been a it a long time.

There's a couple reasons why more time makes good sense.

Cars are getting cleaner, due to President Obama's clean car deal. Fleets turn over. Cars will get even cleaner from 2017 to 2025.

Part of the reason you do that is because California has been a leader in making cars cleaner knowing that is a real key to getting air cleaner.

Trucks are getting cleaner. We're coming out soon with new standards for heavy-duty vehicles.

There are two things that EPA has done that I think will have a tremendous impact on communities around transportation corridors, including shipping.

Number one is that now there's 200 nautical miles around our nation's coastline [where] ships have to switch to low-sulfur fuel. With that single change, and we made it nationwide, and we are leading the efforts in the international maritime organization to make it worldwide, we estimate will save lives along all of our port cities. For example, here in California as far inland as Kansas because of how the wind blows from California across the country. It's called the emissions control area, or ECA. California had been trying to do it and it is now the standard.

The second thing is cleaner cars, which California had been pushing for and this president ordered us to look back at the California waiver and eventually grant it -- which means cleaner cars for California but also, I think, has led to a revitalization of the American car industry, because the American car industry is building cars that Americans want to buy but that are also very frugal in using gasoline.

There's more to do, without doubt. But I also think when you look at something like the ozone standard, setting the standard is important, but the way that standard is really going to play out here in California is in permitting decisions in power plants (California doesn't have any coal-fired powers, it's pretty clean), and in transportation.

Q: Another environmental justice issue here in California has been toxic landfills such as those in the towns of Kettleman City and Buttonwillow. Activists and residents there say they feel the EPA has failed to address their complaints for the past 16 years and they have recently sued the EPA -- what can you tell us about EPA's response?

A: When we got in we did our own audit of our entire office of civil rights. We knew we had this backlog of a couple of dozen Title VI complaints under the EEO laws. That's only a small part of what was necessary to fix our office of civil rights. And I have committed the agency and feel very good about the fact that the agency is on the pathway to get to a robust office of civil rights that deals with external complaints in a timely manner and a fair manner.

The complaint was 16 years old when the Obama administration came to be. So, yes, we have recently had those activists sue. We were in negotiations with them and they chose to sue. We are going to continue talking to them about potential remedies and we're not going to stop working on the case. But certainly I respect their right in a democratic society to make that decision.

We are working on each and every one of those complaints [in the backlog]. We are working with the department of justice. And on the other side, I think we are well on the way to implementing environmental justice standards, we call them plan EJ 2014.

Our goal there is that environmental justice be part of every decision-making process at EPA -- when we're writing a rule, when we're doing enforcement -- to hopefully cut down on new claims in the future. I do think it is one of the failures of the EPA not to be able to do anything with those claims for such a long time. And I am committed to clearing the backlog. But just clearing the backlog will not solve the issue.

-- Molly Hennessy-Fiske

Photo: Lisa Jackson at the Los Angeles Convention Center Sunday as she prepared to address the NAACP national convention. Credit: Molly Hennessy-Fiske.

Richard Windsor/DC/USEPA/US
06/17/2011 11:10 AM

To Alisha Johnson
cc
bcc
Subject Re: NAT'L JOURNAL: Power Company Contradicts Itself on EPA Rules

Yup. I did. Tx.
Alisha Johnson

----- Original Message -----

From: Alisha Johnson
Sent: 06/17/2011 11:04 AM EDT
To: Richard Windsor
Cc: Jose Lozano
Subject: NAT'L JOURNAL: Power Company Contradicts Itself on EPA Rules

Administrator,
Wanted to make sure you saw this.

Power Company Contradicts Itself on EPA Rules
National Journal

By Amy Harder
Wednesday, June 15, 2011 | 9:06 p.m.

American Electric Power, one of the nation's biggest coal utilities, downplayed the impact of EPA regulations to its investors while forecasting a doom-and-gloom outcome for Washington policymakers.

AEP has come under scrutiny after announcing on June 9 that it would have to close five of its coal-fired power plants and post a net loss of 600 jobs because of Clean Air Act regulations.

Other utilities employ this strategy, too. Investors have different concerns than average Americans and lawmakers, after all. But the seemingly contradictory comments are drawing renewed scrutiny as EPA Administrator Lisa Jackson works to finalize a slew of controversial standards for major polluters that could potentially change the economy. EPA plans to regulate everything from mercury to greenhouse gases. Republicans have attacked those regulations and introduced legislation to curb the agency's power.

"Because of the unrealistic compliance timelines in the EPA proposals, we will have to prematurely shut down nearly 25 percent of our current coal-fueled generating capacity, cut hundreds of good power-plant jobs, and invest billions of dollars in capital to retire, retrofit, and replace coal-fueled power plants," AEP chairman and CEO Mike Morris said in a statement last week. "The sudden increase in electricity rates and impacts on state economies will be significant at a time when people and states are still struggling."

A week earlier, Morris had sought to allay investors' concerns about the plant closures and their effect on AEP's bottom line at a June 1 investors conference.

"On balance, we think that is the appropriate way to go," Morris said of the closures. "Not only to treat our customers, but also to treat our shareholders, near and long term, with that small amount of the fleet going off-line."

Most of what AEP said it will have to shutter is spare capacity, used when it's very hot or cold. (The plants were used, for example, during last week's Midwestern heat spell.) That fact was not included in the company's release, but Morris made sure to remind investors.

"As you know, those are high-cost plants and dispatch infrequently," Morris said. He went on to add that most of them didn't run at all in 2009 because natural-gas prices were so low.

AEP spokeswoman Melissa McHenry told National Journal Daily that the plants slated for closure haven't been used much in recent years because of low natural-gas prices, but that having them available for use in times of extreme temperatures seems crucial.

McHenry said costs made closing plants a better alternative than retrofitting them. Consumers would still face surging electricity prices because of the time frame, which AEP and many other coal utilities say is unrealistic. Companies must comply with two of EPA's major set of rules by 2015. AEP wants the compliance time frame extended to 2020.

Southern Co., another major coal utility, also fights EPA's regulations and tries to walk a fine line. CEO Tom Fanning told investors in the first-quarter earnings statement that he remains "confident or optimistic perhaps that we've been able to work through some tough complex issues in the past." He also said that extending the compliance timeline to 2018 would make him "feel a lot more comfortable about being able to run our portfolio."

EPA's Jackson was not impressed with the AEP announcement last week. She said after a hearing on Wednesday that it was "misleading at best, scare tactics at worst."

Southern's Fanning, meanwhile, had positive words to say about the agency's administrator.

"In my constructive conversations with Lisa Jackson, she, I think, recognizes that the EPA—last thing they want us to create [is] reliability crises," he said in the earnings statement.

Alisha Johnson

----- Original Message -----

From: Alisha Johnson

Sent: 06/17/2011 06:34 AM EDT

To: Seth Oster; Adora Andy; Brendan Gilfillan; Betsaida Alcantara; Andra Belknap; Shira Sternberg; Dru Ealons; Stephanie Owens; Michael Moats; Vicki Ekstrom

Subject: NAT'L JOURNAL: Power Company Contradicts Itself on EPA Rules
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National Journal

By Amy Harder

Wednesday, June 15, 2011 | 9:06 p.m.

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“In my constructive conversations with Lisa Jackson, she, I think, recognizes that the EPA—last thing they want us to create [is] reliability crises,” he said in the earnings statement.

Richard Windsor/DC/USEPA/US
12/23/2009 10:54 AM

To Allyn Brooks-LaSure
cc
bcc
Subject Re: Newsweek: Steven Chu, Lisa Jackson #2 on Newsweek's 10 Most important People in 2010

My.
Allyn Brooks-LaSure

----- Original Message -----

From: Allyn Brooks-LaSure
Sent: 12/23/2009 10:46 AM EST
To: Brendan Gilfillan; Richard Windsor; "Sussman, Bob" <sussman.bob@epa.gov>; "Fulton, Scott" <fulton.scott@epa.gov>; Diane Thompson; Bob Perciasepe; David McIntosh; Arvin Ganesan; Lisa Heinzerling; Eric Wachter; Robert Goulding

Cc: Adora Andy; "Oster, Seth" <Oster.Seth@epa.gov>

Subject: Re: Newsweek: Steven Chu, Lisa Jackson #2 on Newsweek's 10 Most important People in 2010

You beat out Steve Jobs and Vladimir Putin!

MABL.

M. Allyn Brooks-LaSure
Office of the Administrator
U.S. Environmental Protection Agency
Cell: 202-631-0415
Brendan Gilfillan

----- Original Message -----

From: Brendan Gilfillan
Sent: 12/23/2009 10:42 AM EST
To: Richard Windsor
Cc: Allyn Brooks-LaSure; Adora Andy
Subject: Newsweek: Steven Chu, Lisa Jackson #2 on Newsweek's 10 Most important People in 2010

Link here:

<http://2010.newsweek.com/top-10/people-to-watch/steven-chu-and-lisa-jackson.html>

Steven Chu and Lisa Jackson

By Newsweek

EPA Administrator [Lisa Jackson](#) is a chemical engineer, and Energy Secretary [Steven Chu](#) is a physicist with a [Nobel Prize](#), but starting in 2010 you can think of them as bad cop and good cop. With the Copenhagen climate negotiations failing to reach a legally binding treaty, and with climate legislation stalled in the Senate, this duo will lead the charge toward reducing U.S. greenhouse emissions and moving us to renewable energy.

As of Jan. 1, any facility that emits at least 25,000 metric tons of carbon dioxide annually (or its equivalent in greenhouse gases such as methane and nitrous oxide) will have to start measuring and reporting their emissions to Jackson's [EPA](#). That includes power plants, aluminum

manufacturers, refineries, paper mills, and solid-waste landfills (a big source of methane). Insiders call the requirement the most “world-changing greenhouse policy” EPA has ever undertaken, since once something is counted it can be regulated.

Then, in March, using authority the [Supreme Court confirmed in 2007](#), Jackson will issue rules requiring manufacturers to reduce greenhouse emissions from cars and trucks to a fleet average of 250 grams per mile ([it's now 422](#)) [by 2016](#). Carmakers will achieve that through more hybrids and plug-in electrics, averting a projected 950 million metric tons of carbon dioxide and other greenhouse gases over the lifetime of those low-CO₂ vehicles. Finally, as early as summer, Jackson will issue rules making “major polluters”—like those subject to the greenhouse-gas reporting rule—use top-of-the-line CO₂-control technology if they want to [build a new facility or make significant changes to an existing one](#).

The regs are significant in themselves, but Jackson’s real clout will be showing industry how much can be done on greenhouse emissions even without climate legislation. “This will encourage congressional action,” says [Rep. Edward Markey](#), cosponsor of the [climate bill](#) that passed the House in June. “Industry’s choice is no longer between legislation and no legislation, but between legislation and regulation. Congress is a stimulus-response institution, and there is nothing more stimulating than a regulatory agency preempting powers Congress thinks it should have.” We’ll see if the dis is enough to move a [climate bill out of the Senate](#) in 2010.

Either way, utilities and other major greenhouse polluters could find salvation in Chu (whom *Nature* just named its [Newsmaker of the Year 2009](#)). Chu’s task is nothing less than revamping the energy sector in the world’s largest economy, which he is doing by encouraging high-risk/high-reward research. Besides being a “public cheerleader for clean-energy research,” as *Nature* calls him, he’s been opening the federal purse strings. He has \$400 million to award for clean-energy research—a big, fat carrot to Jackson’s stick.

Richard Windsor/DC/USEPA/US
01/27/2010 07:40 PM

To Allyn Brooks-LaSure
cc
bcc
Subject Re: Tomorrow's Politico.

Tx
Allyn Brooks-LaSure

----- Original Message -----

From: Allyn Brooks-LaSure
Sent: 01/27/2010 07:39 PM EST
To: Richard Windsor; Bob Perciasepe; Diane Thompson; Bob Sussman; Mathy Stanislaus; Lisa Heinzerling; David McIntosh; Arvin Ganesan
Cc: Seth Oster; Adora Andy
Subject: Tomorrow's Politico.

A coal ash ad paid for by Earthjustice will run, with the following text:

**arsenic
chromiu
m**

lead

We just put them in your thoughts.
**Power plants are putting them in
your drinking water.**

Coal Ash is a waste product of coal-fired power plants. It's a toxic mixture of arsenic, lead, and other contaminants, and it's polluting drinking water wells and waterways across America. For decades, the coal industry's careless disposal of coal ash has been poisoning our communities. **It's time for the EPA to start regulating coal ash as hazardous waste—because that's exactly what it is.**

www.earthjustice.org/coalash

M. Allyn Brooks-LaSure | Deputy Associate Administrator for Public Affairs

U.S. Environmental Protection Agency | Office of the Administrator

Phone: 202-564-8368 | Email: brooks-lasure.allyn@epa.gov

Richard Windsor/DC/USEPA/US
08/06/2009 11:45 AM

To Allyn Brooks-LaSure
cc
bcc
Subject Re: "Green" For All (Interview with Administrator Jackson in Diverse)

Crazy picture. :) Cool story.
Allyn Brooks-LaSure

----- Original Message -----

From: Allyn Brooks-LaSure
Sent: 08/06/2009 11:04 AM EDT
To: "Windsor, Richard" <Windsor.richard@epa.gov>
Cc: "Oster, Seth" <oster.seth@epa.gov>; "Andy, Adora" <andy.adora@epa.gov>; "Alcantara, Betsaida" <alcantara.betsaida@epa.gov>; "Gilfillan, Brendan" <gilfillan.brendan@epa.gov>
Subject: Fw: "Green" For All (Interview with Administrator Jackson in Diverse)

MABL.

M. Allyn Brooks-LaSure
Office of the Administrator
U.S. Environmental Protection Agency
Cell: 202-631-0415
Jonathan Newton

----- Original Message -----

From: Jonathan Newton
Sent: 08/06/2009 11:02 AM EDT
Subject: "Green" For All (Interview with Administrator Jackson in Diverse)



From Diverse Online
http://diverseeducation.com/artman/publish/article_12845.shtml

Feature Stories
"Green" For All
By MICHELLE J. NEALY
Aug 6, 2009, 17:59

Summary:

Environmental Protection Agency Administrator Lisa Jackson works to ensure minorities are not left out of the burgeoning 'green' economy.

Story:

Environmental Protection Agency Administrator Lisa Jackson works to ensure minorities are not left out of the burgeoning 'green' economy.

Enter into the Washington, D.C., headquarters of the Environmental Protection Agency and encounter something never seen in its history until now, a photo of the first African-American to serve as the agency's administrator.

Born in Philadelphia and raised in New Orleans, Lisa Perez Jackson is the new face of the EPA, and, just like the president who appointed her, Jackson represents change.

Only seven months into the job, Jackson has dived into a number of important issues largely ignored by the previous administration. Under Jackson's leadership, the EPA has prompted the Obama administration to pursue legislation that cuts carbon emissions, limits green house gases and addresses climate change.

And while Jackson tackles what are, perhaps, some of the most difficult environmental challenges in a generation, her toughest assignment could be something less obvious — recruiting more minorities into the green movement.

"I am looking to open up the environmental movement to more people of color. As an African-American, I think there are still, sadly, people who see the environmental movement as belonging to White Americans and clearly the history of it is that way," Jackson says.

"Everywhere I go, I see communities that are concerned about environmental issues. Those are communities of color. We need to make sure that they see themselves here [in the EPA] and that they feel comfortable knowing that the EPA is here to address issues of concern for people of color," adds Jackson.

Prior to assuming her current post, Jackson, a chemical engineer, was just weeks into her new position as chief of staff for New Jersey Gov. Jon Corzine. Before that, Jackson headed New Jersey's Department of Environmental Protection after having already

served at the EPA for 16 years.

Jackson insists that she is not daunted by any of the challenges before her. She is, instead, driven by them, particularly the mandate to diversify.

“The president’s election, my nation and the first lady’s obvious concern for the environment have literally changed the face of environmentalism almost overnight,” says Jackson, referring to a garden first lady Michelle Obama planted on the south lawn of the White House.

“Now, what we have to do is make sure that is not just symbolic change,” Jackson explains. “We have to be effective advocates and effective workers for all of our communities. The future economy is going to be a green economy. If our communities are not a part of that economy, we are going to be left out.”

An Exclusive Culture

Data show that minority environmentalists are struggling to make their way in. The Minority Environmental Leadership Development Initiative found that of 158 environmental institutions, 33 percent of mainstream environmental organizations and 22 percent of government agencies had no people of color on staff.

Part of the problem, says Dr. Robert D. Bullard, director of the Environmental Justice Resource Center at Clark Atlanta University, is the paucity of minority college graduates for these organizations to recruit, particularly at the graduate level.

In 2003, in natural resources and conservation related sciences, 2,334 White students graduated compared to 219 students of color. At the doctoral level, 458 White students graduated with doctoral degrees in agricultural sciences compared to 75 students of color, according to data collected by researchers at the Multicultural Environmental Leadership Development Institute at the University of Michigan.

That same year, 143 White students received doctoral degrees in natural resources and conservation programs compared to 13 students of color.

“There is a breakdown early on, before we even start talking about getting people of color into environmental organizations and federal agencies. The problem is that we are not getting enough young people graduating from high school and continuing their studies in the science disciplines during their undergraduate years,” Bullard says. “In order for one to move up the ladder professionally it takes more than one degree. With budget cuts and financial aid dwindling, we’re seeing an impact on students of color completing degrees.”

The shortage of minorities on the professional environmentalist career-track is not due, completely, for lack of interest in environmental issues or holes in the pipeline. Some minority environmental justice advocates suggest that the mainstream environmental

movement is an “unintentionally exclusive culture” that caters to tree-hugging, White middle-class suburbanites instead of low-income communities of color that carve out green spaces in urban enclaves, plant community gardens and use, more than any other group, public transportation.

“The historical roots [of the environmental movement] emerged probably about the same time that the civil rights movement was going strong,” says Dr. Henry Neal Williams, director of the Environmental Sciences Institute at Florida A&M University. “Minorities were focused on lots of other issues connected to equality and justice about the same time the environmental movement began gaining impetus. It took a while to switch gears. Now we are at a time where the civil rights movement has an environmental justice component.”

While there may be a small recruitment pool for minority environmentalists, environmental organizations are also culpable. “Many of the so-called green groups have been slow to diversify their ranks in terms of their staff, their board of directors and their agenda,” Bullard says. After earning a master’s in environmental policy from Tufts University, Marcelo Bonta, a Filipino American, began working for a prominent wildlife conservation organization.

After a short period of time, he quit. Bonta was the only person of color on the staff.

“Environmental organizations focus their efforts on minority recruitment, but most of the people of color, do not stay. The culture of these organizations is not inclusive or open to diverse cultures and creativity,” Bonta says. After leaving the wildlife conservation group, Bonta, like other advocates of color, started his own organization, the Center for Diversity & the Environment.

“No one is intentionally excluding others but, when a homogeneous culture flourishes in organizations, which is common in environmental organizations, there is an expectation for others to conform to this dominant mindset in order to succeed,” Bonta says. “When everyone looks, thinks, and acts the same, then you create policies, programs, and practices that benefit others that look, think, and act the same and exclude others that look, think, and act differently.”

On the Frontline

Despite the dearth of minority environmentalists, minority communities have consistently shown an interest in environmental issues. “Polls and surveys are showing, increasingly, that communities of color are as engaged or in some cases more engaged in environmental issues than Whites,” Bonta says.

For decades ordinary citizens of color have fought against the development of oil refineries, toxic waste dumps, solid waste sites and hazardous landfills in their communities. On the frontlines of these movements have been minority environmentalists Alan Hipólito, adjunct professor at the Northwestern School of Law at

Lewis & Clark College and executive director of Verde, a nonprofit organization; Majora Carter, the former director of the nonprofit Sustainable South Bronx; and Charles Sams, director of Trust for Public Land's Tribal & Native Lands Program.

In 1982, residents of Warren County, N.C., which was predominantly Black, protested the construction of a hazardous waste landfill. After the district courts ruled in favor of the landfill supporters, a large demonstration erupted. More than 500 people were arrested, including Walter Fauntroy, a former member of the U.S. House of Representatives.

Later, the incident would compel the United Church of Christ Commission for Racial Justice to produce its landmark "Toxic Wastes and Race" report, the first national study to correlate hazardous waste sites and demographic characteristics. It found that race was the most significant factor in locating the waste facilities. It took 20 years for Warren County residents to get the landfill site detoxified by the state and federal government.

"The Warren County landfill protest proved to be a most important event for the environmental justice movement in that it became the catalyst that galvanized people of color around this country in the fight for environmental justice," says Dr. Beverly Wright, director of the Deep South Center for Environmental Justice at Dillard University.

There are other examples: In 1988, a Hispanic grassroots organization Mothers of East L.A. defeated the construction of a huge toxic waste incinerator in their Los Angeles community. The same year, in Dilkon, Ariz., a small group of Navajo community activists spearheaded a successful effort to block the construction of a \$40 million toxic waste incinerator.

Diversifying the Movement

At stake for minorities is not just the protection of their communities, but access to the burgeoning green economy.

"To date, most of the jobs in the green sector have gone to people with advanced degrees such as engineers, architects and landscape architects," says Hipólito, executive director of the Oregon-based Verde.

"More recently, weatherization and stormwater management projects have produced jobs for low-wage workers. The pay scale for these jobs varies."

The Obama administration's economic stimulus package contains more than \$20 billion for investment in a cleaner, greener economy, including \$500 million for green job training. Whether this "green collar" economy will usher in a new era of socioeconomic mobility for low-income citizens or strengthen the existing middle class has yet to be determined, Hipólito says.

‘What is a green job? How do I get one?’ That is what people want to know, Hipólito says. “The term ‘green job’ has yet to be formally defined,” he adds.

Verde, an environmental justice organization, connects low-income people of color to the benefits of the green job economy by creating new job, training, and business development opportunities such as the Verde Native Plant Nursery.

Success, Hipólito says, will be dependent on whether there will be meaningful pathways and training programs that make green jobs accessible to minorities at every rung of the green job ladder.

Researchers, in a report co-sponsored by the Center for Diversity & the Environment and the Conservation Fund and titled “Diversifying the Environmental Movement,” argue environmental organizations must focus on cultural inclusivity, recruitment, retention, outreach and collaboration to integrate the movement.

The most obvious places for the EPA to begin partnership-building is with minority-serving institutions, says Williams of FAMU. In 2008, the university’s Environmental Sciences Institute celebrated the graduation of its 50th graduate student.

“If the government or private organizations are serious about addressing environmental issues for all communities, if they are serious about diversifying the work force, then they have to look to and invest in HBCUs [historically Black colleges and universities],” Williams says. “HBCUs can make an immediate impact both in training the next generation of environmental professionals and increasing awareness about environmental issues in minority communities.”

Jackson agrees. “Historically Black institutions and Hispanic-serving institutions are churning out young, talented people who are technically trained, who are interested in environmental sciences, biological sciences and chemistry,” she says. “We are going to make sure that we are recruiting them, so that we change our entry-level work force and make sure they are represented there. Students at universities are the catalyst for change at their own schools. Howard University, here in the District, we will soon be working with them on a greening effort on their campus.”

Williams is encouraged by the appointment of Jackson to the EPA. He believes that her presence will make a difference in the psyches of minority children who lack environmental role models.

“One of the biggest problems that we have is recruiting students to become majors, particularly at the undergraduate level. Kids need to know that there are champions like Lisa Jackson and that the field has value. There is a tremendous value in being able to protect your community,” Williams says.

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Jonathan V. Newton, Attorney-Advisor
U.S. EPA, Office of the Administrator
1200 Pennsylvania Avenue, NW (MC 1105A)
Washington, D.C. 20460
(202) 566-1981

Richard Windsor/DC/USEPA/US
09/22/2009 05:54 PM

To Allyn Brooks-LaSure, Seth Oster, Betsaida Alcantara
cc
bcc
Subject Fw: CLIMATE: Browner, Jackson blast Murkowski's EPA amendment

----- Forwarded by Richard Windsor/DC/USEPA/US on 09/22/2009 05:54 PM -----

From: David McIntosh/DC/USEPA/US
To: Richard Windsor/DC/USEPA/US@EPA
Date: 09/22/2009 05:46 PM
Subject: CLIMATE: Browner, Jackson blast Murkowski's EPA amendment

Noelle Straub and Robin Bravender, E&E reporters

Senior Obama administration officials today blasted a possible amendment from Sen. Lisa Murkowski (R-Alaska) that would restrict U.S. EPA's authority to regulate carbon dioxide emissions from stationary sources.

White House energy and climate adviser Carol Browner criticized Murkowski's approach of using the EPA spending bill as a vehicle for limiting the agency's regulatory power.

"We don't think trying to legislate on appropriations bills is a good idea," Browner told reporters in New York. "You can end up with a lot of unintended consequences. The best way to address the issue of climate change is to use comprehensive legislation to put together a package of all of the committee bills."

The proposed [amendment](#) to EPA's fiscal 2010 spending bill would prohibit the agency for one year from regulating heat-trapping emissions from stationary sources like power plants and industrial facilities.

EPA Administrator Lisa Jackson also weighed in, saying the amendment would have a broad reach across regulatory programs.

"While we have worked to provide the clarity American business needs, the Murkowski amendment would deliver exactly the opposite," Jackson said in a statement.

Jackson said the amendment would halt EPA's effort to give industry clear rules for storing carbon pollution deep underground, would subject state permitting authorities and industrial permit applicants alike to more litigation and delay, and would freeze industrial development in large parts of the country due to regulatory uncertainty.

Murkowski today said that her amendment would be tailored carefully so that it only affects regulations dealing with large industrial sources of carbon dioxide.

"This does not speak to the reporting side of it, that would continue absolutely," the senator said.

"It's just as to stationary sources and it's just as to regulation of carbon dioxide, and so it's pretty specific, it's pretty narrow in that vein."

Murkowski said she has not yet decided whether to formally introduce the amendment. "We are talking with our colleagues on the other side of the aisle trying to figure out what, whether or not we introduce it, in what form, so we continue to work."

Murkowski's amendment has already come under fire from top Democrats and environmentalists, who have accused the senator of attempting to undermine a Supreme Court decision giving EPA the authority to regulate carbon dioxide emissions ([E&E Daily](#) , Sept. 22).

Senate Environment and Public Works Chairwoman Barbara Boxer (D-Calif.) said the amendment is "a gift to polluters," while an EPW subcommittee chairman said Democrats would attempt to head Murkowski off somehow.

"I don't know that we can stop her from offering her amendment," said Sen. Tom Carper (D-Del.) "We may want to table it. We may want to try and defeat it. We may want to offer a second degree. All of the above. Or one of the above."

More EPA amendments

Sen. John Barrasso (R-Wyo.) introduced an amendment designed to prevent EPA from moving forward with its endangerment finding until the agency's inspector general completes an investigation into how the embattled EPA employee Alan Carlin was treated by his superiors. Barrasso said his amendment was an attempt to promote transparency and good government ([E&ENews PM](#) , Sept. 15).

Interior Appropriations Subcommittee Chairwoman Dianne Feinstein (D-Calif.), who is managing the bill on the floor, objected when Barrasso attempted to bring up his amendment. Saying her opposition was not to Barrasso but rather to "putting climate change on this bill," Feinstein said she would also object to Barrasso's other two amendments on the subject if he tried to call them up.

One of those Barrasso amendments would prevent EPA's endangerment finding from going into effect until the agency grants a petition from the U.S. Chamber of Commerce to have a trial-like hearing on the endangerment finding. "The on-the-record proceeding would be a great opportunity for EPA to ensure transparency," Barrasso said. "To deny this request is an admission by the EPA that their work on endangerment can't withstand scrutiny."

Another Barrasso amendment would take aim at a recent secretarial order signed by Interior Secretary Ken Salazar to develop an across-the-board approach to climate change for the resources managed by the department. Barrasso said the order would put the "cart before the horse" and that Congress should pass a climate change bill before any agency begins a "regulatory process" to address global warming.

The Senate accepted by voice vote on one amendment from Barrasso preventing the Forest

Service from using \$2.8 million from the stimulus package for wildland fire management in Washington, D.C. He noted that the city does not have a national forest fire problem; Feinstein agreed and supported the amendment.

Calif. water

Feinstein also objected to an attempt by Sen. Jim DeMint (R-S.C.) to call up his amendment dealing with water in the California Central Valley. The measure would prevent any funds in the spending bill from being used to restrict, reduce or reallocate water as called for in two federal biological opinions. DeMint said that "radical environmental groups" and judges cannot be allowed to cut off water supplies to farmers in the area.

Feinstein, who has long worked on the issue, expressed surprise that the measure would come from DeMint and said the issue is very hot in California but not South Carolina. She said the amendment would "handcuff" the Interior Department and release water with no regard to endangered species or other needs and would lead to lawsuits. "I don't quite understand what's going on here," she said. "In a way, this is a kind of Pearl Harbor on everything that we're trying to do."

After Feinstein objected to his amendment, DeMint instead offered a motion to recommit the bill back to committee. Feinstein urged her colleagues to vote "no" on the motion.

Reporters Darren Samuelsohn and Patrick Reis contributed.

Richard Windsor/DC/USEPA/US
12/16/2011 07:32 PM

To Arvin Ganesan
cc
bcc
Subject Re: Boiler MACT out of payroll tax cut deal

Congrats!

From: Arvin Ganesan
Sent: 12/16/2011 07:11 PM EST
To: Richard Windsor
Subject: Fw: Boiler MACT out of payroll tax cut deal

Fyi.

Sent from my Blackberry Wireless Device

From: POLITICO Pro Whiteboard [proalerts@politicopro.com]
Sent: 12/16/2011 07:09 PM EST
To: Arvin Ganesan
Subject: Boiler MACT out of payroll tax cut deal

12/16/11 7:09 PM EST

The Senate payroll tax cut deal won't include House-passed language blocking EPA boiler MACT regulations, according to a spokesman for Majority Leader Harry Reid. That provision would have delayed the rule for 15 months, shifted requirements to focus on the least costly option available and extended the compliance period. An updated boiler MACT rule issued earlier this month had already [quelled some concerns](#) on Capitol Hill.

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<https://www.politicopro.com/member/?webaction=viewAlerts>

Richard Windsor/DC/USEPA/US
03/26/2010 02:58 PM

To Arvin Ganesan
cc
bcc
Subject Re: Byrd Reaction To EPA Announcement Regarding Spruce #1 Mine

Cool
Arvin Ganesan

----- Original Message -----

From: Arvin Ganesan
Sent: 03/26/2010 02:47 PM EDT
To: Richard Windsor; Adora Andy; Seth Oster; Bob Sussman; Shawn Garvin
Subject: Fw: Byrd Reaction To EPA Announcement Regarding Spruce #1 Mine

Robert C. Byrd. The voice of reason.

ARVIN R. GANESAN
Deputy Associate Administrator
Congressional Affairs
Office of the Administrator
United States Environmental Protection Agency
Ganesan.Arvin@epa.gov
(p) 202.564.5200
(f) 202.501.1519

----- Forwarded by Arvin Ganesan/DC/USEPA/US on 03/26/2010 02:46 PM -----

From: "Jacobs, Jesse (Byrd)" <Jesse_Jacobs@byrd.senate.gov>
To: Arvin Ganesan/DC/USEPA/US@EPA
Date: 03/26/2010 02:45 PM
Subject: FW: Byrd Reaction To EPA Announcement Regarding Spruce #1 Mine

fyi

News From _____

U.S. Senator
Robert C. Byrd
West Virginia
Phone (202) 224-3904

For Immediate Release: Friday, March 26, 2010

**BYRD REACTS TO ENVIRONMENTAL PROTECTION AGENCY
ANNOUNCEMENT REGARDING SPRUCE #1 MINE**

Washington, DC – U.S. Senator Robert C. Byrd, D-W.Va., issued the following reaction to the Environmental Protection Agency's (EPA) announcement that they will begin veto proceedings of Arch Coal's surface mining request at Spruce #1 Mine in Logan County:

"The announcement by the EPA today of its Proposed Determination to exercise its veto authority over the Spruce #1 Mine permit begins a process that enables the company and the

public to comment on the matter in writing and at public hearings. I would strongly encourage all parties to seek a balanced, fair, reasonable compromise.”

“EPA Administrator Jackson reiterated to me that more wide-ranging guidance is forthcoming in the near future, providing clarity relating to water quality issues and mining permits. I encouraged her to move forward as soon as possible so those seeking approval of permits can fully understand the parameters for acceptable activity under the Clean Water Act.”

###

[attachment "SpruceMineReact032610.doc" deleted by Richard Windsor/DC/USEPA/US]

Richard Windsor/DC/USEPA/US
05/18/2011 12:54 PM

To Arvin Ganesan
cc
bcc
Subject Re: DURBIN ASKS STATE OF ILLINOIS TO COMPLY WITH EPA DECISION ON WATER QUALITY STANDARDS FOR CHICAGO RIVER

Cool
Arvin Ganesan

----- Original Message -----

From: Arvin Ganesan
Sent: 05/18/2011 12:51 PM EDT
To: Richard Windsor
Subject: Fw: DURBIN ASKS STATE OF ILLINOIS TO COMPLY WITH EPA DECISION ON WATER QUALITY STANDARDS FOR CHICAGO RIVER

Sent from my Blackberry Wireless Device
Denise Gawlinski

----- Original Message -----

From: Denise Gawlinski
Sent: 05/18/2011 11:49 AM CDT
To: Susan Hedman; Bharat Mathur; Tinka Hyde; Timothy Henry; Linda Holst; Anne Rowan; Phillippa Cannon; Elissa Speizman; Cameron Davis; Robert Kaplan; Gary Prichard; Ronna Beckmann; Gloria Swanson; Naimah Karim; Arvin Ganesan; Sarah Pallone; Jack Bowles; Denis Borum
Subject: Fw: DURBIN ASKS STATE OF ILLINOIS TO COMPLY WITH EPA DECISION ON WATER QUALITY STANDARDS FOR CHICAGO RIVER

Durbin news release and letter to IEPA below.

Denise Gawlinski
Congressional/Intergovernmental Liaison
Office of Regional Administrator
U.S. EPA Region 5
(312) 886-9859

----- Forwarded by Denise Gawlinski/R5/USEPA/US on 05/18/2011 11:44 AM -----

From: "Collinson, Erin (Durbin)" <Erin_Collinson@durbin.senate.gov>
To: Denise Gawlinski/R5/USEPA/US@EPA
Date: 05/18/2011 11:42 AM
Subject: FW: DURBIN ASKS STATE OF ILLINOIS TO COMPLY WITH EPA DECISION ON WATER QUALITY STANDARDS FOR CHICAGO RIVER

[Here you go!](#)

From: Mulka, Christina (Durbin)
Sent: Wednesday, May 18, 2011 12:33 PM
To: Mulka, Christina (Durbin)
Subject: DURBIN ASKS STATE OF ILLINOIS TO COMPLY WITH EPA DECISION ON WATER QUALITY STANDARDS FOR CHICAGO RIVER



For Immediate Release

Contact: Christina Mulka

Christina_mulka@durbin.senate.gov

202-228-5643

May 18, 2011

DURBIN ASKS STATE OF ILLINOIS TO COMPLY WITH EPA DECISION ON WATER QUALITY STANDARDS FOR CHICAGO RIVER

***Senator briefed by EPA Administrator after environmental group
names Chicago River among the ten most endangered rivers in
the country***

[WASHINGTON, D.C.] – After a briefing from the U.S. Environmental Protection Agency (EPA) Administrator, Lisa Jackson, U.S. Senator Dick Durbin (D-IL) today asked the Illinois Environmental Protection Agency (IEPA) to strengthen its water quality standards for the Chicago and Calumet Rivers as soon as possible. Yesterday, American Rivers – a national environmental group – named the Chicago River among the ten most endangered rivers in the country. The group estimates that sewage comprises roughly 70% of the water in Chicago River.

“We have an opportunity to save the Chicago River. A safe and healthy waterway will strengthen Chicago’s lakefront,” wrote Durbin. **“I would ask the IEPA to comply with the request made the by the U.S. EPA and adopt more stringent water quality standards to reflect the potential for recreational activities in the Chicago Area Waterway System and Lower Des Plaines River.”**

Last week, EPA Region V notified the State of Illinois that water quality standards for five segments of the Chicago and Calumet River must be upgraded to protect health and safety on the rivers. To attain this standard, the Metropolitan Water Reclamation District (MWRD) of Greater Chicago will be required to disinfect sewage discharged into the waterway system from two treatment plants at Calumet and North Side. Every day, the MWRD releases 1.2 billion gallons of wastewater into the Chicago River. Chicago is the last major metropolitan area that does not disinfect its wastewater.

[Text of the letter below]

May 18, 2011

Lisa Bonnett
Interim Director
Illinois Environmental Protection Agency
1021 North Grand Avenue East
Springfield, IL 62702

Dear Director Bonnett:

I urge the Illinois Environmental Protection Agency to strengthen water quality standards for segments of the Chicago Area Waterway System and the Lower Des Plaines River expeditiously, as requested by the U.S. Environmental Protection Agency (EPA) in a letter dated May 11th.

Federal regulations require states to adopt water quality standards that provide "for recreation in and on water," unless recreational uses are found to be unattainable. The EPA's recent evaluation of the Chicago Area Waterway System and Lower Des Plaines River found substantial evidence to suggest that recreational activities are already occurring in and on these waterways.

As you know, Chicago is the only major U.S. city that does not disinfect its sewage. This has had a significant impact on water quality in the Chicago River and its tributaries. American Rivers, a national environmental group, recently named the Chicago River among the ten most endangered rivers in the country, because of the threat posed by sewage waste. The group estimates that undisinfected wastewater comprises as much as 70 percent of the water in the Chicago River.

We have an opportunity to save the Chicago River. A safe and healthy waterway system will strengthen Chicago's lakefront. I ask the Illinois EPA to comply with the request made by the U.S. EPA and adopt more stringent water quality standards to reflect the potential for recreational activities in the Chicago Area Waterway System and Lower Des Plaines River.

Sincerely,

Richard J. Durbin

Richard
Windsor/DC/USEPA/US
08/19/2011 06:30 AM

To Arvin Ganesan
cc
bcc
Subject Re: Fw: Check Out This Article

Yup

From: Arvin Ganesan
Sent: 08/18/2011 11:31 PM EDT
To: Richard Windsor
Cc: corman.bicky@epa.gov; Fulton.Scott@epa.gov; ganesan.arvin@epa.gov; goo.michael@epa.gov; Janet McCabe; mccarthy.gina@epa.gov; moats.michael@epa.gov; oster.seth@epa.gov; perciasepe.bob@epa.gov; Stoner.Nancy@epa.gov; Sussman.bob@epa.gov; thompson.diane@epa.gov; Laura Vaught
Subject: Re: Fw: Check Out This Article

I couldn't click on the link for some reason, but I think you're referring to this positive article.

Report: No 'train wreck' from EPA utility rules

By Andrew Restuccia - 08/18/11 06:40 PM ET

Utility industry claims that looming Environmental Protection Agency rules for power plants will create an economic "train wreck" are overblown, the non-partisan Congressional Research Service (CRS) says in a new report.

Because EPA has yet to propose or finalize many of its clean air regulations, industry-sponsored studies predicting economic calamity "effectively underestimate the complexities of the regulatory process and overstate the near-term impact of many of the regulatory actions," CRS says in **an Aug. 8 report** that has been circulating on Capitol Hill in recent days.

The report comes amid escalating concerns from Republicans and some moderate Democrats about EPA regulations aimed at reducing greenhouse gas emissions and a slew of other air pollutants. House Republicans have led a multi-prong effort to block or delay the rules and many GOP presidential hopefuls have made EPA a symbol of federal overreach.

But CRS says the public health benefits of the regulations – which EPA says would prevent thousands of premature deaths and illnesses – outweigh the costs.

"The costs of the rules may be large, but, in most cases, the benefits are larger, especially estimated public health benefits," the report says.

The report analyzes studies by the Edison Electric Institute and the North American Electric Reliability Corporation that say EPA's regulations amount to a "train wreck" that will hobble the economic recovery. EPA opponents have long pointed to the studies in objecting to the rules.

But the August CRS report says the studies don't reflect the reality of EPA's regulations.

"The studies sponsored by industry groups (EEI and NERC) were written before EPA proposed most of the rules whose impacts they analyze, and they assumed that the rules would impose more stringent requirements than EPA proposed in many cases," the CRS report says.

In addition, CRS notes that the regulations are likely to change in the coming months and, once finalized, facilities will have “several years before being required to comply.”

The report also dismisses concerns that the regulations will result in the shuttering of coal-fired power plants. American Electric Power and other utilities have said the pending rules will **force the closure of plants**.

“The primary impacts of many of the rules will largely be on coal-fired plants more than 40 years old that have not, until now, installed state-of-the-art pollution controls,” the report says. “Many of these plants are inefficient and are being replaced by more efficient combined cycle natural gas plants, a development likely to be encouraged if the price of competing fuel—natural gas—continues to be low, almost regardless of EPA rules.”

Many utilities have installed the necessary technology to comply with the regulations, the report says, noting that for those plants “costs will be minimal.”

More broadly, the report says that industry studies go about evaluating the costs of EPA rules all wrong. The studies can’t accurately predict costs on a national or regional level because they are site-specific, the report says.

“In reality, evaluating regulatory impacts, compliance costs, and possible retirement decisions depends on facility-specific considerations—micro, not macro,” the report says. “Utilities and states will be affected differently.”

Lastly, the report downplays concerns from Republicans like Sen. Lisa Murkowski (R-Alaska) that EPA rules will **affect power grid reliability**.

“There is a substantial amount of excess generation capacity at present, due in part to the recession and also due to the large number of natural gas combined cycle plants constructed in the last decade, muting reliability concerns,” the report says.

-----Richard Windsor/DC/USEPA/US wrote: -----

To: "Bob Perciasepe" <perciasepe.bob@epa.gov>, "Diane Thompson" <thompson.diane@epa.gov>, "Arvin Ganesan" <ganesan.arvin@epa.gov>, "Laura Vaught" <Vaught.Laura@epamail.epa.gov>, "Michael Goo" <goo.michael@epa.gov>, "Bicky Corman" <corman.bicky@epa.gov>, "Bob Sussman" <Sussman.bob@epa.gov>, "Gina (Sheila) McCarthy" <mccarthy.gina@epa.gov>, "Janet McCabe" <McCabe.Janet@epamail.epa.gov>, "Seth Oster" <oster.seth@epa.gov>, "Michael Moats" <moats.michael@epa.gov>, "Scott Fulton" <Fulton.Scott@epa.gov>, "Nancy Stoner" <Stoner.Nancy@epa.gov>

From: Richard Windsor/DC/USEPA/US

Date: 08/18/2011 11:20PM

Subject: Fw: Check Out This Article

From: Richard Windsor
Sent: 08/18/2011 10:53 PM AST
To: Richard Windsor
Subject: Check Out This Article

CHECK OUT THIS ARTICLE

Your friend, Windsor.Richard@EPA.gov, thought you would be interested in this article from TheHill.com:

To enjoy more great articles visit us on TheHill.com

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Richard
Windsor/DC/USEPA/US
04/17/2009 03:04 PM

To Arvin Ganesan
cc
bcc
Subject Re: Steve Owens

Yup. Saw it. Thx.
Arvin Ganesan

----- Original Message -----

From: Arvin Ganesan
Sent: 04/17/2009 02:43 PM EDT
To: Richard Windsor
Subject: Steve Owens

Lisa,

Steve Owens hasn't been nominated yet - white house vetting is slowing that down - but wanted to give you a heads up to this Inside EPA article. I don't think it's a big deal now, but I'll track it - particularly the reaction of our friends in the environmental community.

OPPT Nominee Lacks Toxics Expertise But Brings Crucial Political Focus

Stephen Owens, President Barack Obama's pending nominee to head EPA's pesticides and toxics office (OPPT), does not have extensive technical expertise but instead brings wide-ranging political and management experience to the office that could be crucial as policymakers work to reform U.S. chemical management policy, EPA and other sources say.

"We're not looking for a chemist -- we have plenty of subject matter experts -- we're looking for a manager," Jim Jones, OPPT's acting chief, told the GlobalChem chemical industry conference in Baltimore, MD, April 7. "I think [Owens] has exactly the type of background you'd like especially with some of the legislative challenges we face."

Obama April 1 announced his intent to nominate Owens -- who until earlier this year served as head of the Arizona Department of Environmental Quality (DEQ) -- to replace James Gulliford as head of OPPT, a post to which he brings wide-ranging political experience at the state and federal level.

With a law degree from Vanderbilt Law School, Owens served as counsel to the oversight subcommittee of the House science and technology

committee under its then-Chairman Al Gore (D-TN). When Gore won election to the Senate, Owens served as his general counsel and state director from 1985 to 1988, according to a biography recently released by the White House.

Upon leaving the Hill, he moved to Arizona and set up an environmental law practice. He was active in local politics, and twice ran unsuccessfully for Congress against then-Rep. J.D. Hayworth (R-AZ) in 1996 and 1998 before then-Gov. Janet Napolitano (D) appointed Owens director of DEQ in 2003. Owens was elected president of the Environmental Council of the States (ECOS), the national state environmental agency directors association, in September 2008.

Owens resigned from DEQ and ECOS in January, after Obama nominated Napolitano for homeland security secretary, and she was replaced by the Republican lieutenant governor.

During his tenure in Arizona, Owens has shown a willingness to use regulatory authorities to drive policy -- a strategy that may prove useful to environmentalists seeking to pressure Congress to strengthen the Toxic Substances Control Act (TSCA). At the ECOS annual meeting in Portland, OR, in 2006, he publicly urged EPA to provide guidance that would help encourage the state legislature to amend state law so DEQ could qualify for a controversial EPA water funding program. At the meeting, Owens urged former Bush EPA water office chief Benjamin Grumbles to provide guidance "on how do we persuade the legislature that this needs to be changed."

Similarly, an Arizona business source says Owens developed regulations as a way to encourage the legislature to provide the state with authority to implement its requirements under the Western Climate Initiative (WCI) -- an evolving proposal for a greenhouse gas (GHG) cap-and-trade program covering seven states and four Canadian provinces.

While Napolitano said the WCI needed legislative authority to be implemented in the state, Owens "started pushing through rules" that would lead to its enactment, and to "circumvent legislators," the business source says, adding, "the legislature went apoplectic."

In addition to his deep involvement in the WCI, Owens also played a key role developing a climate initiative with the neighboring Mexican state of Sonora that was one of several local measures intended to push climate change regulations at a time when they were opposed by the Bush administration. Officials from the two states signed a declaration of

cooperation in 2006 that says "a scientific consensus has developed" that increasing emissions of GHGs are changing the climate and called on regulators to develop a regional GHG inventory and identify opportunities for reducing and sequestering the emissions.

While Owens is little known inside the Washington beltway, his leadership in Arizona has drawn strong reaction from industry and environmentalists. The business source, for example, criticized Owens for refusing to issue any uranium mining permits and argued that the comprehensive solid waste program implemented under Owens' leadership is "contrary to law."

The business source says Owens' "decisions were contrary to authority, law and science because he was using them for political purposes." The source also called Owens "vindictive," saying he increased enforcement actions against business owners who refused to go along with his positions.

Asked about Owens' experience with chemicals or risk assessment, the source said he had none. A pesticides activist also cited this concern, saying, "I cannot find anything [Owens has] ever done with toxic substances. He's done climate change, water and air. Why is he being nominated for OPPTS?"

But a source with the Sierra Club Grand Canyon Chapter disagrees, noting that under Owens' watch DEQ completed a hazardous air pollutants rule that had languished for 12 years. Owens also supported a change to Arizona pesticide spraying notification law that the Sierra Club sought, the source says. The change, passed in 2006, required pesticides users to notify day care centers and schools when spraying took place in their vicinity, the source says.

Owens is deeply concerned about climate change and also children's health -- another priority of Jackson's -- the Sierra Club source says. He started a children's environmental health office at DEQ, which recently funded a study of the relationship between asthmatic children's emergency room visits and air quality.

"I think he has a lot of background trying to reform and change things," the Sierra Club source says. "He's certainly taken a lot of arrows and been in difficult positions. As long as he has support from his boss, I think he'll do a good job of reform for people and the environment." --
Maria Hegstad

Deputy Associate Administrator for Congressional Affairs
United States Environmental Protection Agency
Ganesan.Arvin@epa.gov
(p) 202.564.5200
(f) 202.501.1519

Richard Windsor/DC/USEPA/US

03/02/2010 06:02 PM

To Arvin Ganesan, Bob Perciasepe, Diane Thompson

cc

bcc

Subject Fw: good statement from Senator Landrieu in this story

----- Forwarded by Richard Windsor/DC/USEPA/US on 03/02/2010 06:01 PM -----

From: David McIntosh/DC/USEPA/US
To: Richard Windsor/DC/USEPA/US@EPA
Date: 03/02/2010 05:16 PM
Subject: good statement from Senator Landrieu in this story



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CLIMATE: Senate moderates welcome move away from economywide cap and trade (Tuesday, March 2, 2010)

Darren Samuelsohn, E&E senior reporter

Several moderate senators today welcomed moves to pare back comprehensive energy and climate change legislation by dealing with different sectors of the economy in different ways.

Democratic and GOP senators said they appreciated the new plan being crafted by Sens. John Kerry (D-Mass.), Lindsey Graham (R-S.C.) and Joe Lieberman (I-Conn.) that would phase in mandatory greenhouse gas limits, beginning with the electric utility industry and then moving toward manufacturers, while placing the nation's transportation fuels under a carbon tax that rises based on compliance costs for the other major emitters.

"I'm definitely open to this approach as opposed to the previous approach and as opposed to doing nothing," said Sen. Mary Landrieu (D-La.).

"I think doing nothing is a terrible mistake," Landrieu added. "It's a terrible mistake not just for the environment. But it's a terrible mistake for the economy. Because there are billions of dollars in private capital sitting on the sidelines waiting for the referee to blow the whistle and set the rules of the game. If the referee hides in the dugout and no whistle is ever blown and no rules are ever published, that money can't create jobs."

Sen. Lamar Alexander (R-Tenn.) said a less sweeping measure may be more appropriate, citing concerns with the overall size of the House-passed bill and a Senate counterpart he opposed in the Environment and Public Works Committee.

"Any movement away from economywide cap and trade is a movement in the right direction," said Alexander, the chairman of the Senate Republican Conference, who also urged lawmakers to focus on conventional air pollutants from power plants and "leave manufacturers alone."

Kerry, Graham and Lieberman led a series of meetings today on the broad outlines of their approach with senators and outside interests, including U.S. Chamber of Commerce President Tom Donohue. Kerry said the three senators would have specifics on paper in the coming days.

"We'll be continuing to meet with people to address their concerns, and so we obviously have to give them language to try to do that," Kerry said following a meeting in the Capitol that included Sens. Max Baucus (D-Mont.), Carl Levin (D-Mich.), Jeff Bingaman (D-N.M.), Sherrod Brown (D-Ohio), Mark Warner (D-Va.), Tom Carper (D-Del.), Debbie Stabenow (D-Mich.), Mark Udall (D-Colo.) and George Voinovich (R-Ohio).

Emerging from the same meeting, several of the senators said the Kerry-led trio may have found a sweet spot, though they would like to see more information.

"It's positive, it's refreshing, it's new thinking, it's potential," said Finance Chairman Baucus.

"I think most of the folks in the room would like to move ahead on something, and the details matter, and we'll get them in a couple of days," said Levin. "You've got to chew on these things. You can't just sit at a table here and say, 'Yes, yes, no, no,' without knowing the precise details of what you're agreeing to. This matters as to how effective it will be, and how fair. Will it be effective to accomplish the goal, and will it be fair in terms of the responsibilities that are accepted by various people?"

Others sounded skeptical.

Voinovich said he is not optimistic about the chances for a broad-brush bill. "I think the environment for a large cap and trade or whatever you want to call it is not there today," he said, adding that the public also remains dubious of a complex trading system with billions of dollars in allowances moving around from industry to industry, and into the Treasury.

"People are very skeptical about saying what we're going to do is take a dollar out of your back pocket and we'll turn around and give it to you in your right one," Voinovich said.

"I don't know how it would work," said Bingaman, the chairman of the Energy and Natural Resources Committee. "This mix-and-match kind of discussion

doesn't get you anywhere. You've got to get down to specifics."

And Senate Policy Committee Chairman Byron Dorgan (D-N.D.) renewed his call for passage of an energy-only approach. "Cap and trade or a first cousin of cap and trade won't pass this year in my judgment," he said.

Majority Leader Harry Reid (D-Nev.) last week urged Kerry to get a bill out for review as soon as possible.

"The window is very small," Majority Whip Dick Durbin (D-Ill.) said today. "To be honest, I know what this calendar is like, and I know what it takes to do the routine things. Days at a time. And anything that has controversy or meat in it is going to take longer. So the majority leader is right."

Asked if he wanted to introduce legislation before Easter, Kerry replied, "That'd be nice."

Reporter Robin Bravender contributed.

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Richard Windsor/DC/USEPA/US
09/28/2011 05:52 PM

To Betsaida Alcantara
cc
bcc
Subject Re: Dow Jones: EPA Criticized Over Greenhouse-Gas Findings

Cool
Betsaida Alcantara

----- Original Message -----

From: Betsaida Alcantara
Sent: 09/28/2011 05:38 PM EDT
To: Betsaida Alcantara
Cc: Arvin Ganesan; Bob Perciasepe; Bob Sussman; Brendan Gilfillan; Diane Thompson; Gina McCarthy; Laura Vaught; Richard Windsor; Seth Oster; Stephanie Owens

Subject: Dow Jones: EPA Criticized Over Greenhouse-Gas Findings
EPA Criticized Over Greenhouse-Gas Findings
By TENNILLE TRACY

WASHINGTON—Internal investigators at the Environmental Protection Agency said the agency failed to follow peer-review guidelines when developing a key scientific document that underpins its greenhouse-gas regulations.

The findings are likely to stoke Republican opposition to the EPA's efforts to regulate greenhouse gases and could arm industry groups that are fighting the regulations in court. One prominent Republican is already calling for congressional hearings on the issue.

EPA said it "disagree[s] strongly" with the findings. An EPA spokeswoman said the findings focus on "wonky" government processes and do nothing to cast doubt on the underlying science.

The document in question was developed by the EPA and used to support its 2009 "endangerment finding." That finding concluded that greenhouse gases—including carbon dioxide, methane and nitrous oxide—pose a threat to public health. It paved the way for the EPA to begin developing greenhouse-gas standards for refiners, power plants and other large emitters.

In a report released Wednesday, the EPA's inspector general said the agency didn't follow federal guidelines for peer review when developing a 200-page scientific document to support its findings. While EPA had the document reviewed by a dozen federal climate-change scientists, the agency did not publicly report the results of the review, the inspector general says.

The inspector general didn't evaluate the quality of the EPA's science. It only reviewed the process the agency used for developing it.

"EPA undertook a thorough and deliberate process in the development of this finding, including a careful review of the wide range of peer-reviewed science," the EPA said in a statement.

The impact of the inspector general's report on the agency's ability to develop new greenhouse-gas rules, or to enforce existing rules, is unclear.

Sen. James Inhofe (R., Okla.), a climate-change skeptic and the ranking Republican on the Senate's environment committee, is already calling for a congressional hearing to examine the findings.

The inspector general's report "confirms that the endangerment finding, the very foundation of President [Barack] Obama's job-destroying regulatory agenda, was rushed, biased and flawed," Mr. Inhofe said in a statement.

The inspector general notes that the National Research Council, one of the agencies that supplied the EPA with scientific data, recently said in a report that "a strong, credible body of scientific evidence shows that climate change is occurring, is caused largely by human activities, and poses significant risks for a broad range of human and natural systems."

Write to Tennille Tracy at tennille.tracy@dowjones.com

Richard Windsor/DC/USEPA/US
09/22/2010 02:39 PM

To Betsaida Alcantara
cc
bcc
Subject Re: Greenwire -- WHITE HOUSE: Cabinet meeting yields 'environmental justice' pledges

Cool too! Good work. Tx.
Betsaida Alcantara

----- Original Message -----

From: Betsaida Alcantara
Sent: 09/22/2010 12:56 PM EDT
To: Richard Windsor
Subject: Greenwire -- WHITE HOUSE: Cabinet meeting yields 'environmental justice' pledges
i had a nice talk to this greenwire reporter. here's his article. all good

WHITE HOUSE: Cabinet meeting yields 'environmental justice' pledges (Wednesday, September 22, 2010)

Gabriel Nelson, E&E reporter

During a meeting this morning at the White House, the heads of U.S. EPA, the Interior Department, the Transportation Department and the Department of Housing and Urban Development agreed to update their environmental justice plans by next fall and to restart a long-dormant panel that was created to address that issue.

The Interagency Working Group on Environmental Justice, formed in 1994 by President Clinton under Executive Order 12898, had not convened at the Cabinet level since the middle of the Clinton administration, EPA said today. The agencies will now meet monthly to discuss environmental justice, with their top officials gathering for follow-up Cabinet sessions in April and October of next year.

Today's meeting showed that the individual agencies have already made environmental justice a priority, EPA Administrator Lisa Jackson told Greenwire today.

"There's a lot of legwork that goes into the kind of work we heard from each one of the agencies in the room," Jackson said, explaining why the panel hadn't gathered since President Obama took office. "None of these agencies, and certainly not my own, have waited in terms of impacting and acting on environmental justice."

Attorney General Eric Holder presented a plan to improve enforcement under Title VI of the Civil Rights Act, which bars discrimination on the basis of race, color and national origin, she said. HUD Secretary Shaun Donovan discussed the fair distribution of disaster relief funding, and DOT Secretary Ray LaHood outlined the agency's role in promoting sustainable development.

Since the start of her tenure, Jackson has made environmental justice a priority at EPA, listing it in a draft strategic plan as one of the agency's seven priorities for the next five years. As part of the so-called "Environmental Justice Tour," she has joined members of the Congressional Black Caucus on visits to areas facing environmental distress.

EPA is currently taking comment on draft guidance, released earlier this summer, that tells employees how to factor environmental justice into their decisions. The agency is also working on a screening tool that uses demographic and pollution data to identify pockets of people who have suffered more than most (Greenwire, July 30).

The administration announced today that it will schedule regional "listening sessions" on environmental justice next year and hold a White House forum on the topic. Though President Obama is drawing intense fire from Republicans, who say his regulatory agenda has slowed the recovery of the economy, Jackson said the meeting on environmental justice was not an effort to respond to that criticism.

"This meeting wasn't about politics," she said. "A clean environment is not a political issue -- every American wants and demands a clean and healthy environment."

Today's meeting was also attended by Nancy Sutley, chairwoman of the White House Council on Environmental Quality; Carol Browner, the White House climate and energy adviser and a former EPA

director; John Holdren, director of the White House Office of Science and Technology Policy; Melody Barnes, director of the White House Office of Domestic Policy; and Martha Johnson, head of the General Services Administration.

"This country was built on the promise of equal opportunity for all of us, yet low-income families and minority communities shoulder a disproportionate amount of pollution and environmental degradation," Sutley said in a statement. "We cannot and will not ignore these disparities."

Richard Windsor/DC/USEPA/US
08/16/2011 07:48 AM

To Betsaida Alcantara, Michelle DePass, Seth Oster, Bob Perciasepe, Bob Sussman, Diane Thompson, Shalini Vajjhala, Brendan Gilfillan, Elle Beard, Alisha Johnson, Andra Belknap, Stephanie Owens, Dru Ealons, Michael Moats, Vicki Ekstrom, Daniel Kanninen

cc

bcc

Subject Re: Nutter in Rio with EPA to teach, learn about green development

Cool!

Betsaida Alcantara

----- Original Message -----

From: Betsaida Alcantara

Sent: 08/16/2011 07:47 AM EDT

To: Richard Windsor; Michelle DePass; Seth Oster; Bob Perciasepe; Bob Sussman; Diane Thompson; Shalini Vajjhala; Brendan Gilfillan; Elle Beard; Alisha Johnson; Andra Belknap; Stephanie Owens; Dru Ealons; Michael Moats; Vicki Ekstrom; Daniel Kanninen

Subject: Nutter in Rio with EPA to teach, learn about green development
Nutter in Rio with EPA to teach, learn about green development

Posted: 08/16/2011 6:44 AM

By Sandy Bauers

Philadelphia Inquirer Staff Writer

Mayor Nutter and the head of the U.S. Environmental Protection Agency are in Rio de Janeiro this week to listen, learn, and lend their expertise on green development as one of the world's premier cities embarks on a \$200 billion reinvention of its infrastructure.

With Brazil set to host the 2014 World Cup, Rio picked as the site of the 2016 Olympics, and mammoth road and sewer projects in the works, officials see the meeting as a platform to push sustainability and the benefits of a green economy.

Government, industry, academic, and nonprofit officials from both countries will meet for three days - among them EPA Administrator Lisa P. Jackson, Philadelphia Water Commissioner Howard Neukrug, and Philadelphia Deputy Mayor for Transportation Rina Cutler - to exchange information and ideas.

"This is EPA working with our sister government to really explore a perfect example of environmental priorities and economic priorities coming together," Jackson said Monday in a telephone interview from Rio.

The forum was prompted by the presidents of both countries.

In March, President Obama traveled to Brazil and met with President Dilma Rousseff. They agreed on a number of measures, including a decision to work together on the issue of sustainability for urban infrastructure - the physical guts of a city, everything from roads to water pipes.

"With the significant investments in sustainable urban growth that Rio is making in the next four years, it is essential that we go there to both learn and share our expertise," Jackson said in an EPA news release Monday. "We want to be part of activities that can create new jobs for American companies and foster cleaner, greener communities for the American people."

Jackson said Nutter was selected because he was a national leader in urban redevelopment and sustainability. He is the only elected official on the trip, and the EPA is picking up the tab.

"Everyone knows what's going on in Philadelphia," she said.

Nutter often says he wants to make Philadelphia the greenest city in the country. His 100-page Greenworks Philadelphia plan sets dozens of ambitious goals for the city, including reducing energy consumption, creating green space, and improving public transportation.

Nutter said the city has "a lot to learn from Rio," but can also offer its own lessons.

Noting Rio's "huge population" - 11.7 million - Nutter said, "How do you deal with managing your water supply? How do you serve such a large population?"

Philadelphia is "perfectly poised for growth and development," he said. "Where else to see what rapid growth and development can mean? This is one of the fastest-growing cities in the world. We think we have a lot to learn."

At a meeting of the Urban Land Institute last week that focused on water, Neukrug said the trip would provide an opportunity to see how Rio's huge investment in sewage treatment and other water projects was progressing.

The Philadelphia Water Department is embarking on a 25-year, \$2 billion program to revamp its storm water system that has been praised as a national model.

Instead of building a gigantic underground tunnel, the choice of many other large cities, to hold storm water overflows that currently carry raw sewage and other pollution into area streams, Philadelphia plans to install green projects to stall storm water.

They include vegetative roofs, rain gardens, and porous pavement on streets and parking lots.

Unlike Philadelphia, which is updating an aged water system," Rio is starting fresh in some areas. "Half their population doesn't have sewers," Neukrug said.

One of Rio's projects is much like what Philadelphia envisions - not just a wastewater treatment plant, but a resource recovery system, where everything usable is extracted from the sewage.

"That's the way of the future," Neukrug said. "If they have to build all these sewer plants down there, it's perhaps an opportunity to see what a resource recovery facility looks like from scratch."

Former University of Pennsylvania president Judith Rodin, now president of the Rockefeller Foundation, also is in Rio with the delegation.

Other members of the group include representatives of Morgan Stanley, Microsoft Corp., Alcoa, Harvard University, the global construction company CH2M HILL, and C40 Cities, an international group of cities seeking to tackle climate change.

After the hours-long plane ride, Jackson and Nutter decided they needed to stretch their legs. Jackson joked that on one of the most famous beaches in the world, "here he is looking at the streets and the bike lanes."

The mayor noticed the separate areas for pedestrians, bicycles and vehicles - an initiative that in Philadelphia has drawn some heat. Cyclists want more dedicated lanes, but drivers resent losing traffic lanes and parking.

So which beach was it? Ipanema? Copacabana? Nutter said he didn't know. "It was the beach outside my hotel."

Richard Windsor/DC/USEPA/US
04/17/2009 12:27 PM

To Bill.O'Sullivan, nancy.Wittenberg, mark.mauriello, alyssa.wolfe
cc
bcc
Subject Fw: EPA Made History Today

----- Forwarded by Richard Windsor/DC/USEPA/US on 04/17/2009 12:27 PM -----

From: Message from the Administrator
To: All EPA Employees
Date: 04/17/2009 12:14 PM
Subject: EPA Made History Today

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[All Hands Email-Archive](#)

This message is being sent to all EPA Employees.

Please do not reply to this mass mailing.



Colleagues:

Just minutes ago, I signed a proposed finding indicating that six greenhouse gases pose a threat to the health and welfare of current and

future generations of Americans. This was an historic action, and the first formal recognition by the U.S. government of the threats posed by climate change.

Two years ago, the Supreme Court urged EPA scientists to speak on the question of greenhouse gas pollution and the threats it poses to our health and welfare. They recognized the seriousness of this matter and I'm proud of the work you've done to tackle this question head-on.

We release this proposal amid the President's call to transition to a low-carbon economy, and strong Congressional leadership on clean energy and climate legislation. In the weeks and months ahead, we will work closely with all stakeholders to find the best solutions to the threats of climate change. I believe that the right answer will come through legislation that focuses on green jobs, clean energy, and new technologies.

This is an historic day for our country and our agency. As Earth Day approaches, today's announcement should remind all Americans that change has come for the environment. Change has come to the EPA.

Many hands played a part in this effort. You all have my sincerest appreciation and respect. I know staff and managers in OAR, ORD and OGC played a crucial role in this document's development. In particular, let me highlight the tireless work of Lisa Heinzerling, Dina Kruger, Ben DeAngelo, Rona Birnbaum, Carol Holmes and John Hannon. They, like all EPA employees, have given so much to advance our mission of protecting human health and the environment.

As always, I'm proud to serve with you. Thanks for your extraordinary work.

Sincerely,

Lisa P. Jackson

Richard Windsor/DC/USEPA/US
12/18/2011 08:26 PM

To Bob Sussman
cc
bcc
Subject Re: clean air op-ed

Please thank Ken for me. That is GREAT !

From: Bob Sussman
Sent: 12/18/2011 08:20 PM EST
To: Richard Windsor
Subject: Fw: clean air op-ed

From Ken Kimmell.

From: "Kimmell, Ken (DEP)" [ken.kimmell@state.ma.us]
Sent: 12/17/2011 08:29 PM EST
To: LisaP Jackson
Cc: Bob Sussman
Subject: clean air op-ed

Dear Administrator Jackson:

As you remember, I spent a morning with you at Thermo Fisher in Massachusetts earlier this fall. I am writing because today, the Boston Globe published an op-ed that I authored applauding EPA's leadership in issuing new clean air rules. I forwarded a copy to Gina, but wanted to make sure you received a copy as well. I know that EPA is under fire right now for these rules, and I thought it was important to speak out and try to articulate from a New England perspective why these rules are so important.

Bob, I am not certain that this is the right e-mail address for Administrator Jackson. Can you make sure she receives this?

Thank you both and Happy Holidays,

Ken Kimmell

Cleaning the air
New air quality rules would build on the state's pollution limits
By Kenneth Kimmell

|
December 17, 2011

FOR YEARS, the Northeast has been called the “tailpipe of the United States” - a place where air pollutants from across the country foul our skies and lungs. That negative moniker is due to no fault of our own, but is a casualty of our location downwind of pollution sources in other regions.

Under Governor Deval Patrick, Massachusetts has led the nation in reducing pollution from power plants, cars and trucks, industrial sources and consumer products. For example, strict mercury limits for coal plants went into effect in 2008, and the plants have reported dramatic reductions in mercury emissions.

Yet, despite these efforts, the Commonwealth still has too many days each year of unhealthy air. This is largely due to the pollutants that are produced by power plants in upwind states in the Midwest and Southeast, and carried by prevailing winds into our backyards. Pollution from cars and trucks also continues to be a significant factor.

Fortunately, new rules from the US Environmental Protection Agency would require upwind power plants to cut pollution the way we have done here, which will level the playing field and ensure that Massachusetts reaps the benefits of its clean air rules. The EPA is also expected to propose rules to cut pollution from cars and light trucks through tighter vehicle standards and cleaner gasoline. These rules deserve our support.

The EPA’s Cross-State Air Pollution Rule, finalized in July, requires power plants to reduce emissions that cause ozone and fine particulates that can be drawn deep into one’s lungs. This will cut down on the number of days that we need to warn our residents that our air is unhealthy, something that happened 10 times last summer.

The EPA estimates that nationwide, up to \$280 billion in health benefits will result from the new rule, due to 34,000 fewer premature deaths each year, 15,000 fewer non-fatal heart attacks, thousands of fewer hospitalizations, and 400,000 fewer cases of aggravated asthma throughout the eastern, central, and southern United States.

In addition, the EPA is expected to soon finalize a rule to reduce toxic emissions from large power plants - the Mercury and Air Toxics Rule. Mercury is a potent neurotoxin, particularly to the developing brain of the fetus and young child. Even small amounts of mercury are harmful. Extensive scientific research shows widespread mercury pollution across New England, largely due to air deposition of mercury from upwind states. Because of high mercury levels, all New England states warn against eating certain types of locally caught fish.

Massachusetts has been leading national and international efforts to reduce mercury pollution since the 1990s. It has achieved a 91-percent reduction in toxic mercury releases by focusing on sources such as coal-fired electric generating plants. But we can’t do it alone. Other states need to do their part, which is what the new the EPA rule will require.

To complement these efforts on stationary sources, the EPA’s forthcoming “Tier 3” vehicle standards will require cleaner cars and light trucks, likely beginning with model year 2017. EPA also plans to reduce the sulfur content of gasoline, which alone would dramatically reduce smog-forming emissions at a cost of less than a penny per gallon.

Despite the many benefits of these rules, the EPA is under attack for proposing them, with some claiming that environmental protection kills jobs. Just the opposite is our experience in Massachusetts. As we imposed some of the strictest controls in the nation, our economy performed far better than the national average. In addition, companies such as Thermo Fisher Scientific in Franklin, which has 365 employees and manufactures air quality monitoring devices, are prospering by manufacturing the equipment that businesses will need to comply with these new rules.

The Massachusetts experience shows that health-protective emission limits are feasible, and foster innovation and job growth. But despite our best efforts, we still live with pollution crossing our borders daily from upwind sources. It's time for other states to take similar steps to address pollution they export, and the EPA's new rules will make this happen.

Kenneth Kimmell is commissioner of the Massachusetts Department of Environmental Protection.

Kenneth L. Kimmell
Commissioner
Massachusetts Department of Environmental Protection
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617 292-5856

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Richard Windsor/DC/USEPA/US
03/16/2009 11:40 AM

To Bob Sussman
cc
bcc
Subject Re: NYT Editorial - Appalachia's Agony

Wow
Bob Sussman

----- Original Message -----

From: Bob Sussman
Sent: 03/16/2009 10:42 AM EDT
To: Richard Windsor; Allyn Brooks-LaSure; David McIntosh
Subject: Fw: NYT Editorial - Appalachia's Agony

Robert M. Sussman
Senior Policy Counsel to the Administrator
Office of the Administrator
US Environmental Protection Agency

----- Forwarded by Bob Sussman/DC/USEPA/US on 03/16/2009 10:41 AM -----

Editorial

Appalachia's Agony

Published: March 16, 2009

The longstanding disgrace of mountaintop mining is now squarely in President Obama's hands.

A recent court decision has given the green light to as many as 90 mountaintop mining projects in Appalachia's coal-rich hills, which in turn could destroy more than 200 miles of valleys and streams on top of the 1,200 miles that have already been obliterated. The right course for the administration is clear: stop the projects until the underlying regulations are revised so as to end the practice altogether.

Mountaintop mining is just what the name suggests. Enormous machines — bulldozers and draglines — scrape away mountain ridges to expose the coal seams below. The coal is then trucked away, and the leftover rock and dirt are dumped into adjacent valleys and streams.

Both John McCain and Barack Obama vowed to end the practice during the 2008 campaign — even though no recent administration, Democratic or Republican, has been willing to take on Robert Byrd, West Virginia's senior senator, or the coal companies, which insist without proof that there is no other cost-effective way to dispose of the waste.

There is a long and tortured legal history surrounding mountaintop mining, but the essential question is this: Is dumping mine waste into streams a violation of the federal Clean Water Act?

On its face the answer is yes, but various regulatory maneuvers have allowed this practice to proceed. The worst of these was a 2002 rule by the Bush administration that in effect removed mining waste from the list of the law's prohibited pollutants. The rule has made it easy for the Army Corps of Engineers to issue mining permits and hard for the courts to deny them.

A bipartisan group of 119 members of the House recently reintroduced legislation that would redefine mining waste as a pollutant. In so doing, Congress would reassert the original intent of the Clean Water Act and end the practice of dumping waste in valleys and streams. Until that bill becomes law — if, indeed, it ever does — a great deal more damage could occur in Appalachia. Two companies that have been awaiting the court's go-ahead have now said that they will resume mining operations.

The Obama White House can prevent that damage. Under the law, the Corps of Engineers can suspend the mining permits in the public interest. This in turn would give the administration time to review the rules and issue new ones that would be more protective of the environment. But the Corps of Engineers, always reluctant to reverse itself and historically friendly to industry, will not act without orders from on high.

Mr. Obama promised to find better ways of mining coal “than simply blowing the tops off mountains.” The time to do so is now.

Gregory E. Peck
Chief of Staff
Office of Water
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

202-564-5778

Richard
Windsor/DC/USEPA/US
09/09/2011 05:49 PM

To: Brendan Gilfillan
cc
bcc
Subject: Re: Greenwire: Greens Urge Lisa Jackson Not to Quit EPA
Over Obama's Ozone Stand

Tx
Brendan Gilfillan

----- Original Message -----

From: Brendan Gilfillan

Sent: 09/09/2011 05:00 PM EDT

To: Richard Windsor; Bob Perciasepe; Diane Thompson; Seth Oster

Cc: Betsaida Alcantara

Subject: Greenwire: Greens Urge Lisa Jackson Not to Quit EPA Over Obama's
Ozone Stand

Greens Urge Lisa Jackson Not to Quit EPA Over Obama's Ozone Stand

By GABRIEL NELSON of [Greenwire](#)

There's no evidence U.S. EPA Administrator Lisa Jackson plans to leave the agency anytime soon, but a group of environmentalists has started a new campaign urging her to stay put despite last week's rebuke from the White House on smog.

A new website, americaneedslisajackson.com, was launched yesterday by the Earth Day Network in an effort to quiet what has become a noisy rumor inside the Beltway since President Obama announced that he was ordering Jackson to scrap her two-year-old plan to tighten the national limit on ozone in the air.

There is rampant speculation among the "chattering classes" on Capitol Hill, the website says, referencing a recent *Politico* article that questioned whether Jackson would stay. In that article, an anonymous White House official says Obama expects Jackson to remain with the administration, while some greens said they suspected she was on the way out.

Kathleen Rogers, president of Earth Day Network, said Jackson is needed at EPA because no one else with her environmental science background has President Obama's ear. Rogers said in an interview that the calls for Jackson's resignation have been distracting.

"The chatterers began to talk about it, and that's one of those things that can take on a life of its own," Rogers said.

Jackson has not publicly addressed the rumors, but "she's aware of this groundswell of support, and it's something she appreciates," a source close to the administrator told *Greenwire* when asked about the new campaign, which includes a petition drive.

And considering the amount of gridlock in the Senate to confirm even routine nominees, Jackson

would be near-impossible to replace.

Republicans have made the EPA a symbol of their opposition to new regulations and blacklisted most officials with ties to green groups -- President Obama's Commerce Secretary nominee John Bryson, who co-founded the Natural Resources Defense Council before becoming CEO of the utility Edison International and serving on the boards of Boeing and Disney, has been awaiting a vote for months since Sen. James Inhofe (R-Okla.) put a hold on his nomination.

But that has not dissuaded environmentalists such as Thomas McGarity, a law professor at the University of Texas and a scholar at the environment-focused Center for Progressive Reform, who wrote a widely circulated article arguing that Jackson should take a stand.

"Realistically, it is not very likely that Jackson will violate a direct order of the president to put the standard aside until after the election," McGarity wrote. "If not, she should therefore do the honorable thing and resign."

McGarity said doing otherwise would be breaking the law because the Clean Air Act says air quality standards must be set at a level that protects even the most vulnerable Americans. Agency scientists found that current limits are not good enough, saying a stricter standard would prevent as many as 2,200 heart attacks and 4,300 deaths per year, as well as tens of thousands of asthma attacks.

President Obama, who issued an executive order earlier this year telling agencies to be more mindful of the burdens of their regulations, raised those sorts of concerns when he told EPA to wait for the next ozone review deadline in 2013. But in last night's jobs speech to Congress, he signaled he won't back away from other pollution rules assailed by Republicans and business groups.

Jackson was sitting in the audience next to White House chief of staff Bill Daley when Obama mentioned the need to limit mercury.

The agency has recently targeted mercury in new rules for boilers and cement kilns and plans to clamp down on the largest mercury source -- coal-fired power plants -- in rules that are scheduled to be finalized later this year.

"We were heartened that he recognized the awkward position he's put scientists in general, and maybe Lisa Jackson especially, in with the ozone rule, by stating that among the thousands of regulations he was talking about, that one wasn't going anywhere," Rogers said.

Richard Windsor/DC/USEPA/US
10/20/2011 10:52 PM

To: Brendan Gilfillan
cc
bcc
Subject: Re: Op-ed

Tx

Brendan Gilfillan

----- Original Message -----

From: Brendan Gilfillan
Sent: 10/20/2011 10:19 PM EDT
To: Richard Windsor
Subject: Op-ed

'Too dirty to fail?'

House Republicans' assault on our environmental laws must be stopped.

By Lisa P. Jackson

October 21, 2011

Americans must once again stand up for their right to clean air and clean water.

Since the beginning of this year, Republicans in the House have averaged roughly a vote every day the chamber has been in session to undermine the Environmental Protection Agency and our nation's environmental laws. They have picked up the pace recently – just last week they voted to stop the EPA's efforts to limit mercury and other hazardous pollutants from cement plants, boilers and incinerators – and it appears their campaign will continue for the foreseeable future.

Using the economy as cover, and repeating unfounded claims that "regulations kill jobs," they have pushed through an unprecedented rollback of the Clean Air Act, the Clean Water Act and our nation's waste-disposal laws, all of which have successfully protected our families for decades. We all remember "too big to fail"; this pseudo jobs plan to protect polluters might well be called "too dirty to fail."

The House has voted on provisions that, if they became law, would give big polluters a pass in complying with the standards that more than half of the power plants across the country already meet. The measures would indefinitely delay sensible upgrades to reduce air pollution from industrial boilers located in highly populated areas. And they would remove vital federal water protections, exposing treasured resources such as the Gulf of Mexico, Lake Erie, the Chesapeake Bay and the Los Angeles River to pollution.

How we respond to this assault on our environmental and public health protections will mean the difference between sickness and health – in some cases, life and death – for hundreds of thousands of citizens.

This is not hyperbole. The link between health issues and pollution is irrefutable. Mercury is a neurotoxin that affects brain development in unborn children and young people. Lead has similar effects in our bodies. Soot, composed of particles smaller across than a human hair, is formed when fuels are burned and is a direct cause of premature death. Nitrogen oxides and volatile organic compounds contribute to the ozone alert days when seniors, asthmatics and others with respiratory problems are at serious risk if they do nothing more dangerous than step outside and breathe the air.

"Too dirty to fail" tries to convince Americans that they must choose between their health and the economy, a choice that's been proved wrong for the four decades that the EPA has been in existence. No

credible economist links our current economic crisis – or any economic crisis – to tough clean-air and clean-water standards.

A better approach is the president's call for federal agencies to ensure that regulations don't overburden American businesses. The EPA has already put that into effect by repealing or revising several unnecessary rules, while ensuring that essential health protections remain intact.

We can put Americans to work retrofitting outdated, dirty plants with updated pollution control technology. There are about 1,100 coal-fired units at about 500 power plants in this country. About half of these units are more than 40 years old, and about three-quarters of them are more than 30 years old. Of these 1,100 units, 44% do not use pollution controls such as scrubbers or catalysts to limit emissions, and they pour unlimited amounts of mercury, lead, arsenic and acid gases into our air. Despite requirements in the bipartisan 1990 Clean Air Act amendments, these facilities have largely refused to control their emissions – creating an uneven playing field for companies who play by the rules and gaming the system at the expense of our health.

If these plants continue to operate without pollution limits, as a legislative wish list from House Majority Leader Eric Cantor (R-Va.) would allow, there will be more cases of asthma, respiratory illness and premature deaths – with no clear path to new jobs.

By contrast, the nation's first-ever standards for mercury and other air toxic pollutants which the EPA will finalize this fall – and which the Republican leadership aims to block – are estimated to create 31,000 short-term construction jobs and 9,000 long-term jobs in the utility sector through modernizing power plants. And the savings in health benefits are estimated to be up to \$140 billion per year by 2016.

Contrary to industry lobbying, this overhaul can be accomplished without affecting the reliability of our power grid.

Our country has a long tradition of treating environmental and public health protections as nonpartisan matters. It was the case when President Nixon created the EPA and signed into law the historic Clean Air Act, when President Ford signed into law the Safe Drinking Water Act and when President George H.W. Bush oversaw important improvements to the Clean Air Act and enacted the trading program that dramatically reduced acid rain pollution.

Our environment affects red states and blue states alike. It is time for House Republicans to stop politicizing our air and water. Let's end "too dirty to fail."

Richard
Windsor/DC/USEPA/US
02/07/2011 07:51 PM

To: Brendan Gilfillan
cc
bcc
Subject: Re: Salon: Proof Obama is not caving on regulation: The EPA

Tx
Brendan Gilfillan

----- Original Message -----

From: Brendan Gilfillan
Sent: 02/07/2011 07:34 PM EST
To: Richard Windsor; Bob Perciasepe; Diane Thompson; Seth Oster <oster.seth@epa.gov>; Adora Andy; Betsaida Alcantara; David McIntosh; Arvin Ganesan; Stephanie Owens; Dru Ealons; Michael Moats; Bob Sussman; Gina McCarthy; Joseph Goffman; Janet McCabe; Daniel Kanninen
Subject: Salon: Proof Obama is not caving on regulation: The EPA

Proof Obama is not caving on regulation: The EPA

Andrew Leonard, Salon.com

Never mind healthcare or bank reform. The prospect that President Obama might gut environmental protection while eliminating unnecessary "burdensome" regulations is where some liberals get most nervous. The president put very little effort into getting any climate legislation passed, leading environmentalists to wonder: Does he actually care?

On the surface, the concern is justified. House Republicans have made the crusade to cripple the EPA's ability to enforce limits on greenhouse gas emissions [a top priority](#). Last week, Rep. Fred Upton, D-Mi., the chair of the House Energy and Commerce Committee, and Sen. James Inhofe, D-OK, announced plans to [introduce legislation](#) that would [explicitly prohibit the EPA](#) from considering "greenhouse gases" a pollutant under the terms of the Clean Air Act. Sen. Jay Rockefeller, a West Virginian Democrat, recently reintroduced a bill that would delay any EPA greenhouse gas limit enforcement for two years.

In response, the White House has been quiet. The president did not mention the words "climate change" in either his State of the Union speech or his address to the Chamber of Commerce. Quite the opposite: His only reference to the EPA at the Chamber was to cite a decision by the agency to *delay*, for three years, the setting of any limits for greenhouse gases generated from the burning of biomass, as an example of how accommodating his administration was willing to be on the regulatory front.

I'm guessing Obama included that line because he or his advisers thought it would go over well with Chamber [conservatives](#). But by pointing out an instance of EPA inaction, the president carefully avoided dwelling on the fact that the agency has *already* taken the much more significant step of [beginning the process](#) of regulating greenhouse gas emissions at power plants, oil refineries, and other *major* sources of greenhouse gas emissions. As of January 2, [the EPA is requiring](#) that the operators of new, or substantially modified, facilities must get permits that [will](#)

[limit their future greenhouse gas emissions](#) and require upgraded technology.

In other words, *it's already happening*. The pace is excruciatingly slow, and there are legal challenges that must be parried every every step of the way, and both states and plant operators have a lot of leeway in how to deal with the proposed changes, but the machinery of greenhouse gas regulation is proceeding. And this is entirely due to the fact that the current occupant of the White House is a Democrat who appointed a strong director -- Lisa Jackson -- to run the EPA.

Bush's EPA refused to regulate greenhouse gases, dragging its feet even after the Supreme Court ruled, by a tight 5-4 margin (with Anthony Kennedy the deciding vote between liberal and conservative justices), that under the terms of the Clean Air Act, greenhouse gases [qualified as pollutants](#). The Court not only found that the EPA had the authority to regulate greenhouse gas emissions, but would be *required* to do so if the agency determined that there was scientific evidence that greenhouse gases posed a threat to public health. In November 2009, the EPA determined that greenhouse gases did pose such a threat, and the [wheels went into motion](#).

It's worth noting how entirely contingent this entire chain of events is on raw political power. A 5-4 Supreme Court majority is a slender thread -- one more George W. Bush appointee, and the decision would undoubtedly have gone the other way. Similarly, a Republican EPA would have been most unlikely to determine that greenhouse gases are a threat to public health, since the current prevailing wisdom the Republican party is that the world is not warming because of greenhouse gas emissions.

The Republican drive to rewrite the Clean Air Act so as to make the Supreme Court's ruling irrelevant and shackle the EPA is just the latest skirmish in this primal battle, but all the hollering about job-killing regulations should not obscure the fact that the EPA is proceeding according to plan. The steady rollout of guidelines and standards will not be easy to stop. So far, the courts have generally upheld the EPA's authority -- [Texas is 0-3 in legal challenges](#) -- and even if Republicans do manage to get some EPA-killing legislation through the Senate, they'd still face the likelihood of a presidential veto.

Slate's tireless political reporter/blogger David Weigel had [the same impression of Obama's speech](#) to the Chamber that I did earlier today -- the president made no concessions and signaled no real shift in policy. He defended his signature legislation, which the Chamber opposed, and even as he made rhetorical gestures on regulatory policy, his EPA is hard at work enforcing limits on greenhouse gas emissions. Environmentalists who want the EPA to continue doing so should be thinking hard about how to re-elect Obama, because if a Republican moves into the White House, it will all come to a screeching halt, again.

Richard Windsor/DC/USEPA/US
11/04/2011 10:36 AM

To: Brendan Gilfillan
cc
bcc
Subject: Re: Star Ledger CSAPR/126 editorial

Nice!

Brendan Gilfillan

----- Original Message -----

From: Brendan Gilfillan
Sent: 11/04/2011 10:23 AM EDT
To: Richard Windsor
Cc: Seth Oster
Subject: Star Ledger CSAPR/126 editorial

Star Ledger Editorial: Gov. Chris Christie must support EPA-ordered coal plant cleanup, not partisan politics

New Jersey governors, both Democratic and Republican, have long pressed for a cleanup of coal plants in other states that are spewing toxins into our air.

Until now. Gov. Chris Christie broke that streak yesterday. He said the Environmental Protection Agency is already doing too much. He said the federal government has too much power. He said he was "inclined" to reject calls to support the coal plant cleanup ordered by the EPA.

This is a day to fly the flags at half-staff. Because hundreds of people in New Jersey will die prematurely every year if Christie gets his way. Many more will suffer from heart attacks and asthma.

That's not melodrama, unfortunately. The EPA has ordered a cleanup of power plants in 27 states, most of them to our west and south. The order will cost New Jersey almost nothing because our power plants are already much cleaner than most.

But the benefits will be huge. The EPA estimates this rule will save up to 1,200 lives a year when the cleanup is complete. That's because more than one-third of our air pollution wafts in from other states, most of it from coal plants in Pennsylvania, Ohio, West Virginia and other states that allow their plants to operate without modern pollution controls.

Christie understands this. The great irony is that he won an important battle earlier this week to force a cleanup of the Portland Generation Station, an old and filthy coal plant that sits on the bank of the Delaware River in Pennsylvania.

Precisely the same principle is at work. An out-of-state plant was spewing pollution our way, making it impossible for New Jersey to clean its air. So Bob Martin, commissioner of the Department of Environmental Protection, asked the federal government for help.

New Jersey won that case because the science was irrefutable. You can draw a direct line between that coal plant and our pollution. You can see the smoke waft across the river. People who live nearby in Warren County have to wipe coal smudge off their cars and windows in the morning. Their kids have much higher rates of asthma, according to testimony before the EPA.

This same pattern occurs on a much larger scale every day. But when pollution floats to New Jersey from Ohio, it's impossible to draw a direct line to an individual plant. We know only that toxins we breathe come from coal plants in the region to our west and south. That's why the EPA ordered a broad cleanup under what's known as the cross-state rule.

Most of the other states that are downwind from these plants have joined in defending the EPA against a lawsuit filed by the dirty power companies, and the cities and states in which they operate. In similar fights in the past, New Jersey has joined them.

But not this time. And with a Nov. 6 deadline approaching, the governor yesterday gave us the thoughtless talking points that have become so familiar as the Republican Party continues its assault on environmental regulations.

What has happened to the species of moderate Republicans, such as former Govs. Tom Kean and Christie Whitman, who both supported sensible EPA actions against these coal plants?

The drift rightward has hit Washington, as well as Trenton. Until this year, New Jersey Republicans in Congress frequently crossed the aisle in defense of the environment. Not anymore. The entire GOP delegation has joined the assault on the EPA, and this cross-state rule in particular. They voted in favor of the TRAIN Act, which would block the EPA's authority to impose these rules, perhaps indefinitely.

Christie still has a few days to shift directions. He has taken some positive steps on air pollution, such as limiting diesel fumes, emissions from dry cleaners and sulfur content of home heating oil. So there is still a shred of hope.

It would take courage in today's climate. It might even wreck his chances of being selected as a vice presidential candidate. But it would save lives and protect the health of vulnerable New Jerseyans.

Richard Windsor/DC/USEPA/US
01/12/2011 11:48 AM

To: Brendan Gilfillan
cc
bcc
Subject: Re: Wed AM - AK Pipeline clips

Good. Tx.
Brendan Gilfillan

----- Original Message -----

From: Brendan Gilfillan
Sent: 01/12/2011 11:15 AM EST
To: Richard Windsor; Bob Perciasepe; Diane Thompson; Bob Sussman; David McIntosh; Arvin Ganesan; Sarah Pallone; Stephanie Owens; Dru Ealons; Mathy Stanislaus; Dana Tulis; Janet Woodka; Daniel Kanninen
Cc: Seth Oster <oster.seth@epa.gov>; Adora Andy
Subject: Wed AM - AK Pipeline clips

Clips

Bloomberg
Trans-Alaska Oil Pipeline Restarts; Will Operate at Reduced Rates for Days
By Aaron Clark
Jan 12, 2011

Alyeska Pipeline Service Co. started up its Trans Alaska pipeline and will operate the system at reduced rates for several days to keep the lines and tanks from freezing, the company said in a statement.

The Telegraph
Oil price closes in on \$100 a barrel on higher demand and Alaska leak
By Amy Wilson 1:02PM GMT 12 Jan 2011

The oil price moved closer to \$100 a barrel, with Brent crude passing \$98 in morning trading, on the expectation of higher demand this year and a leak in Alaska which closed down a major pipeline.
Alyeska Pipeline Service Co. started up its Trans Alaska pipeline and will operate the system at reduced rates for several days to keep the lines and tanks from freezing, the company said in a statement.

Financial Times
Oil nears \$100 a barrel on supply disruptions
By Jack Farchy
Published: January 12 2011 12:01 | Last updated: January 12 2011 12:01

Global oil prices approached \$100 a barrel on Wednesday, buoyed by optimism on the global economic recovery and supply disruptions in the North Sea and Alaska.

The Guardian
Alaskan leak drives oil to 27-month high.
Graeme Wearden
Wednesday 12 January 2011 10.48 GMT

Energy prices have been under pressure since the closure last Saturday of the 800-mile pipeline that transports oil from Northern Alaska, following a leak in a pumping station. An oil leak on the Trans-Alaska pipeline has pushed up crude prices. The oil price rose to a 27-month high this morning as the ongoing disruption following last weekend's oil leak in Alaska drove fears of supply shortages.

The Times of India
Alyeska receives govt permission to restart Trans-Alaska Pipeline
Jan 12, 2011, 10.14am IST

(REUTERS) ANCHORAGE: Alyeska has received government permission to restart the Trans-Alaska Pipeline, which carries 12 per cent of US crude, a company spokeswoman said on Tuesday.

[[FULL TEXT BELOW]]

Bloomberg

Trans-Alaska Oil Pipeline Restarts; Will Operate at Reduced Rates for Days
By Aaron Clark
Jan 12, 2011

Alyeska Pipeline Service Co. started up its Trans Alaska pipeline and will operate the system at reduced rates for several days to keep the lines and tanks from freezing, the company said in a statement.

The start-up sequence of opening valves and bringing pumps online began at 7 p.m. local time yesterday, according to the statement. The line will be shut down in several days to install a bypass around a leak near Pump Station 1.

This interim restart is an important and necessary step to restoring operations, while managing the risks of severe damage to the TAPS system that an extended winter shutdown posed," Alyeska President Thomas Barrett said in the statement.

The 800-mile (1,287-kilometer) pipeline, closed following the leak at the pump station on Jan. 8. The shutdown has forced BP Plc, ConocoPhillips and

Exxon Mobil Corp. to suspend 95 percent of production from the North Slope area.

The Telegraph

Oil price closes in on \$100 a barrel on higher demand and Alaska leak

By Amy Wilson 1:02PM GMT 12 Jan 2011

The oil price moved closer to \$100 a barrel, with Brent crude passing \$98 in morning trading, on the expectation of higher demand this year and a leak in Alaska which closed down a major pipeline.

Brent was trading at \$97.77 at lunchtime, falling back from its high of \$98.46 earlier in the day, but up 17 cents on yesterday.

The oil price has not risen above \$98 since October 2008, when the financial crisis started to unfold.

The gap between the UK and US oil price remained at its widest for two years, with crude oil in New York trading around \$6 lower than in London, at \$91.74 a barrel.

Brent supplies are more constrained, and there has been speculation short-term investors such as hedge funds are buying in.

Oil demand is expected to reach a record 88.6m barrels a day during 2011, but OPEC, the cartel of oil-producing nations, has said it won't increase production, after agreeing to limit production two years ago when the recession hit prices.

The Trans Alaska Pipeline, which carries about 12pc of the US's crude oil output, closed down on Saturday after a leak, and has only resumed limited operations.

The pipeline operator was allowed to restart some flow yesterday to prevent the oil from freezing, however the pipeline will be closed again this week to install a bypass over the leaking section.

Cold weather in the north-eastern US has also spurred demand.

"Prices are now based less on fundamentals and more on sentiment and momentum within specific boundaries," analysts at UBS said. "Traditional indicators of price, such as OPEC spare capacity or OECD inventory has having limited use going into 2011."

Financial Times

Oil nears \$100 a barrel on supply disruptions

By Jack Farchy

Published: January 12 2011 12:01 | Last updated: January 12 2011 12:01

Global oil prices approached \$100 a barrel on Wednesday, buoyed by optimism on the global economic recovery and supply disruptions in the North Sea and Alaska.

The price of ICE February Brent, the global benchmark, rose to \$98.46 a barrel on Wednesday morning, the highest in two years.

The rise in oil prices came amid a broad rally in commodities, as the dollar slipped and risk appetite returned to the market after strong eurozone industrial production numbers and encouraging results from the latest Portuguese bond auction.

Brent crude prices were boosted by a brief production outage at two Norwegian North Sea oilfields on Tuesday night, in addition to the continuing disruption at the Prudhoe Bay field in Alaska, North America's largest.

Analysts have stepped up calls for oil to trade above \$100 for the first time since 2008 – when prices shot to a record \$147 a barrel – on the back of strong industrial demand, a cold snap in Europe and the US, and a jump in coal prices.

While Brent is flirting with the \$100 mark, West Texas Intermediate, the US benchmark, is some way from the landmark. On Wednesday, Nymex February WTI was trading at \$90.94 a barrel – a \$6.46 discount to Brent.

The widening gap between the two benchmarks is due to a build-up of inventories at Cushing, Oklahoma, the delivery point for the WTI contract. As Cushing has few outlets to evacuate surplus oil, a glut tends to depress the price of WTI relative to other US and international crude oil benchmarks.

Hussein Allidina, head of commodities research at Morgan Stanley in New York, described WTI as "the misleading benchmark", saying: "We prefer to express our bullish view on crude through Brent".

In other commodity markets on Wednesday, industrial and energy commodities were higher on the back of the higher risk appetite in financial markets.

Copper for delivery in three months gained 0.8 per cent to \$9,595 a tonne

on the London Metal Exchange, approaching the all-time peak set last week, while palladium – used in catalytic converters in cars – hit a fresh nine-year high of \$804.10 a troy ounce, up 2.3 per cent on the day.

Agricultural commodity markets were fixated on the US Department of Agriculture report due to be released later in the day. By mid-morning in London, CBOT March wheat was 1.45 per cent stronger at \$7.705 a bushel, CBOT March corn gained 0.6 per cent to \$6.1075 a bushel, and CBOT January soybeans were 0.8 per cent higher at \$13.615 a bushel.

Analysts and traders have warned that the global food balance sheet remains finely balanced, with any surprises likely to send prices shooting higher. The UN Food and Agriculture Organisation's index of global food prices rose to an all-time peak in December.

The Guardian

Alaskan leak drives oil to 27-month high.

Graeme Wearden

Wednesday 12 January 2011 10.48 GMT

Energy prices have been under pressure since the closure last Saturday of the 800-mile pipeline that transports oil from Northern Alaska, following a leak in a pumping station. An oil leak on the Trans-Alaska pipeline has pushed up crude prices. The oil price rose to a 27-month high this morning as the ongoing disruption following last weekend's oil leak in Alaska drove fears of supply shortages.

The cost of a barrel of Brent crude – oil sourced from the North Sea – hit \$98 this morning, its highest level since October 2008 before the global economic downturn took hold. US crude oil also rose to \$91.65 a barrel, close to its own 27-month high.

Energy prices have been under pressure since the closure last Saturday of the 800-mile pipeline that transports oil from Northern Alaska, following a leak in a pumping station. This has forced a 95% cut in production at Prudhoe Bay, the source of around 15% of US oil output.

BP is the largest shareholder in Alyeska Pipeline Service, which operates the Trans-Alaska Pipeline System. The pipeline is expected to be turned on again later today, but only temporarily, in an attempt to prevent the system freezing up. Under usual conditions, oil is heated to almost 100F before being pumped down the pipe. This prevents the saltwater mixed in with the oil from freezing during its journey underground or above the permafrost.

Alyeska said last night that it will probably take another five days to install new piping to bypass the site of the leak. They also need to remove two "cleaning pigs" – devices that are sent through the pipeline to dislodge debris from the system. If the pigs cannot be rounded up, they could push ice into pumping facilities and cause further harm.

With prices at the pumps above the levels seen in 2008, the haulage industry has launched a new campaign to try to force the government to cut fuel duty. Britishtruckers.com argues that the domestic freight industry is facing a crisis situation, with prices at "unsustainable levels".

The Times of India

Alyeska receives govt permission to restart Trans-Alaska Pipeline
Jan 12, 2011, 10.14am IST

(REUTERS) ANCHORAGE: Alyeska has received government permission to restart the Trans-Alaska Pipeline, which carries 12 per cent of US crude, a company spokeswoman said on Tuesday.

"We got the approval we need to restart the pipeline for interim operations," Katie Pesznecker said.

The company will begin to bring up the pipeline through the night, she added, but gave no estimate of volumes.

The pipeline had been shut down early on Saturday due to a leak.

Brendan Gilfillan
Press Secretary
U.S. Environmental Protection Agency
Office of Public Affairs
202-564-2081
gilfillan.brendan@epa.gov

Richard
Windsor/DC/USEPA/US
03/28/2012 11:26 AM

To Brendan Gilfillan, Bob Perciasepe, Diane Thompson,
Betsaida Alcantara, Bob Sussman, Nancy Stoner, Arvin
Ganesan, Laura Vaught, Scott Fulton, Avi Garbow

cc

bcc

Subject Re: NY Times Editorial: Clean Water and the Spruce Mine

Thx!

Brendan Gilfillan

----- Original Message -----

From: Brendan Gilfillan

Sent: 03/28/2012 11:27 AM EDT

To: Richard Windsor; Bob Perciasepe; Diane Thompson; Betsaida Alcantara;
Bob Sussman; Nancy Stoner; Arvin Ganesan; Laura Vaught; Scott Fulton; Avi
Garbow

Subject: NY Times Editorial: Clean Water and the Spruce Mine

Clean Water and the Spruce Mine

The Obama administration's decision last year [to revoke a permit for a huge mine in West Virginia](#) inspired hope that mountaintop mining, which has caused immense environmental damage across Appalachia, would soon be coming to an end. Now a Federal District Court judge in the District of Columbia [has ruled](#) that the Environmental Protection Agency [exceeded its legal authority in blocking the mine](#). The administration must appeal. The Clean Water Act is on its side, as are the people of West Virginia.

Mountaintop mining is a highly efficient and hugely destructive form of strip mining that blasts apart mountain ridges to expose the coal seams underneath. The resulting rubble is then dumped into the valley and streams below. Thousands of miles of streams in Appalachian coal country have already been obliterated in this way.

The Spruce No. 1 mine project in Logan County, W.Va., would have covered 2,278 acres and ruined six more miles of high-quality streams. It received a final permit to proceed from the Army Corps of Engineers in 2007. Lawsuits followed, and, in January 2011, the E.P.A. revoked the permit on grounds that the mine would cause unacceptable environmental damage. The E.P.A. had blocked corps projects before. But this was the first time it had rescinded an approved mining permit and was part of the administration's broader campaign to limit mountaintop mining by reviewing old permits and tightening standards for new ones.

Judge Amy Berman Jackson said the agency had resorted to "magical thinking" in claiming that the Clean Water Act gives it the power to retroactively rescind a

permit. But Section 404 of the law gives the agency broad authority to protect water quality, including the “withdrawal” of permits “whenever” it determines that they will have an “unacceptable adverse effect” on the environment.

The E.P.A. rightly interpreted these words to mean that it had clear authority to claw back a badly misguided decision that would do even more damage to West Virginia’s streams and landscape. We trust that a higher court will read it that way as well.

Richard Windsor/DC/USEPA/US
07/02/2011 09:54 PM

To: Brendan Gilfillan, Bob Perciasepe, Diane Thompson, Seth Oster, Adora Andy, Betsaida Alcantara, "Arvin Ganesan", "vaught laura", "Stephanie Owens", "ealons gov", Gina McCarthy, Joseph Goffman, "mccabe janet", Daniel Kanninen
cc
bcc
Subject: Re: Washington Post Editorial: An overblown attack on EPA emissions rules

Well -i'll be.
Brendan Gilfillan

----- Original Message -----

From: Brendan Gilfillan
Sent: 07/02/2011 09:08 PM EDT
To: Richard Windsor; Bob Perciasepe; Diane Thompson; Seth Oster; Adora Andy; Betsaida Alcantara; ganesan.arvin@epa.gov; vaught.laura@epa.gov; owens.stephanie@epa.gov; ealons.gov@epa.gov; Gina McCarthy; Joseph Goffman; mccabe.janet@epa.gov; Daniel Kanninen
Subject: Washington Post Editorial: An overblown attack on EPA emissions rules

PRACTICALLY EVERY day on the campaign trail, Republican presidential hopefuls blast President Obama's "job-killing regulations." Atop their list are rules from the Environmental Protection Agency, one of which the EPA will finalize this week.

The would-be presidents aren't alone. Since the Republicans took control of Congress, GOP lawmakers have repeatedly attempted to derail rules on the greenhouse gas that cause climate change, as well as new restrictions on conventional air pollutants that the EPA has regulated for decades – gases and particulates that contribute to asthma, heart attacks and other health problems. Republicans on the House Energy and Commerce Committee have announced that they will introduce a bill in August designed to roll back pending regulations on toxic air pollutants from utilities and industrial boilers.

Yet predictions of EPA-induced disaster are wildly overblown, at best.

Bloomberg Government released a study on greenhouse gas regulation last month, finding that the first phase of the EPA's efforts will cost little and produce little in terms of emissions reductions, since power plants are becoming more efficient and therefore producing fewer emissions anyway. Bloomberg found that forthcoming greenhouse gas rules might be tougher, but that, among other things, utilities will respond by simply burning more cheap natural gas instead of coal.

Meanwhile, the Center for American Progress pointed out that many coal power plants – the sort of facilities that an EPA crackdown on toxic air pollutants such as mercury would affect – already have relevant pollution control technologies installed or in construction. And dozens of those that don't are old, inefficient, rarely used and, in many cases, slated for closure. Last year a Credit Suisse study found that EPA anti-air-pollution rules might encourage some additional coal plants to shut down – but that the closures would actually help utilities in oversupplied power markets, not to mention improving ambient air quality.

There will, of course, be costs. But there will also be benefits. The EPA asserts that for every dollar spent on measures to cut particulate and ozone pollution, there will be \$30 in economic benefits to public health – fewer sick days taken, fewer chronic illnesses, fewer early deaths. On greenhouse gases, a fair reading of the EPA's new air pollution rules suggests that, if anything, they won't do nearly enough to address the risks associated with climate change, perhaps cutting emissions a few percentage points relative to business as usual. And since the EPA is using an old statute to tackle carbon emissions, which it hasn't done before, its effort to do even that will be subject to years of legal challenges.

Instead of blasting the EPA, Congress could craft climate policy that is both more efficient and more effective – upping energy research budgets and putting a price on carbon. But, judging from the rhetoric on the campaign trail and in the House, we aren't optimistic that will happen anytime soon.

issue.”

Richard Windsor/DC/USEPA/US
12/12/2011 11:50 AM

To Charles Imohiosen
cc
bcc
Subject Re: State Department unveils new super-office: economics, energy, and the environment

Tx
Charles Imohiosen

----- Original Message -----

From: Charles Imohiosen
Sent: 12/12/2011 11:48 AM EST
To: Richard Windsor; Bob Perciasepe; Michelle DePass
Subject: State Department unveils new super-office: economics, energy, and the environment
State Department unveils new super-office: economics, energy, and the environment

Posted By Josh Rogin

Thursday, December 8, 2011 - 4:35 PM [Share](#)

The State Department formally rolled out a new plan today for how it will tackle economic, energy, and environmental issues -- by combining them all into one bureaucratic structure.

Undersecretary Bob Hormats is the leader of the newly expanded "E" team in Foggy Bottom, making him the undersecretary for economic growth, energy, and the environment. Before today, Hormats was the undersecretary for economic, energy and agricultural affairs. The change moves several offices under Hormats' umbrella, and also places him in charge of two new offices that never existed before.

Hormats is now in charge of three bureaus led by assistant secretaries and their teams: the Bureau of Oceans and International Environmental and Scientific Affairs (OES), led by Assistant Secretary Kerri-Ann Jones, the Bureau of Economic and Business Affairs (EB), led by Assistant Secretary Jose Fernandez, and the brand new Bureau of Energy Resources (ENR), led by State's Coordinator for International Energy Carlos Pascual, pending the confirmation of an assistant secretary.

The new "E" family will also, for the first time, include the Office of the Science and Technology Advisor, led by E. William Colglazier, and a new Office of the Chief Economist, which will be led by someone who hasn't been hired yet - interviews are ongoing.

Hormats could have as many as 150 to 200 new people under his leadership, but the changes are basically cost neutral. The idea is to combine these three bureaus into a cohesive team, which can take advantage of the increasing overlap between energy policy, environmental policy, and the economy.

"If this was only moving the bureaucratic boxes around it wouldn't be worth the effort," Hormats told The Cable in an interview. "This really responds to Secretary Clinton's challenge to break down silos and to create greater efficiencies within the State Department and focus attention in developing economic statecraft."

The changes in the State Department's bureaucracy were spelled out in the Quadrennial Diplomacy and Development Review, which was released last year, but also fits perfectly into Secretary of State Hillary Clinton's new favorite initiative, "Economic Statecraft," as laid out in her speech in October.

"America's economic strength and our global leadership are a package deal," Clinton said. "A strong economy has been a quiet pillar of American power in the world. It gives us the leverage we need to exert influence and advance our interests. It gives other countries confidence in our leadership and a greater

stake in partnering with us."

Hormats said the State Department was currently evaluating several ways in which the new offices could work together. For example, the United States could use economic strategies to promote access for U.S. energy technology companies in Africa, he said. The environmental experts could also chip in to make sure development in the African energy sector is ecologically sound.

Another initiative State is thinking about, Hormats said, is an effort to strengthen science and technology cooperation with the European Union in areas such as nanotechnology, smart grids, and electric cars. The idea is to play a role in setting industry-wide standards for new green technologies, helping U.S. businesses establish an international foothold in these emerging industries.

The conventional wisdom is that environmental and business objectives are at odds with each other, but Hormats is aiming to disprove that. He made the case that environmentally conscious companies are more energy efficient, and therefore more economically successful. President Barack Obama's Energy and Climate Partnership of the Americas is an existing example of this type of thinking, and a project that will be managed in his shop.

Hormats has also been meeting over several months with environmental groups to assure them that their concerns will not be made subservient to the overwhelming drive to seek economic gains and greater energy independence.

"The last thing we want to do is make the environmental bureau a subsidiary of the economic or energy bureaus," Hormats said. "The goal is to find synergies among co-equals. That's the key."

Charles Imohiosen
Counselor to the Deputy Administrator
Office of the Administrator
US Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.

Sent via Blackberry

Richard Windsor/DC/USEPA/US
05/26/2011 01:43 PM

To Charles Imohiosen
cc
bcc
Subject Re: You probably already saw, but CLIMATE: N.J. pulls out of RGGI (05/26/2011)

Yup. Tx.
Charles Imohiosen

----- Original Message -----

From: Charles Imohiosen
Sent: 05/26/2011 01:38 PM EDT
To: Richard Windsor; "Sarah Pallone" <pallone.sarah@epa.gov>; Gina McCarthy
Subject: You probably already saw, but CLIMATE: N.J. pulls out of RGGI (05/26/2011)
CLIMATE: N.J. pulls out of RGGI (05/26/2011)

Nathanial Gronewold, E&E reporter

NEW YORK -- New Jersey will leave the the Northeast's experiment in carbon emissions cap and trade by the end of the year, GOP Gov. Chris Christie announced this morning.

At a press conference in Trenton, Christie said his state is pulling out of the Regional Greenhouse Gas Initiative, known by its acronym RGGI. The 10-state system puts a cap on greenhouse gas emissions by utilities but allows companies to meet compliance through trades in emissions allowances. New Jersey is currently the second-largest member of RGGI, after New York state.



By doing so, the cash-strapped state will forgo millions of dollars in future revenues that it could generate from the auctioning of RGGI emissions allowances. But Christie said the system had failed to make an impact on climate change and was unlikely to do so in the future. He called it an unfair tax on energy companies.

"RGGI has not changed behavior and it has not reduced emissions," Christie said, according to the state newspaper The Record. "It's a failure."

Heralded by environmentalists as the nation's only legally mandated attempt to combat greenhouse gas emissions through cap and trade, RGGI has fallen victim to the shale gas revolution and the recent deep economic recession. Cheap and abundant supplies of natural gas from Pennsylvania's Marcellus Shale has compelled scores of Northeastern energy producers to switch from oil and coal to more gas-driven generation, cutting the region's greenhouse gas footprint by about a third in less than five years.

RGGI initially foresaw emissions rising slightly before falling by 10 percent by 2018. Consultants hired by RGGI's Manhattan administration to review the program said the 10 member states must either tighten the cap or see the program remain largely irrelevant to the fight against global warming for the foreseeable future.

RGGI members had begun tentative consultations to adjust the cap to account for the new energy mix in the region. RGGI's operating rules allow for an adjustment of the system to be undertaken in 2012 should its members choose to do so.

Environmentalists decried the announcement. But some carbon market experts anticipated that the governor's decision would have little impact on carbon trading, which in the United States has been largely moribund for several months.

"We expect the cap to be adjusted proportionately to New Jersey's emissions, so that the overall supply and demand balance will not be affected," said Emilie Mazzacurati, head of North American research at the carbon market analytical firm Point Carbon, in a statement. Trading might fall in the short term, but "in reality New Jersey's decision won't affect fundamentals," she added.

According to RGGI Inc., New Jersey has received more than \$102 million from the 11 allowance auctions since they began in September 2008. RGGI members generally commit to using the proceeds to promote renewable energy and energy efficiency programs, but many state governments have been dipping into the proceeds to plug budget gaps. The New Jersey governor recently tapped \$65 million generated from RGGI auctions to balance the state's budget.

Earlier this month, a move to withdraw New Hampshire from RGGI failed in the state's Senate. The next allowance auction is scheduled for June 8, and most market experts anticipate that the clearing price will remain at the legal floor due to weak demand.

Charles Imohiosen
Counselor to the Deputy Administrator
Office of the Administrator
US Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.

Sent via Blackberry

Richard Windsor/DC/USEPA/US
03/30/2012 05:45 AM

To Charles Imohiosen
cc "Stephanie Owens", "Dru Ealons"
bcc
Subject Re: I recall that you participated in event with the green sports group ... Looks like it has really taken flight

Cool.
Charles Imohiosen

----- Original Message -----

From: Charles Imohiosen
Sent: 03/29/2012 08:04 PM EDT
To: Richard Windsor
Subject: I recall that you participated in event with the green sports group ... Looks like it has really taken flight
BUSINESS: Renewable energy has become a home run for pro sports
Daniel Cusick, E&E reporter

Published: Thursday, March 29, 2012

They're still debating the pros and cons of renewable energy in Washington, D.C., but it's a slam-dunk for the owners of the Phoenix Suns.

Strategic marketing of renewable energy through sports brands may have reached a new zenith this month as the National Basketball Association's Suns became the latest professional sports franchise to tie its brand to environmental stewardship and renewable energy.

And what better symbol for the Suns than 966 solar photovoltaic (PV) panels installed atop the team's US Airways Center parking garage?

Steve Nash, the franchise's best-known face and one of the league's most admired players, "flipped the switch" on the PV panels March 5, fulfilling a personal goal he set several years ago when he returned to the Suns after a six-year stint in Dallas.

Point guard Steve Nash, executives and mascots of the Phoenix Suns at the "flip the switch" ceremony turning on solar panels at their stadium in Phoenix. Photo courtesy of Arizona Public Service. Nash, a South African-born Canadian citizen with a penchant for environmental causes, also lends his image and endorsement to regional utility Arizona Public Service as its primary pitchman for energy efficiency and conservation.

"The spirit of innovation and environmental consciousness shown by the Suns, APS and the city of Phoenix is something I'm proud to be a part of," Nash said of the solar array. "I've become very passionate towards environmental issues over the years, so it's great to know that solar power is now impacting my life both at home and here at work."

"At work" for Nash means the Suns' 18,400-seat US Airways Center, where the team has played for 20 years. The building's new panels will generate 227 kilowatts of electricity, enough to power 20 game days each season, according to the team's website.

"We are excited to dedicate a project that was simply a vision back in 2008," said Suns President Brad Casper. "APS stepped up and helped make that vision a reality here at US Airways Center, powering the arena with clean, renewable energy, enhancing our commitment to sustainability."

The 'greening' of pro sports

The Suns are not alone.

Since the mid-2000s, more than a dozen professional sports franchises -- including some of the world's best-known brands -- have embraced renewable energy and other environmental sustainability projects. They are hoping to generate goodwill in their local communities, but also aiming at reducing their energy costs and carbon footprints, in some cases significantly.

Among the other franchises embracing solar power on their stadium sites are the NBA's Los Angeles Lakers and Clippers and Denver Nuggets; the National Football League's Philadelphia Eagles, Seattle Seahawks and Washington Redskins; and Major League Baseball's Boston Red Sox, San Francisco Giants, Kansas City Royals and Cleveland Indians.

According to the Natural Resources Defense Council's "Sports Greening Initiative," which works closely with leagues, franchises and sporting event host cities on environmental sustainability, such programs have reduced or offset more than 20 million pounds of carbon dioxide equivalent in just four years.

A new solar array will greet fans coming to this year's All-Star Game at Kauffman Stadium, home of the Kansas City Royals. Photo courtesy of Chris Vleisides/Kansas City Royals.

Allen Hershkowitz, a senior NRDC scientist and director of the Sports Greening Initiative, said that level of greenhouse gas offsets is no accident. Sports franchises and professional leagues, he said, have been more receptive to conservation, clean energy and climate change mitigation than most other sectors of the U.S. economy.

"Sports matters," Hershkowitz said in an interview. "People think that dealing with climate change is about reaching the auto industry or the [electric] utility industry, and that's true. But the sports industry is a \$425-billion-a-year enterprise with a global supply chain, and its messages reach hundreds of millions of people around the world."

The messages resonate locally, too, and allow the issue of climate change to be carried to the broadest possible audience, since sports provides a common gathering place for people of all political persuasions. "When we get professional sports embracing renewable energy, that's a meaningful nonpartisan statement," Hershkowitz said.

A new kind of bragging rights

Moreover, the recent boom in sustainability efforts among pro sports franchises has set off a new kind of competition between franchise owners and facilities managers, where the coveted prizes are not only championship trophies but the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) certifications and bragging rights over which franchise has the smallest environmental footprint.

Sports governing bodies have caught on, too. Major League Baseball, in a partnership with NRDC, asks every big-league team to measure energy consumption at its home stadium and report the figures to the home office, Hershkowitz said. The National Hockey League will soon begin a similar program.

The figures have not been made public, Hershkowitz said. But in the statistics- and standings-driven world of sports, there's little doubt that the data will hit the scoreboards.

"Sports teams are by their nature very competitive. They strive to be the best in every aspect of their operations," said Logan Gerken, a project architect and LEED design specialist at the Kansas City, Mo., architecture firm Populous, one of the nation's most sought-after stadium designers. "And they're finding ways to sell these aspects to their fans and their athletes."

Just ask the Kansas City Royals, a franchise that hasn't won a World Series championship in 27 years but now ranks among the MLB's best for "green energy" achievements. The recently remodeled Kauffman

Stadium, which will host this summer's annual All-Star Game, is now adorned with 120 solar PV panels capable of producing an estimated 36,000 kilowatt-hours of electricity per year.

The blue-tinted, aluminum-framed panels lining the stadium's curved outfield wall are visible from most of the stadium's seats, something team officials and partner Kansas City Power & Light will promote as part of the game-day "Outfield Experience." KCP&L will staff an educational kiosk to educate fans about the solar energy system, stressing how solar energy benefits Kauffman Stadium and the greater Kansas City region.

A field day for green designers

And while other MLB franchises have installed solar panels on their sites, Kansas City's will be the largest in-stadium solar array in the major leagues, and its generation will be used directly by the stadium.

Kevin Uhlich, the Royals' senior vice president for business operations, said the array is in keeping with the team's commitment to make Kauffman Stadium "one of the most environmentally friendly facilities in sports."

Meanwhile, the Royals' American League rival Cleveland Indians, whose Progressive Field is just a few downtown blocks from windy Lake Erie, are preparing to install an 18-foot-wide "helix wind turbine" developed by a Cleveland State University professor atop the stadium's southeast corner.

The experimental "wind amplification" turbine, developed by CSU engineering professor Majid Rashidi to produce energy at low wind speeds, will produce just a fraction of the electricity used to power the ballpark. But it should help to build fan awareness of green energy production and aid the team in reaching its sustainability goals.

"We want to show that this experiment born here in Cleveland works in Cleveland," Brad Mohr, the Indians' assistant director of ballpark operations, told the Cleveland Plain Dealer in October. "The goal is not just to have the turbine in the ballpark. It is to get them into urban areas where traditional wind power won't work."

Reducing the environmental footprint of a 40,000-seat arena or 70,000-seat stadium is no small feat, experts say, but neither does it have to be extraordinarily complex or cost-prohibitive.

Martin Tull, executive director of the Green Sports Alliance, a Portland, Ore.-based nonprofit that promotes energy efficiency and conservation measures in sports at all levels, said some teams are reaping significant savings in facility operations and maintenance costs simply by turning off nonessential lights and incorporating zoned heating and cooling systems.

Others have made modest investments, such as replacing incandescent lighting at indoor arenas with light-emitting diode (LED) fixtures that consume less energy and have much longer operating life. An LED lighting project at the Staples Center in Los Angeles paid for itself in seven months through lower electricity bills, Tull said. In Seattle, meanwhile, the Mariners reduced by 88 percent the electricity consumption of their Safeco Field scoreboard by replacing an older incandescent bulb board with one illuminated with LED lights.

Raising the bar in Seattle

But advances in materials science, energy systems and green technology have allowed big venues to do even bigger things, said Tull, including in regions of the country where renewable energy resources are limited.

Consider CenturyLink Field in Seattle, home to the NFL's Seahawks and Major League Soccer's Sounders. With a seating capacity of 72,000, the stadium is among the largest sports venues on the West Coast. The stadium is a crown jewel of design inspired by billionaire Microsoft co-founder Paul Allen, and it offers some of the most tech-savvy stadium experiences in the country.

Yet its latest hallmark feature -- 3,750 thin-film solar panels atop the adjacent CenturyLink Field Event Center -- isn't visible to most fans. Covering an estimated 2.5 acres, or 80 percent of the sprawling event center's roof, the panels are capable of generating more than 830,000 kilowatt-hours of electricity annually, or roughly the amount consumed by 95 Seattle-area homes in a year.

Tull of the Green Sports Alliance said that kind of investment in Seattle, whose large number of rainy days make it a kind of anti-Phoenix for solar resources, sends a strong signal to franchise owners across the country that every sports stadium or arena can reduce its carbon footprint, whether through renewables or other efficiency and conservation measures.

"I think for new facilities, at this point, the bar has been raised pretty high to where the norm in new facilities is going to include these kinds of technologies and efficiency measures," Tull said.

"If you're a facility owner and you're not aggressively looking at the energy efficiency, you're losing money," he added. "And on the renewables side, there is a competition now for the best-in-class, high-performance facilities. If one [franchise] installs 8,000 solar panels, I guarantee you the next installation is going to be 8,010 panels. It's great to see that competitive nature there."

Charles Imohiosen
Counselor to the Deputy Administrator
Office of the Administrator
US Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.

Sent via Blackberry

Richard Windsor/DC/USEPA/US
01/19/2010 02:47 PM

To Craig Hooks
cc
bcc
Subject Re: OARM's Role in Furthering the Administrator's Top Priorities

Thx.

Craig Hooks MEMORANDUM SUBJECT: OARM's... 01/19/2010 01:06:10 PM

From: Craig Hooks/DC/USEPA/US
To: Group OARM-ALL/DC/USEPA/US
Cc: Bob Perciasepe/DC/USEPA/US@EPA, Diane Thompson/DC/USEPA/US@EPA, Allyn Brooks-LaSure/DC/USEPA/US@EPA, Seth Oster/DC/USEPA/US@EPA
Date: 01/19/2010 01:06 PM
Subject: OARM's Role in Furthering the Administrator's Top Priorities

MEMORANDUM

SUBJECT: OARM's Role in Furthering the Administrator's Top Priorities

FROM: Craig E. Hooks
Assistant Administrator

TO: All OARM Employees

I hope you have had an opportunity to reflect upon the Administrator's recently announced list of top priorities (attached) which include taking action on climate change; improving air quality; assuring the safety of chemicals; cleaning up our communities; protecting America's waters; expanding the conversation on environmentalism and working for environmental justice; and building strong state and tribal partnerships. At the recent Senior Executive Service (SES) Executive Leadership Development Conference, our senior leadership spent a considerable amount of time exploring how each attendee could personally help to achieve and commit to working collaboratively with others in the Agency on these priorities.

At first glance, it may seem that the Office of Administration and Resources Management (OARM), and you personally, have very little influence or involvement in these activities. Nothing could be further from the truth. Our work here in OARM plays an integral and essential role in facilitating all aspects of the Agency's very important, complex and challenging mission.

The grants and contracts that we award and monitor support every one of the top priority efforts. Without the work of many employees throughout OARM it would not have been possible for the Agency, the states and countless Americans to benefit from the environmental clean-up, construction and employment opportunities made possible through American Recovery and Reinvestment Act (ARRA) funds allocated to EPA.

The Office of Human Resources, the Office of Administration, OARM-RTP and

OARM-Cincinnati ensure that we hire and support the Agency's employees and that these employees can do their work in offices and laboratories that are modern and safe. Through our management of EPA's laboratories in RTP and Cincinnati, we are also helping to facilitate the critical scientific research that provides the foundation for much of EPA's environmental work and success.

In addition, our Office of Policy and Resources Management, Office of the Federal Environmental Executive, and Immediate Office staff help to ensure that OARM as an organization has the staff, budget, and essential tools to do what we are supposed to be doing, and that we are doing it right.

So all of you, each in your own individual way, has and will continue to contribute not only to the on-going mission of the Agency, but to helping EPA make meaningful progress in achieving the Administrator's seven key themes.

In addition to outlining these priorities, the Administrator has also indicated that she wants to focus on improving EPA's internal operations, our current performance measurement system and other Agency processes. In all of these areas, OARM will assume a key leadership role and I will be looking to you to help identify and implement positive and meaningful changes where needed and useful.

One of the most important things the Administrator has challenged the SES to do, and now I challenge you to do, is to rethink how you view the work of EPA and your contribution to our mission. Administrator Jackson has asked her leadership to work as "One EPA" in finding ways to think and act in a much broader, cross-organizational and collaborative manner. I too, would like to ask you to personally commit to working as "One OARM." OARM has always been regarded as an organization with many diverse functions, yet having a very cohesive and caring workforce. During my tenure as Assistant Administrator I have had the opportunity to see first hand, your commitment and concern for EPA employees and for one another. I encourage you to partner with other OARM organizations in seeking creative solutions to problems, finding ways to improve our customer service and exploring new opportunities to meet Agency needs.

This past year I have spent a great deal of time working to ensure that our ARRA responsibilities were met. During this next year, I intend to focus more of my time on those issues that are critical to the success of OARM, including filling key leadership vacancies. Within the next few weeks I will be refining my own list of OARM priorities and will welcome your feedback as we work collaboratively to meet the Administrator's and my goals, while continuing to provide EPA's employees and programs with the best service possible.

I want to thank you for your hard work and commitment. I look forward to working with you on becoming "One OARM" where we have fun, provide meaningful services to EPA's employees and support the Administrator's priority issues and the very important mission of the Agency.

[attachment "Administrator's Priorities 2010.doc" deleted by Richard Windsor/DC/USEPA/US]

Craig E. Hooks, Assistant Administrator
Office of Administration and Resources Management
U.S. Environmental Protection Agency
1200 Pennsylvania Ave NW (3101A)
Rm 3330 Ariel Rios North
Phone - 202 564-4600

Richard
Windsor/DC/USEPA/US
02/28/2009 10:56 AM

To David Cohen
cc
bcc
Subject Re: krissah in the post

Tx.
David Cohen

----- Original Message -----

From: David Cohen
Sent: 02/28/2009 09:55 AM EST
To: Richard Windsor
Subject: Re: krissah in the post

link below, with cut and pasted story below that. . . photo inside the hardcopy of paper is of you right next to one of holder -- than bigger one yet of first lady is to the right of you two.

<http://www.washingtonpost.com/wp-dyn/content/article/2009/02/27/AR2009022703242.html>

Top Officials Expand The Dialogue on Race

Month's Celebrations Evoke a Mix of Views

By Krissah Thompson
Washington Post Staff Writer
Saturday, February 28, 2009; A01

When the country's racial chasms seemed to threaten President Obama's election, his team had to tread carefully. A month into his administration, the tone has changed. Top officials are engaging the subject of race more freely, with a boldness and confidence they once shunned.

With the federal government's annual African American History Month celebrations as a backdrop, the attorney general, the first lady and the head of the Environmental Protection Agency spoke more frankly about race recently than any of Obama's surrogates did during the hard-fought campaign.

Lisa P. Jackson, the EPA administrator and a native of New Orleans, told her staff about having grown up in an area where she would have had to drink from unsafe water fountains because of her race. "Now in 2009, I am, along with you, responsible for ensuring that all Americans have clean water to drink," Jackson said. "Change has certainly come to this agency."

First lady Michelle Obama hosted middle-schoolers in the White House East Room and taught the children about African Americans and their roles in the executive mansion: the slaves who built it, the signing of the Emancipation Proclamation there, the meetings held with civil rights leaders.

Attorney General Eric H. Holder Jr., who ignited the most debate, used his Feb. 18 address as an admonition that "to get to the heart of this country, one must examine its racial soul."

"Though this nation has proudly thought of itself as an ethnic melting pot, in things racial we have always been and continue to be, in too many ways, essentially a nation of cowards," Holder said. "Though race-related issues continue to occupy a significant portion of our political discussion, and though there remain many unresolved racial issues in this nation, we, average Americans, simply do not talk enough with each other about race."

The plain talk may be an attempt to expand the racial dialogue Obama called for during his speech on the subject in Philadelphia last year, but whether Americans want to go there remains unanswered. White House officials said the African American History Month celebrations were choreographed across the federal government. Reaction so far has been mixed.

Holder has been rebuked by some who contend that with Obama's election, the country proved its willingness to move beyond the color line. New York Times columnist Maureen Dowd likened Holder's remarks at the Justice Department's African American History Month program to a lecture on race by Jesse Jackson or Al Sharpton. "Barack Obama's election was supposed to get us past that," she wrote.

Jen Singer, author of "You're a Good Mom (and Your Kids Aren't So Bad Either)," wrote on the Web site BettyConfidential.com that "Michelle Obama could talk all she wanted about Black History Month, slavery and segregation, but no words could better illustrate to today's schoolchildren how far this country has come than her presence as First Lady."

There is a risk in talking about it too much, said Thomas Mann, a political scientist at the Brookings Institution, in an e-mail. During his campaign, Obama made an explicit decision not to emphasize race and did so only when it threatened to damage his candidacy. Changing course now could make some feel uncomfortable.

Nearly six in 10 Americans said Obama's presidency will do more to help race relations in this country, according to a January Washington Post-ABC News poll. But whites and African Americans start out with widely divergent views on the racial climate in the country. Overall, about three-quarters of those surveyed called racism a problem in society today, with one-quarter labeling it a "big" problem. Twice as many blacks (44 percent) as whites (22 percent) called it a big problem.

"They definitely have to be careful," Mann said of the Obama administration. "Better to have the president and his top African American aides serve as role models and achieve the broader objective by indirection."

Others argue that African American administration officials are simply bringing their background, perspective and history to the public sphere. Holder, Jackson and Obama are the first African Americans in their positions, and it should come as no surprise that their celebration of black history is different from their predecessors', said Shawnta Walcott, a pollster at Ariel & Ethan.

"I think what we know about the first lady is that part of her persona is to go one level down into something that she thinks is significant," Walcott said. "She is the first African American first lady, so we should expect to see those sorts of nuanced pieces of information coming from her. It is unusual for the norm, but she is not the norm."

There are attempts now to define the new normal. Last weekend, after Holder's use of the phrase "nation of cowards" drew criticism, it became a subject of discussion at a Princeton University symposium titled "From the Middle Passage to the Oval Office: Defining the Black Experience."

One of the panelists, Jeff Johnson, host and producer of Black Entertainment Television's "The Truth," said the reaction to the attorney general's comments read as if "he was saying only white Americans were cowards."

Holder "was talking about all of us, from white Americans to African Americans to Asians to Latinos," said Eddie S. Glaude Jr., a professor of religion and African American studies at Princeton. "The fact that we would read Holder's comments as only about white Americans shows us how we are thinking about race when it is invoked."

Glaude noted that reaction to Holder's comments coincided with publication of a controversial editorial cartoon in the New York Post. NAACP officials decried the cartoon as a racist depiction of the president as a slain chimpanzee. The NAACP called for the cartoonist and his editor to be fired and held protests Thursday at Fox News affiliates in 50 cities. The Fox News affiliates and the New York Post have the same owner, News Corp.

Other people have shushed protesters as overly sensitive.

"It is just the traditional theater of American racial politics," Glaude said.

Rinku Sen, president of the Applied Research Center, a think tank on race in Oakland, Calif., Chicago and New York, said she also worries that the dialogue about race is being pushed back into the old paradigm that kept the nation in a stalemate.

"I think that the line is, 'We've elected the black president, and now we're post-racial and everybody should just shut up.' It's very dismissive," Sen said. "We did elect the first black president, but people seem to forget that it was a hard campaign."

To Jelani Cobb, a professor of African American history at Spelman College, the back-and-forth about race in the age of Obama already feels old.

"Our major concerns about race are not conversations," Cobb said. "They are about policies, and they are about entrenched legacies of privilege and underprivilege. So in some ways, these conversations are a substitute for other kinds of more meaningful reform or interaction."

Polling analyst Jennifer Agiesta contributed to this report.

Richard Windsor [Can u send the link please. This bberr...](#) 02/28/2009 09:46:59 AM

From: Richard Windsor/DC/USEPA/US
To: David Cohen/DC/USEPA/US@EPA
Date: 02/28/2009 09:46 AM
Subject: Re: krissah in the post

Can u send the link please. This bberry is internet challenged.

David Cohen

----- Original Message -----

From: David Cohen
Sent: 02/28/2009 09:02 AM EST
To: Richard Windsor
Cc: Allyn Brooks-LaSure
Subject: krissah in the post

i'm so glad for her that she made the front page. and i'm glad for us that we invested time with her. great photo! and most importantly, a far better quote from us than for a.g. holder (i think even he would admit!) congratulations on good representation in an important story.

Richard Windsor/DC/USEPA/US
04/24/2009 09:42 AM

To David Cohen
cc
bcc
Subject Re: politico rates epa's 1st 100

Nice!
David Cohen

----- Original Message -----

From: David Cohen
Sent: 04/24/2009 09:26 AM EDT
To: Richard Windsor; Allyn Brooks-LaSure
Subject: politico rates epa's 1st 100

Agency: EPA

By [LISA LERER](#) | 4/24/09 4:05 AM EDT

Text Size: [A](#) [A](#) [A](#)



In the first 100 days, EPA is quickly moving forward on a host of once-stalled proposals. Photo: AP

EPA Administrator Lisa Jackson didn't even have the keys to her office when the Obama administration started its ambitious revamp of her agency.

Immediately after swearing Jackson into her new post, President Barack Obama ordered her to review a Bush administration ruling that prohibited California and 15 other states from setting tougher auto emissions standards. Then, he ordered the Transportation Department to enforce tougher fuel efficiency standards by 2011.

The administration's message was clear: A new, greener day has dawned at the Environmental Protection Agency.

EPA was one of the most demoralized agencies in the federal government under President George W. Bush. The career staff — which supports stricter environmental regulation — bristled under political appointees who blocked agency initiatives. Their frustration was shared by many in the environmental community, including Jackson. As head of New Jersey's Department of Environmental Protection, she joked that in the Bush administration, EPA stood for the "Emissions Permissions Agency."

Now, Jackson is quickly moving forward on a host of once-stalled proposals. In the first 100 days, EPA has taken initial steps to impose stricter controls on coal plants, mercury produced by power plants and greenhouse gas emissions.

"Lisa Jackson took over a listing battleship, and she has righted it and turned it around," said Dan Weiss, director of climate strategy at the left-leaning Center for American Progress.

“Probably no federal agency will have undergone such a profound change than EPA under Obama.”

Gold Medal Performance

The EPA took a major step toward capping greenhouse gas emissions when it issued a much-anticipated finding this month that global warming is a danger to human health and welfare. The finding will have a huge economic impact on coal plants, transportation and manufacturing. It also increases the pressure for Congress to pass climate change legislation before international climate talks in Copenhagen in December. If lawmakers fail to act, the ruling could force EPA to impose strict new regulations.

Worst Train Wreck

One early letdown came when Jon Cannon, a former top EPA lawyer, withdrew his nomination for deputy administrator. The move came after vetters began scrutinizing a now-defunct nonprofit group where Cannon once served on the board of directors that was faulted for mishandling federal grant money.

Sea Change

In a memo to EPA employees, Jackson laid out the administration’s guiding principles: science, rule of law and transparency. And EPA is backed by an administration that counts global warming as one of its top priorities. “There is no example, much less a recent example, of this amount of high-level policy attention being devoted to global warming, clean energy and green jobs,” says John Walke, clean air director for the Natural Resources Defense Council. “We’re in uncharted territory.”

Elephant in the Room

Observers say it will take a long time to undo some of the Bush administration actions that the new administration would like to reverse — such as the easing of prohibitions against dumping mine waste near streams and years of little action on regulating greenhouse gases.

Biggest Food Fight

EPA could soon find itself in a turf war with the Department of Transportation, since both are authorized to address auto emissions. Currently, EPA is reviewing whether to grant states a legal waiver to lower passenger car emissions by 30 percent, while DOT recently revised the federal corporate average fuel economy, or CAFE, standards. Depending on what EPA decides, the two agencies could release conflicting emissions standards: one for states that get the waiver and another that would be applied nationwide.

Richard Windsor/DC/USEPA/US
03/30/2011 01:28 PM

To David McIntosh
cc
bcc
Subject Re: Environmental Community Letter to WH on Anti-Environmental Riders

Tx!

David McIntosh

----- Original Message -----

From: David McIntosh

Sent: 03/30/2011 12:35 PM EDT

To: Richard Windsor

Subject: Environmental Community Letter to WH on Anti-Environmental Riders

March 29, 2011

Dear President Obama,

On behalf of our millions of citizen members and activists, we write to urge you to do everything in your power to keep anti-environmental riders out of funding bills and veto any funding measure that includes anti-environmental riders, which attack our nation's fundamental environmental and public health protections. Blocking the U.S. Environmental Protection Agency and other agencies from protecting our health and our environment not only goes against general public sentiment, but also leads to more pollution in our air and water and puts the lives of thousands of Americans at risk.

The House Continuing Resolution (H.R. 1), which was voted on one month ago, included vast cuts and obstructions to critical environmental programs—such as curtailing EPA's action to cut carbon pollution, soot, mercury and other dangerous air pollutants through the Clean Air Act; threatening drinking water supplies for millions of Americans by blocking EPA's ability to restore Clean Water Act protections for these waterways; and attacking critical land programs and Endangered Species Act protections for fish and wildlife. Just as we opposed these blatant attacks on our health and environment, we will continue to work to block any future anti-environmental riders in upcoming funding bills.

We also urge you to ensure that adequate funds are provided to EPA, the Department of Interior and other agencies with important environmental missions. We recognize the serious budget constraints. However, proposed drastic funding cuts for our crucial environmental programs that protect the health and well-being of Americans and our ecosystems are reductions in investments, and will increase health costs and reduce quality of life in the future.

Preventing these attacks on our environment and our health is a top priority for our organizations. We urge you to do everything in your power to keep anti-environmental riders out of funding bills and veto any funding measure that includes anti-environmental riders. We look forward to continuing to work with you on these crucial matters.

Respectfully yours,

**Environment America * Earthjustice * Natural Resources Defense Council
* Sierra Club
Alaska Wilderness League * The Wilderness Society * League of**

Conservation Voters

**Defenders of Wildlife * Clean Water Action * The Trust for Public Land *
American Rivers * Earthworks Greenpeace USA * Union of Concerned
Scientists * Friends of the Earth**

**Southern Alliance for Clean Energy * Conservation Law Foundation *
Environmental Defense Fund**

**Physicians for Social Responsibility * Ocean Conservancy * National
Audubon Society * Oceana**

**Center for International Environmental Law * Southern Environmental Law
Center * Green for All**

**Izaak Walton League of America * Center for Biological Diversity *
Endangered Species Coalition**

Richard Windsor/DC/USEPA/US
05/25/2011 04:58 PM

To David McIntosh
cc
bcc
Subject Re: E&E News: Panel tangles with Sunstein over force of interim guidance, rulemaking

Cummings rocks.
David McIntosh

----- Original Message -----

From: David McIntosh
Sent: 05/25/2011 04:54 PM EDT
To: Richard Windsor; Diane Thompson; Bob Perciasepe; Bob Sussman; Scott Fulton; Michael Goo; Bicky Corman; Seth Oster; Adora Andy; Arvin Ganesan; Laura Vaught
Subject: E&E News: Panel tangles with Sunstein over force of interim guidance, rulemaking

REGULATIONS: Panel tangles with Sunstein over force of interim guidance, rulemaking (Wednesday, May 25, 2011)

John McArdle, E&E reporter

Two weeks after announcing an investigation into U.S. EPA's revocation of a permit for a major West Virginia mountaintop-removal mining project, House Oversight and Government Reform Chairman Darrell Issa (R-Calif.) today grilled White House policy guru Cass Sunstein about the regulatory issues in that case.

Sunstein had come before the oversight panel to testify about the Unfunded Mandate Reform Act of 1995 (UMRA), which subcommittee Chairman James Lankford (R-Okla.) is hoping to update this year.

But when he was given the floor today, Issa skipped right past any talk of UMRA and used his time to get the administrator of the Office of Information and Regulatory Affairs on the record about several of the issues surrounding EPA's veto of Arch Coal Co.'s Spruce No. 1 Mine. The veto of that permit, originally issued in 2007, has resulted in a legal battle as well as howls of protest from members of Congress from the Appalachian region who say that EPA has overstepped its authority.

Of particular concern for supporters of the mine is controversial EPA interim guidance -- which was issued last April and remains under White House review -- that was supposed to clarify the Obama administration's take on how the Clean Water Act applies to its oversight of Appalachian mining.

In filing its lawsuit last year, the National Mining Association accused EPA and the Army Corps of Engineers of failing to follow federal procedures in issuing new permit requirements and asked the U.S. District Court for the District of Columbia to void the guidance until the agencies conducted a formal rulemaking,

which would include a public comment period.

"EPA has a policy that now what they do is they announce or give guidance to what may someday be rules, and they get enough compliance from the states or other stakeholders, and they never have to issue a rule, and they've changed things," Issa said today. "Shouldn't the administration ... be clear that if rulemaking is the appropriate goal, then they make it clear they are not looking for change in advancement of rulemaking?"

Sunstein agreed.

"Guidance documents lack the force of law; they are not binding; they have an advisory quality," Sunstein said. He noted that those guidance documents are subject to OIRA review, as are rules.

"We work very closely with agencies to make sure these guidance documents don't become rules," Sunstein said.

Issa went on to press Sunstein on the revoking of permits after they have already been issued.

"Certainly if a permit is granted under one administration, wouldn't you think that permit is a contract with the government and should not be essentially revoked simply because there's been a change in party?" Issa said. "That's pretty Third World, isn't it?"

Sunstein said that permitting was not his area of expertise but that when it comes to rules, those issued under the George W. Bush administration are binding until such time as they are changed.

"Interpretive rules and guidance documents can be changed more quickly, but rules typically are binding until they are changed," he said.

When it released its guidelines on Clean Water Act permits for mountaintop mining projects around Appalachia, EPA said they were meant to be not a roadblock to job creation but rather a way to protect the people who work in the mines and live in the communities surrounding them.

In his opening statement today, panel ranking member Elijah Cummings (D-Md.) took issue to what he has called a concerted effort by House Republicans to deregulate at any cost. Cummings and fellow Democrats on the oversight panel believe Lankford's UMRA update may simply be a backdoor way of undermining a host of Clean Air Act and Clean Water Act rules that Republicans do not agree with.

"This is ... the fourth hearing in which this subcommittee has stressed only the

burdens imposed by regulations," Cummings said. "There is a common assumption in the titles and focus of these hearings -- that regulations are burdensome and hinder economic recovery. Yet we know that regulations are necessary to protect the health, welfare and safety of the American public."

Cummings said that he will continue to fight for the workers whom regulations are meant to protect.

"I want them to come home to their families, and I do not want them to be shipped home to their families in coffins," he said.

Richard Windsor/DC/USEPA/US
04/27/2010 01:28 PM

To David McIntosh
cc
bcc
Subject Re: From Greenwire -- CLIMATE: EPA chief won't take comedian's bait on Graham

Phew.
David McIntosh

----- Original Message -----

From: David McIntosh
Sent: 04/27/2010 01:00 PM EDT
To: Richard Windsor; Seth Oster
Subject: Fw: From Greenwire -- CLIMATE: EPA chief won't take comedian's bait on Graham
Good headline.

----- Forwarded by David McIntosh/DC/USEPA/US on 04/27/2010 12:59 PM -----

From: David McIntosh/DC/USEPA/US@EPA
To: David McIntosh/DC/USEPA/US@EPA
Date: 04/27/2010 12:59 PM
Subject: From Greenwire -- CLIMATE: EPA chief won't take comedian's bait on Graham

This Greenwire story was sent to you by: mcintosh.david@epa.gov

Personal message:



An E&E Publishing Service

CLIMATE: EPA chief won't take comedian's bait on Graham

(Tuesday, April 27, 2010)

Robin Bravender, E&E reporter

U.S. EPA Administrator Lisa Jackson deflected suggestions from "Daily Show" host Jon Stewart that Republican Lindsey Graham is a "big, fat baby" for backing away from Senate climate bill negotiations.

During an interview that aired last night on Comedy Central, Stewart pressed Jackson to address how the South Carolina lawmaker's threat to walk away from climate talks has affected the Obama administration's push for a sweeping climate and energy bill. "Do you feel like Senator Graham is a big fat baby, and would you like to say to him right now on the show, 'Waah, waah waah? Waah, Lindsey Graham?'" Stewart said. Jackson's response: "No, listen. I think, you know, Senator Graham is looking at a changing political landscape, and I do think that at this point it's in all of our interest to invite him back in, tell him how important his work will be to success ultimately on the bill."

But Stewart wouldn't relent. "Have you thought about candy, or a pacifier, for Senator Graham?" he asked. Then he added, "You don't have to answer that."

Graham has been crafting a climate and energy bill with Sens. John Kerry (D-Mass.) and Joe Lieberman (I-Conn.), but he has threatened to abandon the talks because of the Democratic leadership's push to simultaneously overhaul federal immigration policies. The trio was slated to unveil the bill yesterday, but the release was stalled

after Graham's announcement.

"We were pretty close to having the discussion start to move in the U.S. Senate for the first time in a long time in a meaningful way," Jackson told Stewart. "The support of Senator Graham shouldn't be underestimated, because he's worked a long time to make it a bipartisan, actually a tripartisan effort if you count Senator Lieberman." Graham insisted yesterday that he wants to work on the climate bill but doubts it has any chance of success this year so long as Senate Majority Leader Harry Reid (D-Nev.) continues forward with an immigration overhaul (*E&E Daily*, April 27).

"You all are talking about energy and climate," Graham told reporters after a meeting with Kerry and Lieberman in the Capitol. "Well, Lindsey Graham is part of both. And I'm not going to be a party to bringing up immigration in this Congress, I mean in this year, in a way that will destroy the issue. I'm not going to have my fingerprints on a political maneuver that could wind up breaking this country apart. So how much clearer can I be? Immigration brought up this year is nothing but a political stunt. It will divide the country."

A Graham spokeswoman did not respond to a request for a comment.

[Click here](#) to watch the interview.

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Richard Windsor/DC/USEPA/US
02/08/2009 03:39 PM

To David McIntosh
cc
bcc
Subject Re: the 2 dox on which we'll seek your sign-off on tomorrow's morning call

This is fine. Tx!
David McIntosh

----- Original Message -----

From: David McIntosh

Sent: 02/08/2009 03:29 PM EST

To: Richard Windsor

Cc: Lisa Heinzerling; Robert Goulding

Subject: the 2 dox on which we'll seek your sign-off on tomorrow's morning call

Happy Birthday! Attached are the two documents that Lisa H and I were going to lay before you tomorrow morning at 9. Since we'll just be on the phone with you, I'm emailing the two documents to you now. If you'd rather get them by fax, please send me a number and I'll fax them.

-Dave

[attachment "EPA Climate Policy Design.doc" deleted by Richard Windsor/DC/USEPA/US]

[attachment "EPA Energy Policy Design.doc" deleted by Richard Windsor/DC/USEPA/US]

Richard Windsor/DC/USEPA/US
11/04/2009 08:51 PM

To: David McIntosh
cc
bcc
Subject: Re: what Senator Stabenow is calling you about

Tx

David McIntosh

----- Original Message -----

From: David McIntosh
Sent: 11/04/2009 05:26 PM EST
To: Richard Windsor
Subject: what Senator Stabenow is calling you about

----- Forwarded by David McIntosh/DC/USEPA/US on 11/04/2009 05:25 PM -----

From: David McIntosh/DC/USEPA/US
To: Bill Irving/DC/USEPA/US@EPA
Cc: Patricia Haman/DC/USEPA/US@EPA, Josh Lewis/DC/USEPA/US@EPA, Arvin Ganesan/DC/USEPA/US@EPA, Lawrence Elworth/DC/USEPA/US@EPA
Date: 11/04/2009 05:25 PM
Subject: please take a quick look

Stabenow calling the Administrator tomorrow morning. Do you have a quick read on this proposal that I can pass along to the Administrator?

[attachment "document_pm_04.pdf" deleted by Richard Windsor/DC/USEPA/US]

CLIMATE: Stabenow floats new offset proposal (11/04/2009)

Allison Winter, E&E reporter

Sen. Debbie Stabenow (D-Mich.) unveiled a long-awaited climate proposal today that would expand offset programs for farms and forestry.

Stabenow's [bill](#), widely circulated today among environmental groups, would alter and expand some of the proposals to create incentives to reduce greenhouse gas emissions for manufacturing and agriculture.

It is expected to be "marker" legislation that indicates the direction Stabenow and other Midwestern and Western lawmakers would like the climate bill to take. Co-sponsors include the powerful Finance Chairman Max Baucus (D-Mont.) and Sens. Amy Klobuchar (D-Minn.), Sherrod Brown (D-Ohio), Tom Harkin (D-Iowa) and Mark Begich (D-Alaska).

The proposal comes as the path remains unclear for the climate bill from Sens. John Kerry (D-Mass.) and Barbara Boxer (D-Calif.). The Environment and Public Works Committee remains unable to mark up that bill this week due to a Republican boycott.

The agriculture and forestry language included in Boxer's bill was thought to be placeholder

language until Stabenow, Agriculture Chairman Blanche Lincoln (D-Ark.) and other lawmakers with a more vested interest in agriculture weigh in.

Lincoln has said she plans to hold hearings on agriculture and climate issues, and she, Klobuchar and Stabenow have said they would work together to shape the farm and forestry sections of the Senate bill.

Stabenow's proposal won early praise today from some environmental and forestry groups, including the American Forest Foundation, Trust for Public Land and Environmental Defense Fund.

The proposal addresses many of the concerns raised by farm and forestry groups. It would give the Agriculture Department primary authority over domestic agriculture and forestry projects. It also sets projects that the agencies must include in their list of projects that can be used for offsets -- including reforestation, forest management and harvested wood products.

It would change the way the legislation deals with projects from "early actors," who started carbon sequestration projects on their land before development of a climate bill. The bill would give credits to projects dating back to Jan. 1, 2001, as long as they were registered under certain approved programs. Other projects must have commenced after Jan. 1, 2009, to be considered for "additional" carbon sequestration.

The bill also includes brand-new language that would allow landowners to enter into short-term contracts that could be bundled together to create a permanent offset.

Richard Windsor/DC/USEPA/US
02/22/2010 06:17 PM

To David McIntosh
cc
bcc
Subject Re: Fw: EPA Clarifies Plans for New Carbon Regulations; Responds to Senators' Concerns

yup

David McIntosh [Here's a good first story.](#) 02/22/2010 05:53:44 PM

From: David McIntosh/DC/USEPA/US
To: Allyn Brooks-LaSure/DC/USEPA/US@EPA
Cc: Adora Andy/DC/USEPA/US@EPA, Arvin Ganesan/DC/USEPA/US@EPA, Bob Perciasepe/DC/USEPA/US@EPA, Brendan Gilfillan/DC/USEPA/US@EPA, Diane Thompson/DC/USEPA/US@EPA, Gina McCarthy/DC/USEPA/US@EPA, Lisa Heinzerling/DC/USEPA/US@EPA, Richard Windsor/DC/USEPA/US@EPA, Seth Oster/DC/USEPA/US@EPA, Stephanie Owens/DC/USEPA/US@EPA
Date: 02/22/2010 05:53 PM
Subject: Re: Fw: EPA Clarifies Plans for New Carbon Regulations; Responds to Senators' Concerns

Here's a good first story.

CLIMATE: Murkowski dismisses 'temporary timeout' on EPA rules (Monday, February 22, 2010)

Darren Samuelsohn and Robin Bravender, E&E reporters

Sen. Lisa Murkowski (R-Alaska) insisted today that she has the best strategy for stopping U.S. EPA climate regulations and dismissed a nascent alternative floated by a key coal-state Democrat.

In a statement, Murkowski argued that the Congressional Review Act -- which requires 51 votes to pass the Senate -- provides the clearest path to stop a sweeping series of Obama administration rules for power plants and a range of other industrial sources. She said her approach is better than legislation from Sen. Jay Rockefeller (D-W.Va.), which would need 60 votes to pass and would only halt EPA's rules for between two and five years.

"A temporary timeout isn't sufficient," said Murkowski spokesman Robert Dillon. "Bad regulations today are bad regulations tomorrow."

Murkowski had previously suggested a one-year stop for the EPA rules, but she has since taken a more extreme position advocating the overturning of the agency's underlying "endangerment" finding that states greenhouse gases are a threat to public health and welfare.

EPA Administrator Lisa Jackson fired back late today at Murkowski's resolution.

"A vote to vitiate the greenhouse-gas endangerment finding would be viewed as a

vote to reject the scientific work of the thirteen U.S. government departments that contribute to the U.S. Global Change Research Program," Jackson said in a [letter](#) to Rockefeller. "It would also be viewed by many as a vote to move the United States to a position behind that of China on the issue of climate change, and more in line with the position of Saudi Arabia."

Dillon said Murkowski is aiming for a floor vote in mid-March before EPA finishes its first greenhouse gas standards for automobiles, a rule that will automatically trigger more regulations for large industrial sources under the Clean Air Act. To date, Murkowski has 40 co-sponsors for her proposal, including Democrats Mary Landrieu of Louisiana, Blanche Lincoln of Arkansas and Ben Nelson of Nebraska.

Dillon acknowledged that Murkowski's statement is aimed at undercutting Rockefeller, who announced Friday that he would soon unveil legislation designed to block EPA's efforts while lawmakers work on a broader package to control greenhouse gases.

The bill, said Rockefeller spokeswoman Jamie Smith, is "an effort to give Congress the opportunity to secure and create jobs and boost the economy in clean coal states and make sure these decisions are not made ad hoc by a federal environmental agency."

But the prospects for that broader effort remain in doubt as the Senate trio of John Kerry (D-Mass.), Lindsey Graham (R-S.C.) and Joe Lieberman (I-Conn.) search for the elusive 60-vote sweet spot on a bill that caps greenhouse gases and expands domestic energy production. Senate Majority Leader Harry Reid (D-Nev.) has said he would schedule a floor debate this spring, though many doubt that will take place, given competing agenda items.

Clean Air Watch President Frank O'Donnell doubted that Rockefeller's efforts to block EPA were sincere. "I don't know if this is anything more than just a press release opportunity, and I suspect it might just be that," he said.

The bottom line, O'Donnell said, is that "the chances for effective [climate] legislation now appear minimal, and for them to throw up roadblocks to EPA is unconscionable, and if it's all just an effort to cover their tails, I would say it's a pity they can't do better."

In preparation for the Murkowski-led floor debate, Rockefeller and seven other Senate Democrats also sent EPA a letter on Friday pressing for answers on how it plans to implement the greenhouse gas rules, warning that the costs may be too much for their fossil fuel-reliant states. Also signing the [letter](#) to Jackson were Sens. Mark Begich of Alaska, Sherrod Brown of Ohio, Carl Levin of Michigan, Robert Casey of Pennsylvania, Robert Byrd of West Virginia, Claire McCaskill of Missouri and Max Baucus of Montana.

"We write with serious economic and energy security concerns relating to the potential regulation of greenhouse gases from stationary sources under the Clean Air Act," the senators wrote. "Ill-timed or imprudent regulation of GHGs may squander critical opportunities for our nation, impeding the investment necessary to create jobs and position our nation to develop and produce its own clean energy."

In their letter, the senators asked for a specific timeline for when EPA plans to finish stationary source rules and other climate-focused permitting requirements, as well as other information on how the rules will affect the coal, natural gas, oil and petroleum refining industries. They question how EPA would deal with industry compliance in the absence of cost-effective pollution reduction technologies, as well as whether smaller sources like family farms, neighborhood dry cleaners and hospital power plants can expect to face restrictions.

In Jackson's response, she pledged to take actions by April to ensure that no large stationary sources would be required to account for greenhouse gases in their Clean Air Act permits this year. In the first half of 2011, large facilities that must already apply for Clean Air Act permits will need to address those emissions in their permit applications, she added. And permitting requirements for other large sources will phase in in the latter half of 2011.

In any event, EPA does not intend to subject the smallest sources to Clean Air Act permitting for greenhouse gas emissions any sooner than 2016, Jackson said.

In response to questions about how new rules will affect the coal, natural gas, oil and petroleum refining industries, Jackson said that EPA will consider the feasibility and commercial availability of required pollution control technologies when developing stationary source regulations.

[Click here](#) to read the senators' letter.

[Click here](#) to read Jackson's response.

Allyn Brooks-LaSure

----- M. Allyn Brooks-LaSure | De...

02/22/2010 05:46:31 PM

From: Allyn Brooks-LaSure/DC/USEPA/US
To: Richard Windsor/DC/USEPA/US@EPA, Bob Perciasepe/DC/USEPA/US@EPA, Diane Thompson/DC/USEPA/US@EPA, Gina McCarthy/DC/USEPA/US@EPA, David McIntosh/DC/USEPA/US@EPA, Arvin Ganesan/DC/USEPA/US@EPA, Lisa Heinzerling/DC/USEPA/US@EPA
Cc: Seth Oster/DC/USEPA/US@EPA, Stephanie Owens/DC/USEPA/US@EPA, Adora Andy/DC/USEPA/US@EPA, Brendan Gilfillan/DC/USEPA/US@EPA
Date: 02/22/2010 05:46 PM
Subject: Fw: EPA Clarifies Plans for New Carbon Regulations; Responds to Senators' Concerns

M. Allyn Brooks-LaSure | Deputy Associate Administrator for Public Affairs

U.S. Environmental Protection Agency | Office of the Administrator

Phone: 202-564-8368 | Email: brooks-lasure.allyn@epa.gov

----- Forwarded by Allyn Brooks-LaSure/DC/USEPA/US on 02/22/2010 05:45 PM -----

From: "Josh Dorner, Sierra Club" <josh.dorner@sierraclub.org>
To: Allyn Brooks-LaSure/DC/USEPA/US@EPA
Date: 02/22/2010 05:40 PM
Subject: EPA Clarifies Plans for New Carbon Regulations; Responds to Senators' Concerns

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http://action.sierraclub.org/site/R?i=sYL93TX_sn6qAlud2Qpc3A..

View a web version:

<http://action.sierraclub.org/site/R?i=DL5kIpC4aRHAeUMHriwe9Q..>

+++++

FOR IMMEDIATE RELEASE: February 22, 2010

CONTACT: Josh Dorner, 202.675.2384

EPA Letter Responds to Senators' Concerns, Clarifies Plans for New Carbon Regulations Under the Clean Air Act

Washington, D.C.--Environmental Protection Agency Administrator Lisa Jackson today sent a letter to Senator Jay Rockefeller in response to a letter he and seven other senators sent to EPA on Friday, February 19. Jackson's letter outlines EPA's plan for moving forward with new regulations for the largest carbon polluters and responds to several concerns raised by senators. It also raises numerous red flags about the ongoing campaign to gut the Clean Air Act. You can read the letter here:

<http://action.sierraclub.org/site/R?i=ohkJLGt-bFOnBwLLzOwtVA..>

Statement of Carl Pope, Sierra Club Executive Director

"This letter from EPA Administrator Jackson silences the Big Oil-backed disinformation campaign being waged against the Clean Air Act. Members of Congress should rely on these straightforward answers from the Environmental Protection Agency instead of the disingenuous smear campaign being waged by polluters.

"Administrator Jackson has laid out a reasonable timeline for new regulations for big carbon polluters under the Clean Air Act. Just as it has with other pollutants for 40 years, EPA has now made crystal clear that it will address global warming pollution in a way that benefits both our economy and our environment.

"EPA also successfully demonstrates just how sweeping an assault on the Clean Air Act is being proposed by Senator Murkowski and others. EPA states that undermining the Clean Air Act would imperil important new rules to raise fuel economy standards and reduce emissions from our vehicles. The historic new auto rules--supported by environmentalists, unions, and the auto industry alike--would also save consumers \$50 a month and cut oil use by 1.8 billion barrels. To do away with these rules would be nothing

but a shameful bailout for Big Oil. The Senate has been unable to do anything on energy independence and now some senators want to do even less.

"The legislation being proposed by Senator Murkowski could even cut off badly needed funds for her own home state of Alaska to adapt to the impacts of climate change that are already occurring.

"It's time for Senators to dispense with these distractions and instead move forward with comprehensive clean energy and climate legislation that will cut pollution, fix our economy, and make America energy independent."

#

++++
85 Second St., San Francisco, CA 94105
++++
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Richard Windsor/DC/USEPA/US
03/02/2010 06:01 PM

To David McIntosh
cc
bcc
Subject Re: good statement from Senator Landrieu in this story

wow. i should use that quote too!

David McIntosh An E&E Publishing Service 03/02/2010 05:16:29 PM

From: David McIntosh/DC/USEPA/US
To: Richard Windsor/DC/USEPA/US@EPA
Date: 03/02/2010 05:16 PM
Subject: good statement from Senator Landrieu in this story



An E&E Publishing Service

CLIMATE: Senate moderates welcome move away from economywide cap and trade (Tuesday, March 2, 2010)

Darren Samuelsohn, E&E senior reporter

Several moderate senators today welcomed moves to pare back comprehensive energy and climate change legislation by dealing with different sectors of the economy in different ways.

Democratic and GOP senators said they appreciated the new plan being crafted by Sens. John Kerry (D-Mass.), Lindsey Graham (R-S.C.) and Joe Lieberman (I-Conn.) that would phase in mandatory greenhouse gas limits, beginning with the electric utility industry and then moving toward manufacturers, while placing the nation's transportation fuels under a carbon tax that rises based on compliance costs for the other major emitters.

"I'm definitely open to this approach as opposed to the previous approach and as opposed to doing nothing," said Sen. Mary Landrieu (D-La.).

"I think doing nothing is a terrible mistake," Landrieu added. "It's a terrible mistake not just for the environment. But it's a terrible mistake for the economy. Because there are billions of dollars in private capital sitting on the sidelines waiting for the referee to blow the whistle and set the rules of the game. If the referee hides in the dugout and no whistle is ever blown and no rules are ever published, that money can't create jobs."

Sen. Lamar Alexander (R-Tenn.) said a less sweeping measure may be more appropriate, citing concerns with the overall size of the House-passed bill and a Senate counterpart he opposed in the Environment and Public Works Committee.

"Any movement away from economywide cap and trade is a movement in the right direction," said Alexander, the chairman of the Senate Republican Conference, who also urged lawmakers to focus on conventional air pollutants from power plants and "leave manufacturers alone."

Kerry, Graham and Lieberman led a series of meetings today on the broad outlines of their approach with senators and outside interests, including U.S. Chamber of Commerce President Tom Donohue. Kerry said the three senators would have specifics on paper in the coming days.

"We'll be continuing to meet with people to address their concerns, and so we obviously have to give them language to try to do that," Kerry said following a meeting in the Capitol that included Sens. Max Baucus (D-Mont.), Carl Levin (D-Mich.), Jeff Bingaman (D-N.M.), Sherrod Brown (D-Ohio), Mark Warner (D-Va.), Tom Carper (D-Del.), Debbie Stabenow (D-Mich.), Mark Udall (D-Colo.) and George Voinovich (R-Ohio).

Emerging from the same meeting, several of the senators said the Kerry-led trio may have found a sweet spot, though they would like to see more information.

"It's positive, it's refreshing, it's new thinking, it's potential," said Finance Chairman Baucus.

"I think most of the folks in the room would like to move ahead on something, and the details matter, and we'll get them in a couple of days," said Levin. "You've got to chew on these things. You can't just sit at a table here and say, 'Yes, yes, no, no,' without knowing the precise details of what you're agreeing to. This matters as to how effective it will be, and how fair. Will it be effective to accomplish the goal, and will it be fair in terms of the responsibilities that are accepted by various people?"

Others sounded skeptical.

Voinovich said he is not optimistic about the chances for a broad-brush bill. "I think the environment for a large cap and trade or whatever you want to call it is not there today," he said, adding that the public also remains dubious of a complex trading system with billions of dollars in allowances moving around from industry to industry, and into the Treasury.

"People are very skeptical about saying what we're going to do is take a dollar out of your back pocket and we'll turn around and give it to you in your right one," Voinovich said.

"I don't know how it would work," said Bingaman, the chairman of the Energy and Natural Resources Committee. "This mix-and-match kind of discussion

doesn't get you anywhere. You've got to get down to specifics."

And Senate Policy Committee Chairman Byron Dorgan (D-N.D.) renewed his call for passage of an energy-only approach. "Cap and trade or a first cousin of cap and trade won't pass this year in my judgment," he said.

Majority Leader Harry Reid (D-Nev.) last week urged Kerry to get a bill out for review as soon as possible.

"The window is very small," Majority Whip Dick Durbin (D-Ill.) said today. "To be honest, I know what this calendar is like, and I know what it takes to do the routine things. Days at a time. And anything that has controversy or meat in it is going to take longer. So the majority leader is right."

Asked if he wanted to introduce legislation before Easter, Kerry replied, "That'd be nice."

Reporter Robin Bravender contributed.

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Richard Windsor/DC/USEPA/US
03/04/2010 07:41 AM

To David McIntosh
cc Seth Oster, Gina McCarthy, Arvin Ganesan, Michael Moats, Adora Andy
bcc
Subject Re: US Conference of Mayors letter against Murkowski resolution

unexpected candy first thing in the morning. tx!

David McIntosh March 1, 2010 United State Senate 03/04/2010 07:39:30 AM

From: David McIntosh/DC/USEPA/US
To: Richard Windsor/DC/USEPA/US@EPA
Cc: Seth Oster/DC/USEPA/US@EPA
Date: 03/04/2010 07:39 AM
Subject: US Conference of Mayors letter against Murkowski resolution

March 1, 2010
United State Senate
Washington DC 20515
Dear Senator:

On behalf of The U.S. Conference of Mayors I urge you to oppose the resolution of disapproval (S.J. Res. 26) introduced by Senator Lisa Murkowski (AK), and any other efforts to block the enforcement of Clean Air Act requirements to reduce global warming pollution.

The U.S. Conference of Mayors has a strong record on pursuing policies that protect our climate from the impact of greenhouse gas emissions. We have over 1,000 Mayors from across the United States who have committed their communities to reduce their greenhouse gas emissions. We have policy encouraging alternative energy sources and fuels, transit-oriented development, energy-efficient buildings, and the concept of an Energy Efficiency and Conservation Block Grant. These policies will help reduce greenhouse gas emissions, however, the global warming crisis requires leadership at every level of government. The federal government must rise to this challenge and in doing so hold the largest polluters accountable for carbon emissions and help grow the clean energy economy.

Instead of embracing the progress of state and local governments to combat climate change, efforts to block all or part of the Clean Air Act would seriously undermine the overwhelming science of climate change and further exacerbate impacts to national security and public health and welfare. Additionally, these efforts hold back billions of dollars in job-creating clean energy investments all across the country. America has the ability to lead the world in growing the clean energy economy but our continued dependence on fossil fuels does nothing to drive investments in the clean energy and efficiency programs needed to spur local economic development and job growth.

The Clean Air Act has cost-effectively protected our citizens and the environment for decades. In a 2007 landmark decision the Supreme Court ruled the Clean Air Act covers greenhouse gases and now is the time to put this law to work to fight climate change.

The Conference of Mayors urges you oppose attacks on the Clean Air Act that would undermine long-overdue action to protect Americans citizens from climate change impacts and jeopardize growing a vibrant clean energy economy.

Thank you for your consideration and support. If you have any questions, please contact my staff, Judy Sheahan, at jsheahan@usmayors.org or 202-861-6775.

Sincerely,

Tom Cochran
CEO and Executive Director
The U.S. Conference of Mayors

Richard Windsor/DC/USEPA/US
03/11/2010 08:46 AM

To David McIntosh, Diane Thompson, Bob Perciasepe, Arvin Ganesan, Seth Oster
cc
bcc
Subject Re: Paul Anastas under climate science questioning in the House yesterday

Bravo

David McIntosh

----- Original Message -----

From: David McIntosh

Sent: 03/11/2010 08:39 AM EST

To: Richard Windsor; Diane Thompson; Bob Perciasepe; Arvin Ganesan; Seth Oster

Subject: Paul Anastas under climate science questioning in the House yesterday

FYI. It looks like Paul did a very good job yesterday. Kudos to him, and to Arvin for preparing him well. The quotes from Representative Ehlers (R-MI) are notable.



An E&E Publishing Service

CLIMATE: EPA, House Republicans spar over 'endangerment' finding (Thursday, March 11, 2010)

Sara Goodman, E&E reporter

The head of U.S. EPA's research division yesterday defended the science used in the agency's pending climate regulations to skeptical GOP lawmakers.

"The overwhelming science that this finding is relied on is solvent and reliable," Paul Anastas, assistant administrator for EPA's Office of Research and Development, told the House Science and Technology Committee yesterday. "I have seen nothing in these individual questions that change my perspective that the overwhelming science is that which supports the endangerment finding."

Several Republicans continued to hammer EPA on its plans to begin rolling out greenhouse gas regulations this month after it determined last year that the heat-trapping emissions endanger human health and welfare. Science Committee ranking member Ralph Hall (R-Texas) called on EPA to review that finding after the recent findings of errors in the reports from the Intergovernmental Panel on Climate Change that were used to develop EPA's finding and the recent controversy surrounding e-mails stolen from climate scientists.

"Are you just going to rely on your findings and to heck with anything else?" Hall said. "How does EPA justify moving forward on the questionable foundation when the magnitude of the endangerment finding will impact every sector of the nation's economy?"

Added Rep. Paul Broun (R-Ga.): "You have really very strongly endorsed something that is not scientific, there is no scientific consensus to anthropogenic global warming, and you are proselytizing this idea that is being promulgated by radical environmentalists. And you and this administration are just drinking the Kool-Aid and going down the road to destroy our economy."

The Obama administration, as well as the majority of climate scientists and Democratic lawmakers, have maintained that nothing in the e-mails upends the scientific consensus that man-made emissions are contributing to climate change.

Rep. Vernon Ehlers (R-Mich.) chided his fellow Republicans for sometimes failing to understand the evolution of science as theories are tested and scientists disagree before a theory becomes widely accepted. "It's time for me to speak up," Ehlers said. "The scientific method is, unless you've used it consistently and thoroughly, is not always well-understood by people.

"Science is a continually growing subject," Ehlers added.

Ehlers said the e-mail controversy has been largely misrepresented and that the kind of discourse revealed by the stolen texts -- some showing frustration with attacks from global warming skeptics that opponents of greenhouse gas regulations have pointed as proof that scientists intentionally withheld climate data -- is common within the scientific community.

"If you're trying to disprove the climate change issues or any of that, let's get the people together who can answer the question and let's fund the research that's necessary," Ehlers said. "I really think the economic factor is what has generated so much opposition that has led to a lot of people saying things that are simply not correct in the scientific sense."

Richard Windsor/DC/USEPA/US
12/25/2010 11:17 AM

To David McIntosh, "Diane Thompson", Bob Perciasepe, "Seth Oster", Bob Sussman, "Arvin Ganesan", "andy adora"
cc
bcc
Subject Re: NYTimes Editorial: A Coming Assault on the EPA

Yeah. Hohoho EPA!

From: David McIntosh
Sent: 12/25/2010 11:17 AM EST
To: Richard Windsor; "Diane Thompson" <thompson.diane@epa.gov>; Bob Perciasepe; "Seth Oster" <oster.seth@epa.gov>; Bob Sussman; ganesan.arvin@epa.gov; andy.adora@epa.gov
Subject: NYTimes Editorial: A Coming Assault on the EPA

A Coming Assault on the E.P.A.

Republicans in the next Congress are obviously set on limiting the Environmental Protection Agency's authority under the Clean Air Act to regulate a wide range of air pollutants – even if it means denying the agency money to run its programs and chaining its administrator, Lisa Jackson, to the witness stand. Fred Upton, who will become the next chairman of the House Energy and Commerce Committee, says he plans to call Ms. Jackson so often for questioning that he'll guarantee her a permanent parking space on Capitol Hill.

It is equally plain that Ms. Jackson has no intention of abandoning her agenda or her defense of one of the most successful of America's landmark environmental statutes. What is not clear is where the White House stands and whether it is prepared to resist industry's standard litany that E.P.A. is as an out-of-control agency threatening jobs with unnecessary rules.

President Obama's political advisers have shown little enthusiasm for environmental issues. Mr. Obama himself ceded leadership on the climate-change issue to Congress, which ended up doing nothing. On the other hand, his chief environmental adviser is Carol Browner, herself a former E.P.A. administrator whose aggressive clean-air initiatives in the Clinton years would never have prevailed without Oval Office support.

Which is just what Ms. Jackson will need in the months ahead. On her plate is: a proposed rule reducing pollutants like sulfur dioxide, the acid rain gas, from power plants east of the Mississippi River; a first-of-its-kind rule limiting toxic pollutants like mercury, which the agency has been ducking for years; and, most problematic, proposals imposing new "performance standards" on power plants to limit greenhouse gases.

Taken together, these and other pending rules should lead to a dramatically less polluting fleet of power plants, a process already set in motion by the rapid decline in natural gas prices. That has encouraged industry to retire dirtier coal-burning facilities. Everyone will benefit: citizens from cleaner air, lakes and fish from reduced mercury deposits, the atmosphere from lower greenhouse gases.

Some important players in industry are ready for change. In a recent letter in The Wall Street Journal, a group of powerful utilities including Pacific Gas and Electric and New Jersey's Public Service said that industry had had plenty of time to prepare, that pollution could be reduced in cost-effective ways and that newer and cleaner plants will create jobs, not destroy them.

But this is hardly a universal view in industry and in Congress. Although the Supreme Court ruled in 2007 that the Clean Air Act gives the E.P.A. not just the right but the obligation to regulate greenhouse gases, the Senate tried to subvert that authority once. Senator John Rockefeller IV, a Democrat who represents

West Virginia coal interests, will surely try again.

Ms. Jackson will have to be tactically smart, lest overreaching on one rule brings the whole house down. She has already delayed new air-quality standards for ozone. She says she needs more scientific evidence to set precise limits. Historically, clean-air rules are almost always litigated, so having sound science on her side is essential.

But she won't get far without Mr. Obama's backing. Ms. Browner could remind the president that it was after a dispiriting Republican midterm victory that President Bill Clinton found his feet on environmental issues. In 1995, the Newt Gingrich crowd came to town promising to overturn a whole body of environmental law. Mr. Clinton rose up, not only winning the big battles, but eventually compiling a sterling record. Mr. Obama should emulate him.

Richard Windsor/DC/USEPA/US
02/04/2010 03:26 PM

To Diane Thompson, Bob Perciasepe, Bob Sussman, Gina McCarthy, Lisa Heinzerling, Paul Anastas, David McIntosh, Seth Oster

cc

bcc

Subject Spoke to Jane Lubchenco at NOAA

FYI - she mentioned that as soon as Monday (depends on the snow storm), Sec Locke will announce that NOAA has reorganized to gather all of its climate functions and offices in one office called the NOAA Climate Service. This is embargoed til the announcement and they will send over the announcement.

Richard Windsor/DC/USEPA/US
08/05/2009 08:06 AM

To Diane Thompson
cc Eric Wachter
bcc
Subject Re: headlines on EIA rept

Tx. All good.
Diane Thompson

----- Original Message -----

From: Diane Thompson
Sent: 08/05/2009 08:04 AM EDT
To: Richard Windsor
Cc: Eric Wachter
Subject: headlines on EIA rept

today's headlines on eia report below. I know david is getting you one pager. let me know if you can access these or need us to paste articles into an email. DT

**U.S. climate bill costs low for households: EIA
(Reuters) This story also appeared:
*Washington Post***

**U.S. consumers spared big costs in climate
bill (Reuters) This story also appeared:
*Washington Post***

**Report: Early costs of climate bill will be
modest (Associated Press) This story also
appeared: *Washington Post***

**House bill will spur 20% electricity-price hike
by 2030 -- EIA (*Greeniwre*)**

Diane E. Thompson
Chief of Staff
U. S. Environmental Protection Agency
202-564-6999

**Richard
Windsor/DC/USEPA/US**
03/17/2009 06:54 PM

To dickerson.aaron
cc Eric Wachter
bcc
Subject EMail

Aaron, Please send this out under my account. Lisa

Sir Nicholas,

It was lovely seeing you the other night at the Climate Group dinner on March 3. I hope our paths will cross again soon. Please let me know if EPA can be of any assistance to your efforts.

Lisa Jackson
Administrator

Richard Windsor/DC/USEPA/US
01/12/2010 05:50 PM

To Eric Wachter
cc
bcc

Subject Re: MEMORANDUM: Our Top Priorities

Thanks Karen. Its good to know you're around and doing very good stuff. Maybe I'll see you when next in Denver. Lisa
Eric Wachter

----- Original Message -----

From: Eric Wachter
Sent: 01/12/2010 05:48 PM EST
To: Richard Windsor
Subject: Fw: MEMORANDUM: Our Top Priorities

----- Forwarded by Eric Wachter/DC/USEPA/US on 01/12/2010 05:48 PM -----

Message Information

Date 01/12/2010 05:24 PM01/12/2010 05:50:55 PM
From **Karen Reed/R8/USEPA/US**
To LisaP Jackson/DC/USEPA/US@EPA
cc
Subject Re: MEMORANDUM: Our Top Priorities

Message Body

Hi, Lisa -- just cking in briefly to let you know how proud I am to say that I used to work w/ you in R2. Actually, I still have the collage all gave me when I left R2 for DOE that includes you in one of the pics -- I loved working in R2. Anyway, just wanted to let you know that I'm still w/ the Agency -- still focusing on how to improve things -- and so happy that I am here in a time when you are our Leader. It's great. You are doing a wonderful job, and I, for one, truly appreciate it. Karen

Karen A. Reed
Wetlands and Tribal Unit Chief
U.S. EPA, EPR-EP
1595 Wynkoop Street
Denver, CO 80202-1129
303-312-6019

LisaP Jackson MEMORANDUM From: Lisa P. Jackso... 01/12/2010 01:17:14 PM

From: LisaP Jackson/DC/USEPA/US
To: Karen Reed/R8/USEPA/US@EPA
Date: 01/12/2010 01:17 PM
Subject: MEMORANDUM: Our Top Priorities

MEMORANDUM

From: Lisa P. Jackson, Administrator
To: All EPA Employees

Colleagues:

Almost one year ago, I began my work as Administrator. It has been a deeply fulfilling 12 months and a wonderful homecoming for me. As our first year together draws to a close, we must now look to the tasks ahead.

In my First Day Memo, I outlined five priorities for my time as Administrator. We have made enormous strides on all five, and our achievements reflect your hard work and dedication. By working with our senior policy team, listening to your input and learning from the experiences of the last 12 months, we have strengthened our focus and expanded the list of priorities. Listed below are seven key themes to focus the work of our agency.

Taking Action on Climate Change: Last year saw historic progress in the fight against climate change, with a range of greenhouse gas reduction initiatives. We must continue this critical effort and ensure compliance with the law. We will continue to support the President and Congress in enacting clean energy and climate legislation. Using the Clean Air Act, we will finalize our mobile source rules and provide a framework for continued improvements in that sector. We will build on the success of ENERGY STAR to expand cost-saving energy conservation and efficiency programs. And we will continue to develop common-sense solutions for reducing GHG emissions from large stationary sources like power plants. In all of this, we must also recognize that climate change will affect other parts of our core mission, such as protecting air and water quality, and we must include those considerations in our future plans.

Improving Air Quality: American communities face serious health and environmental challenges from air pollution. We have already proposed stronger ambient air quality standards for ozone, which will help millions of Americans breathe easier and live healthier. Building on that, EPA will develop a comprehensive strategy for a cleaner and more efficient power sector, with strong but achievable emission reduction goals for SO₂, NO_x, mercury and other air toxics. We will strengthen our ambient air quality standards for pollutants such as PM, SO₂ and NO₂ and will achieve additional reductions in air toxics from a range of industrial facilities. Improved monitoring, permitting and enforcement will be critical building blocks for air quality improvement.

Assuring the Safety of Chemicals: One of my highest priorities is to make significant and long overdue progress in assuring the safety of chemicals in our products, our environment and our bodies. Last year I announced principles for modernizing the Toxic Substances Control Act. Separately, we are shifting EPA's focus to address high-concern chemicals and filling data gaps on widely produced chemicals in commerce. At the end of 2009, we released our first-ever chemical management plans for four groups of substances, and more plans are in the pipeline for 2010. Using our streamlined Integrated Risk Information System, we will continue strong progress toward rigorous, peer-reviewed health assessments on dioxins, arsenic, formaldehyde, TCE and other substances of concern.

Cleaning Up Our Communities: In 2009 EPA made strong cleanup progress by accelerating our Superfund program and confronting significant local environmental challenges like the asbestos Public Health Emergency in Libby, Montana and the coal ash spill in Kingston, Tennessee. Using all the tools at our disposal, including enforcement and compliance efforts, we will continue to focus on making safer, healthier communities. I am committed to maximizing the potential of our brownfields program, particularly to spur environmental cleanup and job creation in disadvantaged communities. We are also developing enhanced strategies for risk reduction in our Superfund program, with stronger partnerships with stakeholders affected by our cleanups.

Protecting America's Waters: America's waterbodies are imperiled as never before. Water quality and enforcement programs face complex challenges, from nutrient loadings and stormwater runoff, to invasive species and drinking water contaminants. These challenges demand both traditional and innovative strategies. We will continue comprehensive watershed protection programs for the Chesapeake Bay and Great Lakes. We will initiate measures to address post-construction runoff, water quality impairment from surface mining, and stronger drinking water protection. Recovery Act funding will expand construction of

water infrastructure, and we will work with states to develop nutrient limits and launch an Urban Waters initiative. We will also revamp enforcement strategies to achieve greater compliance across the board.

Expanding the Conversation on Environmentalism and Working for Environmental Justice: We have begun a new era of outreach and protection for communities historically underrepresented in EPA decision-making. We are building strong working relationships with tribes, communities of color, economically distressed cities and towns, young people and others, but this is just a start. We must include environmental justice principles in all of our decisions. This is an area that calls for innovation and bold thinking, and I am challenging all of our employees to bring vision and creativity to our programs. The protection of vulnerable subpopulations is a top priority, especially with regard to children. Our revitalized Children's Health Office is bringing a new energy to safeguarding children through all of our enforcement efforts. We will ensure that children's health protection continues to guide the path forward.

Building Strong State and Tribal Partnerships: States and tribal nations bear important responsibilities for the day-to-day mission of environmental protection, but declining tax revenues and fiscal challenges are pressuring state agencies and tribal governments to do more with fewer resources. Strong partnerships and accountability are more important than ever. EPA must do its part to support state and tribal capacity and, through strengthened oversight, ensure that programs are consistently delivered nationwide. Where appropriate, we will use our own expertise and capacity to bolster state and tribal efforts.

We will also focus on improving EPA's internal operations, from performance measures to agency processes. We have a complex organization -- which is both an asset and a challenge. We will strive to ensure that EPA is a workplace worthy of our top notch workforce. Our success will depend on supporting innovation and creativity in both what we do and how we do it, and I encourage everyone to be part of constructively improving our agency.

These priorities will guide our work in 2010 and the years ahead. They are built around the challenges and opportunities inherent in our mission to protect human health and the environment for all Americans. We will carry out our mission by respecting our core values of science, transparency and the rule of law. I have unlimited confidence in the talent and spirit of our workforce, and I will look to your energy, ideas and passion in the days ahead. I know we will meet these challenges head on, as one EPA.

Sincerely,
Lisa P. Jackson

OEX Processing Information

Processed Date:

Processed By

PO Office

Category:

Message Count

Richard Windsor/DC/USEPA/US
06/16/2011 06:19 PM

To Eric Wachter
cc
bcc
Subject Re: power plant emissions rule

Thanks so much for the note and the support of clean air, EPA, and the Clean Air Act. We just announced a slight delay in power plant greenhouse gas rules. We have not delayed the power plant mercury and air toxics standards. And we are not delaying the Clean Air Transport Rule which will be finalized this summer and will save thousands of lives and prevent tens of thousands of illnesses each year.

Eric Wachter

----- Original Message -----

From: Eric Wachter
Sent: 06/16/2011 06:02 PM EDT
To: Richard Windsor
Subject: Fw: power plant emissions rule

----- Forwarded by Eric Wachter/DC/USEPA/US on 06/16/2011 06:02 PM -----

Message Information

Date 06/14/2011 03:36 PM06/16/2011 06:19:07 PM
From Jeanette MacNeille <jeanette@eclipseservices.com>
To LisaP Jackson/DC/USEPA/US@EPA
cc
Subject power plant emissions rule

Message Body

Hi, Ms Jackson,

We met in Philly at Children's Hospital, I stood up to thank you for all you are doing. I felt very much as if I was on the same page as you because you have held a baby who cannot breathe. So you know firsthand how important that capability is. As a severe asthmatic I come face to face with the reality of not breathing much, much more often than I would ever wish.

I see that you are delaying the release of the power plant emission rules. A NY Times blog provides some information and notes that the effects on existing coal-fired plants could be substantial.

It makes sense and it is necessary to consider the broad effects of any regulation or rule or law, but in the end I am sure you will remember, too, the people who cannot draw in their next breath and the urgency and fundamental importance of being able to do so.

Good luck. Out in the field we continue to push full press in favor of cleaner air. I can't think of a more important issue and we appreciate all you are trying to do. One of my favorite congressional staff members used to say to me, "Keep charging." And that's about it, isn't it?

Best wishes as always,

Jeanette MacNeille
President, Millbourne Borough Council
President, Eclipse Services A Division of Quadrivium, Inc.
Sierra Club, SE PA Group, Clean Air Chair

OEX Processing Information

Processed Date:	06/14/2011 04:11 PM
Processed By	Jacqueline Leavy
PO Office	Category:
OEX	CMS
Message Count	1

Richard Windsor/DC/USEPA/US
07/01/2009 12:05 PM

To Eric Wachter
cc
bcc
Subject Re: Waxman

Yikes
Eric Wachter

----- Original Message -----

From: Eric Wachter
Sent: 07/01/2009 12:03 PM EDT
To: Richard Windsor
Subject: Waxman

FYI

Calif. Democrat Henry Waxman hospitalized

The Associated Press
Wednesday, July 1, 2009 10:41 AM

WASHINGTON -- A powerful House committee chairman with a central role in President Barack Obama's global warming and health care legislation has been hospitalized.

[Rep. Henry Waxman](#), D-Calif., was not feeling well Tuesday and was admitted to Cedars-Sinai Medical Center in Los Angeles for "routine testing," spokeswoman Karen Lightfoot said Wednesday.

She said that Waxman, 69, chairman of the House Energy and Commerce Committee, is "feeling much better now." She said his office had no further details to release.

Waxman just finished steering the climate change legislation through a close House vote and has been gearing up to tackle health care later this summer.

Richard Windsor/DC/USEPA/US
03/31/2011 09:19 PM

To Judith Enck
cc
bcc
Subject Re: DEP Release: Christie Administration Wins Battle for EPA Action on Polluting PA Power Plant

Tx

----- Original Message -----

From: Judith Enck
Sent: 03/31/2011 09:17 PM EDT
To: Richard Windsor
Subject: Fw: DEP Release: Christie Administration Wins Battle for EPA Action on Polluting PA Power Plant

Sent by EPA Wireless E-Mail Services

----- Original Message -----

From: Barbara Finazzo
Sent: 03/31/2011 07:10 PM EDT
To: Kevin Bricke; Joann Brennan-McKee; Raymond Werner; William Baker; Judith Enck; George Pavlou; Lisa Plevin; Bonnie Bellow
Subject: Fw: DEP Release: Christie Administration Wins Battle for EPA Action on Polluting PA Power Plant

FYI

Sent by EPA Wireless E-Mail Services

----- Original Message -----

From: "depnews depnews" [depnews@dep.state.nj.us]
Sent: 03/31/2011 04:39 PM AST
To: <depnews@listserv.state.nj.us>
Subject: DEP Release: Christie Administration Wins Battle for EPA Action on Polluting PA Power Plant

IMMEDIATE RELEASE:
March 31, 2011

Contact: Lawrence Ragonese (609) 292-2994
Lawrence Hajna (609) 984-1795

CHRISTIE ADMINISTRATION WINS BATTLE FOR EPA ACTION ON
POLLUTING PENNSYLVANIA POWER PLANT

(11/P43) TRENTON - The federal Environmental Protection Agency accepted New Jersey's Clean Air Act petition that seeks to force a Pennsylvania coal-fired

power plant to dramatically reduce harmful air pollutants that drift over the Delaware River and into North Jersey, and which has caused longstanding public health concerns for residents living in that region, DEP Commissioner Bob Martin announced today.

The EPA, in accepting the State's petition, has proposed a rule to require the power plant, operated by GenOn Energy (formerly Reliant or RRI Energy) in Portland, Pa., to cut its sulfur dioxide (SO₂) emissions by 81 percent over a three-year period, significantly reducing pollutants that can aggravate asthma and cause other respiratory difficulties.

"It is a priority of this Administration to achieve improved air quality for all residents of New Jersey," said Governor Christie. "Targeting out-of-state air pollution that negatively impacts our State is just one of many initiatives we are undertaking to benefit the public health and improve our environment."

"I commend the federal government for taking positive action on the State's petition," said Commissioner Martin. "Most important, this is a win for the public health and welfare of North Jersey residents, and especially people in Knowlton Township and Warren County, who have long been directly in the path of these unhealthy emissions. That situation is not acceptable."

Commissioner Martin vowed to ensure that the federal process - prompted by the State's filing of a Section 126 Clean Air Act petition -- continues to move along as quickly as possible. He plans to testify in person at a public hearing which has been scheduled by the EPA on April 27 in Oxford, Warren County.

The DEP had pressed for a public hearing in Warren County to afford the greatest opportunity for the residents most affected by the air emissions to relate the effects of GenOn Energy plant's pollution on their lives.

The 126 Petition filed by the DEP in 2010 included evidence to show that damaging sulfur dioxide pollution produced by the GenOn power plant adversely impacts most of Warren County and sections of Sussex, Morris and Hunterdon counties, as well as at least three counties in Pennsylvania. The sulfur dioxide coming from the plant is known to cause a variety of adverse health effects, including asthma and respiratory failure, and environmental impacts such as acid rain.

RRI's power plant emitted more than 30,000 tons of sulfur dioxide in 2009, which is more than all seven of New Jersey's coal-fired power plants combined in that year.

The DEP believes modern air pollution controls, including a scrubber, should be installed to substantially reduce the Portland plant's emissions. Improved sulfur dioxide and particle control also would reduce other hazardous air pollutant emissions, including hydrochloric acid, lead and mercury.

In addition to the 126 Petition to limit air pollution from this plant, the State also has an ongoing legal action against GenOn to reduce emissions of nitrogen oxides, as well as sulfur dioxide, at the Portland facility.

Also, the State is battling out-of-state air pollution in two ongoing pending federal court cases. The DEP is attempting to require Pennsylvania-based Allegheny Energy Inc. and subsidiaries to reduce emissions of sulfur dioxide and nitrogen oxide at three power plants in western Pennsylvania. The Department also is seeking to substantially cut the amount of sulfur dioxide pollution pouring from the massive Homer City Station power plant in western Pennsylvania.

Those emissions, in the form of nitrogen oxides and fine particulate matter, are carried eastward by prevailing winds towards New Jersey, causing ozone smog pollution, visible haze and acid rain.

EPA will accept written comments on the State's 126 Petition until May 27. For more information on the petition and the scheduled April 27 public hearing visit: <http://www.epa.gov/ttn/oarpg/new.html>

Full text of New Jersey's 126 petitions on the Portland/RRI issue can be found at:
<http://www.nj.gov/dep/baqp/petition/126petition.htm>

####

- - - - -
This message has been sent by the New Jersey Department of Environmental Protection. To unsubscribe from this list, please go to:
<http://www.nj.gov/dep/newsrel/unsub.htm>

Richard
Windsor/DC/USEPA/US
12/27/2011 12:54 PM

To Judith Enck
cc
bcc
Subject Re: Good editorials

Get em Enck!
Judith Enck

----- Original Message -----

From: Judith Enck
Sent: 12/27/2011 09:46 AM EST
To: Gina McCarthy; Richard Windsor
Subject: Good editorials

Fyi. Newday and albany times union. More to come.

Sent by EPA Wireless E-Mail Services
Mary Mears

----- Original Message -----

From: Mary Mears
Sent: 12/27/2011 09:42 AM EST
To: Judith Enck
Subject: editorials

Newsday Editorial

Mercury rule will help clear air

Updated: December 26, 2011 6:11 AM

The Four Corners Power Plant, operated by Arizona Public Service on tribal land near Fruitland, N.M. New Environmental Protection Agency rules aim to reduce mercury pollution from large coal-fired power plants.

One step at a time, President Barack Obama is writing a credible record on preserving our environment and public health. The latest move came last week, when his Environmental Protection Agency made final a new rule to sharply reduce power-plant emissions of mercury and other toxins.

In 1990, Congress amended the Clean Air Act and directed the EPA to control toxins such as mercury. Since then, coal-fired power plants have continued spewing mercury and other pollutants covered by the rule, such as arsenic and cyanide. Mercury is a neurotoxin that gets into our surface waters, the fish we eat and our bodies. It's especially dangerous for the developing brains of children and for pregnant women.

Now, finally, the EPA is directing plant operators to install already available emissions-control technology. (Happily, New York plants have already done a lot of that work.) The agency estimates that the new rule will avert 11,000

deaths a year. The projected avoided cost of health care -- for ailments such as asthma, developmental disorders and others -- vastly outweighs the compliance costs.

Earlier this year, Obama did the right thing on fuel efficiency standards and interstate air pollution. But he put off until 2013 tightening the standard on smog-producing ground ozone. That was to fend off Republican charges that regulation kills jobs. As to the mercury rule, the EPA says compliance will create 46,000 construction jobs and 8,000 utility jobs.

In taking this step, Obama is simply obeying Congress -- the enlightened one that passed the 1990 amendments, not the current House, which wakes up every day trying to hog-tie the EPA.

**Editorial: In celebration of cleaner air
Albany Times Union
12/27/2011**

THE ISSUE:

New EPA regulations for mercury emissions have been imposed at last.

THE STAKES:

Cleaner air, cleaner water and economic opportunity.

The last days of 2011 offer those concerned about the air we breathe and the waterways we enjoy all the more reason to celebrate. They might party like it's, oh, 1990.

That's when the landmark legislation known as the Clean Air Act had last been amended in any major way.

The law's regulations of air pollutants, significant as they were, had one notable omission: More needed to be done to control the mercury and other toxins from coal- and oil-burning power plants.

President Obama's adoption last week of the Mercury and Air Toxics Standards is a complement to environmental regulation that was two decades in coming.

During that time, about a dozen states — New York among them — imposed adequate reasonable restrictions on mercury pollution. Here, 19 power plants produce about 259 pounds of mercury a year. But in Pennsylvania, for

example, 38 power plants are responsible for 4,000 pounds of mercury.

Toxins and the damage they impose make no distinctions for state borders, of course. That left two of New York's greatest environmental treasures, the Adirondacks and the Catskills, vulnerable to acid rain, even as the state tried to stop it. New nationwide rules for mercury emissions are expected to reduce acid rain by 88 percent.

Those rules don't mean that the utility industry won't be able to produce the power we need, no matter what it might say. The power plants that will soon become obsolete, the Environmental Protection Agency says, produce less than one-half of 1 percent of the nation's generating capacity.

Still, get ready for the less responsible power plant operators to make the same, tired argument that a national economy still struggling to recover from the Great Recession can't afford cleaner air.

That will be their argument as they try to prevail upon Congress and the courts to revoke one of the Obama administration's great environmental achievements.

Good thing, then, that the administration is ready with its rebuttal.

"They knew this was coming," says EPA Regional Administrator Judith Enck.

Some utilities actually have been quite supportive of the new rules. Public Service Enterprise Group, owner of the largest electric utility in New Jersey, spent \$1.3 billion on compliance efforts. The result has been a 90 percent reduction in emissions of mercury and other toxins.

There's economic opportunity in the modification of power plants to accommodate cleaner air requirements. The EPA estimates that some 8,000 jobs will be created in the production of scrubbers and other devices that power plants will need. Some of those jobs will be at Corning Incorporated in western New York.

In time, though, the quest for cleaner air and the health benefits it brings will further alter the economics of the energy industry.

"We're hoping to level the playing field for renewable forms of energy," says Ms. Enck.

Imagine, being able to celebrate a greater capacity for power generation with less pollution.

For that, thank the Clean Air Act and, now, the Mercury and Air Toxics Standards.

To comment: tuleters@timesunion.com or at <http://blogs.timesunion.com/opinion>

Mary Mears
Deputy Director, Public Affairs Division
Chief, Public Outreach Branch
U.S. EPA Region 2
office - 212-637-3673
cell - 646-369-0077
www.epa.gov/region2
www.twitter.com/eparegion2
www.facebook.com/eparegion2
<http://blog.epa.gov/greeningtheapple>

Richard
Windsor/DC/USEPA/US
12/22/2011 08:58 AM

To Michael Goo
cc
bcc
Subject Re: NYT--with Izzo Quote

Tx!

Michael Goo

----- Original Message -----

From: Michael Goo

Sent: 12/22/2011 08:39 AM EST

To: Richard Windsor; Bob Perciasepe; Bob Sussman; Laura Vaught

Subject: NYT--with Izzo Quote

I assume you have already seen, but just in case not.

E.P.A. Issues Limits on Mercury Emissions

Outlet Full Name: New York Times - Online, The

News Text: WASHINGTON — The Environmental Protection Agency unveiled new standards on Wednesday sharply limiting emissions of mercury and other toxic pollutants from the nation's coal- and oil-burning power plants.

The new rule, unless blocked by Congress or the courts, will be the first time the federal government has enforced limits on mercury, arsenic, acid gases and other poisonous and carcinogenic chemicals emitted by the burning of fossil fuels.

Lisa P. Jackson, the E.P.A. administrator, said the regulations, which have taken more than 20 years to formulate, would save thousands of lives and return economic and health benefits many times their estimated \$9.6 billion annual cost.

"By cutting emissions that are linked to developmental disorders and respiratory illnesses like asthma, these standards represent a major victory for clean air and public health — and especially for the health of our children," Ms. Jackson said in statement.

President Obama, who in September rejected a proposed E.P.A. rule covering smog-causing emissions as too burdensome to industry, said he fully supported the new rule. He directed the agency to ensure that companies were given sufficient time and flexibility to comply.

He said the new set of regulations, formally known as the Mercury and Air Toxics Standards, "represents a major step forward in my administration's efforts to protect public health and the environment."

Although the release of the rule had been delayed several times, the final version looked much like the proposed regulations published in March. White House officials consulted extensively with industry representatives about the impact of the new standards but in the end asked the E.P.A. for only minor changes.

Republican officials and a number of plant operators criticized the rule and are likely to challenge it in court and in Congress. They said it was too expensive and would force the premature closing of scores of power plants, eliminate hundreds of thousands of jobs and

threaten the supply of electricity in some parts of the country.

Scott H. Segal, who represents utilities that would be affected by the rule, said the E.P.A. was playing down the costs and double-counting the benefits. "The bottom line," he said in an analysis of the regulation, is that "this rule is the most expensive air rule that E.P.A. has ever proposed in terms of direct costs."

He added, "It is certainly the most extensive intervention into the power market and job market that E.P.A. has ever attempted to implement."

Environmental advocates challenged Mr. Segal's analysis, and his views are not universally shared in the power industry. Ralph Izzo, the chief executive of the Public Service Enterprise Group, the parent of New Jersey's largest electric utility, said his company had spent \$1.3 billion to bring his plants into compliance with New Jersey's air quality rules, which are as stringent as the new federal standards. He said other utilities had had more than enough notice to clean up their facilities in advance of the federal rule announced on Wednesday.

Mr. Izzo said that the E.P.A. action was "long overdue," and that the Clean Air Act, under which the new standards were issued, provided enough flexibility to allow all power generators to come into compliance without a threat to the electric supply.

Mercury is a neurotoxin, harming the nervous systems of fetuses and young children and causing lifelong developmental problems, according to the E.P.A. Other pollutants covered by the new rule, including dioxin, can cause cancer, premature death, heart disease and asthma, the agency said.

Power plants generally have up to four years to comply, although waivers can be granted in individual cases to ensure that the lights stay on. The E.P.A. estimated that utilities would be forced to retire plants that currently provide less than one-half of 1 percent of the nation's generating capacity.

The rule is the first national one to put limits on emissions of mercury and other toxic gases from power plants, although more than a dozen states have imposed such regulations. The George W. Bush administration proposed a rule covering mercury emissions, but environmental and health groups blocked it in court on the ground that it did not meet the minimum standards of the Clean Air Act.

Senator James M. Inhofe of Oklahoma, the senior Republican on the Environment and Public Works Committee, vowed to block the new regulations.

"Sadly, this rule isn't about public health," he said in a statement. "It is a thinly veiled electricity tax that continues the Obama administration's war on affordable energy and is the latest in an unprecedented barrage of regulations that make up E.P.A.'s job-killing regulatory agenda."

The E.P.A. said that when the rule was fully in effect, it would prevent 90 percent of the mercury in coal burned in power plants from being emitted into the air and reduce acid gas emissions from power plants by 88 percent.

The rule applies to 1,400 power-generation units at 600 coal- or oil-burning plants. About half the coal boilers lack what the E.P.A. calls "advanced pollution control equipment"; some are more than 50 years old.

The E.P.A. estimated that the rules would eliminate "up to 11,000 premature deaths" per year, along with thousands of heart attacks, asthma attacks and emergency room visits.

The impact on the electric system is difficult to quantify, in part because the administration is moving forward on two other major rules affecting power plants, one for plants east of the Rockies that send pollution across state borders, and another governing discharges of warm water. Plant owners may calculate that it is cheaper to build a new plant burning natural gas than to upgrade an old coal-burner.

Susan F. Tierney, a consultant who was an assistant secretary of energy for policy during the Clinton administration and a utility regulator in Massachusetts, said the cross-state rule and the new mercury rule might push out of business plants that were "on the margin" financially.

Plants with stronger economics may upgrade to control mercury and other hazardous pollutants, she said, because the water rule is still several years in the future.

Ms. Tierney said the mercury rule was the biggest E.P.A. rule on power plants since the mid-1990s, although other changes could be coming. "Under existing rules, it's really the next big action-forcing regulation," she said. Eventually, she said, E.P.A. regulation of greenhouse gases could have a broader impact, but that rule is still being written.

Richard Windsor/DC/USEPA/US
01/20/2011 01:22 PM

To Michael Moats, Vicki Ekstrom
cc
bcc
Subject Fw: good statements from Dominion in this story

----- Forwarded by Richard Windsor/DC/USEPA/US on 01/20/2011 01:22 PM -----

From: David McIntosh/DC/USEPA/US
To: Richard Windsor/DC/USEPA/US@EPA, Gina McCarthy/DC/USEPA/US@EPA, Seth Oster/DC/USEPA/US@EPA, Joseph Goffman/DC/USEPA/US@EPA, Adora Andy/DC/USEPA/US@EPA, Brendan Gilfillan/DC/USEPA/US@EPA, Arvin Ganesan/DC/USEPA/US@EPA, Michael Moats/DC/USEPA/US@EPA
Date: 01/20/2011 09:09 AM
Subject: good statements from Dominion in this story

REGULATIONS: EPA's regulatory 'train wreck' sparks little concern beyond Beltway (Thursday, January 20, 2011)

Dina Fine Maron, E&E reporter

Beyond the Beltway, utilities and state regulators are adopting a conciliatory tone as they eye a suite of future regulations on smokestack emissions and water pollution from coal-fired power plants.

Speaking at a panel sponsored by the Bipartisan Policy Center yesterday, Pamela Faggert, the chief environmental officer for Dominion, a Virginia-based power company, and several state regulators agreed that postponing any of the regulations that are geared toward cleaning up the air and water around coal plants in the next several years would not make economic sense and could harm public health.

Industry advocates on Capitol Hill have blasted the rules -- which would cover traditional air pollutants, carbon and water -- as a "regulatory train wreck" that will hurt the economy and lead to plant shutdowns.

Faggert, though, emphasized that the agency should not wait on its regulations. Instead of delaying the rules, she said, the industry would like to see EPA consider the regulations in a synchronized manner so companies could plan to comply with various regulations all at once.

She also called for "flexibility" from U.S. EPA to lighten utilities' load whenever possible, such as when choosing whether to designate coal ash as hazardous material.

"Utility regulators are concerned that failure to address such uncertainty in the near term could lead to higher costs and less reliability in the future," agreed

Richard Morgan, commissioner of the Washington, D.C., Public Service Commission.

"There are an increasing number of utilities who are pursuing multi-pollutant planning," to address those issues, he said, adding that energy efficiency and fuel switching are on utilities' radar as a hedge against uncertainty.

"What some people refer to as a 'train wreck' may actually be a golden opportunity to look for synergies between different compliance options," he said.

Congress gears up for an EPA fight

Sue Tierney, a managing principal for Analysis Group and former assistant secretary for policy at the Department of Energy, said that any delays would further fuel uncertainty.

"It's a bad idea to think flexibility means everyone should move back," she said. There are more "surgical" approaches available to solve problems on a case-by-case basis if they should crop up, she said.

Various projections have been presented by the private sector and the Obama administration about future retirements of coal-fired power plants ([ClimateWire](#), Jan. 12). But what factors decisionmakers will weigh more heavily when deciding plants' fates -- EPA's regulations or expectations about a future price on carbon or the cost of natural gas -- is a study in balancing uncertainties, since EPA's rules have not been finalized.

Yesterday's event took place against a backdrop of strong Republican rhetoric about how the party plans to rein in EPA's regulatory authority.

"We don't want EPA to go too far, too fast," said Michael Catanzaro, a Republican staffer for the Senate Environment and Public Works Committee. He declined to discuss how the Republicans plan to ratchet up their battle on EPA's regulations, but it is in their cross hairs, he said.

Richard Windsor/DC/USEPA/US
08/15/2011 10:00 PM

To Michelle DePass
cc
bcc
Subject Re: Monthly Sustainable Development Report

Yeah. Heard. Tx.

From: Michelle DePass
Sent: 08/15/2011 09:59 PM EDT
To: Richard Windsor
Subject: Fw: Monthly Sustainable Development Report

FYI- Cecilia Estalano started her own firm

From: Estolano LeSar Perez Advisors LLC [newsletter@elpadvisors.com]
Sent: 08/15/2011 05:49 PM AST
To: Michelle DePass
Subject: Monthly Sustainable Development Report

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Sustainable Development Report

Issue: # 2

August 2011

County of San Bernardino Vision Project

Photo Credits: Adore Realty, SB County Superior Court & Vision Project, and Wikipedia

Vision and Strategic Plan: A Touchstone in

About Us

ELP Advisors works with cities, agencies, stakeholders, foundations and business groups to craft strategies to grow thriving, healthy, vibrant communities.

Turbulent Times

At a time when Wall Street is swinging wildly between plunging losses and steep gains and fears of a double-dip recession are surging, it is worth reflecting on the value of having a strong vision and a good strategic plan. In this month's issue we're featuring the [County of San Bernardino's Vision Report](#) as an example of a process and a plan that can provide a touchstone during troubled times. San Bernardino has been one of the counties hardest hit in the nation by the Great Recession and housing foreclosures. San Bernardino County, and the San Bernardino Association of Governments (SANBAG) brought together all 24 cities and towns in the County, consulted with more than 25 groups of experts and utilized a robust public engagement process to create the Countywide Vision Report. The Countywide Vision report reminds us that in times of doubt and fear, meaningful strategic planning that embraces deep community engagement can provide a good foundation for coordinated action, enable more efficient use of scarce resources, and perhaps most importantly, inspire a community to envision and create a better future.

On another note, [ELP Advisors](#) is pleased to welcome Angela Rashid (Associate) and Richard France (Intern) as the newest members of our staff. Both are graduates of UCLA's Urban Planning program and bring a diverse range of skills to our team.

Sincerely yours,

Cecilia V. Estolano | Jennifer LeSar | Katherine Aguilar Perez

Sustainable Economic Development

CA Supreme Court Grants Stay; Will Hear Constitutional Challenge to AB 1X 26-27

On August 11, the California Supreme Court announced it would hear the lawsuit filed by the California Redevelopment Association (CRA) and the League of California Cities (League), which requests that the Court declare unconstitutional AB 1X 26 and AB 1X 27. The

In This Issue

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[Powering Innovation Economies](#)

[Compendium of Best Practices in Energy Efficiency and Renewable Power](#)

[Caltrans Transportation Planning Grant Awards](#)

[Sustainable Communities Notes](#)

Upcoming Events

August 18
[Can Small be Green? - A Panel Discussion on Sustainable Wealth Building for California's New Majority](#)

August 25
[Green Jobs and Energy Efficiency Webinar hosted by the Local Government Commission](#)

August 30 & 31
[Congressional Black Caucus Job Fair](#)

September 11
[LA River Revitalization Corporation Inaugural Event](#)

September 11 - 14

[California APA Annual Conference](#)

Website

www.elpadvisors.com
www.lesardevelopment.com

Court states in its order that "the briefing schedule is designed to facilitate oral argument as early as possible in 2011, and a decision before January 15, 2012." The Court also issued a partial stay regarding suspension of the effectiveness of AB1X 26-27 until it can rule on the constitutionality of these two bills.

On July 18, CRA and the League of California Cities filed a petition asking the California Supreme Court to overturn AB 1X 26 and AB 1X 27 because they violate the Constitution. The Cities of San Jose and Union City joined as plaintiffs. CRA and the League also had requested that the Court issue a stay to prevent the legislation from going into effect until the Court can decide the lawsuit.

The central claim for the challenge to AB 1X 26 and AB 1X 27 is that these bills violate Proposition 22, the constitutional amendment passed last November by 61% of the state's voters. This amendment explicitly prohibits the "seizing, diverting, shifting, borrowing, transferring, suspending, or otherwise taking or interfering with" revenue dedicated to local government, including local redevelopment funds.

[Click here](#) for a summary of the CRA/League lawsuit and other materials.

Powering Innovation Economies through Art and Culture

The Urban Land Institute is hosting a Powering Innovation Economies Conference in San Diego on Friday, September 2nd. The conference will showcase how cities are using art and culture as economic drivers for their cities and how this emerging trend is being identified as a key ingredient to future great cities in the 21st century. Colorado Governor John Hickenlooper will share how the City of Denver has earned a position as a leading cultural mecca; John Alschuler will present the wildly successful High Line linear park in Manhattan; and Dave Malmuth and Pete Garcia will share their concept for San Diego's IDEA District where innovation, design, education and art are intentionally integrated to create a place where creativity can thrive.

[Click here](#) to register.

Compendium of Best Practices in Energy Efficiency and Renewable Power

Sustainability Directors, policy makers and advocates should add to their resources library the *Compendium of Best Practices* on state and local successes in energy efficiency and renewable energy compiled by the Renewable Energy & Efficiency Partnership (REEEP), the Alliance to Save Energy and the American Council on Renewable Energy (ACORE). The report describes more than 20 practices and includes examples of their effective implementation in states and cities. The *Compendium* focus on policies, financing mechanisms and other initiatives that can be easily replicated and that create favorable market conditions for energy efficiency and renewable energy. This is a useful tool and reference document that includes the key program elements of each best practice, the benefits of the practice and examples of its successful implementation.

To read the full report [click here](#).

Transportation

Caltrans Transportation Planning Grant Awards

Last week, Caltrans announced the grant recipients of this year's Transportation Planning Grant program. Caltrans received 211 applications totaling \$34 million in funding requests. Ultimately, 75 applications were selected totaling \$10.3 million for funding.

As the number of applicants for the program demonstrates, the Caltrans grant program is very competitive. For over 10 years, this Caltrans program has successfully provided critical funding resources to support local planning efforts.

To view the award list, [click here](#).

Sustainable Communities Notes

San Bernardino County Vision Project

The San Bernardino County Vision Project marks the first effort to shape the future of America's largest county as a complete community that includes county government, cities, school districts, businesses, service organizations, and more than 2 million residents.

San Bernardino County government leaders convened public meetings and conferences with stakeholders such as industry, educators, environmental experts and healthcare professionals, and then crunched data to create a Vision Statement that was recently adopted by a council representing the county and all 24 cities within the county. The five-paragraph statement envisions a "complete county" that capitalizes on its diversity to create a vibrant economy and a system of services and amenities that will make San Bernardino County a model community.

The task for county leaders now is to steer the community toward efforts that will make the Vision a reality by convening leaders, showcasing local efforts, and keeping the Vision within the view of residents and business and community leaders.

To learn more about the Vision Project [click here](#).

Ocean Protection Council Draft Strategic Action Plan Available for Public Comment

One of California's greatest treasures is its access to coastal and ocean resources. The California Ocean Protection Council (OPC) was formed as a result of legislation enacted in 2004 known as the California Ocean Protection Act (COPA). The OPC's mission is to "ensure that California maintains healthy, resilient, and productive ocean and coastal ecosystems for the benefit of current and future generations". The OPC is currently updating its strategic plan, [A Vision for Our Ocean and Coast: Five-Year Strategic Plan](#) and seeks comments on its new approach.

The OPC describes its 2012-2017 Strategic Action Plan as "a more focused action plan that identifies targeted areas where the OPC can be the most effective in this current challenging economic and fiscal climate." The new Strategic Action Plan will focus on four key areas that will encompass the core of OPC's efforts over next five years: climate change; sustainable fisheries and marine ecosystems; coastal and ocean impacts from land; and industrial uses of the ocean. In addition, the plan outlines goals to improve the use of and sharing of scientific information needed to make critical coastal and ocean management decisions.

At the end of August, the OPC will host public workshops in Northern, Central and Southern California to garner public comments about the plan.

[Click here](#) to learn more about the California Ocean Protection Council and for a schedule of public workshops. The public comment period is open through September 12th.

Upcoming Events

August 18 | Can Small be Green? - A Panel Discussion on Sustainable Wealth Building for California's New Majority hosted by The Crawford Family Forum

[Click here](#) for more information.

August 25 | Green Jobs and Energy Efficiency Webinar hosted by the Local Government Commission

[Click here](#) for more information and a complete listing of upcoming workshops.

August 30 & 31 | Congressional Black Caucus Job Fair

[Click here](#) for more information.

September 11 | LA River Revitalization Corporation Inaugural Event

[Click here](#) for more information.

**September 11-14 | California APA Annual
Conference, Santa Barbara**

[Click here](#) for more information

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Richard Windsor/DC/USEPA/US@EPA

To Richard Windsor

cc

04/20/2009 06:29 AM

bcc

Subject A washingtonpost.com article from:
Windsor.richard@EPA.gov

This page was sent to you by: Windsor.richard@EPA.gov

Talking a Green Streak

By J. Freedom du Lac

Earth Day on the Mall slogan: Climate change we can believe in!

Do you love D.C.? Get the insider's guide to where to stay, what to do and where to eat.
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Richard Windsor/DC/USEPA/US@EPA

To Richard Windsor

cc

03/28/2011 01:36 PM

bcc

Subject Check Out This Article

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Enviro poll: Battleground-state voters want EPA calling the shots on climate - The Hill's E2-Wire

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04/10/2011 03:05 PM

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12/15/2011 10:36 PM

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Richard Windsor/DC/USEPA/US@EPA

To Richard Windsor

cc

02/14/2012 02:21 PM

bcc

Subject Check Out This Article

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How to cut climate change in half - The Hill's Congress Blog

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Richard
Windsor/DC/USEPA/US
08/14/2009 02:17 PM

To Robert Goulding
cc
bcc
Subject Re: MEDIA ADVISORY: Obama Officials to Hold Ocean
Policy Public Meeting in Anchorage August 21, 2009

Nah. Send to Pete Silva and ask who is going for EPA?
Robert Goulding

----- Original Message -----

From: Robert Goulding
Sent: 08/14/2009 02:13 PM EDT
To: Richard Windsor
Subject: Fw: MEDIA ADVISORY: Obama Officials to Hold Ocean Policy Public Meeting in Anchorage August 21, 2009
Did you see this?
Amy Dewey

----- Original Message -----

From: Amy Dewey
Sent: 08/14/2009 02:11 PM EDT
To: Alison Davis; John Millett; Michael Thiem; Robert Goulding; Cathy Milbourn; Allyn Brooks-LaSure; David Cohen; Joyce Frank; Adora Andy; Seth Oster; JamesL Stewart
Cc: Doretta Reaves; Lina Younes; Bonnie Piper; Jean Harding; Sarah Auerbach; Roger Campbell; John Larmett
Subject: Fw: MEDIA ADVISORY: Obama Officials to Hold Ocean Policy Public Meeting in Anchorage August 21, 2009

Amy H. Dewey

**EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON ENVIRONMENTAL QUALITY
WASHINGTON, D.C. 20503**

**FOR IMMEDIATE RELEASE:
August 7, 2009
202-456-3469**

Contact: Christine Glunz

**Obama Administration Officials to Hold Ocean Policy Task Force
Public Meeting in Anchorage August 21, 2009**

ANCHORAGE, AK – Obama Administration officials will hold their first Ocean Policy Task Force Public Meeting in Anchorage, Alaska on August 21, 2009. The Interagency Ocean Policy Task Force, led by White House Council on Environmental Quality Chair Nancy Sutley, consists of senior-level officials from Administration agencies, departments, and offices.

The Task Force is charged with developing a recommendation for a national policy that ensures protection, maintenance, and restoration of oceans, our coasts and the Great Lakes. It will also recommend a framework for improved stewardship, and effective coastal and marine spatial planning. The public is encouraged to attend and an opportunity for public comment will be provided.

Who: White House Council on Environmental Quality Chair Nancy Sutley
National Oceanic and Atmospheric Administration Administrator Dr. Jane Lubchenco
Deputy Secretary of the Department of Interior David Hayes
Coast Guard Commandant Admiral Thad Allen
Deputy Assistant to the President on Energy and Climate Change Heather Zichal

What: Ocean Policy Task Force Public Meeting

When: Friday, August 21, 1:30 – 4:30 p.m.

Where: The Dena'ina Civic & Convention Center
555 W 5th Ave
Anchorage, AK

Note: Public comment can also be submitted online at:
<http://www.whitehouse.gov/administration/eop/ceq/initiatives/oceans/>

Richard
Windsor/DC/USEPA/US
05/03/2011 09:24 AM

To Sarah Pallone
cc
bcc
Subject Re: EPA tries to win back farm states

V cool
Sarah Pallone

----- Original Message -----

From: Sarah Pallone
Sent: 05/03/2011 08:31 AM EDT
To: Richard Windsor
Subject: EPA tries to win back farm states

FYI

POLITICO

EPA tries to win back farm states

By: [Robin Bravender](#)
May 3, 2011 04:44 AM EDT

Lisa Jackson is looking for some friends down on the farm.

Farm-state voters have seemingly lost patience with Democrats in Washington. Last fall, the governorships and a combined 16 congressional seats in several key states that supported President Barack Obama in 2008 flipped to Republicans, including Iowa, Michigan, Ohio, Pennsylvania and Wisconsin.

At the center of complaints from farm-state lawmakers: the Environmental Protection Agency's air and water regulations, which they claim will put farms out of business.

In an effort to repair its image in the heartland, EPA Administrator Lisa Jackson and other Cabinet officials are hitting the road and the airwaves.

Jackson traveled to Iowa last month and California farm country in March, and EPA says additional trips are in the works. She has also been trying to improve EPA's image through appearances on local radio stations and with op-eds in farm states.

"Part of the reason for being here is to speak directly to folks outside of that echo chamber that's the Washington, D.C., world about what's really happening," Jackson told Des Moines, Iowa, radio station WHO last month.

"I call it sort of my 'debunking the myths' tour," she said.

Jackson admits she doesn't have a background in agriculture. "I'm a city girl," the New Orleans native said.

She insists EPA isn't out to put farms out of business but has failed to make much headway on Capitol Hill, where the agency's farm policies have come under fire from Democrats and Republicans alike.

At a heated March House Agriculture Committee hearing, California Democrat Dennis Cardoza told Jackson her agency was "the most unpopular agency in farm country from sea to shining sea, bar none."

The committee's top Democrat, Collin Peterson of Minnesota, said EPA appears to farmers like "an out-of-control agency that doesn't understand agriculture and doesn't seem to want to understand it." And Illinois Republican Tim Johnson told Jackson that her agency has been the "poster child ... for usurpation of legislative authority."

Among the most common anti-EPA talking points: The agency plans to clamp down on farm dust, regulate spilled milk like spilled oil and impose a "cow tax" on farmers for the greenhouse gases emitted by livestock.

Jackson says those are all myths. She told the House panel that the "mischaracterizations" about her agency "are more than simply a distraction" and "could prevent real dialogue to address our greatest problems."

Jackson insists that EPA has no plans to regulate dust on farms, although she hasn't ruled out the possibility. Last month, EPA made good on its promise to exempt milk containers from rules aimed at preventing oil spills from reaching water supplies.

And Jackson says the "cow tax" rumors are hot air. "That myth was started in 2008 by a lobbyist" and quickly debunked by a nonpartisan, independent group, she said at the hearing.

"I have a tremendous respect for the agricultural sector," she said. "Farmers and ranchers are an essential part of our economy; they give us food, fiber and fuel."

Jon Doggett, vice president of public policy of the National Corn Growers Association, said he often hears concerns from growers about not just what they see happening now at EPA but also "what they see coming in the future."

But he said it's a welcome sign that EPA officials are heading out to talk to

farmers. "The thing that gets our folks most upset is the feeling that EPA doesn't know what we're doing out on farms," he said.

Pairing Jackson with Agriculture Secretary Tom Vilsack could help on that front.

Jackson and the former Iowa governor last month visited a livestock farm, a row crop farm and a biodiesel plant.

The two also penned an op-ed in The Des Moines Register last week touting the "shared goals" of EPA and farmers and again sought to set straight "some of the misconceptions and myths about the EPA."

Jackson is also known for her ability to put even her fiercest critics at ease when she meets them face to face. She's friendly with the Senate's top climate skeptic, Jim Inhofe (R-Okla.), who regularly berates the administration's environmental policies.

The EPA chief would do well to make stops in places such as Fort Wayne, Peoria or Evanston and answer questions about what much-feared regulations will really do, said a former Senate Democratic aide.

"Lisa Jackson does a very good job in that environment," that person said, because she can easily relate to people and doesn't get rattled.

Jackson also met with farmers and ranchers in Fresno, Calif., in March. In an op-ed in the Fresno Bee, she touted EPA's partnerships with agriculture and said its top brass has met with hundreds of farmers and ranchers across the country in the past year.

Norm Ornstein, a political analyst at the American Enterprise Institute, said the administration is likely trying to avoid fights in states that still rely heavily on agriculture.

"The last thing you want to do is piss them off for no good reason," he said.

And the attacks from farmers have been amplified amid Republicans' constant criticism of EPA and the Obama administration's environmental agenda.

"If you're aiming at the White House, you're going to use every weapon in your arsenal and everything that you can do to raise the dissatisfaction level in people," Ornstein said.

House Republicans on the Agriculture and Natural Resources committees plan

to continue their assault Tuesday with a joint hearing titled "At Risk: American Jobs, Agriculture, Health and Species — the Costs of Federal Regulatory Dysfunction."

Jackson isn't scheduled to testify, but with fights ahead on 2012 appropriations, skyrocketing gas and oil prices and a possible farm bill in the offing next year, she'll need to keep up the effort.

"In the end, the proof is in the pudding, you look at what happens day to day," said Paul Schlegel, director of environment and energy policy at the American Farm Bureau Federation.



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FD HIDDEN DIV
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Deputy Associate Administrator
for Intergovernmental Relations
Office of the Administrator
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Richard Windsor/DC/USEPA/US
10/19/2011 11:15 AM

To Sarah Pallone
cc
bcc

Subject Re: This didn't pop up for me yesterday...

Indeed I have. Tx.
Sarah Pallone

----- Original Message -----

From: Sarah Pallone

Sent: 10/19/2011 10:18 AM EDT

To: Richard Windsor

Subject: This didn't pop up for me yesterday...

From Politico yesterday, it didn't pop up for me, so hopefully you have seen this:

POLITICO

Greens try to rebrand air-rule foes

By: [Erica Martinson](#)

October 18, 2011 10:38 PM EDT

Environmentalists have a new nickname for members of Congress questioning the public health benefits of the Environmental Protection Agency's proposed air rules: health deniers.

It's a "new wing of climate science ... now denying the medical science," said Peter Iwanowicz, vice president of National Policy and Advocacy at the American Lung Association. "They believe that EPA has made this all up."

As the job creation conversation has taken over national political discourse, EPA and environmentalists have fought back against rhetoric that EPA is a "job-killing" agency — and the accompanying slew of legislation aimed at EPA regulations — by arguing that upcoming air regulations are needed to save lives, and that translates into massive national costs.

The "health denier" campaign takes the effort to another level and comes as critics of EPA air regulations have sought to undermine the science behind EPA and environmentalist estimates of risks to human health posed by toxic air pollution.

Members of Congress who are also medical professionals — six doctors and one dentist — recently wrote a letter to EPA Administrator Lisa Jackson, calling the public health claims accompanying EPA's proposed regulation to regulate hazardous air pollutants at utilities "dubious."

"Our strong concern is that EPA has been double counting particulate health benefits — taking credit for them in the context of this proposed rule when it well knows that past rule makings already address these concerns," the lawmakers wrote.

Jeff Holmstead, an EPA official under George W. Bush and current industry attorney, lays out the argument: "There are some real problems with EPA's claims, and in some ways ... the way they are used by EPA's supporters." Holmstead argues that "95-98 percent of the benefits that they claim are ... going to be saving lives [are] of people who live in areas that already meet" air quality standards requirements.

Holmstead believes the real push behind utility rules is to shut down coal-fired power plants.

EPA has not formally responded to the letter from the lawmakers but told POLITICO in an email that "for every dollar spent to reduce this pollution, Americans get \$5-\$13 in health benefits in lives saved, asthma and emergency room visits avoided and more." The agency notes that the new standards will apply only to about 44 percent of coal-fired plants that do not already meet the requirements.

In 2016, proposed air rules would help prevent: "6,800-17,000 premature deaths; 4,500 cases of chronic bronchitis; 11,000 nonfatal heart attacks; 12,200 hospital and emergency room visits; 11,000 cases of acute bronchitis; 220,000 cases of respiratory symptoms; 850,000 days when people miss work; 120,000 cases of aggravated asthma; and 5.1 million days when people must restrict their activities," the agency said.

The game of questioning EPA regulations has long been pushed by Rep. Joe Barton (R-Texas), former Energy and Commerce Committee chairman, who this spring charged, "I think the EPA numbers are pulled out of the thin air."

And at an Energy and Commerce hearing on Sept. 22, Rep. Steve Scalise (R-La.) argued that "it seems like there are arbitrary numbers being thrown out just to justify a radical regulation that really has nothing to do with improving health and safety."

House members have acted on these concerns too: In the past several weeks, they passed the TRAIN Act, which would allow for review of the costs and benefits of EPA rules for power plants, gasoline and industry sectors, delay upcoming mercury standards for power plants and the agency's regulation of smog and particulate pollution across state lines, as well as bills to halt or

limit EPA regulations for boilers and incinerators, cement plants, power plants and coal ash impoundments.

"The Clean Air Act, make no mistake about it, is under attack," Iwanowicz said Monday in a press call aimed at calling attention to the inclusion of 25 state attorneys general in a lawsuit asking for a one-year extension to EPA's Utility MACT standard for power plants that is due to be finalized Nov. 16.

"I think what they're doing here is trying to sow that same kind of doubt" as critics of global warming science do," he said.

Meanwhile, Rep. Henry Waxman, ranking member of the Energy and Commerce Committee, is on a tear to paint the House GOP as anti-environment. Last month, the California Democrat unveiled a searchable database of anti-environment votes in the 112th Congress — at press time, the count was 168 votes. That includes 71 to block pollution prevention regulations and 61 aimed at the Clean Air Act.

And EPA is making plans to promote its scientific beliefs further: Jackson announced Monday in a USA Today op-ed that she and Health and Human Services Secretary Kathleen Sebelius are launching a new initiative to provide environmental exposure information to local doctors.

In the joint op-ed, Jackson and Sebelius said that "one in every 12 Americans — and one in 10 children, suffers from asthma, which is worsened by air pollution. In total, our children's exposure to air pollution and toxic chemicals costs America more than \$75 billion every year." They go on to note that economically distressed and minority communities have a significantly greater risk of health problems because of pollution exposure.

Beyond focusing on environmental justice issues, the two agencies plan to combine their data "to give local policymakers access to detailed information on environmental factors and health disparities," so that local officials can see the correlation between, for instance, air quality and asthma hospitalization data.

A spokeswoman with HHS said the agency is reviewing a report released earlier this month that addresses "how to promote the inclusion of occupational and environmental exposure histories into" electronic health records, as well as public comments received on the draft strategy.

An August report by nonpartisan publication American Economic Review measures gross external damages caused by industry via pollution, compared with value added to the economy, and found that in 2002 the aggregate

pollution damages across all industries were \$184 billion, with the heaviest polluters coming from the agriculture and utilities sectors, the latter being the cause of \$63 billion in damages.

The study found "air pollution damages ... are greater than their net contribution to output" for seven industries: stone quarrying, solid waste incineration, sewage treatment plants, oil- and coal-fired power plants, marinas, and petroleum-coal product manufacturing. And "five industries stand out as large air polluters: coal-fired power plants, crop production, truck transportation, livestock production and highway street-bridge construction."

Of its analysis, the study says, "At an intuitive level, it indicates that the regulated levels of emissions from the industry are too high." But there are a number of uncertainties, the report notes, including "the value of mortality risks, the relationship of this value to age, the mortality effect of fine particulates and the social cost of CO2 emissions. Sensitivity analyses using alternative values for these parameters change the magnitude of the results significantly."



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Richard Windsor/DC/USEPA/US
03/16/2011 06:33 PM

To Sarah Pallone
cc
bcc
Subject Re: time sensitive

Tx

----- Original Message -----
From: Sarah Pallone
Sent: 03/16/2011 06:21 PM EDT
To: Judith Enck; Richard Windsor
Subject: Fw: time sensitive

Thanks Judith!

----- Original Message -----
From: "Michael Bopp" [mfbopp@gw.dec.state.ny.us]
Sent: 03/16/2011 06:13 PM AST
To: Sarah Pallone; Judith Enck
Cc: <Thomas.Congdon@exec.ny.gov>; "Jared Snyder" <jjsnyder@gw.dec.state.ny.us>; "Joe Martens" <jmartens@gw.dec.state.ny.us>; "James Tierney" <jmtierne@gw.dec.state.ny.us>
Subject: Re: time sensitive

Judith - we'd like to provide the following statement for EPA use:

In response to EPA's proposed Utilities Toxics Rule to limit mercury pollution, Joseph Martens, Commissioner of the New York State Department of Environmental Conservation stated:

"Mercury is a powerful neurotoxin that accumulates in fish and humans. Although New York is requiring substantial emission reductions from its coal-fired power plants, the vast majority of the mercury contamination in New York comes from out-of-state sources. We are still studying the details of this complex proposal, but we are pleased that EPA is acting to limit harmful mercury contamination -- a national problem that needs a national solution."

New York is requiring coal-fired power plants to install air pollution controls to reduce mercury air emissions 90% by 2015. In conjunction with New England, New York developed a Clean Water Act pollution budget, accepted by EPA, that quantifies mercury's serious adverse impacts on waters throughout the Northeast. New York and New England also filed a formal Clean Water Act petition calling on EPA to reduce atmospheric mercury emissions nationally.

thanks, Michael

Michael Bopp
Acting Director of Communications
(518) 402-8000

>>> 03/16/11 1:54 PM >>>

hi tom and jared: today epa put out excellent national standards for mercury and other toxic air pollutants from coal and oil fired power plants. details on the www.epa.gov epa staff in washington reached out to governor cuomo's washington staff to request a supportive statement but were told that they would not provide one. that is odd given ny's long history on this issue, including out of state atmospheric mercury doing so much damage to ny's lakes and rivers. below is a quote from delaware governor markell.

could you guys scramble and try to get a quote from governor cuomo and or commissioner martens? if so, please email it to me and pallone.sarah@epa.gov

many thanks. call me with any questions.

cheers,
Judith

?EPA?s proposed Utilities Toxics Rule builds upon work in Delaware that shows we can significantly reduce pollution from power plants through cost-effective and technologically feasible solutions. Delaware has adopted some of the most advanced air quality regulations in the nation. Despite these efforts, Delaware still faces air quality challenges with nearly 90% of our local air pollution coming from out of state sources. The proposed rule makes important strides towards requiring upwind sources to install the cost-effective pollution controls necessary to protect public health in Delaware and save millions of dollars of healthcare expenditures. We applaud EPA for their efforts.?

**Richard
Windsor/DC/USEPA/US**
02/28/2012 01:40 PM

To Scott Fulton
cc
bcc
Subject Re: Oral Argument on the Endangerment Finding and Cars
Rule

tx

Richard
Windsor/DC/USEPA/US
08/11/2010 03:00 PM

To Seth Oster
cc
bcc
Subject Re:

My
Seth Oster

----- Original Message -----

From: Seth Oster
Sent: 08/11/2010 01:42 PM EDT
To: Richard Windsor

[Obama and the Left, Part 2,048](#) [By Mike Lux](#)

Author, The Progressive Revolution: How the Best in America Came to Be

Posted: August 11, 2010 11:04

The progressive community and the Obama administration are once again in a firefight, this one started by White House spokesman Robert Gibbs. There has been and will be a huge amount of commentary on this in the blogosphere and the media in general over the next few days, and Gibbs' quote will go right up there with the infamous "left of the left" quote during health care, Rahm's infamous "f'ing retarded" quote (he apologized afterward to advocates for those with mental disabilities, but of course not to progressives), the locker room gloating "organized labor just flushed \$10 million down the toilet" quote, and a variety of other random insults that progressives have to chew over.

Thankfully, Gibbs has released a statement pulling back from that interview, and I am assured by friends at the White House that this is just "Robert being in a bad mood", etc. Happy to hear it, and I am willing to give the White House the benefit of the doubt (which I know may not be very popular among many folks in progressiveland). I also am happy to give this Administration credit where credit is due, and they do actually deserve some.

Given the economic straits we are in, the stimulus was too small, and had too many tax cuts in it, but it is still the biggest jobs bill in American history, and the biggest investment in public goods (schools, teachers, roads, bridges, clean energy, firefighters, cops, broadband, etc.). The health care bill had big flaws, including the lack of a public option, but Obama succeeded at extending coverage to virtually everyone and reining in major insurance abuses (on pre-existing conditions, lifetime caps, etc.) when every other President before for a hundred years had failed.

The financial reform bill didn't break up the banks, but we won very significant victories in reining in the financial sector, and went the right direction on financial regulation instead of the wrong direction as we did in the last four presidents' tenures. The federal budgets Obama submitted have been the most progressive in many ways, at least since 1993, and maybe since

the 1960s. We won a major victory on, and expansion of, the student loan program for college students. Tobacco is regulated by the FDA for the first time. The equal pay law got passed, S-CHIP got expanded, the hate crimes bill got signed, unneeded weapons systems got eliminated. And Obama has at least pushed for other big legislation on climate change, immigration reform, and more jobs programs, even if he didn't succeed at everything.

It hasn't all been perfect -- far from it -- but Obama deserves enormous credit for wading into these big fights, and for persevering on some of the toughest, like health care (where his chief of Staff Rahm Emanuel wanted him to back down and give up.) If I were in the Obama White House, I might be feeling a little irritable myself at the lack of credit I was getting.

Were you waiting for the "but"? Well, here it is.

But here's the thing, folks at the White House: your strategy for getting the credit you think you deserve sucks. It's not working, and bitching about the fact that people don't give you enough credit is not going to get them to give you more.

I may be wrong, I hope I am wrong, but as far as I can tell, the White House right now has very little in the way of strategy for reaching out to the progressive community. Beyond meeting regularly with some of the big DC groups (meetings that have been described to me by a White House ally as pretty much being "one way communication" from the White House to the groups), I know of no consistent high level outreach to the broad progressive community. My guess is that it's because they don't think they need to, that as Gibbs indicated, they don't feel they need the groups or the blogs or progressive media or the "progressive left", in Gibbs' delightful phrase, to reach progressive voters.

Maybe. But it's a pretty huge gamble. The Obama team forgets that once the primary was over in 2008, the folks in the blogosphere and all the progressive groups were pretty united on helping Obama win the election. A pretty sizable share of the 13 million people on the Obama e-mail list were also reading blogs, getting e-mails from MoveOn.org or phone/mail from unions and other groups. Everyone had the same goal of defeating McCain and other right-wing Republicans, and we were all reinforcing (for the most part) what the campaign was doing and saying.

That sense of teamwork is pretty well gone, blown apart not only because of some policy decisions many progressives disagreed with, and not just by the series of insulting comments I spelled out in the first paragraph, but by a serious lack of outreach as well. The result is that Obama gets a steady stream of criticism from Markos, Arianna, Rachel, and many of the rest of us, and when good things happen, they rarely get played up positively as well as they should. I think that is one of the big reasons why online giving has been fairly weak on the Obama list (a person with knowledge of the list told me that the fundraising trend off their email list was "extremely worrisome"), why volunteer recruitment has been down, and why Democratic voter enthusiasm in the polling has been so consistently weak (obviously the bad economy has a lot to do with that as well, but don't discount the bad relationship with progressive media and institutions).

Here's the thing that drives me most crazy, though: the only thing making the Obama White

House take the huge gamble of not reaching out to the professional left is their own arrogance. Engaging the "professional left" would be easy to do if they cared about it at all, and had a strategy to do it. In the Clinton White House, that presidency of NAFTA, failed health care, the 1994 election fiasco, and "triangulation", the progressive community- the professional left as well as progressive voters- progressives never deserted Clinton. Through his two elections, special prosecutors, the Lewinsky mess and impeachment, the Democratic base stayed loyal to and enthusiastic about Bill Clinton (even when he didn't always deserve it). Why? Because Bill Clinton cared about having a good relationship with progressives, and because we had a strategy for working effectively with them. President Clinton frequently asked me about who was happy with us and who was disgruntled in the progressive world, and we made sure to bring in everyone in the latter category for meetings and social events at the White House. At the height of the NAFTA fight, we organized a dinner for labor leaders where the President hung out with them for a long, social evening, telling them in his remarks "I know we are in a fight right now, but I want you to know that my White House will always be your house too, that we always will be friends." We made sure progressives always had chances to have serious input into policy development. Whenever we had bad news to deliver to progressive groups on any issue big or small, we reached out to them before the announcement, talked about how to make the damage hurt less, and talked about what we could do to help them on other issues. And whenever there was good news, we made sure the folks who cared about it were part of the celebration.

Here's the other thing: other Democratic politicians in 2010 get the need to work effectively with progressives. I have had my share of disagreements with Speaker Pelosi and Majority Leader Reid, but they and their staff have never failed to work constructively and conscientiously with me and other progressives I know. This is politics 101 as far as I am concerned, but to my knowledge, this White House isn't engaging in much of it. I am on the board of many different progressives groups, and know a wide assortment of folks in the blogosphere, in organizations, in the progressive donor world, on Capitol Hill, and I rarely hear about any kind of high-level outreach of this sort going on. One other important point on all this: what worries me the most is that I am as insider-y as a person can get. I have known Rahm for 30 years, Axelrod and Plouffe for over 20. I have been a client of Jim Margolis, Anita Dunn, and Axelrod's firms. I was a co-founder of Strategy Group, the Chicago based firm that was one of the closest inner circle firms in the Obama Presidential campaign. I have worked in the White House, and I even worked on the Obama transition. I am one of the professional left (not at all the only one, by the way) who, in spite of my disappointments with some of the compromises made, ended up supporting, enthusiastically working for, and praising Obama on all those initiatives mentioned above. Now I know that some folks in the White House are mad at me and have shut me out because I have been critical at times of this White House, but I still have to think: if the relationship with the "professional left" is as shaky as it is, and someone like me is not being reached out to much or asked to help, what about all those bloggers and progressive media people and organizations who don't have much in the way of inside connections? It worries the hell out of me, and it ought to be worrying the White House.

Gibbs' statement has caused a flurry of damage control, just as all the other statements in paragraph one did. But it's not enough: this White House has to do a better job of working constructively, every single day, with progressives. The White House should be in genuine partnership with the progressive community. That doesn't mean agreeing on every issue, and it

doesn't mean avoiding some frank conversations behind the scenes where voices get raised back and forth. But progressives, including the "professional left" would be a lot more loyal and enthusiastic, a lot more willing to give credit where credit is due, if they felt like the White House cared what they thought.

Our job as progressives is to never be satisfied, to always be impatient with the pace of change. Frederick Douglass, Alice Paul, Walter Reuther, Martin Luther King, Jr. - none of them were ever satisfied with the progress being made, and the Presidents they worked with were constantly aggravated at the pressure they received. But big changes got done when Presidents understood the importance of working effectively with them and the movements they represented. It is time for Obama (and his staff) to understand this and make the effort. Even when we are being irritating, even when you think we are being unfair, the White House needs to reach out their hand to progressives and work with us instead of venting about us to the media. FDR understood that and got re-elected by landslides with enthusiastic base support in the toughest of times. LBJ understood that in 1964, got re-elected in a landslide with progressives happily behind him, but then forgot it and let Vietnam break his party in the '68 election. Bill Clinton understood that, avoided a primary in tough political circumstances, and won re-election easily with a pumped up progressive community strongly behind him. I hope President Obama comes to understand that it is your base, including the professional left, that can sustain you in tough economic and political times, but that you need to reach out to them rather than complain about them.

Cross-posted at my home blog, OpenLeft.com, where you can read all of my other writing

Richard Windsor/DC/USEPA/US
03/26/2010 07:57 AM

To Seth Oster
cc
bcc

Subject Re: NY Times -- Cap and Trade

Yup. Saw it. Tx.

FYI - looking at April 1 for our Hubbel thing. Does that work?
Seth Oster

----- Original Message -----

From: Seth Oster
Sent: 03/26/2010 07:56 AM EDT
To: "Lisa Jackson" <windsor.richard@epa.gov>; "Lisa Heinzerling" <Heinzerling.lisa@epa.gov>; Gina McCarthy; David McIntosh; Bob Sussman
Subject: NY Times -- Cap and Trade

'Cap and Trade' Loses Its Standing as Energy Policy of Choice

By JOHN M. BRODER

WASHINGTON – Less than a year ago, cap and trade was the policy of choice for tackling climate change.

Environmental groups and their foes in industry joined hands to embrace the approach, a market-driven system that sets a ceiling on global warming pollution while allowing companies to trade permits to meet it. President Obama praised it by name in his first budget, and the authors of the House climate and energy bill passed last June largely built their measure around it.

Today, the concept is in wide disrepute, with opponents effectively branding it “cap and tax,” and Tea Party followers using it as a symbol of much of what they say is wrong with Washington.

Mr. Obama dropped all mention of cap and trade from his current budget. And the sponsors of a Senate climate bill likely to be introduced in April, now that Congress is moving past health care, dare not speak its name.

“I don’t know what ‘cap and trade’ means,” Senator John F. Kerry, Democrat of Massachusetts, said last fall in introducing his original climate change plan.

Mr. Kerry’s partner in promoting global warming legislation, Senator Lindsey Graham, Republican of South Carolina, pronounced economywide cap and trade dead last month and has since been working with Mr. Kerry to try to patch together a bill that satisfies the diverse economic, regional and ideological interests of the Senate.

That plan, still being written, will include a cap on greenhouse gas emissions only for utilities, at least at first, with other industries phased in perhaps years later. It is also said to include a modest tax on gasoline, diesel fuel and aviation fuel, accompanied by new incentives for oil and gas drilling, nuclear power plant construction, carbon capture and storage, and renewable energy sources like wind and solar.

Why did cap and trade die? The short answer is that it was done in by the weak economy, the Wall Street meltdown, determined industry opposition and its own complexity.

The idea began as a middle-of-the-road Republican plan to unleash the market to reduce power plant pollution and spur innovation. But when lawmakers tried to apply the concept to the far more pervasive

problem of carbon dioxide emissions, it ran into gale-force opposition from the oil industry, conservative groups that portrayed it as an economy-killing tax and lawmakers terrified that it would become a bonanza for Wall Street traders and Enron-style manipulators.

"Economywide cap and trade died of what amounts to natural causes in Washington," said Fred Krupp, president of the Environmental Defense Fund, who has been promoting the idea for more than two decades. "The term itself became too polarizing and too paralyzing in the effort to win over conservative Democrats and moderate Republicans to try to do something about climate change and our oil dependency.

"Cap and trade was first tried on a significant scale 20 years ago under the first Bush administration as a way to address the problem of airborne sulfur dioxide pollution – widely known as acid rain – from coal-burning power plants in the Eastern United States. A limit was imposed on emissions from the plants, and utilities were allowed to buy and sell permits to comply. Today it is considered one of the most effective environmental initiatives.

Environmentalists and industries resurrected the idea in recent years as a centerpiece of measures to address global warming and growing oil imports. Representatives Henry A. Waxman of California and Edward J. Markey of Massachusetts, both Democrats, built their climate change bill last year in large measure around it.

But in trying to assemble a majority to pass it, Mr. Waxman and Mr. Markey dished out a cornucopia of concessions and exemptions to coal companies, utilities, refiners, heavy industry and agribusinesses. The original simplicity was lost, replaced by a bazaar in which those with the most muscle got the best deals.

Opponents labeled it a tax-and-redistribution scheme. "We turned it into 'cap and tax,' and we turned that into an epithet," said Myron Ebell of the Competitive Enterprise Institute, a free-market research organization supported by conservative individuals and corporations. "We also did a good job of showing that a bunch of big companies – Goldman Sachs, the oil companies, the big utilities – would get windfall profits because they'd been given free ration coupons." C. Boyden Gray, White House counsel in the first Bush administration and a strong advocate of the acid rain cap-and-trade program, said that opponents were largely correct in labeling the Waxman-Markey plan a tax, because so many of the pollution allowances were given away to industry rather than allocated based on past emissions.

"This is potentially a \$3 trillion tax," Mr. Gray said, "which is pretty steep in the best of times, and poison in the worst of times." The House narrowly passed the bill last June, but the Senate has moved slowly to take it up. Mr. Kerry and Mr. Graham, along with Senator Joseph I. Lieberman, independent of Connecticut, have been trying to find support for a comprehensive measure.

They, too, have been forced to seek compromise, offering incentives to oil drillers, nuclear power advocates, antitax groups, coal companies and utilities. Two senators, Maria Cantwell, Democrat of Washington, and Susan Collins, Republican of Maine, have proposed an alternative that they call cap and dividend, under which licenses to pollute would be auctioned to producers and wholesalers of fossil fuels, with three-quarters of the revenue returned to consumers in monthly checks to cover their higher energy costs.

Ms. Cantwell said that cap and trade had been discredited by the Wall Street crisis, the Enron scandal and the rocky start to a carbon credits trading system in Europe that has been subject to dizzying price fluctuations and widespread fraud.

She said her bill would require every pollution permit to be auctioned rather than given away and was 39 pages long, compared with Waxman-Markey, which weighs in at some 1,400 pages.

The Cantwell-Collins plan is almost exactly what Mr. Obama proposed in the campaign and after first taking office – a 100 percent auction of permits and a large tax rebate to the public. "He called our bill 'very elegant,'" Ms. Cantwell said. "Simplicity and having something people can understand is important.

Richard Windsor/DC/USEPA/US
04/12/2010 07:00 PM

To Seth Oster
cc Adora Andy, Betsaida Alcantara, Allyn Brooks-LaSure, Diane Thompson
bcc
Subject Re: Ruckelshaus Time 100 Piece

Awesome job you guys. I am so amazed and humbled. Thx.
Seth Oster

----- Original Message -----

From: Seth Oster
Sent: 04/12/2010 06:34 PM EDT
To: Richard Windsor
Cc: Adora Andy; Betsaida Alcantara; Allyn Brooks-LaSure; Diane Thompson
Subject: Ruckelshaus Time 100 Piece

Administrator -- below is the piece by William Ruckelshaus that will introduce your listing on the Time 100 Most Influential People in the World.

Seth

Seth Oster
Associate Administrator
Office of Public Affairs
Environmental Protection Agency
(202) 564-1918
oster.seth@epa.gov

Time 100
Administrator Lisa Jackson
By William D. Ruckelshaus

The most impressive thing about Lisa Jackson is that she is doing exactly what an EPA Administrator is supposed to do – thoughtfully and carefully, but aggressively – implementing our environmental laws to protect public health and our environment. The job of the Administrator of the EPA is not to make people happy but to make them and their environment healthier

Fortunately for the Agency, and the country, she arrives equipped with a rare combination of assets to help do her job: in equal measure experience, fairness, sure-footedness, determination and the ability to sound a credible and measured voice in defense of citizen's rights to fresh air, clean water and a

stable climate. She understands the biggest impact of pollution is often on the poor – those least able to cope with the complexities of modern life.

Fresh from managing a challenging State environmental program in New Jersey, Jackson inherited a buffeted EPA suffering from a reputation as a political windsock. It is tempting to conclude that EPA's authority is drawn primarily from its regulatory power, as indeed much of it is. But Jackson has correctly sensed that restoring public trust in the Agency is essential to its effectiveness. In this era of growing public mistrust of government, that same public, as well as, state partners, industry, small

businesses and importantly EPA staff must have confidence that decisions are being driven by science and an unbiased interpretation of the law, and not a political agenda.

Jackson is inspiring this kind of confidence: She recently worked with President Obama to help broker a deal among major automakers to raise fuel efficiency of cars to 35 miles per gallon, no small feat. In moving forward with a Supreme Court ordered decision to act on a scientifically based conclusion that greenhouse gasses endanger public health and welfare, Jackson has strongly signaled sensitivity to the economic consequences of regulating these emissions by supporting a tailored approach that would make its impact more publically palatable.

The real promise of Lisa Jackson is that she can guide this ship, steer it out of the furious partisan maelstrom that always threatens to blow it off course, and restore environmental protection to its rightful place essential to a functioning democracy.

The American people are lucky to have such a dedicated and skilled protector at EPA.

Richard Windsor/DC/USEPA/US
09/14/2009 02:03 PM

To Seth Oster, Allyn Brooks-LaSure, Peter Silva, Bob Sussman
cc
bcc
Subject Fw: Google Alert - lisa jackson epa

NOTE - This is for Effluent Limitation Guidelines, not land disposal regulations. What is the schedule for ELGs?

----- Forwarded by Richard Windsor/DC/USEPA/US on 09/14/2009 02:02 PM -----

From: Google Alerts <googlealerts-noreply@google.com>
To: Richard Windsor/DC/USEPA/US@EPA
Date: 09/14/2009 01:45 PM
Subject: Google Alert - lisa jackson epa

Google News Alert for: **lisa jackson epa**

[Enviro Groups Threaten to Sue EPA Over Coal Plant Discharge Regs](#)

New York Times

"**EPA** needs to stop kicking the can down the road and set a date for regulation. We are confident that **Lisa Jackson** will do the right thing. ...

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Richard Windsor/DC/USEPA/US
01/14/2011 04:25 PM

To Seth Oster
cc
bcc
Subject Fw: Google Alert - lisa jackson epa

CNN - cool.

----- Forwarded by Richard Windsor/DC/USEPA/US on 01/14/2011 04:25 PM -----

From: Google Alerts <googlealerts-noreply@google.com>
To: Richard Windsor/DC/USEPA/US@EPA
Date: 01/14/2011 04:02 PM
Subject: Google Alert - lisa jackson epa

News

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Richard
Windsor/DC/USEPA/US
10/26/2010 02:44 PM

To Seth Oster, "David McIntosh", "Bob Perciasepe"
cc
bcc
Subject Re: Clean Energy Group: New Report Shows Electric Sector
Able to Manage Tighter Environmental Standards

Wow. Cool.
Seth Oster

----- Original Message -----

From: Seth Oster
Sent: 10/26/2010 02:43 PM EDT
To: Richard Windsor
Cc: David McIntosh; Bob Perciasepe
Subject: Clean Energy Group: New Report Shows Electric Sector Able to
Manage Tighter Environmental Standards
[October 26, 2010 12:39 PM Eastern Daylight Time](#)

New Report Shows Electric Sector Able to Manage Tighter Environmental Standards

Lead North American reliability organization report finds prompt action and proper planning can ensure proposed EPA regulations are implemented without impacting electric system reliability

CONCORD, Mass.--([BUSINESS WIRE](#))--The Clean Energy Group's Clean Air Policy Initiative, a coalition of electric power companies, released the following statement today regarding the North American Electric Reliability Corporation's (NERC's) new report on the reliability impacts of complying with U.S. Environmental Protection Agency (EPA) clean air rules:

“The NERC assessment affirms that the electric power industry can maintain electric system reliability while improving our air quality and protecting public health”

“The NERC assessment affirms that the electric power industry can maintain electric system reliability while improving our air quality and protecting public health,” said Michael Bradley, Executive Director of the Clean Energy Group. “NERC highlights the many industry and regulatory tools available to ensure reliability while the nation transitions to a cleaner generating fleet, including: careful timing of outages to install pollution control equipment, bringing new resources online, increased utilization of existing clean generation capacity, transmission system upgrades, and investing in demand-side management and energy efficiency.”

The NERC report supports many of the themes raised in a recent reliability report by M.J. Bradley & Associates LLC (MJB&A) and Sue Tierney and Paul Hibbard from the Analysis Group, which found that the electric power industry has a range of tools available to ensure that the human health benefits of EPA's air pollution regulations are achieved without affecting electric system reliability.

“The industry and its regulators welcome the release of NERC’s reliability assessment,” said Sue Tierney, former Massachusetts state regulator, Department of Energy official, and a lead author of the previous reliability report. “Understanding the potential implications of EPA’s forthcoming rulemakings is critical for developing good public policy and a coordinated response by federal agencies and state regulators. The industry has a strong track record of dealing with upcoming changes in ways that avoid reliability issues. Such proactive steps, including vibrant market responses, are not baked into the NERC outlook and can do the job in avoiding the concerns that NERC identifies.”

The NERC report evaluates a series of electric sector regulations proposed under the Clean Water Act, the Clean Air Act, and the Resource Conservation and Recovery Act, which will control cooling water intake, emissions of toxic air pollutants, sulfur dioxide (SO₂) and nitrogen oxides (NO_x), and coal ash disposal. To assess the range of electric system impacts, NERC analyzed a “Moderate Case”, which models the most plausible outcome of the new regulations, and a “Strict Case” representing more stringent and far less likely outcomes and higher compliance costs.

Of the four selected EPA rules, NERC finds that the Section 316(b) cooling water intake structures rule has the greatest potential impact on generation reserve margins. This is also the rule for which EPA has the most discretion in timing and scope of implementation. EPA’s air pollution rules—the utility MACT rule and the Transport Rule—are projected to have relatively modest impacts on projected retirements. For example, NERC projects that the EPA Transport Rule may result in the retirement of 5 coal-fired units (538 MW) by 2013 and 18 coal-fired units (2,740 MW) by 2015, assuming that EPA allows the flexibility of emissions trading. This is a moderate level of retirements given the industry’s demonstrated ability to bring new capacity resources on-line in a compressed period, having added more than 160,000 MW of new capacity between 2001 and 2003.

The reliability assessment prepared by MJB&A and Sue Tierney is available at http://www.mjbradley.com/news_20100809_00.html.

Contacts

M.J. Bradley & Associates LLC
Michael J. Bradley, 978-369-5533

Richard Windsor/DC/USEPA/US
01/10/2012 05:09 PM

To "Adora Andy"
cc
bcc

Subject Re: Remarks by the President to EPA staff

Yeah!

From: "Andy, Adora (OPA)" [Adora.Andy@usdoj.gov]
Sent: 01/10/2012 05:08 PM EST
To: Richard Windsor
Subject: Fw: Remarks by the President to EPA staff

This makes me happy!

From: White House Press Office [mailto:noreply@messages.whitehouse.gov]
Sent: Tuesday, January 10, 2012 03:44 PM
To: Andy, Adora (OPA)
Subject: Remarks by the President to EPA staff

THE WHITE HOUSE
Office of the Press Secretary
For Immediate Release January 10, 2012

REMARKS BY THE PRESIDENT
TO ENVIRONMENTAL PROTECTION AGENCY STAFF

Andrew W. Mellon Auditorium
Washington, D.C.

2:51 P.M. EST

THE PRESIDENT: Thank you! Thank you, EPA! (Applause.) Thank you, everybody. Thank you so much. It is wonderful to see you. It is great to see you. Thank you, thank you.

Now, everybody can have a seat. I know Lisa is making you guys all stand up. (Laughter.) But you can all relax.

It is wonderful to be here with all of you. Thank you so much for all the great work you do. I want to first acknowledge your outstanding Administrator, Lisa Jackson. (Applause.) She has done an extraordinary job leading this agency. But here's what I want all of you to know: Not only is she good on policy, not only is she tough and able to present the EPA's mission so effectively to the public, but she also has your back.

(Applause.) She is an advocate on behalf of all the people who work so hard here at the EPA. And so you should know that your boss loves you, even if she doesn't always show it, I don't know. (Laughter.)

The main reason I'm here is simple: I just want to say thank you. I want to say thank you to each and every one of you, because the EPA touches on the lives of every single American every single day. You help make sure that the air we breathe, the water we drink, the foods we eat are safe. You protect the environment not just for our children but their children. And you keep us moving towards energy independence.

And it is a vital mission. Over the past three years, because of your hard work, we've made historic progress on all these fronts. Just a few weeks ago, thanks to the hard work of so many of you, Lisa and I was able to announce new common-sense standards to better protect the air we breathe from mercury and other harmful air pollution. And that was a big deal. (Applause.) And part of the reason it was a big deal was because, for over 20 years, special interest groups had successfully delayed implementing these standards when it came to our nation's power plants. And what we said was: "Enough." It's time to get this done.

And because we acted, we're going to prevent thousands of premature deaths, thousands of heart attacks and cases of childhood asthma.

There are families that are going to be directly impacted in a positive way because of the work that you do. Because you kept fighting -- and some of you have been fighting this fight for a long time, long before I was here and long before Lisa was here. And so your tenacity and stick-to-it-ness is making a difference.

Because of you, across the board, we're cutting down on acid rain and air pollution. We're making our drinking water cleaner and safer. We're creating healthier communities. But that's not all. Safeguarding our environment is also about strengthening our economy. I do not buy the notion that we have to make a choice between having clean air and clean water and growing this economy in a robust way. I think that is a false debate. (Applause.)

Think about it: We established new fuel economy standards, a historic accomplishment that is going to slash oil consumption by about 12 billion barrels, dramatically reduces pollution that contributes to climate change, and saves consumers thousands of dollars at the pump, which they can then go spend on something else.

As part of the Recovery Act, you cleaned up contaminated sites across the country, which helped to rid neighborhoods of environmental blight while putting Americans back to work.

We don't have to choose between dirty air and dirty water or a growing economy. We can make sure that we are doing right by our environment and, in fact, putting people back to work all across America. That's part of our mission.

When we put in place new common-sense rules to reduce air pollution, we create new jobs building and installing all sorts of pollution-control technology. When we put in place new emissions standards for our vehicles, we make sure that the cars of tomorrow are going to be built right here in the United States of America, that we're going to win that race.

When we clean up our nation's waterways, we generate more tourists for our local communities. So what's good for the environment can also be good for our economy.

Now, that doesn't mean that there aren't going to be some tensions. That doesn't mean that there aren't going to be legitimate debates that take place. That doesn't mean that it's not important for every single one of us to think about how can we make sure that we are achieving our goals in the smartest way possible, in the most efficient ways possible, in the least bureaucratic ways possible, in the clearest ways possible. That's also part of our mission.

There's not a federal agency that can't get better and be smarter in accomplishing our mission, and we have an obligation every single day to think about how can we do our business a little bit better. How can we make sure the taxpayers are getting every dime's worth that they're paying in order to achieve these important common goals that we have?

But I believe we can do it, and you've shown me that we can do it over these last three years. So I could not be prouder of the work that you all do every single day as federal employees. I know the hours can be long. I know that sometimes spending time getting these policies right means less time at home than you'd like, and you're missing birthday parties, or you're missing a soccer game, and the spouse is not happy with you. I know a little bit about that sometimes. (Laughter.) I know these jobs are demanding.

But I also know what compelled you to enter public service in the first place -- and that's the idea that you could make a difference; that you could leave behind a planet that is a little

cleaner, a little safer than the one we inherited.

And I have to tell you that part of why I get excited when I see some of the work that you're doing is because our next generation is so much more attuned to these issues than I was when I was growing up. I can tell you when I sit down and I talk to my kids, probably the area where they have the most sophisticated understanding of policy is when it comes to the environment. They understand that the decisions we make now are going to have an impact on their lives for many years to come. And their instincts are right. So your mission is vital.

And just think of what this agency has been able to do over the last four decades. There's so many things we now take for granted. When I hear folks grumbling about environmental policy, you almost want to do a Back to the Future -- (laughter) -- kind of reminder of folks of what happens when we didn't have a strong EPA. The year before President Nixon created the EPA, the Cuyahoga River was so dirty from industrial pollution and oil slicks that it literally caught on fire. In my hometown, the Chicago River -- you probably could not find anything alive in there -- (laughter) -- four decades ago. Now it's thriving -- to the benefit of the city. Today, because of your work, 92 percent of Americans have access to clean water that meets our national health standards.

Before the EPA was created, our cars were spewing harmful lead pollution into the air, with all sorts of impacts, especially on children. Today, because of your work, air pollution is down by more than half, and lead pollution is down more than 90 percent from a generation ago.

So all of you, and all of those who served before you, have made a difference. Our environment is safer because of you. Our country is stronger because of you. Our future is brighter because of you. And I want you to know that you've got a President who is grateful for your work and will stand with you every inch of the way as you carry out your mission to make sure that we've got a cleaner world. (Applause.)

So, thank you. God bless you. God bless the United States of America. Thank you. (Applause.)

END

3:02 P.M. EST

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The White House · 1600 Pennsylvania Avenue, NW · Washington DC 20500 · 202-456-1111

Richard Windsor/DC/USEPA/US
07/06/2011 01:13 PM

To "Al Armendariz"
cc
bcc
Subject Fw: Greenwire: After illness, Inhofe jokes he was attacked by the environment

FYI

Betsaida Alcantara

----- Original Message -----

From: Betsaida Alcantara
Sent: 07/06/2011 12:35 PM EDT
To: Richard Windsor; Seth Oster; Bob Perciasepe; Bob Sussman; Diane Thompson; Nancy Stoner; Arvin Ganesan; Daniel Kanninen; Brendan Gilfillan; Adora Andy; Alisha Johnson; Andra Belknap
Subject: Greenwire: After illness, Inhofe jokes he was attacked by the environment
After illness, Inhofe jokes he was attacked by the environment (07/06/2011)

Sarah Abruzzese, E&E reporter

Sen. James Inhofe (R-Okla.) joked last week that he was "attacked by the environment" following an illness he believes was caused by toxic algae bloom.

The 76-year-old ranking member of the Environment and Public Works Committee, a frequent critic of environmentalists, fell ill after taking a dip near his home on Grand Lake early last week.

"That night, Monday night, I was just deathly sick," Inhofe told the Tulsa World newspaper about the respiratory illness he contracted.

Inhofe had reportedly asked his 13-year-old granddaughter to join him for a swim, but she demurred.

"She didn't want to get in that green stuff," he said.

Officials in the Sooner State have issued multiple warnings about the blooms of blue-green algae formally known as cyanobacteria. The blooms have been linked to illnesses around the world.

The algae can look "like thick pea soup, green, bluish, brownish, or reddish-green paint. When it washes up on shore, it may look like a thick green mat," according to the state's environmental office.

The Republican joked about some possible responses to his illness with the Tulsa paper saying "the environment strikes back" or "Inhofe is attacked by the environment."

Inhofe, who has famously called climate change "the greatest hoax ever perpetrated on the American people," was forced by his illness to cancel an appearance last week at the sixth Heartland Institute Conference on Climate -- a gathering of climate science skeptics in Washington.

Stephen Lacey of the blog Climate Progress highlighted the issue in a posting yesterday, saying that "irony can be so ironic."

Scientists have blamed the growth of algae blooms on climate change as well as phosphorus and nitrogen run-off. Algae blooms grow more quickly in warmer environments, and it is thought that nutrient runoff feeds the blooms.

Oklahoma is experiencing record hot weather. At the same time officials in the state said the lake is experiencing the largest bloom the state has ever seen.

Inhofe, who own a house on the northeastern Oklahoma lake with his wife, told the World that he has never seen algae like that on the lake.

The Grand River Dam Authority (GRDA), which generates hydroelectric power from a dam at the end of the lake, and the Oklahoma Department of Environmental Quality issued a warning for swimmers late last week.

"We strongly discourage any body contact with the water at this point," said GRDA corporate communications director Justin Alberty in a news release announcing the decision. "That means no swimming or any other activities that would bring you into contact with lake water."

Not only did the GRDA warn residents not to swim in water it said that pets and livestock should not drink or swim in the water, either.

Inhofe returned to the Capitol yesterday and participated in the Senate's late afternoon voting session.

Asked last night if Inhofe's respiratory illness would affect the senator's thoughts on the host of environmental issues wrapped up with algae blooms, Inhofe's spokesman, Matt Dempsey, replied simply, "Why would it?"

Richard Windsor/DC/USEPA/US
07/22/2010 10:28 AM

To "Barbara Bennett", "Bob Perciasepe"
cc
bcc
Subject Fw: FYI: Moran clips

These should be sent to Sally et al.
Adora Andy

----- Original Message -----

From: Adora Andy
Sent: 07/22/2010 10:22 AM EDT
To: Richard Windsor; Bob Perciasepe; Diane Thompson; Bob Sussman; David McIntosh; Arvin Ganesan; Stephanie Owens
Cc: Brendan Gilfillan; Betsaida Alcantara; Alisha Johnson; Vicki Ekstrom; Michael Moats
Subject: FYI: Moran clips

New York Times

July 20, 2010

House Approps Chairman Supports Funding for 'Civic Activism' on Climate

By GABRIEL NELSON of [Greenwire](#)

The leader of the House appropriations panel that oversees U.S. EPA's budget said he would support additional funding for efforts to spur "civic activism" on environmental issues, including climate change.

Rep. Jim Moran (D-Va.), chairman of the House Interior and Environment Appropriations Subcommittee, met with EPA Administrator Lisa Jackson and other agency leaders today to discuss the Gulf spill response, outreach programs and other agency initiatives. Moran also hosted a town hall session at EPA headquarters, where he said authoritative science and outreach efforts are key to environmental protection.

The Obama administration has recommended \$10 billion for EPA in fiscal 2011, a \$300 million cut. House and Senate appropriators have not moved on budgets for the agency, which received about \$2.7 billion more this year than it did at the end of President George W. Bush's presidency.

"We want to see that increase continue, and as long as EPA stands up and speaks out on behalf of the American public, it will increase," Moran said. "One of the things we were talking about with Administrator Jackson, who said she feels very strongly about this, is EPA needs to have the ability -- to be given the ability -- to outreach more to communities."

Moran said he does not expect a price on carbon to emerge from energy and climate legislation on Capitol Hill this year, making it more urgent that the public understand EPA's work on greenhouse gas regulations.

He referred in particular to the agency's "tailoring" rule, which would limit the number of stationary sources that would be subject to regulations on greenhouse gas emissions. Moran said the recently finalized rule, which would affect the "worst sources of pollution" rather than small businesses, would have wide public support if people knew about it.

"A lot of Congress doesn't even have any idea. They don't realize that it's a very substantial compromise," Moran said. "That kind of information needs to get out, and you have that information. You need to be empowered to get it out, and we have a receptive leadership now that hopefully will give you the means to do so. I don't think the American people wholly understand what's at stake."

Just as health-focused campaigns against smoking led to a steep decline in cigarette use, outreach efforts could produce a new generation of voters who care more about issues such as polluted water, toxic chemicals or climate change, Moran said.

As an example, he pointed to a Northern Virginia program that enables elementary schools to test for chemicals in nearby bodies of water, teaching students about pollution in the process.

"Even more than federal agencies committed to protecting and preserving our environment, what scares some of the big polluters and the big extraction industries, and so on, is civic activism," he said. "They'll pay millions to try to suppress that, but you can't suppress it, and there's no country in the world that has a stronger capability for civic activism than the United States. We just need to inform them and mobilize them."

Moran's visit was part of an effort to learn about the agencies within the purview of his subcommittee, spokeswoman Emily Blout said. Chosen as head of the panel in March after previous Chairman Norm Dicks (D-Wash.) moved to the Defense subcommittee, Moran intends to hold similar meetings with officials from the Interior Department.

A major fight over EPA regulations would likely arise during the appropriations process one way or the other, meaning the agency's budget may end up being folded into an omnibus package. The subcommittee may not mark up an appropriations bill this year, Moran has said.

Rep. Mike Simpson (R-Idaho), the subcommittee's ranking member, said last month that he was "not real optimistic" about the prospect of a markup ([E&E Daily](#), June 10).

Outreach or 'propaganda'?

During the town hall meeting, Jackson pointed to several examples of outreach at EPA, referring in particular to the agency's "livability" and environmental justice initiatives. She said she also intends to expand outreach on the Emergency Planning and Community Right-to-Know Act, using the Internet and other technology to make more environmental information available at the local and neighborhood levels.

While those sorts of programs would face limited opposition, additional climate change outreach efforts would be a particularly hard sell. When the issue is a political minefield like climate change, political opponents often criticize outreach initiatives, claiming federal agencies should not spend taxpayer money on what are essentially advertising campaigns for the administration's chosen policy.

Marlo Lewis, a senior fellow at the Competitive Enterprise Institute, a free-market advocacy group, said education and outreach campaigns may be used to skirt restrictions on lobbying by federal agencies. On the issue of greenhouse gas regulations, EPA would be particularly prone to "scare tactics" and "propaganda," he said.

"There is some kind of line between simply explaining what you're doing so that the public you're trying to serve can see the benefit of what you're doing, and building a clientele and a constituency to put pressure on Congress," Lewis said. "Whatever opinion you may have on climate change, there is no shortage of information available to the public today. What is EPA going to say beyond what it's already said in its endangerment rule? I don't think you have to do things like scare kids in school so that they come home and lobby their parents."

At one point during the town hall meeting, Jackson interjected to remind officials in attendance about the Hatch Act, a 1939 statute that bars civil servants from taking part in partisan activity.

"As much as we care about those issues, because of the Hatch Act, you don't lobby on those issues," Jackson said.

"Oh yeah, the old Hatch Act. Oh yeah. I forgot to mention it," Moran replied.

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###



Virginia Democrat objects to federal pay freeze

By Norah Swanson nswanson@govexec.com

July 20, 2010

A Virginia lawmaker whose district is home to many federal employees said on Tuesday that he does not support a pay freeze for government workers.

Democratic Rep. Jim Moran, during a town hall meeting in Washington for employees of the [Environmental Protection Agency](#), also admitted he doesn't believe parity between civilian and military pay can be accomplished this year in Congress, alluding to partisanship. In fiscal 2010, service members received a 3.4 percent pay raise while the civilian workforce received a 2 percent boost.

While President Obama has frozen the pay of White House personnel, federal workers so far have been spared. Some lawmakers have tried recently to [push legislative proposals](#) to freeze federal workers' salaries to help reduce the deficit and pay for the ongoing wars.

With federal retirements on the rise, Moran said the government might not be able to maintain the same quality of employees without salary increases. Competition, he added, is essential to attract a high-caliber federal workforce, and pay freezes only will make this task more difficult. But Moran told EPA employees that, "freezes will be difficult to avoid if unemployment stays this high."

Moran, who was thanked by one employee for being "a consistent supporter of federal workers," also spent time on Tuesday touring EPA, including the agency's emergency operations room. He praised employees for their commitment and hard work in dealing with the BP oil spill in the Gulf of Mexico: "I have an intense appreciation for civil service," said the congressman. In March, Moran assumed chairmanship of the House Appropriations Subcommittee on the Interior and Environment, the panel that oversees EPA funding.

He noted EPA scientists and employees were devalued in years past and it was time to change false perceptions. He called for greater agency outreach to the American people and their communities. "Give them the facts and let them make up their minds. We have a responsibility to inform our democracy," he said.

The lawmaker credited the EPA Emergency Operations Room as a model for crisis response among other federal agencies. The agency uses technology such as teleconference and monitoring capabilities that allow EPA employees in Washington to stay connected to the epicenter of the crisis. Deputy Administrator Bob Perciasepe said EPA is working closely with the [Food and Drug Administration](#) and the Fish and Wildlife Service on cleanup efforts.

"You are absolutely indispensable," Moran told employees. "The health of the country is on your shoulders."

<http://www.govexec.com/dailyfed/0710/072010n1.htm>

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WAMU

Bringing Government And Public To Common Ground On The Environment

July 21, 2010 - By Sara Sciammocco

As he settles into his new role as chairman of an appropriations subcommittee, Congressman Jim Moran of Virginia, is visiting with employees of different federal agencies to discuss their work and priorities.

He held a town hall-style meeting at the EPA with Administrator Lisa Jackson and several dozen of the agency's employees.

During the meeting, Congressman Moran encouraged EPA employees to put aside partisan politics and ignore interest groups and others who "reflect the corporate fear of 'the agency'."

"You don't have to be trying to persuade people to do anything, just give them the facts and let them make up their mind," says Moran.

Moran also toured the agency's high-tech emergency operations center. There, employees help manage disasters and communicate with field workers.

"I think what the most important things that the Obama Administration has done is to turn back to the scientists to try to get objective verification about what otherwise would be theory and hunch," he says.

Moran went on to say that civic activism is key to reducing air pollution and that he would like more school students involved in monitoring water quality.

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Lipman Times

Rep. Jim Moran Wants to Use 'Civic Activism' to Help Environment

By Joe Patterson

The New York Times Green Wire reported that the House Appropriations chairman who oversees the EPA budget has said that he would support the funding of "civic activism" for the agency in the interest of promoting conservation and reacting to climate change. Rep. Jim Moran (D-Va.) is the chairman of the House Interior and Environment Appropriations Subcommittee, and he met with various EPA officials on Tuesday to discuss recent environmental issues.

Moran discussed the Gulf Oil spill, outreach programs, and other initiatives by the agency, while also hosting a town hall at the EPA headquarters. Obama has proposed a \$300 million budget cut for the agency, even though its current funding has still been increased by \$2.5 billion from when President Bush last influenced a budget.

"We want to see that increase continue, and as long as EPA stands up and speaks out on behalf of the American public, it will increase," Moran said. "One of the things we were talking about with Administrator Jackson, who said she feels very strongly about this, is EPA needs to have the ability – to be given the ability – to outreach more to communities."

Moran said he does not expect a price on carbon to emerge from energy and climate legislation on Capitol Hill this year, making it more urgent that the public understand EPA's work on greenhouse gas regulations.

He referred in particular to the agency's "tailoring" rule, which would limit the number of stationary sources that would be subject to regulations on greenhouse gas emissions. Moran said the recently finalized rule, which would affect the "worst sources of pollution" rather than small businesses, would have wide public support if people knew about it.

Moran supports this "tailoring" rule because it is basically a compromise for a Congress that does not feel comfortable undercutting small businesses in the face of a large budget deficit and trying to get out of an economic recession. He is also a big proponent of a campaign similar to that against smoking that significantly decreased the amount of Americans who smoke cigarettes. He said "civic activism" such as this could help the EPA mobilize a citizenry and make environmental initiatives a necessary thing for Congress to do every year.


###

Richard
Windsor/DC/USEPA/US
12/01/2010 10:31 PM

To "Bicky Corman"
cc
bcc
Subject Fw: Wash Post Profile: EPA head Lisa Jackson is prepared
for battle

Brendan Gilfillan

----- Original Message -----

From: Brendan Gilfillan
Sent: 12/01/2010 10:20 PM EST
To: Richard Windsor; Bob Perciasepe; Diane Thompson; Seth Oster; Adora
Andy; Bob Sussman; David McIntosh; Arvin Ganesan; Stephanie Owens; Dru Ealons;
Sarah Pallone; Betsaida Alcantara; Daniel Kanninen; Janet Woodka; Lisa
Heinzerling
Subject: Wash Post Profile: EPA head Lisa Jackson is prepared for battle
 EPA head Lisa Jackson is prepared for battle

By Juliet Eilperin
Washington Post Staff Writer
Wednesday, December 1, 2010; 8:49 PM

Not many Environmental Protection Agency administrators are likely to belt out a Stevie Wonder tune when discussing the importance of air quality.

But in the midst of a recent interview, Lisa P. Jackson delivered a slightly off-key rendition of the 1973 hit "Living for the City" to make a point about why she does her job:

"He spends his life walking the streets of New York City/He's almost dead from breathing in air pollution/He tried to vote but there's no solution/Living just enough, just enough for the city."

"I think about that evolution," she added, recounting how many Americans no longer face the same dangers from breathing in the air each day - a change that has brought the agency new challenges and in some senses made it a victim of its own success.

She laughed at her own musical interlude. "That's as emotional as I get."

Jackson's ability to focus on her intellectual priorities have earned plaudits from environmentalists, who see her as one of their most effective champions of public health measures. But it could also put her very mission at risk. As the EPA celebrates its 40th anniversary Thursday, her pursuit of sweeping rules to curb the nation's output of carbon dioxide and other pollutants could trigger a backlash from the newly empowered Republicans in Congress.

"The pendulum could end up swinging back in the other direction," said a White House official from a previous administration who has focused on environmental issues.

The White House is being lobbied hard to rein in the EPA when it comes to several proposals, including those on boilers and smog-forming pollutants. And it is unclear how much influence Jackson wields within the administration, compared with higher-profile environmental officials such as Interior Secretary Ken Salazar and Carol Browner, the White House energy and climate change adviser.

William K. Reilly, who headed the EPA under George H.W. Bush and admires Jackson, said "she doesn't

have much margin for error."

"The prospects of a standoff, or a decision to defund the agency in a number of areas, I think are pretty large," Reilly said. "Looking ahead in the next two years, it's going to be a hard ship to steer."

By all indications Jackson - who recalled that, as the child of a postal worker, she knew "my biggest asset was having a brain" - will do as she sees fit, despite the political obstacles.

"Before the last election we should have just been doing our job based on science and the law," she said. "And after this election, we should just do our job based on science and the law."

Jackson, who once mocked the agency she now leads as the "Emissions Permissions Agency," has repeatedly spoken of the need to enforce rules with an eye toward protecting the most vulnerable Americans, including the elderly, poor and minorities, even as others have suggested these measures could cost jobs. Having grown up in New Orleans' Ninth Ward - and taken the wheel to drive her mother, stepfather and aunt out of the city in the face of Hurricane Katrina, which destroyed her mother's home - she visited the region repeatedly during the BP oil spill, telling local residents that the federal government was acutely aware of their predicament.

Opponents have praised Jackson for her personal style: Sen. James M. Inhofe (R-Okla.) calls her "my favorite bureaucrat," and she keeps a photo of the senator and his family in her office. But Inhofe is ready to do battle next year on a range of regulations, and several industry officials note that her friendliness and accessibility has not translated into policy outcomes they can embrace.

Cal Dooley, president and chief executive of the American Chemical Council, said regulations that encourage investment in technology to reduce emissions can't be so onerous that they impede investment and the job base in the United States. "We have some concerns that EPA perhaps hasn't struck that right balance," he told reporters in a recent telephone conference call.

Jackson is operating in a very different political moment from her predecessors. When Richard Nixon established the EPA 40 years ago, environmental disasters including the Santa Barbara oil spill and contamination in Ohio's Cuyahoga River spurred the country to launch an unprecedented push for new environmental regulations. Congress was in the process of adopting laws regulating the air Americans breathed, the water they drank and a host of other activities - most of which would fall under the new agency's jurisdiction.

But as the EPA seeks to finalize a raft of regulations, on everything from smog-forming pollutants to greenhouse gases and emissions, Jackson stands on notice that the new Congress may clip her powers if she overreaches.

Jack Gerard, president of the American Petroleum Institute, said this moment should be "a time of reflection" for top Obama officials such as Jackson when it comes to the administration's environmental agenda.

"The public has soundly rejected a lot of the agenda of Congress and by extension, the Obama administration," Gerard said. "It's time for a course correction, it's time for a policy adjustment."

But Jackson shows little inclination to pull back on the many rules her agency is in the process of finalizing, including new limits on carbon dioxide emissions from industrial sources such as power plants, oil refineries and chemical plants.

A chemical engineer by training who gave up a short-lived post as then-New Jersey Gov. Jon Corzine's chief of staff before moving to Washington, Jackson criticized the EPA under George W. Bush for failing to regulate greenhouse gas emissions from autos and light trucks. Now she has not only helped oversee the first federal curbs on carbon dioxide from vehicles, but is pushing for tougher air quality rules on a range of fronts.

"We are back on the job," she said, adding that she hopes to convey to the public that by implementing new rules. "We are here and having us here is important to your family."

"We have a lot left to do," she added, listing toxic chemical reform among her priorities for the next two years. "Environmental protection doesn't happen just because you pass a law."

Richard Windsor/DC/USEPA/US
02/07/2011 07:53 AM

To "Bicky Corman"
cc
bcc
Subject Fw: NRDC: Upton-Inhofe Bill Puts Polluters' Profits Ahead of Public Health

Richard Windsor

----- Original Message -----

From: Richard Windsor
Sent: 02/07/2011 07:29 AM EST
To: Michael Goo
Subject: Fw: NRDC: Upton-Inhofe Bill Puts Polluters' Profits Ahead of Public Health

Adora Andy

----- Original Message -----

From: Adora Andy
Sent: 02/06/2011 08:42 PM EST
To: "Richard Windsor" <windsor.richard@epa.gov>; Bob Perciasepe; Diane Thompson; "Bob Sussman" <sussman.bob@epa.gov>; David McIntosh; "Arvin Ganesan" <ganesan.arvin@epa.gov>; Stephanie Owens; Sarah Pallone; Dru Ealons
Cc: "Betsaida Alcantara" <alcantara.betsaida@epa.gov>; "Brendan Gilfillan" <gilfillan.brendan@epa.gov>; Michael Moats; "Seth Oster" <oster.seth@epa.gov>; Alisha Johnson; Vicki Ekstrom; Andra Belknap
Subject: NRDC: Upton-Inhofe Bill Puts Polluters' Profits Ahead of Public Health
NRDC:
Upton-Inhofe Bill Puts Polluters' Profits Ahead of Public Health

Posted February 6, 2011 in Curbing Pollution, Solving Global Warming

Legislation proposed last week by Rep. Fred Upton (R-MI) and Sen. Jim Inhofe (R-OK) to block the Environment Protection Agency from enforcing Clean Air Act safeguards against carbon pollution would be a boon to big polluters and a serious setback for public health.

As my colleague Franz Matzner said: "Now we know the upshot of that behind-closed-doors meeting last month between big polluters and the staffs of Rep. Upton and Sen. Inhofe: A proposal that puts polluters' profits ahead of the American people's health."

In mid-January the Upton and Inhofe staffs met with the polluters' lobbyists from the American Petroleum Institute, the National Mining Association, the National Rural Electric Cooperative Association, the U.S. Chamber of Commerce and others, seeking their support for an "all-out push" to block EPA from doing its job to cut carbon pollution under the Clean Air Act.

"The feedback we got was 'hey, great, go for it guys,'" one Republican aide told POLITICO. "And we pretty strongly told them we do need your help to get this done. And when we walked away from the meeting the feeling was we got that."

The product of this high-minded collaboration is the "Energy Tax Prevention Act of 2011." Upton, chairman of the House Energy and Commerce Committee, scheduled a hearing on the bill Wednesday, February 9th, as the first step towards ramming it through the House.

The bill is an all-out assault on public health. EPA has documented how carbon dioxide and other climate-changing pollutants are bringing Americans death, illness, and injury in many ways: by causing more killer heat waves, more intense smog, the spread of infectious diseases, and stronger storms, floods, and hurricanes. Blocking EPA from reducing carbon pollution would mean more lives lost and more illness and injury.

Here's what the Upton-Inhofe bill would do:

The bill would give the biggest polluters a free pass for unlimited carbon pollution by simply declaring that carbon dioxide is not an air pollutant and repealing EPA's science based endangerment determination.

The bill exempts carbon dioxide and other heat-trapping pollutants from the Clean Air Act's definition of "air pollutant," overturning the Supreme Court's landmark decision in *Massachusetts v. EPA*. [Section 2, adding CAA Section 330(a), (b)(1)]

The Supreme Court enforced EPA's 40-year-old duty under the Clean Air Act to act when science shows that pollution endangers our health or welfare. But the bill repeals EPA's endangerment determination, simply disregarding the findings of the National Academy of Sciences and countless other scientific experts. [Section 2, adding CAA Section 330(b)(4)(A)]

The bill would repeal every action EPA has already taken and block every action EPA is developing to limit carbon pollution from power plants, oil refineries, and other industries. [Section 2, adding CAA Sec. 330(b)(4)]

The bill gives the biggest new facilities a free pass for unlimited carbon pollution. When companies want to build the very largest new facilities - plants that will run for decades and emit millions of tons of carbon dioxide - they now must take available and affordable steps to minimize that pollution. This pre-construction review has applied to other pollutants for decades; now it includes carbon pollution too. But the bill would turn back the clock and bar any limits on their carbon pollution. [Section 2, adding CAA Section 330(b)(3)]

The bill blocks EPA plans to issue carbon pollution performance standards for power plants and oil refineries, the number 1 and 2 carbon polluters in the nation. Power plants release 2.4 billion tons of carbon dioxide each year (40 percent of the nation's total) and oil refineries emit hundreds of millions of tons. In December, EPA announced a timetable for setting these safeguards over the next two years. The bill would stop that in its tracks and bar EPA from setting carbon performance standards for any industries. [Section 2, adding CAA Section 330(b)(1)(A), (b)(4)(K)]

The bill tears up the Clean Car Peace Treaty reached by the Obama administration, the car companies, the states, and others and that provides for setting clean car and truck standards out to 2025 and beyond.

The clean car agreement calls for EPA, the Department of Transportation, and California to work together with industry and environmental stakeholders to set standards that make the greatest feasible cuts in the carbon pollution and fuel consumption of new cars and trucks.

The bill's sponsors will trumpet that they've kept the first round of joint standards for cars (through 2016) and trucks (through 2018). But after that the bill strips EPA, California, and other states of any future role in cleaning up vehicles' carbon pollution. EPA could not set future carbon standards could not allow California to do so. [Section 2, adding CAA Section 330(b)(1)(A), Section 3 adding CAA Section 209(b)(4)]

This means more pollution and higher fuel bills for all Americans, since the Transportation Department's CAFE standards can't deliver the same results. Because of EPA and California, the first round standards are delivering 47 percent more carbon reductions and 33 percent more fuel savings than CAFE standards alone, and saving consumers nearly \$60 billion dollars more than CAFE standards alone.

The Upton-Inhofe bill is unprecedented political interference with science and with enforcement of clean air safeguards, which have improved our air for the past four decades. We have the clean energy technology to significantly reduce carbon pollution, just as we have with each other kind of life-threatening air pollution.

The big polluters cannot be allowed to keep spewing unlimited amounts of carbon pollution into our air. Politicians in Congress should not try to block EPA scientists from doing their job. Responsible public officials need to stand up for clean air and the health of our families rather than joining with the big polluters.

Richard Windsor/DC/USEPA/US
01/24/2011 05:08 PM

To "Bob Perciasepe", "Bob Sussman", "Seth Oster", "David McIntosh"
cc
bcc
Subject Fw: Michael Brune - Saving Mountains Saves Lives OP Ed on Spruce

Nancy Stoner

----- Original Message -----

From: Nancy Stoner
Sent: 01/24/2011 04:48 PM EST
To: Richard Windsor
Subject: Fw: Michael Brune - Saving Mountains Saves Lives OP Ed on Spruce
Since you are thanked directly, want to be sure you see

----- Forwarded by Nancy Stoner/DC/USEPA/US on 01/24/2011 04:47 PM -----

From: Gregory Peck/DC/USEPA/US
To: Peter Silva/DC/USEPA/US@EPA, Nancy Stoner/DC/USEPA/US@EPA, Bob Sussman/DC/USEPA/US@EPA, Betsaida Alcantara/DC/USEPA/US@EPA, Arvin Ganesan/DC/USEPA/US@EPA, Shawn Garvin/R3/USEPA/US@EPA
Cc: Denise Keehner/DC/USEPA/US@EPA, Matthew Klasen/DC/USEPA/US@EPA, Karyn Wendelowski/DC/USEPA/US@EPA, Christopher Hunter/DC/USEPA/US@EPA, Kevin Minoli/DC/USEPA/US@EPA
Date: 01/24/2011 12:23 PM
Subject: Michael Brune - Saving Mountains Saves Lives OP Ed on Spruce

"Heroic!!!"

Brune: **Saving Mountains Saves Lives**

By MICHAEL BRUNE

Published: January 24, 2011

"Determined effort, especially in the face of difficulty." That's how Webster's defines heroic, and that's not too strong a word for the final decision announced this month by Lisa Jackson and the Environmental Protection Agency to revoke the permit for Arch Coal's proposed Spruce No. 1 mine in Logan County, W.Va. By stopping what would have been one of the largest mountaintop-removal mines in all of Appalachia, the EPA has sent its strongest message yet that it will defend the health and safety of Americans in the face of strong opposition from corporate polluters and a hostile Congress.

The proposed Spruce Mine exemplified everything objectionable about mountaintop-removal mining — a practice so destructively short-sighted that it's both incredible and shameful that we've allowed it to go on this long. That it has is testimony to the power and influence of the coal industry both on Wall Street and in Washington, D.C. And nowhere in America does coal cast a longer shadow than in West Virginia.

But the truth about mountaintop-removal mining is so terrible that it could not be denied,

especially with the courageous work of local activists in Appalachia like the late Judy Bonds, the coal miner's daughter whose memorial service was just held in Beckley, W.Va. She and other activists refused to let America turn a blind eye to the destruction of entire communities and watersheds in some of the poorest areas of our country. It is a bitter irony that she did not live to see this decision.

The Spruce Mine would have blasted away more than 400 feet of Appalachian hilltops. Arch Coal would have cleared 2,200 acres of forestlands, and 110 million cubic yards of mining waste would then have buried more than 7 miles of high-quality headwater streams forever.

Appalachian headwater streams contain some of the greatest aquatic animal diversity of any area in North America.

Unfortunately, there are applications for additional mountaintop removal mines across Appalachia now pending before the Obama administration that, taken together, would cause many times the damage of the Spruce Mine. When combined with the destruction caused by existing mines, the cumulative damage from any additional mining would be devastating for the region.

The loss of irreplaceable mountains, forests and streams, though, is only part of the story. Massive surface-mining operations like Spruce also contaminate downstream waters with waste products like selenium, and the surface-mining operations fill the mountain air with toxic coal and rock dust. Although our reliance on burning coal for energy adversely affects the health of millions of Americans, nowhere have people suffered more dearly than in Appalachia. For too long, too many Americans — not just coal miners — have paid with their lives for our addiction to coal.

What enabled the EPA to stop the Spruce Mine — and what should stop all future mountaintop removal mining projects — are science and the rule of law. Science has proven that mountaintop-removal mining destroys — irrevocably — a precious natural resource: clean water. The Clean Water Act, which was passed to safeguard the health and safety of the American people, charges the EPA to review mining permits and to deny those that will, as the agency put it, result in "unacceptable adverse impacts."

Fortunately, the EPA exists to enforce the much-needed safeguards that can keep polluters from making us and our children sick. Stopping irresponsible coal mining has another huge benefit for all Americans, though — it moves us closer to a clean-energy economy that creates good jobs and can be the basis for a real, long-term prosperity that doesn't ask ordinary Americans to sacrifice their health to keep the lights on.

We are already hearing howls of protest from those who stand to gain financially by tearing apart Appalachia's mountains to get at the coal inside, as well as from the politicians who leap to their defense.

They say that coal mining creates jobs. They say that clean water, clean air and good health will hurt the economy. The reality, though, is that the coal industry has been cutting jobs and cutting

corners in Appalachia for years now. In contrast, clean energy and efficiency investments there could generate almost 80,000 jobs by 2030 and save consumers more than \$25 billion in energy costs.

Lisa Jackson and the EPA deserve our gratitude for taking a bold stand on the Spruce Mine — one that puts people first — instead of chaining us to the dirty-energy past.

Michael Brune is executive director of the Sierra Club and the author of "Coming Clean: Breaking America's Addiction to Oil and Coal." Contact him at Michael.Brune@sierraclub.org.

Gregory E. Peck
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Office of Water
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

202-564-5778

Richard Windsor/DC/USEPA/US
05/13/2011 08:41 AM

To "Bob Perciasepe", "Gina (Sheila) McCarthy"
cc
bcc
Subject Fw: Chicago Tribute joint op-ed by Exelon and the Environmental Law & Policy Center

David McIntosh

----- Original Message -----

From: David McIntosh
Sent: 05/13/2011 08:20 AM EDT
To: Richard Windsor; Adora Andy; Brendan Gilfillan; Michael Moats
Subject: Chicago Tribute joint op-ed by Exelon and the Environmental Law & Policy Center

News Headline: Clearing the air: When opposites actually agree | 

Outlet Full Name: Chicago Tribune - Online

News OCR Text: Environmental advocacy organizations and major electric utilities don't always see eye to eye on government standards. But the Environmental Law & Policy Center and Exelon Corp. agree that the Environmental Protection Agency's action to protect public health and clean up our nation's oldest and dirtiest power plants is not only essential to safeguard the health of thousands of Illinois residents — it will also be good for creating jobs and boosting the state's economy.

We believe that efforts by some in Congress to derail this action should be vigorously resisted.

The intense national debate over proposed new federal standards to reduce hazardous air pollutants from power plants comes to Chicago on May 24. The EPA will hold a public hearing here on its proposed standards setting federal limits — for the first time — on mercury, arsenic, lead, hydrochloric acid and other hazardous air pollutants.

The "toxics rule" is one of two key safeguards the EPA has proposed under the Clean Air Act to protect public health and the environment. The other is the Clean Air Transport Rule, which will reduce the downwind transfer of sulfur dioxide and nitrogen oxide emissions. Both standards are expected to be finalized this year.

These new standards will achieve cleaner air and safeguard public health. They target for cleanup life-threatening air pollutants that have been linked to cancer, heart disease, neurological damage, birth defects, asthma attacks and even premature death, and especially affect children and the elderly.

For example, mercury is a neurotoxin that causes fetal brain damage. State public health officials have issued "advisories" on every river, lake and stream in the Great Lakes states, warning people — especially pregnant women — to severely limit their consumption of fish. Sad isn't it, that it's not safe for people to eat the fish that they catch here?

Old, inefficient coal-fired power plants in the Midwest are the largest source of these

air pollutants. In fact, two coal plants in Chicago are among the oldest operating in the nation. The Clean Air Task Force recently reported that coal plant pollution causes more than 1,000 heart attacks and 450 hospital admissions every year in Illinois.

The proposed new EPA clean-air standards will help prevent these unnecessary illnesses and also protect our environment. They will drive power plant owners to decide whether to clean up or retire their oldest, highest-polluting plants. Taking the dirtiest plants off the grid will enable newer, more efficient power plants to be built, resulting in more jobs, cleaner air and lower health costs. Exelon and other utilities have already taken steps to install pollution controls and transition to cleaner resources. For example, Exelon in 2009 announced plans to retire several units at two older coal plants. Plus, there are many proven pollution-control technologies available, some of which take only 18 months to install. In fact, well over half of the nation's power plants have already installed pollution controls.

The University of Massachusetts at Amherst estimated earlier this year that compliance with new clean air standards will create more than 122,000 capital investment jobs in Illinois over the next five years, and nearly 1,500 permanent jobs operating and maintaining the new equipment here. Accordingly, Illinois will be one of the states poised to benefit most from the EPA's new standards. (These are skilled, high-paying jobs that the state badly needs.) And it's not just jobs. Another new report titled "Expensive Neighbors: The Hidden Cost of Harmful Pollution to Downwind Employers and Businesses" found that the longer the EPA's transport rule is not implemented, the longer Illinois will suffer from about \$450 million in lost income and tax revenue each year. These losses result from reduced productivity from air pollution that wafts into Illinois from other states.

Those who oppose EPA's clean air standards point to likely power plant retirements. In true Chicken Little form, they warn there won't be enough electricity left to supply our needs. But the electric power industry is well-prepared for the changes and can maintain system reliability — a fact that several recent reports have corroborated. M.J. Bradley & Associates notes that the United States already has a strong foundation of more than 100 gigawatts of excess power plant capacity, double the amount of capacity that can be expected to retire under the new EPA standards.

The EPA's common-sense health protections are required by the Clean Air Act and long overdue. They will dramatically improve public health, create much-needed jobs, and transition us to a cleaner energy future. This is an important case where Exelon and the Environmental Law & Policy Center stand together — as we all should — to protect public health, our environment and the Illinois economy.

John W. Rowe is chairman and CEO of the Chicago-based Exelon Corp. Howard A. Learner is president of the Environmental Law & Policy Center, a Midwest public interest advocacy organization.

Richard
Windsor/DC/USEPA/US
05/05/2009 05:54 PM

To "Bob Sussman", "Diane Thompson"
cc
bcc
Subject Fw: Warming, energy bill going straight to full committee --
Waxman

Fyi
David McIntosh

----- Original Message -----

From: David McIntosh
Sent: 05/05/2009 05:24 PM EDT
To: Richard Windsor
Cc: Lisa Heinzerling
Subject: Warming, energy bill going straight to full committee -- Waxman

CLIMATE: Warming, energy bill going straight to full committee -- Waxman (05/05/2009)

Darren Samuelsohn, E&E senior reporter

House Energy and Commerce Chairman Henry Waxman (D-Calif.) said today that he will bypass regular order on a major climate change and energy bill and mark up the legislation before the entire 59-member panel.

The change in plans means the Energy and Environment Subcommittee will not mark up the bill as previously scheduled. Waxman and subcommittee Chairman Ed Markey (D-Mass.) planned to hold a subcommittee markup beginning last week, but ongoing intra-party negotiations have yet to produce a new draft bill.

The full committee markup will not begin until next week at the earliest, Waxman told reporters this afternoon. The lawmaker plans to report the bill by the Memorial Day recess.

Democrats on the Energy and Commerce Committee have been working for several months to reach agreement on a sweeping overhaul to U.S. energy and climate policy. So far, they have struggled to reach consensus as about a dozen moderate and conservative lawmakers from the South, Rust Belt and Intermountain West resist the aggressive path that Waxman and Markey set out in a 648-page draft proposal.

Waxman and Markey are now in talks with the moderate Democrats on a range of issues, including emission limits, the use of offsets to ease industrial compliance costs, allocation of valuable allowances and the structure of a nationwide renewable electricity standard. Committee Democrats met with President Obama at the White House today and said they are making progress.

"We are exchanging concepts and where we reach agreement, we're working on language," said Rep. Rick Boucher (D-Va.), a lead negotiator for the moderate Democrats.

Rep. G.K. Butterfield (D-N.C.) said Democratic talks had picked up in recent days, and he predicted a proposal from committee leaders to the wavering moderates within days, if not hours. "I discern some movement," Butterfield said.

The upbeat prognosis for the House climate talks came shortly after a roughly 90-minute White House meeting with Obama and Vice President Joe Biden. According to several lawmakers at the session, Obama urged the Democrats to reach consensus on the issue by Memorial Day so that the committee can turn its attention to health care reform in June.

"He didn't want to see this slip by the wayside," said Rep. Mike Doyle (D-Pa.). "He wants us to keep working."

Democrats said Obama was well briefed on the details and complexities of the climate issue. "He has mastered the details," Boucher said.

Yet, they also said the president wants the committee members to work through the sticking points themselves. "He wants us to try to work out our bill, and he's giving us a lot of latitude to do that," Waxman said.

Because of their regional diversity, Obama also suggested that Democrats on the Energy and Commerce Committee could help propel the entire issue forward -- including through the Senate -- if they can strike a deal among themselves.

"If we can reach agreement with the coal sector, with the steel, with the auto sector, with the refining sector on our committee, which is very representative of the Congress as a whole, then we believe that'll be a template for passage in the Senate, as well," Markey said. "Because the agreements we'll reach will be the very same agreements that those industry leaders ... will be able to represent to senators are the basis for passage of legislation that they can support."

Obama addressed a key sticking point in negotiations, telling the Democrats that he is open to giving away some of the emission credits for free to industry, a clear shift from last year's presidential campaign and the administration's budget proposal in favor of a complete auction of the allowances.

"I wouldn't say it's contrary," Waxman said. "He wants us to get to a point where we're going to have an auction, and eventually we will get to an auction."

Any free credits, Waxman added, would not undercut the goals of the legislation.

"It's going to require during that transition period of decades for the Congress to deal with the cost to consumers, and the cost to different industries and the development of the new technologies," he said. "We're trying to be mindful of the regional concerns and the ratepayers, particularly the consumers."

Richard Windsor/DC/USEPA/US
06/30/2009 05:28 AM

To "Bob Sussman", "Gina McCarthy"
cc
bcc
Subject Fw: Obama Administration Launches New Energy Efficiency Efforts

FYI

From: Allyn Brooks-LaSure
Sent: 06/29/2009 02:06 PM EDT
To: "Windsor, Richard" <Windsor.richard@epa.gov>; "Thompson, Diane" <thompson.diane@epa.gov>
Cc: "Mcintosh, David" <mcintosh.david@epa.gov>; "Oster, Seth" <oster.seth@epa.gov>; "Andy, Adora" <andy.adora@epa.gov>
Subject: Fw: Obama Administration Launches New Energy Efficiency Efforts

MABL.

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Cell: 202-631-0415

From: "White House Press Office" [whitehouse-lists-noreply@list.whitehouse.gov]
Sent: 06/29/2009 02:05 PM AST
To: Allyn Brooks-LaSure
Subject: Obama Administration Launches New Energy Efficiency Efforts

THE WHITE HOUSE
Office of the Press Secretary

FOR IMMEDIATE RELEASE
June 29, 2009

Obama Administration Launches New Energy Efficiency Efforts

Will save billions for consumers, business while helping to create new jobs and strengthen American competitiveness

WASHINGTON - Building on the action by the U.S. House of Representatives in passing historic legislation that will pave the way for the transition to a clean energy economy, President Barack Obama and U.S. Energy Secretary Steven Chu today

announced aggressive actions to promote energy efficiency and save American consumers billions of dollars per year. Today's announcement underscores how the clean energy revolution not only makes environmental sense, but it also makes economic sense - creating jobs and saving money.

"One of the fastest, easiest, and cheapest ways to make our economy stronger and cleaner is to make our economy more energy efficient," said President Obama. "That's why we made energy efficiency investments a focal point of the Recovery Act. And that's why today's announcements are so important. By bringing more energy efficient technologies to American homes and businesses, we won't just significantly reduce our energy demand; we'll put more money back in the pockets of hardworking Americans." "When it comes to saving money and growing our economy, energy efficiency isn't just low hanging fruit; it's fruit laying on the ground," said Secretary Chu. "The most prosperous, competitive economies of the 21st century will be those that use energy efficiently. It's time for America to lead the way."

More Energy Efficient Lighting

Today's announcement includes major changes to energy conservation standards for numerous household and commercial lamps and lighting equipment. Seven percent of all energy consumed in the U.S. is for lighting.

The final rule has numerous benefits, including:

- Avoiding the emission of up to 594 million tons of CO₂ from 2012 through 2042 - roughly equivalent to removing 166 million cars from the road for a year;
- Saving consumers \$1 to \$4 billion annually from 2012 through 2042;
- Saving enough electricity from 2012 through 2042 to power every home in the U.S. for up to 10 months;
- Eliminating the need for up to 7.3 gigawatts of new generating capacity by 2042 - equivalent to as many as 14 500MW coal-fired power plants;
- Decreasing the electricity used in GSFLs by 15%, saving consumers up to \$8.66 per lamp over its lifetime; decreasing electricity used by IRLs by 25%, saving consumers \$7.95 per lamp over its lifetime.

In February 2009, President Obama tasked the Department of Energy with quickening the pace of energy conservation standards for appliances, while continuing to meet legal and statutory deadlines. Today's announcement - which takes effect in 2012 - focuses on General Service Fluorescent Lamps (GSFL), which are commonly found in residential and commercial buildings, and Incandescent Reflector Lamps (IRL), which are commonly used in recessed and track lighting. These fluorescent and incandescent lamps represent approximately 38 and 7 percent of total lighting energy use respectively.

The final rule, as issued by the Secretary of Energy on June 26, 2009, can be viewed and downloaded from the Office Energy Efficiency and Renewable Energy's website at: www.eere.energy.gov/buildings/appliance_standards/residential/incandescent_lamp_s.html.

Building Efficiency Initiative

President Obama and Secretary Chu today announced a \$346 million investment from

the American Recovery and Reinvestment Act to expand and accelerate the development, deployment, and use of energy efficient technologies in all major types of commercial buildings as well as new and existing homes.

Residential and commercial buildings consume 40 percent of the energy and represent 40 percent of the carbon emissions in the United States. Building efficiency represents one of the easiest, most immediate and most cost effective ways to reduce carbon emissions while creating new jobs. With the application of new and existing technologies, buildings can be made up to 80 percent more efficient or even become "net zero" energy buildings with the incorporation of on-site renewable generation. Today's buildings consume more energy than any other sector of the U.S. economy, including transportation and industry. In addition, almost three-quarters of our nation's 81 million buildings were built before 1979. Some were designed and constructed for limited service, and many will eventually require either significant retrofits or replacement.

Innovations in energy-efficient building envelopes, equipment, lighting, daylighting, and windows, in conjunction with advances in passive solar, photovoltaic, fuel cells, advanced sensors and controls and combined heating, cooling, and power, have the potential to dramatically transform today's buildings. These technologies – coupled with a whole building design approach that optimizes the interactions among building systems and components – will enable tomorrow's buildings to use considerably less energy, while also helping to reduce emissions and increase energy security.

This funding includes:

Advanced Building Systems Research (\$100 million). These projects will address research focused on the systems design, integration, and control of both new and existing buildings. Buildings need to be designed, built, operated, and maintained as an integrated system in order to achieve the potential of energy efficient and eventually net zero-energy buildings. These projects will move beyond component-only driven research and address the interactions in buildings as a whole, in order to progress development of integrated, high performance buildings and achieve net zero- energy buildings.

Residential Buildings Development and Deployment (\$70 million). Expanded work in Residential Buildings will increase homeowner energy savings by supporting energy efficient retrofits and new homes while raising consumer awareness of the benefits of increased health, safety, and durability of energy efficiency. The projects will provide technical support to train workers and create jobs, developing a new workforce equipped to improve the Nation's homes and will permit a major initiative to provide builders with technical assistance and training through states, utilities, and existing programs to increase the market share of new homes achieving substantial whole house energy savings. To address existing homes, DOE will work with municipalities with a variety of housing types and vintages as well as subdivisions with similar housing stock to encourage a large number of energy efficiency retrofits.

Commercial Buildings Initiative (\$53.5 million). These Recovery Act funds will be used to accelerate and expand partnerships with major companies that design, build, own, manage, or operate large fleets of buildings and that commit to achieving exemplary energy performance. This funding will be used to expand the number of these partnerships from 23 to about 75 through a competitive process beginning in September, 2009.

Buildings and Appliance Market Transformation (\$72.5 million). In order to achieve energy savings, and ultimately lead to zero energy buildings, the marketplace must be conditioned to accept the necessary advanced technologies and activities and ensure that the current technologies are performing as intended via current energy efficiency standards. Key activities include expanding ENERGY STAR to accelerate development of energy efficient products and expand the ENERGY STAR brand into new areas; preparing the design, construction, and enforcement community to implement commercial building energy codes that require a 30 percent improvement in energy efficiency over the 2004 code in 2010; and accelerating and expanding DOE's Appliance Standards program to evaluate innovative technologies and develop new test procedures that are more representative of today's energy use and equipment.

Solid State Lighting Research and Development (\$50 million). The objective of the solid state lighting activities is to advance state-of-the-art of solid-state lighting (SSL) technology and to move those advancements more rapidly to market through a coordinated development of advanced manufacturing techniques. This project will both aid in the development and reduce the first cost of high performance lighting products. Continuing advances can accelerate progress towards creating a U.S.-led market for high efficiency light sources that save more energy, reduce costs, and have less environmental impact than other conventional light sources.

For information on these and other Funding Opportunities under the Recovery Act, visit: www.energy.gov/recovery/funding.htm.

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Richard
Windsor/DC/USEPA/US
12/27/2011 12:55 PM

To "Brendan Gilfillan", "Betsaida Alcantara"
cc
bcc
Subject Fw: Good editorials

Judith Enck

----- Original Message -----

From: Judith Enck
Sent: 12/27/2011 09:46 AM EST
To: Gina McCarthy; Richard Windsor
Subject: Good editorials

Fyi. Newday and albany times union. More to come.

Sent by EPA Wireless E-Mail Services
Mary Mears

----- Original Message -----

From: Mary Mears
Sent: 12/27/2011 09:42 AM EST
To: Judith Enck
Subject: editorials

Newsday Editorial

Mercury rule will help clear air

Updated: December 26, 2011 6:11 AM

The Four Corners Power Plant, operated by Arizona Public Service on tribal land near Fruitland, N.M. New Environmental Protection Agency rules aim to reduce mercury pollution from large coal-fired power plants.

One step at a time, President Barack Obama is writing a credible record on preserving our environment and public health. The latest move came last week, when his Environmental Protection Agency made final a new rule to sharply reduce power-plant emissions of mercury and other toxins.

In 1990, Congress amended the Clean Air Act and directed the EPA to control toxins such as mercury. Since then, coal-fired power plants have continued spewing mercury and other pollutants covered by the rule, such as arsenic and cyanide. Mercury is a neurotoxin that gets into our surface waters, the fish we eat and our bodies. It's especially dangerous for the developing brains of children and for pregnant women.

Now, finally, the EPA is directing plant operators to install already available emissions-control technology. (Happily, New York plants have already done a lot of that work.) The agency estimates that the new rule will avert 11,000

deaths a year. The projected avoided cost of health care -- for ailments such as asthma, developmental disorders and others -- vastly outweighs the compliance costs.

Earlier this year, Obama did the right thing on fuel efficiency standards and interstate air pollution. But he put off until 2013 tightening the standard on smog-producing ground ozone. That was to fend off Republican charges that regulation kills jobs. As to the mercury rule, the EPA says compliance will create 46,000 construction jobs and 8,000 utility jobs.

In taking this step, Obama is simply obeying Congress -- the enlightened one that passed the 1990 amendments, not the current House, which wakes up every day trying to hog-tie the EPA.

**Editorial: In celebration of cleaner air
Albany Times Union
12/27/2011**

THE ISSUE:

New EPA regulations for mercury emissions have been imposed at last.

THE STAKES:

Cleaner air, cleaner water and economic opportunity.

The last days of 2011 offer those concerned about the air we breathe and the waterways we enjoy all the more reason to celebrate. They might party like it's, oh, 1990.

That's when the landmark legislation known as the Clean Air Act had last been amended in any major way.

The law's regulations of air pollutants, significant as they were, had one notable omission: More needed to be done to control the mercury and other toxins from coal- and oil-burning power plants.

President Obama's adoption last week of the Mercury and Air Toxics Standards is a complement to environmental regulation that was two decades in coming.

During that time, about a dozen states — New York among them — imposed adequate reasonable restrictions on mercury pollution. Here, 19 power plants produce about 259 pounds of mercury a year. But in Pennsylvania, for

example, 38 power plants are responsible for 4,000 pounds of mercury.

Toxins and the damage they impose make no distinctions for state borders, of course. That left two of New York's greatest environmental treasures, the Adirondacks and the Catskills, vulnerable to acid rain, even as the state tried to stop it. New nationwide rules for mercury emissions are expected to reduce acid rain by 88 percent.

Those rules don't mean that the utility industry won't be able to produce the power we need, no matter what it might say. The power plants that will soon become obsolete, the Environmental Protection Agency says, produce less than one-half of 1 percent of the nation's generating capacity.

Still, get ready for the less responsible power plant operators to make the same, tired argument that a national economy still struggling to recover from the Great Recession can't afford cleaner air.

That will be their argument as they try to prevail upon Congress and the courts to revoke one of the Obama administration's great environmental achievements.

Good thing, then, that the administration is ready with its rebuttal.

"They knew this was coming," says EPA Regional Administrator Judith Enck.

Some utilities actually have been quite supportive of the new rules. Public Service Enterprise Group, owner of the largest electric utility in New Jersey, spent \$1.3 billion on compliance efforts. The result has been a 90 percent reduction in emissions of mercury and other toxins.

There's economic opportunity in the modification of power plants to accommodate cleaner air requirements. The EPA estimates that some 8,000 jobs will be created in the production of scrubbers and other devices that power plants will need. Some of those jobs will be at Corning Incorporated in western New York.

In time, though, the quest for cleaner air and the health benefits it brings will further alter the economics of the energy industry.

"We're hoping to level the playing field for renewable forms of energy," says Ms. Enck.

Imagine, being able to celebrate a greater capacity for power generation with less pollution.

For that, thank the Clean Air Act and, now, the Mercury and Air Toxics Standards.

To comment: tuleters@timesunion.com or at <http://blogs.timesunion.com/opinion>

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Richard Windsor/DC/USEPA/US

01/18/2012 11:19 PM

To "Brendan Gilfillan", "Michael Goo", "Bicky Corman", "Diane Thompson"

cc

bcc

Subject Fw: New York DEC Issues Draft Regulations On Power Plant Siting, Carbon Emissions

Charles Imohiosen

----- Original Message -----

From: Charles Imohiosen

Sent: 01/18/2012 11:12 PM EST

To: Richard Windsor; Bob Perciasepe; Gina McCarthy; Judith Enck

Subject: New York DEC Issues Draft Regulations On Power Plant Siting, Carbon Emissions

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Daily Environment Report: News Archive > 2012 > January > 01/19/2012 > News > Energy: New York DEC Issues Draft Regulations On Power Plant Siting, Carbon Emissions

11 DEN A-10

Energy

New York DEC Issues Draft Regulations

On Power Plant Siting, Carbon Emissions

By John Herzfeld

NEW YORK—Electricity generating facilities in New York would be required to evaluate potential environmental justice impacts in siting decisions and to limit carbon dioxide emissions from new or expanded power plants under a pair of regulations proposed Jan. 18 by the state Department of Environmental Conservation.

In announcing the two “groundbreaking” draft rules, DEC said the environmental justice rules would be the first in the United States to require an analysis of potential disproportionate impacts on nearby communities in major power plant siting decisions.

The carbon dioxide draft rules would limit emissions from new major generating facilities and certain expansions at existing power plants, DEC added.

The draft rules (6 NYCRR Part 487 and 6 NYCRR Part 251) were proposed to implement provisions of the Power NY Act of 2011, which was signed by Gov. Andrew M. Cuomo (D) in August (151 DEN A-2, 8/5/11).

Environmental Justice Framework

The proposed Part 487 regulations would establish a regulatory framework to analyze environmental justice issues associated with the siting or expansion of major generating facilities, DEC said. Applicants would have to evaluate any “significant and adverse disproportionate environmental impacts” from a facility’s construction or operation.

“Negative environmental impacts from industrial operations like power plants often disproportionately affect environmental justice communities,” DEC Commissioner Joe Martens said in a statement. “Our proposed regulations are the first in the nation that seek to protect public health and the environment in overburdened communities.”

The analysis would have to include the cumulative air quality impact of the facility, as well as comparative demographic, economic, and physical data for the community where the facility would be located, versus

data for the county and adjacent communities, DEC said.

Carbon Dioxide Limits

The proposed Part 251 regulations would establish carbon dioxide limits for proposed new major power plants with a capacity of at least 25 megawatts and for increases in capacity of at least 25 megawatts at existing facilities.

“Carbon dioxide emissions are chief contributors to climate change,” Martens said. “We are proposing CO2 emissions limits for new and expanding power plants to further reduce the carbon footprint of New York’s power sector.”

For most new or expanded base load fossil-fuel-fired plants, the proposed carbon dioxide emission rules would set an output-based limit of 925 pounds per megawatt-hour or an input-based limit of 120 pounds per million British thermal units.

For simple cycle combustion turbines, the draft rules would set an output-based limit of 1,450 pounds per megawatt-hour or an input-based limit of 160 pounds per million Btus.

Output-Based, Input-Based Choice

Each facility’s owner or operator could choose whether to comply with the output-based or input-based emission limits, DEC said.

For certain power plants that fire non-fossil fuels, the draft rules would allow DEC to set case-specific limits and require recordkeeping, monitoring, and reporting consistent with existing state and federal regulations, the department added.

Power plants in the state currently are required to comply with the Regional Greenhouse Gas Initiative program, as well as certain federal requirements regarding greenhouse gas emissions, DEC said.

For the first time, the department said, the proposed Part 251 would establish a specific limit on the allowable carbon dioxide emission rate of new and expanded power plants. That would make New York “one of only a few states in the country with a CO2 performance standard for both new and expanding power plants,” it said.

The department set three public hearings: March 5 in Albany, March 6 in New York City, and March 8 in Buffalo. Written comments are due by March 15.

Charles Imohiosen
Counselor to the Deputy Administrator
Office of the Administrator
US Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.

Sent via Blackberry

Richard Windsor/DC/USEPA/US
12/13/2010 02:06 PM

To "Brendan Gilfillan"
cc "Seth Oster"
bcc
Subject Fw: From Greenwire -- CLIMATE: EPA's rumored 'permitorium' more complex than Beltway debate suggests

Nice
David McIntosh

----- Original Message -----

From: David McIntosh
Sent: 12/13/2010 12:42 PM EST
To: Richard Windsor; Bob Perciasepe; Gina McCarthy; Bob Sussman; Seth Oster; Brendan Gilfillan; Michael Moats; Adora Andy; Joseph Goffman; Scott Fulton
Subject: Fw: From Greenwire -- CLIMATE: EPA's rumored 'permitorium' more complex than Beltway debate suggests
Excellent article. Lots of good stuff in there. Worth reading in full
---- Forwarded by David McIntosh/DC/USEPA/US on 12/13/2010 12:41 PM ----

From: David McIntosh/DC/USEPA/US@EPA
To: David McIntosh/DC/USEPA/US@EPA
Date: 12/13/2010 12:41 PM
Subject: From Greenwire -- CLIMATE: EPA's rumored 'permitorium' more complex than Beltway debate suggests

This Greenwire story was sent to you by: mcintosh.david@epa.gov

Personal message:

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CLIMATE: EPA's rumored 'permitorium' more complex than Beltway debate suggests *(Monday, December 13, 2010)*

Gabriel Nelson, E&E reporter

On Capitol Hill, industry lobbyists are predicting nothing but trouble for facilities like the Hyperion Energy Center, a \$10 billion complex proposed for the cornfields and soybeans of southeastern South Dakota.

The massive facility would include the first refinery built in the United States since 1976, making gasoline from the Canadian tar sands that would be carried into the Midwest by the proposed Keystone XL pipeline.

And the planned project is notable for another reason: It is in line to become one of the first facilities to get a federal permit for its greenhouse gas emissions. State regulators gave the refinery the go-ahead in summer 2009, but developers need to go back to the drawing board so they can start construction late next year, said Preston Phillips, vice president of Dallas-based Hyperion Refining LLC, in a recent interview. Starting Jan. 2, 2011, officials in all 50 states will need to start deciding whether new power plants and other large industrial facilities are doing enough to avoid releasing carbon dioxide and other gases that are contributing to global warming. It is a new hurdle for many plants that need federal pollution permits, and inside the Beltway, the industry lobbyists are saying that no one will be able to jump it.

More than a dozen of the nation's most powerful trade groups -- including the

American Chemistry Council, the American Petroleum Institute and the National Association of Manufacturers -- have started a letter-writing campaign to persuade Congress to stop the climate rules from taking effect on Jan. 2. If lawmakers do not act, the groups say, there will be a virtual freeze on the construction of power plants, factories and other facilities that release large amounts of air pollution.

They see a bleak future for American industry. Without a doubt, *The Wall Street Journal*'s editorial board said recently, U.S. EPA's regulations will lead to a "de facto project moratorium" -- a "permit moratorium," in short -- for at least 18 months.

But despite the massive size of the complex and the fact that greenhouse gases are previously uncharted territory, Hyperion expects the permitting process to be "pretty straightforward," Phillips said.

Asked whether EPA's new climate rules will freeze the permit process, Phillips said, "I certainly don't expect that for this facility. This permit will be in place in the second quarter of next year."

The planned complex is precisely the type of facility the Obama administration was imagining when it put those rules in place. It would roughly double South Dakota's carbon footprint, producing an estimated 16.9 million tons of carbon dioxide each year, and if it were a country of its own, it would rank 85th worldwide in greenhouse gas emissions, just behind the Dominican Republic and Estonia.

The project's developers are aiming to break ground by the end of next year, though some competitors in the oil business are skeptical they'll pull it off. But when the company applied for a permit without greenhouse gases, the naysayers made the same claims, Phillips said.

"A lot of people said you could never get the approvals necessary to build a refinery these days," he said.

Two sets of predictions

There is a great deal of uncertainty ahead for the Hyperion complex. In addition to the air pollution permit, the future of the project depends on the future of the Keystone XL pipeline and the economics of building a new refinery. But one way or the other, the outcome is going to depend on factors that are much more complicated than people on Capitol Hill are suggesting.

With the first nationwide regulations on greenhouse gases just weeks away from taking effect, fans and foes of the Obama administration's climate program are gazing into the tea leaves and seeing two completely different images -- one ominous, the other rosy.

As industry groups predict a construction freeze, environmentalists are rallying around EPA Administrator Lisa Jackson, who has recently taken to accusing lobbyists of spreading "doomsday scenarios" about the agency's work on climate change. With three weeks until the new rules take effect, EPA officials and their counterparts at the state level are still scrambling to get the rules in place, but they say that businesses should not worry.

"Everything is going to go very smoothly at the beginning of next year," said David Doniger, policy director of the Natural Resources Defense Council's climate center, during a recent interview. "People won't even notice the bump in the road" (E&ETV's "[OnPoint](#)", Nov. 29).

These opposing points of view have become the two brands of conventional wisdom on Capitol Hill, which is as divided as ever on the issue of climate change. Lawmakers are digging into their positions, preparing for the seemingly inevitable moment when they will be asked to decide whether EPA can proceed.

With a climate bill dead on Capitol Hill, the new rules are one of the only ways the administration can act on President Obama's pledge to reduce U.S. greenhouse gas emissions 17 percent from 2005 levels by 2020. EPA needs to take action on climate change, but in "digestible" steps that won't hurt the economy, said Bob Perciasepe, the agency's second-in-command, during a conference earlier this month.

"We need to be credible in the international arena that we're doing something," Perciasepe told an audience of past and present EPA officials, who had gathered at Harvard University to celebrate the agency's 40th birthday. "But also, we need to build confidence in our own country that we can actually make some significant progress

here without breaking the system down somehow."

Industry lobbyists say it is a foregone conclusion that there will be enough votes in the Republican-led House to pass legislation blocking EPA's climate program. The battleground will be the Senate, which could soon be put to a vote on a proposal from Sen. Jay Rockefeller (D-W.Va.) to delay the agency's new permitting rules for two years.

His draft bill would only affect the regulations on power plants, refineries and other stationary facilities. It would not stop EPA's new fuel economy standards for cars and trucks, which are intended to reduce greenhouse gas emissions by reducing the amount of fuel that Americans need to burn for transportation.

Senate Majority Leader Harry Reid (D-Nev.) said earlier this year that he would schedule a vote on Rockefeller's bill, but more recently, he has said it depends on the schedule for the rest of the lame-duck session. The White House has vowed to veto it, and Rockefeller has said he would like to tack the measure onto a piece of must-pass legislation, such as an omnibus appropriations bill.

For months, Rockefeller has been courting moderate Democrats, who are split on the issue.

When EPA released a guidance document last month to explain how states should judge the facilities, other Democrats in Congress called it a "common-sense approach."

But the Republicans, who formed a unanimous bloc in June when Sen. Lisa Murkowski (R-Alaska) put forward a resolution to reject EPA's whole climate program, disagreed. The new rules will "keep the economy mired in stagnation," said Sen. James Inhofe of Oklahoma, who oversees the regulations as the top Republican on the Environment and Public Works Committee.

"Employers were looking for a clear path forward that would inspire confidence that permits would be granted, and in a timely manner," he said. "They won't find it here."

All quiet beyond the Beltway?

As intensely as the debate has raged in Washington, D.C., things have remained calm in the hinterlands.

Virtually no businesses have gone public to explain where their projects stand and whether they are worried about the new requirements. Instead, they are waiting quietly on the sidelines.

Matt Letourneau, a spokesman on energy issues for the U.S. Chamber of Commerce, said many businesses are choosing not to invest in new facilities right now because of the uncertainty in the permitting process. Other companies are worried about their ability to get permits, he said, but they are not raising their voices about it. "The problem is, you've got to deal with the same people you're mad at," Letourneau said.

But even as powerful trade groups try to convince Congress that the economy will be devastated by EPA's rules, some of the companies they represent are banking on their ability to break ground on facilities that would produce huge amounts of greenhouse gases.

To be sure, businesses are not crazy about the permitting process, which can depend largely upon the whims of regulators. But with billions of dollars on the line, many investors have been preparing for years to get the greenhouse gas permits they will now need. With greenhouse gases, as with other types of pollution, some of them have found a way to get approvals.

Calpine Corp., a power company that does most of its business in California, recently secured a federal permit for its Russell City Energy Center, a combined-cycle natural gas plant in Hayward, Calif. Though EPA's new rules had not taken effect yet, the Houston-based company agreed to set enforceable limits that would require the 600-megawatt plant to produce 50 percent less greenhouse gases than a coal plant. As part of its deal with the Bay Area Air Quality Management District, Calpine also agreed to donate \$10 million toward the construction of a new library in Hayward and make a \$1.6 million gift to the local parks department.

The permit shows that EPA's new greenhouse rules can work, said Jack Fusco, the company's president and CEO, in a recent statement.

"The electric sector has known that these rules were coming," Calpine and seven other

utilities wrote in a letter to *The Wall Street Journal* that was published last week. "Many companies, including ours, have already invested in modern air-pollution control technologies and cleaner and more efficient power plants."

'Some hiccups'

In their efforts to block the new climate rules in court, industry attorneys have cited South Dakota as one of the states that would face a construction moratorium next year.

Their goal is supported in spirit by Republican-led South Dakota, which has joined the legal challenge to EPA's new rules. But according to the state's own permitting officials, there will be no moratorium on permits or construction.

It is true that the South Dakota Department of Environment and Natural Resources still does not have all of its rules in place for next year, said Kyrik Rombough, an engineering director in the agency's air division, but the state is changing them to follow the orders from Washington. At the end of the process, which could take a few more months, South Dakota will be able to issue permits, he said.

The state does not expect to be flooded with permit applications, anyhow, because of EPA's "tailoring rule," which limited the requirements to the largest sources of greenhouse gases. Over the next couple of years, the new rules will add about 2,000 facilities nationwide to the universe of sources needing federal permits, according to EPA estimates.

So far, Hyperion is the only company to ask for a greenhouse gas permit in South Dakota, Rombough said.

"I'm assuming there's going to be some hiccups," he said. "I'm sure some businesses won't want to come in because they don't want to be the first ones in that line, but once the first few get through, enough will have been learned that they'll be able to get their permits in an expedited manner."

Here is how the process works: To get a permit, the largest new plants will need to use the best available control technology (BACT) for greenhouse gases, along with other pollutants that are regulated under the Clean Air Act. Unlike a carbon tax or cap-and-trade program, both of which would put a price on emissions and let businesses decide what to build, the permitting program will require officials do a case-by-case review of the equipment and fuel used at each plant.

Hyperion is confident about its application, Phillips said, because these climate regulations have been on the horizon for a long time. More than a year before EPA finalized its regulations, the developers commissioned an analysis of the project's carbon footprint to check whether it would be using the best technology available to control greenhouse gases.

Right now, energy efficiency is just about the only thing that the complex can do to reduce its emissions, according to the company's own analysis. EPA acknowledges that the technology to trap and store carbon dioxide is not viable yet, but the Hyperion plant would be equipped with technology to filter out carbon emissions, just in case storage becomes practical later on, Phillips said.

Other companies have been critical of the guidance. It left behind as many questions as it answered, said Steve Rowlan, director of environmental affairs at the Charlotte, N.C.-based steel company Nucor Corp.

For example, if companies are not expected to capture and store their carbon emissions, Rowlan asked, why did EPA's guidance list it as the ideal technology for addressing climate change?

"It seems like an exercise in dealing with things that aren't really going to take us anywhere," Rowlan said. "It leaves us wondering exactly what the standard that we're going to be evaluated against is."

Broader concerns

When industry lobbyists have suggested that there will be a construction freeze next year, officials at EPA have taken the uncommon step of calling them out -- sometimes by name.

One of their main targets is Jeff Holmstead, an industry attorney at Bracewell &

Giuliani who was the agency's top air official under President George W. Bush. When he predicted that the new greenhouse gas regulations would lead to a moratorium, Holmstead was "simply wrong," EPA press secretary Brendan Gilfillan said last month in a statement.

"We understand there are a lot of lobbyists paid a lot of money to spread doomsday scenarios about what EPA is doing," Gilfillan told *Greenwire*. "It's been that way throughout our 40-year history, and even though those doomsday scenarios have always been proven wrong, that doesn't mean the arguments don't have sway inside the Beltway. We're asking Americans to look at what we're doing, not what lobbyists are saying."

When asked to explain why companies won't be able to start new projects next year, Holmstead backed off slightly from his prior statements. Some permits may go out by late next year, he said, though they will no doubt be challenged.

Even if things are not "black and white," he said, it is fair to say that people will see a "*de facto* moratorium" in the days, weeks and months after the new rules take effect. Not many companies have gotten federal air permits recently, though that is partly due to the slow economy, and it means there are only a few construction projects set to start next year.

Bill Becker, executive director of the National Association of Clean Air Agencies, said it is unfair to blame the greenhouse gas rules for the delays. It might be difficult to get permits for some types of facilities right now, he said, but those new requirements are not the reason why.

"If a coal-fired power plant is not permitted in a timely manner in the future, it will have nothing to do with the benign greenhouse gas permitting requirements of this program," Becker said. "There will be 15 other reasons that would prevent that application from going forward, and a greenhouse gas permit requiring energy efficiency will be the least of the problems."

But businesses say the slowdown has been made worse by the new administration's decision to get rid of a policy that froze the rules as they stood when a company applied for a permit. Under those rules, even if the agency issued new regulations while the permit was being reviewed, the applicant would not have to worry about them.

Because any permit in the pipeline on Jan. 2 will now need to include greenhouse gases, companies and some states are rushing to get their permits done by the end of the year so they won't be subjected to the new requirements. That is what Nucor is trying to do, Rowlan said, but he would not say what is next if the steel company cannot get the permits on time.

With the Obama administration moving forward with several new air pollution standards at once, the permitting process is starting to feel like a "hamster wheel," Rowlan said.

It is getting harder to meet federal and state pollution rules and requirements, said one industry source who recently got approval to build a biofuel refinery in the southeastern United States.

The plant was the first of three planned facilities, all of which would need air pollution permits, the source said. But after spending about \$100,000 more than usual on engineering and consulting fees to navigate the permitting process and agreeing to spend more money on the pollution controls demanded by state regulators, the company may look to build its next project outside the United States.

The next plants could be built in the Dominican Republic or another location in the Caribbean or Central America, where there might be better economic opportunities and fewer restrictions on projects.

The source, whose future projects will be affected by EPA's greenhouse gas regulations, said he doubted that the new rules will stop regulators from issuing permits. But the new rules are making it so expensive and burdensome that businesses do not want to apply in the first place, he said.

"As long as you permit something in accordance with the law, you should be able to get the permit," he said. "But agreeing to what they want you to agree to these days -- it just pushes you over the cliff."

'What was all the fuss about?'

Inside the Beltway, lobbyists have sought to frame the new rules as a battle between the Obama administration and industry. But though the rules are coming from Washington, they will be implemented largely by state and local agencies, which have entirely different interests.

Many of those officials are under intense pressure to avoid hurting the economy in their own backyard, said Susan Tierney, a consultant who was assistant energy secretary during the Clinton administration after a stint as Massachusetts' environment secretary.

"I have never seen a state that didn't come forth with permits on a timely basis when push came to shove," said Tierney, who is now a managing principal at the Analysis Group in Boston. "I could imagine this will take a little more time as people get familiar with the use of a particular technology, but that is absolutely not the same as a moratorium."

The states are scrambling to overhaul their permitting rules, and with the notable exception of Texas -- which has refused to change its rules in line with EPA's orders -- states are not predicting that they won't be able to issue permits next year. That includes South Dakota and more than a dozen other states that are challenging the rules in court.

By early next year, EPA says, businesses should be able to get permits in every state but Texas, where Gov. Rick Perry (R) and his appointees have refused to follow the Obama administration's commands. EPA is readying a last-minute rule to make sure Texas companies will also be able to start their projects, air chief Gina McCarthy said earlier this month.

In a recent analysis of the correspondence between the states and EPA, the National Association of Clean Air Agencies concluded that all states but Texas will be able to put rules in place by Jan. 2 or, in the case of a few states, shortly thereafter.

"I've not talked to a single state permitting authority who has said, 'My God, the avalanche of permit applications that is falling upon us is so severe that it is paralyzing our ability to issue permits in a timely fashion,'" said Becker, the group's executive director. "States are very sensitive to any interest in economic development within their community, and they will do everything within the law to accelerate the process."

The Obama administration had originally thought about having the greenhouse gas regulations take effect this year, but state and local governments asked to wait until 2011, worried that there might have been tie-ups in the permitting process. Now, the agencies are just about ready to go, despite the claims from industry groups, Becker said.

The U.S. Circuit Court of Appeals for the District of Columbia decided Friday that it would not stop the climate program from taking effect, though it could be quite a while before the court decides whether the regulations are legal under the Clean Air Act. In their efforts to sway the court, attorneys on both sides have examined the updates from the states and reached vastly different conclusions about their readiness to handle greenhouse gases.

Becker, who helped craft the 1990 amendments to the Clean Air Act that started the cap-and-trade program for acid rain, said he has seen this type of situation before.

"This is an organized campaign to bring down the entire program before it even begins," he said. "The opponents are unwilling to give it a chance to succeed. If they gave it time, we would look back after a few months and ask ourselves, 'What was all the fuss about?'"

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Richard Windsor/DC/USEPA/US
12/03/2009 10:28 PM

To "Clay Diette"
cc
bcc
Subject Fw: Major MTM Op-ED by Byrd

Arvin Ganesan

----- Original Message -----

From: Arvin Ganesan

Sent: 12/03/2009 02:35 PM EST

To: Richard Windsor; Diane Thompson; Bob Sussman; Peter Silva; Seth Oster

Subject: Major MTM Op-ED by Byrd

This is a major development.

COAL MUST EMBRACE THE FUTURE

Senator Robert C. Byrd (D-W.Va.)

For more than 100 years, coal has been the backbone of the Appalachian economy. Even today, the economies of more than 20 states depend to some degree on the mining of coal. About half of all the electricity generated in America and about one quarter of all the energy consumed globally is generated by coal.

Change is no stranger to the coal industry. Think of the huge changes which came with the onset of the Machine Age in the late 1800's. Mechanization has increased coal production and revenues, but also has eliminated jobs, hurting the economies of coal communities. In 1979, there were 62,500 coal miners in the Mountain State. Today there are about 22,000. In recent years, West Virginia has seen record high coal production and record low coal employment.

And change is undeniably upon the coal industry again. The increased use of mountaintop removal mining means that fewer miners are needed to meet company production goals. Meanwhile the Central Appalachian coal seams that remain to be mined are becoming thinner and more costly to mine. Mountaintop removal mining, a declining national demand for energy, rising mining costs and erratic spot market prices all add up to fewer jobs in the coal fields.

These are real problems. They affect real people. And West Virginia's elected officials are rightly concerned about jobs and the economic impact on local communities. I share those concerns. But the time has come to have an open and honest dialogue about coal's future in West Virginia.

Let's speak the truth. The most important factor in maintaining coal-related jobs is demand for coal. Scapegoating and stoking fear among workers over the permitting process is counter-productive.

Coal companies want a large stockpile of permits in their back pockets because that implies stability to potential investors. But when coal industry representatives stir up public anger toward federal regulatory agencies, it can damage the state's ability to work with those agencies to West Virginia's benefit. This, in turn, may create the perception of ineffectiveness within the industry, which can drive potential investors away.

Let's speak a little more truth here. No deliberate effort to do away with the coal industry could ever succeed in Washington because there is no available alternative energy supply that could immediately supplant the use of coal for base load power generation in America. That is a stubborn fact that vexes some in the environmental community, but it is reality.

It is also a reality that the practice of mountaintop removal mining has a diminishing constituency in Washington. It is not a widespread method of mining, with its use confined to only three states. Most members of Congress, like most Americans, oppose the practice, and we may not yet fully understand the effects of mountaintop removal mining on the health of our citizens. West Virginians may demonstrate anger toward the Environmental Protection Agency (EPA) over mountaintop removal mining, but we risk the very probable consequence of shouting ourselves out of any productive dialogue with EPA and our adversaries in the Congress.

Some have even suggested that coal state representatives in Washington should block any advancement of national health care reform legislation until the coal industry's demands are met by the EPA. I believe that the notion of holding the health care of over 300 million Americans hostage in exchange for a handful of coal permits is beyond foolish; it is morally indefensible. It is a non-starter, and puts the entire state of West Virginia and the coal industry in a terrible light.

To be part of any solution, one must first acknowledge a problem. To deny the mounting science of climate change is to stick our heads in the sand and say "deal me out." West Virginia would be much smarter to stay at the table.

The 20 coal-producing states together hold some powerful political cards. We can have a part in shaping energy policy, but we must be honest brokers if we have any prayer of influencing coal policy on looming issues important to the future of coal like hazardous air pollutants, climate change, and federal dollars for investments in clean coal technology.

Most people understand that America cannot meet its current energy needs without coal, but there is strong bi-partisan opposition in Congress to the mountaintop removal method of mining it. We have our work cut out for us in finding a prudent and profitable middle ground – but we will not reach it by using fear mongering, grandstanding and outrage as a strategy. As your United States Senator, I must represent the opinions and the best interests of the entire Mountain State, not just those of coal operators and southern coalfield residents who may be strident

supporters of mountaintop removal mining.

I have spent the past six months working with a group of coal state Democrats in the Senate, led by West Virginia native Senator Tom Carper (D-Del.), drafting provisions to assist the coal industry in more easily transitioning to a lower-carbon economy. These include increasing funding for clean coal projects and easing emission standards and timelines, setting aside billions of dollars for coal plants that install new technology and continue using coal. These are among the achievable ways coal can continue its major role in our national energy portfolio. It is the best way to step up to the challenge and help lead change.

The truth is that some form of climate legislation will likely become public policy because most American voters want a healthier environment. Major coal-fired power plants and coal operators operating in West Virginia have wisely already embraced this reality, and are making significant investments to prepare.

The future of coal and indeed of our total energy picture lies in change and innovation. In fact, the future of American industrial power and our economic ability to compete globally depends on our ability to advance energy technology.

The greatest threats to the future of coal do not come from possible constraints on mountaintop removal mining or other environmental regulations, but rather from rigid mindsets, depleting coal reserves, and the declining demand for coal as more power plants begin shifting to biomass and natural gas as a way to reduce emissions.

Fortunately, West Virginia has a running head-start as an innovator. Low-carbon and renewable energy projects are already under development in West Virginia, including: America's first integrated carbon capture and sequestration project on a conventional coal-fired power plant in Mason County; the largest wind power facility in the eastern United States; a bio-fuel refinery in Nitro; three large wood pellet plants in Fayette, Randolph, and Gilmer Counties; and major dams capable of generating substantial electricity.

Change has been a constant throughout the history of our coal industry. West Virginians can choose to anticipate change and adapt to it, or resist and be overrun by it. One thing is clear. The time has arrived for the people of the Mountain State to think long and hard about which course they want to choose.

###

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Congressional Affairs
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(p) 202.564.5200
(f) 202.501.1519

Richard
Windsor/DC/USEPA/US
04/20/2010 01:22 PM

To "David McIntosh"
cc
bcc
Subject Fw: The Hill: Browner sees enough votes to block bills that
scuttle EPA climate rules

Seth Oster

----- Original Message -----

From: Seth Oster
Sent: 04/20/2010 01:19 PM EDT
To: "Lisa Jackson" <windsor.richard@epa.gov>
Subject: Fw: The Hill: Browner sees enough votes to block bills that
scuttle EPA climate rules

Brendan Gilfillan

----- Original Message -----

From: Brendan Gilfillan
Sent: 04/20/2010 12:54 PM EDT
To: Seth Oster <oster.seth@epa.gov>; Allyn Brooks-LaSure; Adora Andy;
Betsaida Alcantara; Michael Moats; Alisha Johnson; Vicki Ekstrom
Subject: The Hill: Browner sees enough votes to block bills that scuttle
EPA climate rules

Browner sees enough votes to block bills that scuttle EPA climate rules

By Ben Geman - 04/20/10 11:29 AM ET

White House climate adviser Carol Browner said Tuesday that legislation to block EPA regulation of greenhouse gas emissions is unlikely to pass.

Sen. Lisa Murkowski (R-Alaska) has 40 co-sponsors – including three centrist Democrats – for her plan to overturn EPA’s “endangerment finding” that greenhouse gases threaten humans. The finding is the legal underpinning for regulating emissions.

Sen. Jay Rockefeller (D-W.Va.) has floated a less sweeping plan that would block planned regulation of emissions from industrial plants for two years.

The Obama administration opposes stripping EPA authority. Asked whether there are enough votes to block legislation that hamstring EPA, Browner replied “I think so.”

The White House says its first choice is for Congress to approve a broad climate change and energy bill, but warns that EPA is prepared to act under its current powers if Congress remains deadlocked.

Murkowski’s plan – if it comes to the floor – would not be subject to filibuster. But Browner

expressed confidence that even if it passed the Senate, it would face widespread resistance in the House.

Murkowski's plan would upend a recently finalized EPA-Transportation Department rule that created joint greenhouse gas and mileage standards for cars and light trucks. Automakers support the rule because it will prevent them from being subject to multiple state-based emissions rules.

"You have got a lot of people in the House who think the car rule is a good rule, it's the right thing to do, whether it be the members from California or the members from Michigan," Browner said. She spoke at an energy forum hosted by the National Journal Group.

Richard Windsor/DC/USEPA/US
07/21/2009 06:51 PM

To "David McIntosh", "Arvin Ganesan"
cc
bcc
Subject Fw: Google Alert - lisa jackson epa

Peachy

From: Google Alerts [googlealerts-noreply@google.com]
Sent: 07/21/2009 10:48 PM GMT
To: Richard Windsor
Subject: Google Alert - lisa jackson epa

Google News Alert for: **lisa jackson epa**

[Climate bill impact on US farms bearable: Lawmaker](#)

Reuters - USA

Agriculture Secretary Tom Vilsack and **EPA** chief **Lisa Jackson** were scheduled to testify on the matter on Wednesday before the Senate Agriculture Committee. ...

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[epa's Climate Leaders Program Recognizes Partners for](#)

U.S. EPA.gov (press release) - Washington,DC,USA

... competitive companies in manufacturing, finance, information technology and other major sectors of the economy," said **EPA** Administrator **Lisa P. Jackson**. ...

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Richard
Windsor/DC/USEPA/US
07/01/2009 12:05 PM

To "David McIntosh", "Diane Thompson"
cc
bcc
Subject Fw: Waxman

Eric Wachter

----- Original Message -----

From: Eric Wachter
Sent: 07/01/2009 12:03 PM EDT
To: Richard Windsor
Subject: Waxman

FYI

Calif. Democrat Henry Waxman hospitalized

The Associated Press
Wednesday, July 1, 2009 10:41 AM

WASHINGTON -- A powerful House committee chairman with a central role in President Barack Obama's global warming and health care legislation has been hospitalized.

[Rep. Henry Waxman](#), D-Calif., was not feeling well Tuesday and was admitted to Cedars-Sinai Medical Center in Los Angeles for "routine testing," spokeswoman Karen Lightfoot said Wednesday.

She said that Waxman, 69, chairman of the House Energy and Commerce Committee, is "feeling much better now." She said his office had no further details to release.

Waxman just finished steering the climate change legislation through a close House vote and has been gearing up to tackle health care later this summer.

Richard Windsor/DC/USEPA/US
04/28/2011 06:14 AM

To "David McIntosh", "Gina (Sheila) McCarthy"
cc
bcc
Subject Fw: BUSINESS: 'Wal-Mart effect' is economic driver for solar power (04/27/2011)

FTI - EPA reg mention at end.
Charles Imohiosen

----- Original Message -----

From: Charles Imohiosen
Sent: 04/28/2011 01:07 AM EDT
To: Richard Windsor
Subject: BUSINESS: 'Wal-Mart effect' is economic driver for solar power (04/27/2011)

BUSINESS: 'Wal-Mart effect' is economic driver for solar power (04/27/2011)

Joel Kirkland, E&E reporter

Wal-Mart may have more to do with expanding solar power in America than homeowners with wide roofs or government subsidies.

Dow Chemical's Elizabeth Singleton calls the idea that one huge retailer can force other big companies to adopt sustainable energy practices the "Wal-Mart effect."

"Why do they care so much about energy? Nobody cares as much about cost as Wal-Mart," Singleton said. "When you sell to them, they drive a very hard bargain across the board. They want to know what suppliers are doing to minimize their risks."

Speaking on a panel about the future of solar power, sponsored by the Department of Energy and George Washington University, in Washington, D.C., Singleton and others said the melding of emerging price competitiveness with conventional energy and longer-term economic incentives will keep U.S. solar power producers in business. For companies like Wal-Mart, they said, driving down volatile electricity costs by first investing in expensive solar panels -- and pressing their vendors to spend money on renewable energy -- is a business decision that shareholders understand.

"It's that driver that takes us back to the economics," Singleton said. "I don't think Wal-Mart would be doing it, otherwise. It drives it down the supply chain."

Slowly but surely, panelists said, renewable energy is moving from a debate about electricity prices to one about the "economic value" in wind or solar power. For product suppliers pressed by Wal-Mart to explain how sustainable their energy supplies are, the underlying "value" in adopting clean energy is a company's future business with Wal-Mart.

U.S. solar power capacity has grown considerably in the past four years, but it's a fraction of U.S. energy output. But U.S. solar companies and big banks are looking for investors. BrightSource Energy Inc., based in Oakland, Calif., filed papers with U.S. securities regulators this week announcing plans to conduct an initial public offering. It hopes to raise \$250 million through the IPO.

Talking value

BrightSource, a maker of concentrated solar power technology, has secured a \$1.6 billion loan guarantee from DOE to help it raise enough money to build the proposed 400-megawatt Ivanpah project in California's Mojave Desert. Google this month also said it will spend \$168 million to help fund the Ivanpah project.

Last week, DOE also offered a \$2.1 billion credit line to Solar Trust of America LLC to help build a 484-megawatt plant in Riverside County, Calif.

With the federal government sinking a hefty direct investment into BrightSource, panelists yesterday said buy-in by private investors remains critical.

"How do we move the discussion about renewables and solar away from price [to] talk about value?" said Andrew Murphy, an executive vice president at NRG Energy, an independent power producer that plans to spend at least \$2 billion on renewable power projects in the near term.

On price, comparisons should be made between building new coal- or natural gas-fired power plants and the capital costs of building utility-scale solar projects.

Kathy Weiss, vice president for federal affairs for First Solar, based in Tempe, Ariz., said solar technology development is driving toward producing electricity for 10 cents per kilowatt-hour. As utilities respond to U.S. EPA efforts to enforce the Clean Air Act by shutting the nation's cheapest but dirtiest power plants, she said solar quickly becomes competitive with the cost of building a high-efficiency coal plant.

"If you're judging renewables versus new coal, versus new nuclear, versus gas peaking, then you're really not very far away from being quite competitive," she said

Charles Imohiosen
Counselor to the Deputy Administrator
Office of the Administrator
US Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.

Sent via Blackberry

Richard Windsor/DC/USEPA/US
11/07/2011 10:27 AM

To "Gina (Sheila) McCarthy", "Susan Hedman", "Bob Perciasepe", "Arvin Ganesan", "Laura Vaught", "Sarah Pallone"
cc
bcc
Subject Fw: CSAPR

Cool. Tx Susan.

From: Susan Hedman
Sent: 11/07/2011 09:46 AM EST
To: Richard Windsor
Cc: "Seth Oster" <oster.seth@epa.gov>
Subject: Fw: CSAPR

The City of Chicago will be filing in support today.

From: Susan Hedman
Sent: 11/07/2011 09:44 AM EST
To: "David Spielfogel" <david.spielfogel@cityofchicago.org>
Subject: Re: CSAPR

That's terrific.

One point we often stress is that air pollution standards reduce emergency room visits and sick days -- and create jobs.

For instance, we recently settled a case with NIPSCO that requires installation of air pollution controls at several coal-fired power plants -- which the company says will create 1000 jobs. And that doesn't count all of the jobs manufacturing pollution controls -- a sector that is a net exporter. Sargent and Lundy is a major manufacturer of air pollution control equipment.

We appreciate the City's support on this important issue.

From: "Spielfogel, David" [david.spielfogel@cityofchicago.org]
Sent: 11/07/2011 07:46 AM CST
To: Susan Hedman
Subject: CSAPR

Hi Susan. We are likely to file a motion today in support of EPA's promulgation of CSAPR. Anything you want us to particularly touch on in our release?

--

David Spielfogel
Mayor's Office
City of Chicago

312-744-2818 (o)

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Richard Windsor/DC/USEPA/US

01/22/2012 03:14 PM

To "Gina (Sheila) McCarthy", "Todd Stern"

cc

bcc

Subject FYI

Environmental woes can heighten terror risks

By Erica Martinson
1/20/12 4:32 PM EST

Environmental ills such as pollution and climate change can help foster anti-Americanism and terrorism in underdeveloped nations, EPA Administrator Lisa Jackson and other Obama administration officials said Friday.

"Factors like poverty and resource shortages can lead to instability," Jackson said at the National Council for Science and the Environment's National Conference on Environment and Security. She noted that commerce, transportation and recreation now affect the rapidly filling planet, which has limited natural resources.

As a result, she said, the U.S. faces "both an opportunity and a responsibility to ensure that economic and environmental progress reaches into the most economically challenged and environmentally polluted communities around the globe."

International cooperation on environmental issues is important to "soothe some of that tension that may develop ... anti-Americanism or developed-country anger," Jackson said.

But she said such work is better framed in terms of public health.

While climate change in particular plays a huge role in environmental woes that can exacerbate political instability, that can be difficult to explain to vulnerable populations, Jackson told the assembled scientists and policymakers. "But it is really easy to explain to someone the health impacts to their children of black carbon or from other environmental pollutants."

"For millions of children around the world, simply being with their mother while she is cooking a meal means a huge increase in their risk for developing pneumonia or respiratory problems because of soot and smoke coming off of cook stoves," Jackson said.

USAID Administrator Rajiv Shah agreed, noting that the Horn of Africa demonstrates those issues with clear environmental degradation and huge problems with domestic food production.

In particular, because of droughts "that frankly we know will get more frequent, not less frequent, and as growing conditions get hotter and drier, communities will become more vulnerable – not less vulnerable – if we do nothing," Shah said.

The consequences can be dire, he said, when you combine political unrest with environmental vulnerability.

"The reason 50,000 children died there in Somalia and not in Ethiopia and Kenya, [which] had environmental conditions that were just as bad if not worse, was because you had a terrorist group in charge of part of Somalia," he said. "So you can take this tour around the world, and there are dozens of examples where the integration of environmental risk factors, human insecurity and weak governance lead to direct national security consequences for our country and the whole world."

Richard
Windsor/DC/USEPA/US
11/18/2011 08:31 PM

To "Laura Vaught"
cc
bcc
Subject Fw: National Journal: The outgoing Exelon chief defends
EPA and talks politics in the world of energy

Nice stuff re Boucher
Betsaida Alcantara

----- Original Message -----

From: Betsaida Alcantara
Sent: 11/18/2011 07:23 PM EST
To: Richard Windsor; Bob Perciasepe; Bob Sussman; Diane Thompson; Daniel Kanninen; Seth Oster; Brendan Gilfillan; Stephanie Owens; Dru Ealons
Subject: National Journal: The outgoing Exelon chief defends EPA and talks politics in the world of energy
Q&A

Liberal Energy

The outgoing Exelon chief defends EPA and talks politics in the world of energy.

Updated:
November 17, 2011 | 5:30 p.m.

One of the lessons that Exelon CEO John Rowe has learned over 28 years of leading utility companies and dealing with Washington politics is that liberalism is relative. "The electricity industry is probably the only place where I could be a liberal," Rowe says with a smile in a recent interview with *National Journal*. "I'm fundamentally very conservative in my economic views. And I never met a big power plant that I didn't like." As the chief executive officer of the country's largest nuclear-reactor operator, he is one of the utility industry's rare vocal fans of the Obama administration's clean-air rules; he also ardently supported climate-change legislation. (His company was not at risk: Nuclear power emits virtually no air pollution.) After Exelon merges with Constellation Energy early next year, Rowe will retire. He plans to spend more time teaching history at a Chicago-area charter school he founded. Edited excerpts of the interview follow.

NJ The coal industry criticizes your support of EPA's clean-air rules. Why have you been so vocal over the years?

ROWE The medical evidence weighed by groups like the National Academy of Sciences is convincing that these are real problems. Second, we know a lot about these [old coal-fired] plants. We used to own some of them, after all. They really are clunkers. We're not going to make the modern world on clunkers. Third, we think there is a peripheral advantage from reducing carbon emissions. If the EPA regulations are enforced, the oldest coal plants are likely to go, and they'll mostly be replaced by natural gas, which has about half the carbon content. So you get a climate pickup. And, finally, we make some money, because our power prices go up. We don't hide that.

NJ Some have criticized President Obama's injection of \$90 billion into clean-energy jobs in light of Solyndra, the stimulus-backed solar-energy company that went bankrupt in September. What's your take on the administration's massive bet on clean energy?

ROWE Government, when it pushes very large amounts of money around, inherently makes mistakes. So do the rest of us. The problem is not that renewables are wrong. The problem is that they get this air of being a holy grail, and people believe they're cheaper than they are and will provide more jobs than they do.

NJ When do you think Congress will pass some type of climate-change legislation?

ROWE Not in the next five years. I fear that they never will. And, instead, they'll just keep doing more expensive things through their renewable standards and other things instead of doing it the cheap way. One of the things that might change that is this desperate need for federal revenue. I think it's at least possible that in a five-year period—I don't think it's possible in a two- or three-year period—that the combination of evidence on climate change and the need for federal revenue will make some sort of modest carbon tax a possibility.

NJ Already in this presidential-election cycle, you've donated to Obama and to GOP candidates Mitt Romney and Jon Huntsman. What's your political philosophy?

ROWE I'm a fiscal conservative/social moderate. Those people don't have parties. There were lots of things I liked about President Obama. I don't like it when he calls my charitable deductions a loophole. I put \$6 million into charter schools in African-American and Latino neighborhoods, and I don't like people coming along calling that a loophole.

It should be obvious from how I describe myself that just on ideology, I fall more naturally toward the Romney/Huntsman area than I do toward the president or toward [Newt] Gingrich. We tried a lot to help then-Senator Obama in 2008, because the importance of his election to the African-American communities in Chicago and Philadelphia cannot be overstated. There are a great many people—whom my companies sell electricity to, whom my company relies on for political support, from whom we hire employees—who felt this was the most tangible representation that the sin of slavery was slowly being atoned.

NJ Of the lawmakers you've known over the years, whose work do you praise?

ROWE I thought the world of [Rep.] Rick Boucher. I think the world of [Sen.] Lindsey Graham. I'm very fond of [Rep.] John Shimkus. I remember when I was a kid and [Gov.] Bill Scranton of Pennsylvania was running [for the GOP presidential nomination] against [Sen.] Barry Goldwater, and losing badly. Scranton said he was a fiscal conservative/social moderate. Well, easy to say. But he was. And I just wish there were more people like him.

Richard Windsor/DC/USEPA/US
12/17/2009 06:19 AM

To "Lisa At Home"
cc
bcc
Subject Fw: Breaking News: Climate deal unlikely for China

----- Original Message -----

From: "The Washington Post" [newsletters@email.washingtonpost.com]
Sent: 12/17/2009 03:09 AM EST
To: Richard Windsor
Subject: Breaking News: Climate deal unlikely for China

News Alert
02:41 AM EST Thursday, December 17, 2009

Official: Climate deal unlikely for China

China has told participants in the U.N. sponsored climate talks that it cannot envision reaching an immediate, operational accord out of the negotiations here, according to an official involved in the talks in Copenhagen.

For more information, visit [washingtonpost.com](http://link.email.washingtonpost.com/r/F490YD/J46SY/BXS2GF/CQ6BHN/OU7CM/XL/t) -
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Richard
Windsor/DC/USEPA/US
01/07/2010 01:03 PM

To "Lisa At Home"
cc
bcc
Subject Fw: Final Statement on West Virginia Announcement -- Being Issued Now

Seth Oster

----- Original Message -----

From: Seth Oster
Sent: 01/07/2010 01:00 PM EST
To: windsor.richard@epa.gov
Cc: David McIntosh; Adora Andy; Marcus McClendon
Subject: Final Statement on West Virginia Announcement -- Being Issued Now

STATEMENT FROM EPA ADMINISTATOR LISA P. JACKSON

"Today's announcement from West Virginia's State government is a critical acknowledgement of the substantial environmental, water and health impacts that result from mountaintop mining operations. EPA's responsibility under the Clean Water Act is to ensure that mining activities do not degrade water quality used by communities, and we intend to ensure this requirement is met.

"The most effective path forward now is to work together to develop mining policies that protect the environment, ensure public health, and are cost-effective. The approval earlier this week of the Hobet 45 permit in West Virginia is an example of what can be achieved when mining operators work with EPA to develop their plans. The Hobet 45 mine permanently protects streams, maximizes coal recovery and reduces costs.

"Today's announcement from West Virginia puts us on a path towards closer coordination and dialogue among key stakeholders, from federal and state authorities to industry to environmentalists. EPA is committed to working with all parties to ensure that our country's energy, including coal based generation, is produced in a safe, healthier, and sustainable manner. That is the future of energy and the right future for coal. EPA will continue to rely on the best available science to evaluate mining projects and we strongly encourage West Virginia officials to work in conjunction, not apart, from EPA to develop future mining policy proposals that seek to protect water quality."

Seth Oster
Associate Administrator
Office of Public Affairs

Environmental Protection Agency
(202) 564-1918
oster.seth@epa.gov

Richard
Windsor/DC/USEPA/US
05/19/2009 08:23 PM

To "Lisa At Home"
cc
bcc
Subject Fw: Google Alert - lisa jackson epa

From: Google Alerts [googlealerts-noreply@google.com]
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[Lisa Jackson Says Everyone Benefits From New Fuel Standards \(VIDEO\)](#)

By The Huffington Post News Editors

EPA Administrator answered questions about the new fuel regulations on Fox Business News today. Among the anchors' concerns: Will consumers buy into higher fuel standards?

[The Huffington Post | Full News Feed - http://www.huffingtonpost.com/thenewswire/](http://www.huffingtonpost.com/thenewswire/)

[Pierce Brosnan at **EPA**: "Markey, Waxman-Markey" : TreeHugger](#)

EPA vs. Congress **EPA** regulations are seen as a last resort option by President Obama and **EPA** chief **Lisa Jackson**, both of whom prefer Congressional legislation. But some supporters of the **EPA** finding emphasized that regulations should be ...

[TreeHugger - http://www.treehugger.com/](http://www.treehugger.com/)

[05/19/2009: **EPA** Cancer Warning to Memorial Day Vacationers ...](#)

Consistent with Administrator **Lisa P. Jackson's** priorities, **EPA's** participation focuses on children and families. The SunWise Program recognizes the important role parents play in protecting their children from too much sun. ...

[US EPA Hazardous Waste News - http://yosemite.epa.gov/opa/admpress.nsf/By+Date?open](http://yosemite.epa.gov/opa/admpress.nsf/By+Date?open)

[New U.S. Vehicle Standards Address Fuel Economy and Greenhouse Gas ...](#)

Also on stage with Obama were Transportation Secretary Ray LaHood, who currently oversees the CAFE program, **EPA** Administrator **Lisa Jackson** and White House energy and climate adviser Carol Browner. The proposed rulemaking will be a joint ...

[Scientific American - http://www.scientificamerican.com/](http://www.scientificamerican.com/)

[Ethanol Fails **EPA** 'Stress Tests' | Republic Broadcasting Network](#)

By admin

Even Time magazine, in conjunction with CNN, was forced to report that the draft conclusions announced by Environmental Protection Agency administrator **Lisa Jackson** were that the production of renewable corn ethanol can end up producing ...

[Republic Broadcasting Network - http://republicbroadcasting.org/](http://republicbroadcasting.org/)

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[Kentucky environmental attorney Sanders says US EPA Administrator ...](#)

By Lawyer Sanders

Kentucky environmental attorney Sanders says US **EPA** Administrator coming to Cincinnati on June 3, 2009! **EPA** Administrator **Lisa P. Jackson** will hold joint news conferences with Ohio public. **EPA** Administrator **Lisa Jackson** is coming to ...

[Kentucky Environmental Matters - http://jeffreysanders.wordpress.com/](http://jeffreysanders.wordpress.com/)

[Bruce Nilles: Coal Industry Loophole One Step Closer to Being Closed](#)

By Bruce Nilles

Recently the Sierra Club, along with a coalition of more than 100 organizations signed a letter calling on Environmental Protection Agency (**EPA**) Administrator **Lisa Jackson** to move quickly to develop strong regulations for the handling ...

[The Full Feed from HuffingtonPost.com - http://www.huffingtonpost.com/raw_feed_index.rdf](http://www.huffingtonpost.com/raw_feed_index.rdf)

[US May Get New Toxics Law, Intl Convergence Possible-EPA Head ...](#)

"I think that there is some likelihood that there will be a new law," **Lisa Jackson** told reporters at the Organization for Economic Cooperation and Development. **Jackson** said there's "lots of discussion" about how U.S. rules on toxic ...

[Democratic Underground Latest... - http://www.democraticunderground.com/](http://www.democraticunderground.com/)

[Environmental Justice Blog: EPA Administrator Speaks At EJ in ...](#)

By EJB

EPA Administrator Speaks At EJ in America Conference 2009. Environmental Protection Agency Administrator **Lisa P. Jackson**, above, delivered a powerful statement to the attendees at The State of Environmental Justice in America Conference ...

[Environmental Justice Blog - http://environmentaljusticeblog.blogspot.com/](http://environmentaljusticeblog.blogspot.com/)

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Sent: 06/03/2009 01:57 PM GMT
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[Rahall speaks to civic club about coal bill](#)

Williamson Daily News - Williamson, WV, USA

I met in my office with **EPA** Administrator **Lisa Jackson**. I met with **EPA** Office of Water Chief of Staff Greg Peck. I met with White House Council of ...

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[Sen. Barrasso Makes a Name for Himself Fighting **EPA**, Climate Bill](#)

New York Times - United States

Such moments have become commonplace whenever **EPA** Administrator **Lisa Jackson** appears before the EPW Committee. But it is not Sen. James Inhofe (R-Okla. ...

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[EPA Media Alert \(HQ\): TOMORROW: EPA Administrator Lisa Jackson to ...](#)

Autochannel (press release)

CONTACT: EPA Press Office press@epa.gov 202-564-6794 *FOR IMMEDIATE RELEASE* September 10, 2009 *TOMORROW: EPA Administrator Lisa Jackson to Visit Chicago ...

[See all stories on this topic](#)

[As Hill Debate on Climate Flounders, EPA Plows Ahead on Emission Rules](#)

New York Times

Lisa Jackson, the **EPA** administrator, insisted again last week that the Obama team would still prefer cap-and-trade legislation over implementing her ...

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[BREAKING: EPA Denies Permit for Infamous WV Mountaintop Removal ...](#)

In his two-page letter to **EPA** Administrator **Lisa Jackson**, Rockefeller expressed "grave concern" about the agency's move: Such an action not only affects this specific permit, but would also needlessly create great uncertainty ...

[Democratic Underground Latest... - http://www.democraticunderground.com/](http://www.democraticunderground.com/)

[Video Blog: Rep. Capito Questions EPA Regarding Coal Permit Delay](#)

By Steven Allen Adams

Video Blog: Rep. Capito Questions **EPA** Regarding Coal Permit Delay. By Steven Allen Adams on October 16, 2009. Watch as Rep. Shelley Moore Capito, R-W.Va., questions **EPA** Administrator **Lisa Jackson** regarding coal permit delays: ...

[West Virginia Watchdog - http://westvirginia.watchdog.org/](http://westvirginia.watchdog.org/)

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Sent: 02/06/2010 10:10 PM GMT
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[Earth and the Balance of Powers: What the Citizens United Ruling Means for the ...](#)

Huffington Post (blog)

With legislative safeguards less likely, hope for environmental progress will be through administrative action under the auspices of **Lisa Jackson**, ...

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[Three House Dems seek to rein in EPA](#)

Examiner.com

Obviously prompted by the prospect of delay, **EPA** Administrator **Lisa Jackson** signed off on the "endangerment finding" on December 7, 2009, ...

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[Half of Obama's Cabinet coming over for the Super Bowl](#)

Washington Post

Housing and Urban Development Secretary Shaun Donovan, Education Secretary Arne Duncan, Attorney General Eric H. Holder Jr., **EPA** Administrator **Lisa Jackson**, ...

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[Labor groups ask **EPA** for tougher dioxin regulations « Michigan ...](#)

By Eartha Jane Melzer

In a letter mailed to **EPA** Director **Lisa Jackson** today the coalition — which includes the National Council on Occupational Safety and Health, the American Federation of Government Employees and the United Auto Workers — called dioxin ...

[Michigan Messenger - http://michiganmessenger.com/](http://michiganmessenger.com/)

[Inside Prevention: **EPA** to investigate BPA's environmental impact](#)

By Shannon Coughlin

Bisphenol A, the synthetic hormone **EPA** Administrator **Lisa Jackson** had repeatedly singled out as an example of a chemical the agency should be more aggressive in regulating, was not on the list . At that time, the **EPA** said BPA would be ...

[Inside Prevention - http://www.insideprevention.org/](http://www.insideprevention.org/)

[Mountaintop Removal Mining - News from the Front | Climate Change](#)

By Bill Hewitt

I noted here a year ago that **Lisa Jackson**, **EPA's** boss, "...planned an aggressive review of permit requests for mountaintop coal mining, citing concerns about potential harm to water quality." She's kept her word. ...

[Climate Change - http://climatechange.foreignpolicyblogs.com/](http://climatechange.foreignpolicyblogs.com/)

[Gracnomics: **EPA TO THE RESCUE**](#)

By Grace

It seems that, of all Obama's appointments, the **EPA's Lisa Jackson** is emerging as the best friend of the people who elected him – albeit under considerable pressure from Congress and demonstrators. Lately the agency has not only ...

[Gracnomics - http://gracnomics.blogspot.com/](http://gracnomics.blogspot.com/)

[Gov. Manchin dials down his pro-coal rhetoric « The Dirty Lie](#)

By admin

This is an unprecedented, unjustified and undeserved decision and I completely disagree with it as I told **EPA** Administrator **Lisa Jackson** directly. Sen. Jay Rockefeller, D-W.Va., said: I have said this before, and will say it again: it ...

[The Dirty Lie - http://thedirtylie.com/blog/](http://thedirtylie.com/blog/)

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Richard
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04/02/2010 05:05 PM

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[Regulate, Baby, Regulate](#)

Newsweek

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EPA chief **Lisa Jackson** is taking on the president's next big challenge: climate change. Will her hardball tactics persuade Congress to play along? ...

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Subject Fw: Google Alert - lisa jackson epa

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Sent: 07/31/2010 12:26 AM GMT
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News

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[A rare bit of good news on the climate front](#)

Washington Post (blog)

I've liked a lot of what I've seen from **Lisa Jackson** so far. She's got a really hard job dealing with an issue that we don't take nearly as seriously as we ...

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Richard
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12/14/2009 01:49 PM

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Subject Fw: Opinions: Afternoon Edition

From: "The Washington Post" [newsletters@email.washingtonpost.com]
Sent: 12/14/2009 01:45 PM EST
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Subject: Opinions: Afternoon Edition

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Democratic plans to reduce health-care costs are a mirage.

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By Sebastian Mallaby

Brazil has done so well of late that it seemingly has no time to worry about problems.

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By Carlos Lozada

We saw anti-tax tea parties and White House party-crashers; climate summits and beer s begin to ramp up. We watched a plane float miraculously on the Hudson, making a pilot fa Colorado, making a family infamous....

7) [The coming debt panic](#)

IT'S TIME to stop worrying about the deficit -- and start panicking about the debt. To put i problem. The punishing hangover of borrowed money is. The ballooning national debt on long-term has become the...

8) [D.C. vouchers on life support](#)

IT IS DISTRESSINGLY clear that congressional leaders never really meant it when they...
future of the District's federally funded school voucher program. How else to explain langu...
spending bill that would effec...

9) An interference call for college football

By George F. Will

Two Saturdays ago, the nation was one tick of a Texas clock away from a cultural crisis. I...
championship football game at Cowboys Stadium in Arlington, Texas. Texas had the ball...
so it seemed.

10) Jailing juveniles

THE SENATE Judiciary Committee should embrace a bill scheduled for debate on Thurs...
deals with youth who run afoul of the law.

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Richard Windsor/DC/USEPA/US
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Subject Fw: Opinions: Afternoon Edition

From: "The Washington Post" [newsletters@email.washingtonpost.com]
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Ten years of decline center on Wall Street -- from the Sept. 11 attacks to the financial crisis.

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The Democrats' bill promises everything to everyone, but hidden burdens abound.

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By Ruth Marcus

To put some teeth in the health reform, the bill needs a mechanism to control costs.

5) [Palin's own 'Climate-gate'](#)

By Eugene Robinson

The contrast between what she says now and what she said as governor.

6) [Anti-climate change, anti-human](#)

By Anne Applebaum

The movement's apocalyptic and anti-human prejudices teach us to give up.

7) [An enemy within](#)

FIVE YOUNG MEN from Northern Virginia are captured in Pakistan attempting to join in jihad. They were arrested for trying to carry out a terror strike in New York. A Muslim convert living in North Carolina is a personnel at the ...

8) [The incurable epidemic](#)

FOR nearly 30 years scientists have been trying to break the back of the AIDS epidemic. The distant that goal is.

9) Secrecy in Annapolis

WOULDN'T IT be ironic if legislation requiring Maryland lawmakers to make their committee vote . . . which itself was never made available online? Ironic, yes, but all too likely given the yesteryear.

10) The coming debt panic

IT'S TIME to stop worrying about the deficit -- and start panicking about the debt. To put it in perspective, the problem. The punishing hangover of borrowed money is. The ballooning national debt on the long-term has become the...

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Subject Fw: oster.seth@epa.gov sent you an article from The Daily Beast

From: Seth Oster
Sent: 11/28/2009 05:40 PM GMT
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Subject: oster.seth@epa.gov sent you an article from The Daily Beast

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Today: November 28, 2009

Richard Wolffe

Obama's
Secret
Climate
Pact
by
*Richard
Wolffe*

I
t

's no coincidence that one day after the White House announced new emissions targets, China followed suit with its own target. The Daily Beast's Richard Wolffe on the behind-the-scenes negotiations during Obama's Asia trip that could help break the climate stalemate in Copenhagen.

After the Olympic-sized disappointment of his last trip to Copenhagen, why on earth would President

Obama want to travel once again to the Danish capital for next month's UN climate talks?

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November 26, 2009 | 6:51 PM

Richard
Windsor/DC/USEPA/US
05/05/2010 10:31 AM

To "Lisa At Home"
cc
bcc
Subject Fw: rena on coal ash in huff post

David Cohen

----- Original Message -----

From: David Cohen
Sent: 05/05/2010 10:16 AM EDT
To: Seth Oster; Bob Sussman; Lisa Heinzerling
Subject: rena on coal ash in huff post

Rena Steinzor

President, Center for Progressive Reform

Posted: May 4, 2010 10:13 PM

EPA's Coal Ash Announcement Reflects Unfortunate White House Meddling in Rulemaking Process

EPA Administrator Lisa Jackson was in a tough position on coal ash. If you are African American and low-income, you have a 30 percent greater chance of living near a big pit of this toxic brew than a white American, so Jackson correctly decided that such an important environmental justice issue should be at the forefront of the Obama Administration's agenda. But Jackson was also taking on Big Coal, a special interest historically near and dear to swing voters in Ohio and Illinois. Nevertheless, this sturdy "eco-warrior," as she was recently dubbed by *Rolling Stone*, marched forward, right to the White House and the chilling influence of Cass Sunstein and the economists at the Office of Information and Regulatory Affairs.

Jackson's tough, but as yet secret, regulatory proposal arrived in crisp fall weather, only to be greeted by a tsunami of industry lobbyists, who visited and revisited the Office of Information and Regulatory Affairs. By the time the spring flowers were out, Jackson was forced to take a pass on getting hard-hitting regulation on a speedy path to implementation. After the long scuffle with OIRA, she instead announced that EPA was considering two strikingly different alternatives, thereby postponing any definitive action for at least six months and, far more likely, a year or more. Then, to add insult to injury, she stepped in between angry activists and OIRA, trying in vain to slap lipstick on a not particularly cute pig.

Jackson called her mammoth 563-page *Federal Register* notice a "proposed rule" but in every reasonably understood sense of that term, it is nothing of the sort. Instead, it has what we can call an "OIRA/industry proposal;" an "EPA/environmentalist" proposal; and a proposal so bad that it has no parents. Because EPA is actively considering two very different approaches and potentially a third, unimaginably bad idea, no concrete target emerged from this latest round of negotiation. Instead, EPA will almost certainly have to go back and get another round of public comment on a single approach before making a final selection. Or, as EPA announced haplessly: "Given the inherently discretionary nature of the decision, the complexities of the scientific analyses, and the controversy of the issue, EPA wants to ensure that the ultimate decision is based on the best data, and is taken with the fullest possible extent of public input."

Reading all this, you might think EPA had been studying this problem for a couple of years, ever since one billion gallons of coal ash sludge blanketed over 400 acres of the small town of Kingston, Tennessee a few days before Christmas 2008. But, in fact, EPA has noodled over coal ash for close to three decades, ever since Congress first instructed it to examine the problem. Showing any foolish optimists that Big Coal is far from dead, the agency is once more rocked back on its heels, studying, studying, and studying again.

The OIRA/industry proposal would defer to the states, allowing coal ash "surface impoundments" to be regulated under the same statutory provisions as apply to ordinary household garbage. If utilities wanted to continue to use existing sites for disposal, moderate cleanup would be necessary. If citizens were not satisfied with these low-key efforts, they would have to prove that these awesome pits in the ground pose an "imminent and substantial endangerment" to get better containment.

The good proposal, which Jackson and EPA almost certainly prefer, would treat the 140 million tons of beryllium, arsenic, mercury, and lead-laden ash generated each year as what it is--dangerous waste--unless it is recycled in a way that immobilizes these toxics by, for example, embedding the ash in concrete used to build roads. But EPA would stop short of labeling the coal ash a "hazardous waste." The biggest benefit of this approach would be more rigorous cleanup of existing facilities, which is why it is strongly opposed by industry.

A third alternative would allow future disposal to occur in garbage-like landfills but would have no cleanup requirements for existing facilities. EPA soft peddles this option, but OIRA demanded that it crunch cost-benefit numbers for it nevertheless. Ironically, all three alternatives show benefits that strongly outweigh costs, with the benefits of the toughest approach two and a half times larger than the OIRA/industry proposal. (One might expect that fact alone to persuade the cost-benefit fetishists at OIRA to embrace the proposal, but, it never seems to work that way.)

Utilities operate some 584 coal ash pits, euphemistically called "surface impoundments," by the government, and too many of these "have a great potential for loss of human life and environmental damage in the event of catastrophic failure," as EPA acknowledges on page 105 of its notice. Some 109 of the 584 have a "high or significant" hazard potential rating according to information the agency gathered pursuant to its Superfund toxic waste cleanup authority.

Approximately 186 of the 584 were not even designed by a professional engineer. Generally designed to last for the typical operating life of a coal-fired boiler, about 40 years, loopholes in the law have allowed the boilers and the pits to limp on far past this lifespan. According to EPA, 56 of the 584 are older than 50 years, 96 are older than 40 years, and 340 are between 26 and 40 years old. Obviously, for millions of Americans living in close proximity to these aging catastrophes- in-waiting, the name of the game is cleanup.

I wouldn't want to take too many bets on which approach will survive at the end of the day, given the turmoil that has gotten us to this point. But even assuming that Jackson and her allies can take the boulder that dropped to the bottom of the Sisyphean hill and push it back up to the summit, it's clear that she has lost precious time, and her interim defeat sends a troubling message to other proactive agency heads.

Richard Windsor/DC/USEPA/US
03/13/2010 02:17 PM

To "Lisa At Home"
cc
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Subject Fw: Some brilliance from Maher on climate

Michael Moats

----- Original Message -----

From: Michael Moats

Sent: 03/13/2010 01:27 PM EST

To: Allyn Brooks-LaSure; "Betsaida Alcantara" <alcantara.betsaida@epa.gov>; "Brendan Gilfillan" <gilfillan.brendan@epa.gov>; "Adora Andy" <andy.adora@epa.gov>; Richard Windsor; Seth Oster; Stephanie Owens

Subject: Some brilliance from Maher on climate
And some nonsense from others. Still worth a watch:

http://www.huffingtonpost.com/2010/03/13/bill-maher-the-environmen_n_497781.html

Richard Windsor/DC/USEPA/US
07/16/2009 06:40 AM

To "Lisa At Home"
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Subject Fw: Today's Headlines & Columnists

From: "The Washington Post" [newsletters@email.washingtonpost.com]
Sent: 07/16/2009 04:06 AM AST
To: Richard Windsor
Subject: Today's Headlines & Columnists

Thursday, J

TODAY'S HIGHLIGHTS

[Sotomayor Avoids Pointed Queries](#)

Before nominating Sonia Sotomayor to the Supreme Court, President Obama did not ask her about abortion rights or any other "specific legal issue," she testified yesterday as she sidestepped senators' efforts to plumb her views on matters from campaign finance law to the workload of the court she is...

(By Amy Goldstein, Paul Kane and Robert Barnes, The Washington Post)

[Man Shot Dead Near Capitol After Chase](#)

Gun Recovered; Motorcycle Officer Injured

(By Clarence Williams, The Washington Post)

[CIA Assassin Program Was Nearing New Phase](#)

Panetta Pulled Plug After Training Was Proposed

(By Joby Warrick, The Washington Post)

[Obama Eyes The Purse Strings for Medicare](#)

Lawmakers Now Win Friends at Home by Setting Payout Rates

(By Shailagh Murray, The Washington Post)

[Who Will Succeed Kim Jong Il?](#)

Recollections of teachers and former students at a state school in Switzerland may offer a glimpse of the young man some say is destined to lead North Korea.

(By Andrew Higgins, The Washington Post)

[More Today's Highlights](#)

POLITICS

[Obama Eyes The Purse Strings for Medicare](#)

At the same time President Obama is asking members of Congress to take one of the most politically difficult votes of their careers, he is also pressing lawmakers to give up one of their most valued perks of office: boosting Medicare payments to benefit hometown providers.

(By Shailagh Murray, The Washington Post)

[Sotomayor Avoids Pointed Queries](#)

Supreme Court Nominee Is Elusive About Abortion and Other Issues

(By Amy Goldstein, Paul Kane and Robert Barnes, The Washington Post)

[Administration Bridles at Bar on Contractors](#)

(By Karen DeYoung, The Washington Post)

[CIA Assassin Program Was Nearing New Phase](#)

Panetta Pulled Plug After Training Was Proposed

(By Joby Warrick, The Washington Post)

[Senate Panel Advances Health-Care Overhaul](#)

But Battle Lines Sharpen Over Insurance Industry Fees, Medical Cost Controls

(By Ceci Connolly and Lori Montgomery, The Washington Post)

[More Politics](#)

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NATION

[CIA Assassin Program Was Nearing New Phase](#)

CIA officials were proposing to activate a plan to train anti-terrorist assassination teams overseas when agency managers brought the secret program to the attention of CIA Director Leon Panetta last month, according to two U.S. officials familiar with the matter.

(By Joby Warrick, The Washington Post)

[Administration Bridles at Bar on Contractors](#)

(By Karen DeYoung, The Washington Post)

[Clinton: U.S. Urges 'Multi-Partner World'](#)

Secretary Seeks to Define Approach
(By Glenn Kessler, The Washington Post)

[Senate Panel Advances Health-Care Overhaul](#)

But Battle Lines Sharpen Over Insurance Industry Fees, Medical Cost Controls
(By Ceci Connolly and Lori Montgomery, The Washington Post)

[At Jail in Bagram, A Detainee Protest](#)

Indefinite Incarceration by U.S. at Issue
(By Greg Jaffe and Julie Tate, The Washington Post)

[More Nation](#)

WORLD

[Who Will Succeed Kim Jong Il?](#)

LIEBEFELD, Switzerland -- In August 1998, as famine reached a terrible climax in North Korea, the destitute Asian nation enrolled a shy teenager in a Swiss state school. He arrived with a fake name, a collection of genuine, top-of-the-line Nike sneakers and a passion for American basketball.
(By Andrew Higgins, The Washington Post)

[S. Africa Besieged By Unemployment](#)

With 23 Percent Jobless, Recession Worsens Problem Rooted in History
(By Karin Brulliard, The Washington Post)

[Scavenging Hazardous 'E-Waste' for a Few Redeemables](#)

(By Karin Brulliard, The Washington Post)

[Chechen Rights Activist Is Slain](#)

U.S. Urges Russia to Bring Estemirova's Killers to Justice
(By Philip P. Pan, The Washington Post)

[Ex-U.S. Diplomat Talks With Hamas](#)

Officials of Islamist Group See an Opening, but Washington Says Nothing's Changed
(By Howard Schneider and Glenn Kessler, The Washington Post)

[More World](#)

METRO

[Pr. George's Board Approves Project at National Harbor](#)

The Prince George's County Planning Board has given developer Milton Peterson the go-ahead to build a convenience store, gas station and fast-food restaurant on his property at National Harbor, projects that some

say are at odds with the upscale development.
(By Ovetta Wiggins, The Washington Post)

[Restructuring of Bus Management Hurting Service, Some Workers Say](#)

(By Lena H. Sun, The Washington Post)

[Move to Allow Ordination Of Gay Bishops Stirs Debate](#)

(By William Wan, The Washington Post)

[Kaine, Howell Oppose Wal-Mart Close to Wilderness Battlefield](#)

(By Fredrick Kunkle, The Washington Post)

[Guilty Plea, No Jail Time In Erotic Services Killing](#)

(By Allison Klein, The Washington Post)

[More Metro](#)

BUSINESS

[Once-Trendy Crocs Could Be on Their Last Legs](#)

Crocs were born of the economic boom. The colorful foam clogs appeared in 2002, just as the country was recovering from a recession. Brash and bright, they were a cheap investment (about \$30) that felt good and promised to last forever. Former president George W. Bush wore them. Aerosmith lead si...

(By Ylan Q. Mui, The Washington Post)

[CIT Group Closer to Bankruptcy as U.S. Denies Aid](#)

(By Binyamin Appelbaum, The Washington Post)

[Paulson Makes No Apologies for Role in Merrill Lynch Sale](#)

(By Binyamin Appelbaum, The Washington Post)

[Fed Sees Heightened Joblessness Drawing Out Recovery](#)

(By Neil Irwin, The Washington Post)

[Obama Eyes The Purse Strings for Medicare](#)

Lawmakers Now Win Friends at Home by Setting Payout Rates
(By Shailagh Murray, The Washington Post)

[More Business](#)

SPORTS

[NASCAR: Mayfield Again Tests Positive for Meth](#)

Jeremy Mayfield tested positive again for methamphetamine, NASCAR said, igniting another round of denials from the driver.

(By JENNA FRYER, AP)

[Is Duval Ready to Come All the Way Back?](#)

(By PAUL NEWBERRY, AP)

[Last Woman Eliminated From World Series of Poker](#)

(By OSKAR GARCIA, AP)

[Mystics Fail to Finish Comeback](#)

Washington Rallies in Fourth, but Can't Close Out Silver Stars: Silver Stars 79, Mystics 78

(By Bill Oram, The Washington Post)

[Schedule Opens With Daunting Challenges](#)

(By Tarik El-Bashir, The Washington Post)

[More Sports](#)

STYLE

[Media Woo the Appalachian Tale](#)

There are times when journalists badly want to land a hot interview.

(By Howard Kurtz, The Washington Post)

[Would You Buy a 'Dark Play' From This Cast? Yes, You Would](#)

(By Peter Marks, The Washington Post)

[Merce Cunningham, As Riotous as Ever](#)

Choreographer Stirs Wolf Trap's Passions

(By Sarah Kaufman, The Washington Post)

[A Woman of Masterful Persuasion](#)

(By Michael Dirda, The Washington Post)

[CAROLYN HAX](#)

(By Carolyn Hax, The Washington Post)

[More Style](#)

LIVE DISCUSSIONS

[The 'Lost' Hour: Season 1 and 2 Review](#)

Join Liz Kelly and Jen Chaney, both obsessive Lost fans, as they try to get to the bottom of the show's mysteries. Bring them your questions, comments and theories (no matter how far-fetched) about just what the heck is going on.

(Jen Chaney and Liz Kelly, washingtonpost.com)

[Celebritology](#)

You've Been Served... a Heaping Plate of Gossip

(Liz Kelly, washingtonpost.com)

[Primetime Emmy Award Nominees](#)

(Lisa de Moraes, washingtonpost.com)

[Economy Department with Ezra Klein](#)

(Ezra Klein, washingtonpost.com)

[Staying Fit and Losing Weight](#)

(Dr. Ian Smith, washingtonpost.com)

[More Live Discussions](#)

[Call in the Prosecutors](#)

FIRST CAME the revelation that D.C. Council member Marion Barry (D-Ward 8) put his girlfriend on the city payroll. Now come new -- and even more troubling -- allegations that Mr. Barry steered nearly \$1 million of public money to organizations that are questionable in their origin and purpose. Th...

(The Washington Post)

[Dangerous Side Effects](#)

A law meant to spur prescription drug competition has instead delayed it. Congress could change that.

(The Washington Post)

[A Glass Partly Full](#)

The long, fractious road to global climate talks in Copenhagen
(The Washington Post)

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Subject: Today's Headlines & Columnists

Monday, 8/17/09

TODAY'S HIGHLIGHTS

[Pentagon Worries Led to Command Change](#)

In mid-March, as a White House assessment of the war in Afghanistan was nearing completion, Defense Secretary Robert M. Gates and Adm. Mike Mullen, the chairman of the Joint Chiefs of Staff, met in a secure Pentagon room for their fortnightly video conference with Gen. David D. McKiernan, the top...

(By Rajiv Chandrasekaran, The Washington Post)

[Key Feature Of Obama Health Plan May Be Out](#)

Administration Hints That Public Option Isn't Only Way to Go

(By Ceci Connolly, The Washington Post)

ANALYSIS: [The Signs Don't Point To a Typical Recovery](#)

Economic Head Winds May Weaken Comeback

(By Neil Irwin, The Washington Post)

[Threat Theater](#)

For the actors, it's a living. For the officers, it's a test of nerve.

(By Laura Blumenfeld, The Washington Post)

[As Woods Buckles, Yang Stands Tall](#)

First Asian-Born Major Champion Wins by Three

(By Barry Svrluga, The Washington Post)

[More Today's Highlights](#)

POLITICS

[Key Feature Of Obama Health Plan May Be Out](#)

Racing to regain control of the health-care debate, two top administration officials signaled Sunday that the White House may be willing to jettison a controversial government-run insurance plan favored by liberals.

(By Ceci Connolly, The Washington Post)

[Pentagon Worries Led to Command Change](#)

McKiernan's Ouster Reflected New Realities in Afghanistan -- and Washington

(By Rajiv Chandrasekaran, The Washington Post)

[Japan Joins Recent Wave Of Economic Expansion](#)

(By Blaine Harden, The Washington Post)

[Threat Theater](#)

For the actors, it's a living. For the officers, it's a test of nerve.

(By Laura Blumenfeld, The Washington Post)

[President's Coverage Promise Is No Keeper](#)

(By David S. Hilzenrath, The Washington Post)

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NATION

['The Clunkers of the Power-Plant World'](#)

CHICAGO -- The twin smokestacks of the 85-year-old Crawford Generating Station are a familiar backdrop in the Little Village neighborhood of Chicago. It's a largely Mexican immigrant community where children play in the street, families congregate on stoops and pushcart vendors sell corncobs with...

(By Kari Lydersen, The Washington Post)

[Blasting Neutrinos Under Wisconsin May Yield Big Payoff](#)

(By Joel Achenbach, The Washington Post)

[Threat Theater](#)

For the actors, it's a living. For the officers, it's a test of nerve.

(By Laura Blumenfeld, The Washington Post)

[More Nation](#)

WORLD

[Pentagon Worries Led to Command Change](#)

In mid-March, as a White House assessment of the war in Afghanistan was nearing completion, Defense Secretary Robert M. Gates and Adm. Mike Mullen, the chairman of the Joint Chiefs of Staff, met in a secure Pentagon room for their fortnightly video conference with Gen. David D. McKiernan, the top...

(By Rajiv Chandrasekaran, The Washington Post)

[Gay Men Targeted In Iraq, Report Says](#)

Militias Blamed for Scores of Killings

(By Ernesto Londoño, The Washington Post)

[Karzai Faces 2 Rivals in Debate](#)

Answering Criticism of His Rule, President Says of Troubled Afghanistan: 'I Saved It'

(By Joshua Partlow, The Washington Post)

[Japan Joins Recent Wave Of Economic Expansion](#)

(By Blaine Harden, The Washington Post)

[Testimony in Iran Trial Ties Mousavi to Unrest](#)

(By Thomas Erdbrink, The Washington Post)

[More World](#)

METRO

[Ahead of Vote, Afghans in U.S. Backing Candidates From Afar](#)

Late at night, after he gets home from his job managing an Afghan restaurant in Alexandria, Mir Farid Hashimi makes long-distance calls, trying to convince relatives in Afghanistan that despite the hard times there, Hamid Karzai should keep leading the country.

(By Tara Bahrapour, The Washington Post)

[D.C. School Database Is Behind Schedule](#)

'Warehouse' Designed To Integrate Records

(By Bill Turque, The Washington Post)

[Laws of Man and Rights of Dogs](#)

Pr. George's Ban on Pit Bulls Resists Tenacious Opposition

(By Jonathan Mummolo, The Washington Post)

[Court to Hear Va. Suit Seeking Damages in Chihuahua's Death](#)

(By Allison Klein, The Washington Post)

[Man Challenges Ban On Fortunetelling](#)

Self-Described Gypsy Who Wants To Open Shop Says Law Is Biased

(By Rick Rojas, The Washington Post)

[More Metro](#)

BUSINESS

[At One Car Detailer, the Next Generation Is Awash With Promise](#)

Do you know how few family businesses are successfully managed by a founder's heirs?

(By Thomas Heath, The Washington Post)

ANALYSIS: [The Signs Don't Point To a Typical Recovery](#)

Economic Head Winds May Weaken Comeback

(By Neil Irwin, The Washington Post)

[Japan Joins Recent Wave Of Economic Expansion](#)

(By Blaine Harden, The Washington Post)

[New Hire Highlights Altegrity's Growing Ambition](#)

L.A. Police Chief to Lead Unit Seeking Big U.S. Contracts

(By Thomas Heath, The Washington Post)

['The Clunkers of the Power-Plant World'](#)

Old Coal-Fired Facilities Could Escape New Rules

(By Kari Lydersen, The Washington Post)

[More Business](#)

TECHNOLOGY

D.C. School Database Is Behind Schedule

A \$12 million project to compile critical information about District schools -- including students' academic growth, teacher quality and graduation rates -- in one database available to policymakers and parents is several months behind schedule, and officials aren't prepared to say when it will be...

(By Bill Turque, The Washington Post)

Blasting Neutrinos Under Wisconsin May Yield Big Payoff

(By Joel Achenbach, The Washington Post)

More Technology

SPORTS

Howard, Happ Power Phillies Past Braves

ATLANTA -- Ryan Howard homered twice and drove in four runs to back rookie J.A. Happ's strong start, and Brad Lidge earned an easy save as the Philadelphia Phillies beat the Atlanta Braves 4-1 on Sunday night.

(By GEORGE HENRY, AP)

D.C.'s Goodman League Continues to Flourish

(By Carl Little, The Washington Post)

Wright on DL, Awaits Tests

(The Washington Post)

This Time, He Doesn't Answer Bell

(By Sally Jenkins, The Washington Post)

Champion's Comeback Story Has Roots in Weight Room

(By Barry Svrluga, The Washington Post)

More Sports

STYLE

For Nats Wives, Life Around This Diamond Isn't So Glittery

Ah, the baseball-wife stereotype -- vapid, idle beauties. They sling their Louis Vuitton purses atop peanut shells and during the seventh-inning stretch schedule brunch and waxing appointments.

(By Kate Kilpatrick, The Washington Post)

The Press Loves a Hero, but . . .

Presidential Commission Won't Save Newspapers

(By Howard Kurtz, The Washington Post)

Take Me Out To the Opera: 'Barber' at Nationals Park

(By Anne Midgette, The Washington Post)

[Breaking Bad in Bratislava](#)

(By Patrick Anderson, The Washington Post)

[E. Lynn? One Letter Can Spell Trouble](#)

(By Lynn Harris, The Washington Post)

[More Style](#)

LIVE DISCUSSIONS

[Talk About Travel: Travel Staffers Help You Plan Great Escapes](#)

Post travel editors and writers field questions and comments.

(The Flight Crew, washingtonpost.com)

[The Chat House With Michael Wilbon: Tiger Woods, Michael Vick and the NFL](#)

(Michael Wilbon, washingtonpost.com)

[Slate: Advice from 'Dear Prudence'](#)

Manners, Morals and More

(Emily Yoffe, washingtonpost.com)

[Dr. Gridlock Tackles Your Traffic and Transit Issues](#)

(Robert Thomson, washingtonpost.com)

[Redskins Training Camp and the NFL Offseason](#)

(Cindy Boren, washingtonpost.com)

[More Live Discussions](#)

[Abortion and the Virginia Race](#)

ROBERT F. McDONNELL, the Republican candidate for governor in Virginia, has an admirably detailed Web site. It devotes thousands of words to his plans to create jobs, end gridlock, improve education, enhance public safety, clean up the environment, tighten public spending . . . well, you get the ...

(The Washington Post)

[China's Great Firewall](#)

The Green Dam episode suggests that the West has some influence in preserving Internet freedom.

(The Washington Post)

[A Documented Failure](#)

Cleaning up the District's Office of the Attorney General must be a top priority.

(The Washington Post)

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M
October

TODAY'S HIGHLIGHTS

[New Bill Would Raise Rates, Says Insurance Group](#)

After months of collaboration on President Obama's attempt to overhaul the nation's health-care system, the insurance industry plans to strike out against the effort on Monday with a report warning that the typical family premium in 2019 could cost \$4,000 more than projected.

(By Ceci Connolly, The Washington Post)

[Racing the Clock to Avoid Foreclosures](#)

Bank of America Scrambles to Modify Loans Ahead of Government Deadline

(By Renae Merle, The Washington Post)

[Making a Federal Case for Gay Rights](#)

March Pushes Marital, Military Equality

(By Nelson Hernandez and Yamiche Alcindor, The Washington Post)

[In India, New Seat of Power for Women](#)

Prospective Brides Demand Sought-After Commodity: A Toilet

(By Emily Wax, The Washington Post)

[A Change Would Do No Good](#)

(By Mike Wise, The Washington Post)

[More Today's Highlights](#)

POLITICS

[A Focused Bid by the Woman From EBay](#)

Former eBay chief executive Meg Whitman's plan for California can be boiled down to one word: focus.

(By Chris Cillizza, The Washington Post)

[New Bill Would Raise Rates, Says Insurance Group](#)

Report Issued Before Key Committee Vote

(By Ceci Connolly, The Washington Post)

[Making a Federal Case for Gay Rights](#)

March Pushes Marital, Military Equality

(By Nelson Hernandez and Yamiche Alcindor, The Washington Post)

[Obama Urged to Intensify Push for Climate Measure](#)

Backers Fear Administration Is Giving Issue Short Shrift

(By Juliet Eilperin and Michael D. Shear, The Washington Post)

[Palin a 'Formidable Force,' McCain Says](#)

(By Carol D. Leonnig, The Washington Post)

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NATION

[Washington: First in War, Peace -- and Accounting](#)

One day in 1791, President George Washington received a bill for 60 pounds, 1 shilling and 7 pence from his physician friend James Craik, who regularly made the rounds at Mount Vernon. The invoice ran two pages:

(By Joel Achenbach, The Washington Post)

[Execution Methods Examined](#)

Ohio's Review After Botched Injection May Have Wide Impact

(By Peter Slevin, The Washington Post)

[Making a Federal Case for Gay Rights](#)

March Pushes Marital, Military Equality

(By Nelson Hernandez and Yamiche Alcindor, The Washington Post)

[Nobel Winners Who Probably Changed Your Life](#)

(By David Brown, The Washington Post)

[U.S. and U.K. Say 'Special Relationship' Is Still Going Strong](#)

(By Mary Beth Sheridan and Karla Adam, The Washington Post)

[More Nation](#)

WORLD

[In India, New Seat of Power for Women](#)

NILOKHERI, India -- An ideal groom in this dusty farming village is a vegetarian, does not drink, has good prospects for a stable job and promises his bride-to-be an amenity in high demand: a toilet.

(By Emily Wax, The Washington Post)

[Pakistani Forces Free 39 Hostages](#)

Militants Had Taken Part of Army Facility

(By Karin Brulliard, The Washington Post)

[3 Bombings Target Police in Iraq](#)

Car Blasts Kill Dozens in Capital Of Anbar Province

(By Uthman al-Mokhtar and Nada Bakri, The Washington Post)

[U.S. and U.K. Say 'Special Relationship' Is Still Going Strong](#)

(By Mary Beth Sheridan and Karla Adam, The Washington Post)

[Resentencings in U.S. Reignite Passions Over the 'Cuban Five'](#)

(By William Booth, The Washington Post)

[More World](#)

METRO

[Man, 81, Is Struck and Killed by Truck Operated by Novice Driver, Police Say](#)

An 81-year-old man was killed Saturday while walking a dog in Arlington County when he was struck by a truck operated by a woman learning to drive, Arlington police said.

(By Martin Weil, The Washington Post)

[Having Lost Hope in Chrysler, Sheehy Closing Location](#)

Upper Marlboro Dealership Earlier Hit by Chevy's Woes

(By V. Dion Haynes, The Washington Post)

[Buffalo Soldiers Remember Trials but Focus on Triumph](#)

(By Yamiche Alcindor, The Washington Post)

[Schools' Parking Fee Dents Loudoun Teens' Lifestyles](#)

(By Jenna Johnson, The Washington Post)

[Montgomery Planner Tried To Hinder Audit, Report Finds](#)

(By Miranda S. Spivack, The Washington Post)

[More Metro](#)

BUSINESS

[Having Lost Hope in Chrysler, Sheehy Closing Location](#)

Paul Sheehy walked out of the empty showroom and into the lot at his sprawling Chrysler-Jeep-Dodge dealership in Upper Marlboro. Two 2009 Chrysler 300s and 25 used cars were all that remained of an inventory that in better times had numbered more than 300 vehicles.

(By V. Dion Haynes, The Washington Post)

[Racing the Clock to Avoid Foreclosures](#)

Bank of America Scrambles to Modify Loans Ahead of Government Deadline

(By Renae Merle, The Washington Post)

[Obama Urged to Intensify Push for Climate Measure](#)

Backers Fear Administration Is Giving Issue Short Shrift

(By Juliet Eilperin and Michael D. Shear, The Washington Post)

[New Bill Would Raise Rates, Says Insurance Group](#)

Report Issued Before Key Committee Vote

(By Ceci Connolly, The Washington Post)

[Washington: First in War, Peace -- and Accounting](#)

Vast Cache of Financial Papers Is Rich in Details

(By Joel Achenbach, The Washington Post)

[More Business](#)

TECHNOLOGY

[Nobel Winners Who Probably Changed Your Life](#)

Forgive the question, but have you had a colonoscopy yet?

(By David Brown, The Washington Post)

[More Technology](#)

SPORTS

[Gators Grind It Out and Stay on Top](#)

Lost last week amid the scrutiny that followed Florida Coach Urban Meyer's decision whether to play 2007 Heisman-winning quarterback Tim Tebow, who was recovering from his first career concussion, was the ace Meyer held in his pocket: The Gators possess one of the stingiest defenses in the nation.

(By Steve Yanda, The Washington Post)

[Red River Shootout, And ACC Showdown](#)

(The Washington Post)

[Longhorns Win by 24, Then Drop in AP Poll](#)

(The Washington Post)

[For Americans, No Pressure in Cabin](#)

U.S. Flies Home With 1 Match Left, World Cup Berth Already in Hand

(By Steven Goff, The Washington Post)

[Johnson Holds Off Gordon, Closes In on Another Title](#)

(The Washington Post)

[More Sports](#)

STYLE

[For Gay Activists, The Lady Is a Champ](#)

Lady Gaga came to Washington over the weekend to accept her crown as the gay community's reigning pop culture icon, snatching the title from the clutches of Britney (too fake), Kelly Clarkson (too "Idol") and Beyoncé (too Diana Ross in "Mahogany"). The outlandish, platinum-selling, bisexual,...

(By Dan Zak, The Washington Post)

[Numbed Spirits](#)

(By Patrick Anderson, The Washington Post)

[Alston's Tribute: Repetitive Motion](#)

(By Sarah Kaufman, The Washington Post)

[Two Prominent Men in Sex Scandals, but Only One Feeding Frenzy](#)

(By Howard Kurtz, The Washington Post)

[TOP TEN FILMS](#)

(The Washington Post)

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LIVE DISCUSSIONS

[Talk About Travel: Travel Staffers Help You Plan Great Escapes](#)

Have a travel-related question, comment, suspicion, warning, gripe, sad tale or happy ending? The Post Travel section's editors and writers are at your service.

(The Flight Crew, washingtonpost.com)

[The Chat House With Michael Wilbon](#)

(Michael Wilbon, washingtonpost.com)

[Slate: Advice from 'Dear Prudence'](#)

Manners, Morals and More

(Emily Yoffe, washingtonpost.com)

[Post Magazine: Recreating 'My Side of the Mountain'](#)

(Steve Hendrix and Jean Craighead George, washingtonpost.com)

[Redskins vs. Panthers and NFL Wrap Up](#)

(Cindy Boren, washingtonpost.com)

[More Live Discussions](#)

[Pain, Prozac and the Pump](#)

ONLY A HANDFUL of states tax gasoline at the pump as lightly as Virginia does. The state's drivers may applaud this -- until they find themselves sitting in traffic, wondering why the road system is such an underfunded disaster.

(The Washington Post)

[No Exit](#)

Treasury contemplates yet more aid for housing.

(The Washington Post)

[Rated XXX](#)

A lawmaker's offensive attempt to control on-campus films

(The Washington Post)

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Thursday, October 22, 2009

TODAY'S HIGHLIGHTS

[Despite H1N1 fears, many worry about vaccination](#)

Americans have become increasingly alarmed about the swine flu, but many are wary about getting vaccinated against the disease, according to a new Washington Post-ABC News poll.

(By Rob Stein and Jennifer Agiesta, The Washington Post)

[U.S. pressures Japan on military package](#)

Washington concerned as new leaders in Tokyo look to redefine alliance

(By John Pomfret and Blaine Harden, The Washington Post)

[U.S. to cut pay for bailed-out bosses](#)

AVERAGE SLASH AROUND 50%

175 executives at 7 companies affected

(By Tomoeh Murakami Tse and Brady Dennis, The Washington Post)

[Iranian officials accept draft deal on uranium transfer](#)

Pact, which Tehran must approve, would buy U.S. more time

(By Glenn Kessler, The Washington Post)

[Torture songs spur a protest most vocal](#)

Musicians call for release of records on Guantanamo detainee treatment

(By Joe Heim, The Washington Post)

[More Today's Highlights](#)

POLITICS

[U.S. pressures Japan on military package](#)

Worried about a new direction in Japan's foreign policy, the Obama administration warned the Tokyo government Wednesday of serious consequences if it reneges on a military realignment plan formulated to deal with a rising China.

(By John Pomfret and Blaine Harden, The Washington Post)

[Pelosi explores for more economic fuel](#)

Seeking ways to spur hiring proves tough political balancing act

(By Lori Montgomery, The Washington Post)

[Despite H1N1 fears, many worry about vaccination](#)

(By Rob Stein and Jennifer Agiesta, The Washington Post)

[A speech stuck on 'repeat'](#)

(By Dana Milbank, The Washington Post)

[New focus on Maine's other centrist Republican senator](#)

Collins could be a critical crossover vote on health-care reform

(By Ceci Connolly, The Washington Post)

[More Politics](#)

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NATION

[In Helmand, a model for success?](#)

Before a battalion of U.S. Marines swooped into this dusty farming community along the Helmand River in early July, almost every stall in the bazaar had been padlocked, as had the school and the health clinic. Thousands of residents had fled. Government officials and municipal services were nonex...

(By Rajiv Chandrasekaran, The Washington Post)

[Election delay may slow U.S. troop drawdown](#)

(By Ann Scott Tyson, The Washington Post)

[Massachusetts man arrested on terror charges](#)

(By Spencer S. Hsu, The Washington Post)

[U.S. pressures Japan on military package](#)

Washington concerned as new leaders in Tokyo look to redefine alliance
(By John Pomfret and Blaine Harden, The Washington Post)

[Tiny bat pits green against green](#)

Wind farm could cut carbon, but could it also kill endangered species?
(By Maria Glod, The Washington Post)

[More Nation](#)

WORLD

[U.S. pressures Japan on military package](#)

Worried about a new direction in Japan's foreign policy, the Obama administration warned the Tokyo government Wednesday of serious consequences if it reneges on a military realignment plan formulated to deal with a rising China.

(By John Pomfret and Blaine Harden, The Washington Post)

[In Iraq, battling an internal bane](#)

Spate of crime underlines need to purge corruption, extremists from security forces

(By Nada Bakri, The Washington Post)

[In Helmand, a model for success?](#)

Influx of Marines and focus on security bring peace to a southern Afghan town -- at least for now

(By Rajiv Chandrasekaran, The Washington Post)

[Long-detained Afghan witness testifies](#)

3 have been held for months without charges in bribery case

(By Carrie Johnson and Kari Lydersen, The Washington Post)

[Massachusetts man arrested on terror charges](#)

(By Spencer S. Hsu, The Washington Post)

[More World](#)

METRO

[Tiny bat pits green against green](#)

GREENBRIER COUNTY, W.VA. -- Workers atop mountain ridges are putting together 389-foot windmills with massive blades that will turn Appalachian breezes into energy. Retiree David Cowan is fighting to stop them.

(By Maria Glod, The Washington Post)

[At Crystal City restaurant, nostalgia never tasted so sweet](#)

(By John Kelly, The Washington Post)

[Man Fatally Shot by Prince George's Police Is Identified](#)

(By Clarence Williams, The Washington Post)

[Cuccinelli: In your heart, you know he's to the right of right](#)

(By Robert McCartney, The Washington Post)

[Fairfax teen may have died in Korean exorcism, police say](#)

(By Tom Jackman, The Washington Post)

[More Metro](#)

BUSINESS

[U.S. to cut pay for bailed-out bosses](#)

NEW YORK -- The Obama administration plans to order companies that have received exceptionally large amounts of bailout money from the government to slash compensation for their highest-paid executives by about half on average, according to people familiar with the long-awaited decision.

(By Tomoeh Murakami Tse and Brady Dennis, The Washington Post)

[Rattner defends rescue of automakers, says some money is gone](#)

But ex-official believes most of GM investment can be recouped

(By Peter Whoriskey, The Washington Post)

[Inflation fears drive dollar dip](#)

Oil prices surge as investors worry about deficit, Fed strategy

(By Steven Mufson, The Washington Post)

[Pelosi explores for more economic fuel](#)

Seeking ways to spur hiring proves tough political balancing act

(By Lori Montgomery, The Washington Post)

[Low-wattage bright spots in Fed report on economy](#)

Manufacturing and housing lead a tentative recovery

(By Neil Irwin, The Washington Post)

[More Business](#)

TECHNOLOGY

[Telecom firms face net-neutrality defeat](#)

Facing a major regulatory issue that could be worth a fortune in future business, AT&T has unleashed the kind of lobbying blitz that makes it one of the grand corporate players of the great Washington game.

(By Cecilia Kang, The Washington Post)

[Crime Report](#)

(The Washington Post)

[Crime Report](#)

(The Washington Post)

[More Technology](#)

SPORTS

[Buckram scores two touchdowns as UTEP beats Tulsa, 28-24](#)

EL PASO, Texas -- Donald Buckram ran for 165 yards and two touchdowns, including the go-ahead score with 29 seconds left in the game, to help UTEP beat Conference USA rival Tulsa 28-24 on Wednesday night.

(AP)

[Strong pedigree's not all Cox brings to an event](#)

(By T. Rees Shapiro, The Washington Post)

[Phillies get to defend their crown](#)

With 10-4 victory over L.A., Philadelphia returns to World Series

(By Dave Sheinin, washingtonpost.com)

[Phillies get to defend their crown](#)

With 10-4 victory, over L.A., Philadelphia returns to World Series

(By Dave Sheinin, The Washington Post)

[Phillies thrive on the quirky wisdom of Charlie Manuel](#)

(By Thomas Boswell, The Washington Post)

[More Sports](#)

STYLE

[Torture songs spur a protest most vocal](#)

Was the theme to "Sesame Street" really played to torture prisoners held at Guantanamo and other detention camps? What about Don McLean's "American Pie"? Or the Meow Mix jingle? Bruce Springsteen's "Born in the U.S.A."?

(By Joe Heim, The Washington Post)

[Would A.A. Milne pooh-pooh a sequel?](#)

Writers are commissioned to breathe new life into orphaned characters

(By Neely Tucker, The Washington Post)

[Big oil stains the Amazon in the documentary film 'Crude'](#)

(By Steven Mufson, The Washington Post)

[Lifetime 'Swaps' out the Heene family](#)

(By Lisa de Moraes, The Washington Post)

[Jeff Dunham's laugh-free zone](#)

Comedian's puppetry has nothing funny up its sleeve

(By Hank Stuever, The Washington Post)

[More Style](#)

LIVE DISCUSSIONS

[The 'Lost' Hour: Season 3 Review](#)

Join Liz Kelly and Jen Chaney, authors of the Post's "Lost" dueling analysis and both obsessive "Lost" fans, as they try to get to the bottom of the show's mysteries. Bring them your questions, comments and theories (no matter how far-fetched) about just what the heck is going on.

(Jen Chaney and Liz Kelly, washingtonpost.com)

[Fumbling the Redskins](#)

(Mike Wise and John Kent Cooke, washingtonpost.com)

[Celebrity Live](#)

You've Been Served... a Heaping Plate of Gossip

(Liz Kelly, washingtonpost.com)

[College Football: Maryland, U-Va., Va. Tech, Navy and the National Scene](#)

(Steve Yanda, Eric Prisbell, Mark Viera, Zach Berman and Camille Powell,

washingtonpost.com)

[Got Plans?](#)

(The Going Out Gurus, washingtonpost.com)

[More Live Discussions](#)

[Detente on ice](#)

THERE WERE hints of progress in the nuclear talks with Iran on Wednesday as Iranian negotiators in Vienna accepted for consideration a plan under which Iran would ship most of its current stockpile of enriched uranium out of the country. But there also was a contrary signal from Tehran about the ...

(The Washington Post)

[FOIA and the Fed](#)

Do we have a right to know the central bank's inner workings?

(The Washington Post)

[Playing fair in the District](#)

An opportunity for the city to repair its lottery and public trust

(The Washington Post)

TODAY'S ...

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Wednesday, October 28, 2009

TODAY'S HIGHLIGHTS

[Economy is kick-started, but can it motor ahead?](#)

Over the past year, the U.S. government has thrown almost every tool at its disposal toward making the economy grow again. And it has worked, at least for now.

(By Neil Irwin, The Washington Post)

[Clinton visits Pakistan in bid to improve ties](#)

(By Karen DeYoung, The Washington Post)

[Afghan police: 10 dead in attack on UN in Kabul](#)

(By RAHIM FAIEZ and AMIR SHAH, AP)

[Espionage suspect has friends puzzled](#)

Astronomer is described as brilliant, ambitious

(By Del Quentin Wilber and Maria Glod, The Washington Post)

[Flu-wary telecommuters may clog Web networks, GAO says](#)

(By Cecilia Kang, The Washington Post)

[More Today's Highlights](#)

POLITICS

[A senator in a hostile climate](#)

It must be very lonely being the last flat-earther.
(By Dana Milbank, The Washington Post)

[Centrists unsure about Reid's public option](#)

Citing principle and pragmatism, moderate Democrats stay on fence
(By Shailagh Murray and Lori Montgomery, The Washington Post)

[Big GOP names weigh in on N.Y. congressional race](#)

(By Chris Cillizza, The Washington Post)

[Economics of climate change in forefront](#)

Senate panel takes up bill, setting stage for fight over estimates
(By Juliet Eilperin, The Washington Post)

[On Hill, a question of intelligence intelligence](#)

Individual agencies must keep Congress apprised, official says
(By Walter Pincus, The Washington Post)

[More Politics](#)

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NATION

[2 charged by U.S. with plotting attacks](#)

Federal prosecutors unsealed charges Tuesday alleging that two men participated in a terrorism plot that took them from Chicago to Denmark. The case is the latest example of U.S. citizens accused of seeking to travel overseas to carry out violent extremist attacks.
(By Carrie Johnson, The Washington Post)

[At U.N., contractor's case again raises questions about nepotism](#)

Internal investigation will examine whether official abused authority
(By Colum Lynch, The Washington Post)

[Lobbyist charged with violating Sudan sanctions](#)

Ex-State Dept. official allegedly took measures to conceal dealings
(By Dan Eggen, The Washington Post)

[9/11 exercise broke no policies, Coast Guard finds](#)

(By Associated Press, The Washington Post)

[U.S. electrical grid gets \\$3.4 billion jolt of stimulus funding](#)

Modernization investment will create jobs, Obama says
(By Michael A. Fletcher, The Washington Post)

[More Nation](#)

WORLD

[Bombings kill 8 U.S. soldiers in Afghanistan](#)

KABUL -- October became the deadliest month for U.S. troops in the eight-year-old war in Afghanistan when two powerful bombs killed eight soldiers and an interpreter in separate attacks Tuesday.

(By Joshua Partlow, The Washington Post)

[Doubts abound among people of S. Waziristan](#)

FEW WILLING TO BACK ARMY 'There is constant fear in our minds'

(By Haq Nawaz Khan and Karin Brulliard, The Washington Post)

[Nation Digest](#)

(The Washington Post)

[Lobbyist charged with violating Sudan sanctions](#)

Ex-State Dept. official allegedly took measures to conceal dealings

(By Dan Eggen, The Washington Post)

[Doubts abound among people of S. Waziristan](#)

FEW WILLING TO BACK ARMY

'There is constant fear in our minds'

(By Haq Nawaz Khan and Karin Brulliard, The Washington Post)

[More World](#)

METRO

[Access to swine flu vaccine broadened](#)

District officials on Tuesday loosened limits on who can get swine flu vaccinations and said the vaccine could be headed to pharmacies in the city as early as next week.

(By Michael Laris, The Washington Post)

[Rhee has asked how to regain teachers' trust, principals say](#)

(By Bill Turque, The Washington Post)

[Single living is wave of the present](#)

Census data show surge across area; Alexandria and District stand out

(By Carol Morello and Dan Keating, The Washington Post)

[High school students stage dramatic rescue of 'Chicago'](#)

Churchill revisits script changes that doomed show

(By Nelson Hernandez, The Washington Post)

[Montgomery schools back higher legal dropout age](#)

Board calls for action by Md. after decline in county graduation rate
(By Nelson Hernandez, The Washington Post)

[More Metro](#)

BUSINESS

[A nuclear power boost for bill](#)

Will a heaping spoonful of nuclear power help Congress swallow a climate bill?
(By Steven Mufson, The Washington Post)

[Foreclosures double in Washington area](#)

Subprime borrowers in three counties bear the brunt, report says
(By Renae Merle, The Washington Post)

[Economy is kick-started, but can it motor ahead?](#)

(By Neil Irwin, The Washington Post)

[Flu-wary telecommuters may clog Web networks, GAO says](#)

(By Cecilia Kang, The Washington Post)

[Home prices up slightly for third straight month](#)

Signs of stabilization likely to be temporary, economists warn
(By Renae Merle, The Washington Post)

[More Business](#)

TECHNOLOGY

[Espionage suspect has friends puzzled](#)

By all accounts, Stewart D. Nozette is a brilliant and creative scientist, an astronomer who once sketched a key part of a lunar mission on the back of a cocktail napkin and daydreamed of colonizing the moon.

(By Del Quentin Wilber and Maria Glod, The Washington Post)

[Flu-wary telecommuters may clog Web networks, GAO says](#)

(By Cecilia Kang, The Washington Post)

[States mismanage student information, study concludes](#)

Collection systems for education appear vast and vulnerable

(By Nick Anderson, The Washington Post)

[More Technology](#)

SPORTS

[Agassi admits using crystal meth in autobiography](#)

NEW YORK -- Andre Agassi's upcoming autobiography contains an admission that he used crystal meth in 1997 and lied to tennis authorities when he failed a drug test - a result that was thrown out after he said he "unwittingly" took the substance.

(AP)

[Canucks' Johnson carried off ice on stretcher](#)

(AP)

[Arenas, Wizards start off strong](#)

Gilbert Arenas pours in 29 points as Wizards notch 102-91 win over Dallas

(By Michael Lee, The Washington Post)

[Capitals' top line puts it together in comeback](#)

(By Tarik El-Bashir, The Washington Post)

[CTE is a real risk for football players](#)

(By Les Carpenter, The Washington Post)

[More Sports](#)

STYLE

[Sporting title of Loserville, D.C. dwells at foggy bottom](#)

There's no longer any way to finesse this, so let's just put it right out there:

As sports towns go, Washington has become Loserville, U.S.A.

(By Paul Farhi, The Washington Post)

[To find right PR guru, Beck looked to his left](#)

(By Jason Horowitz, The Washington Post)

[At Portrait Gallery, the very picture of pain and perseverance](#)

(By Jacqueline Trescott, The Washington Post)

[Where fear has a lock, day and night](#)

(By Nancy Trejos, The Washington Post)

[Timber! went the plot](#)

A father and son must flee a tough lumber town in John Irving's latest novel.

(By Ron Charles, The Washington Post)

[More Style](#)

LIVE DISCUSSIONS

[The World Series: Phillies at Yankees and your predictions](#)

Post national baseball writer Dave Sheinin takes your questions about the World Series between the Phillies and Yankees and fields everyone's predictions about how the series will go.

(Dave Sheinin, washingtonpost.com)

[The Web Hostess: The Best of the Internet in Only an Hour](#)

(Monica Hesse, washingtonpost.com)

[Free Range on Food: Staffers Solve Your Cooking Conundrums](#)

(The Food Section, washingtonpost.com)

[The Reliable Source](#)

(Amy Argetsinger and Roxanne Roberts, washingtonpost.com)

[After Obama](#)

A free-wheeling conversation about the Republican future

(Reihan Salam, washingtonpost.com)

[More Live Discussions](#)

[Mr. Fenty's end run](#)

The D.C. Council needs some answers on how \$82 million in contracts were awarded.

(The Washington Post)

[The public Fisker](#)

Washington can help build plug-in hybrids. But who will buy them?

(The Washington Post)

[A civil rights advance](#)

A federal law targets violence based on sexual orientation.
(The Washington Post)

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Sunday, Dec
13

TODAY'S HIGHLIGHTS

[Terrorist recruiters leverage the Web](#)

Pakistani authorities on Saturday were searching for an insurgent figure believed to have aided five Northern Virginia men who allegedly tried to join al-Qaeda, saying the case could help unravel a growing network of terrorist recruiters who scour the Internet for radicalized young men.

(By Griff Witte, Jerry Markon and Shaiq Hussain, The Washington Post)

[U.S. firms lag in bids for Iraqi oil](#)

Russians, Europeans and Chinese win most contracts for developing major fields

(By Ernesto Londoño, The Washington Post)

[How governors could guide a Grand New Party](#)

(By Dan Balz, The Washington Post)

[More Today's Highlights](#)

POLITICS

[HIV funds bypassing areas in need](#)

They are cheering and clapping and calling his name, but the boy in the corner won't budge.

(By Debbie Cenziper, The Washington Post)

[How governors could guide a Grand New Party](#)

(By Dan Balz, The Washington Post)

[In Texas, a showdown at the GOP corral](#)

Hutchison, Perry race could augur outcome of elections nationwide

(By Peter Slevin, The Washington Post)

[Senate Democrats end GOP filibuster of spending bill](#)

Vote set for Sunday on package that funds half of federal government

(By Paul Kane, The Washington Post)

[Performance pay funding for teachers may increase](#)

(By Nick Anderson, The Washington Post)

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NATION

[Senate Democrats end GOP filibuster of spending bill](#)

The Senate cleared a key parliamentary hurdle Saturday on a spending bill that finances almost half the federal government and increases funding for the agencies it covers by an average of 10 percent.

(By Paul Kane, The Washington Post)

[Cuba detains contractor for U.S. government](#)

American was handing out mobile phones, laptops to activists

(By William Booth and Mary Beth Sheridan, The Washington Post)

[Louisiana serves as model in teacher assessment](#)

Initiative connects test scores, schools that train educators

(By Nick Anderson, The Washington Post)

[In Texas, a showdown at the GOP corral](#)

Hutchison, Perry race could augur outcome of elections nationwide

(By Peter Slevin, The Washington Post)

[Protesters demand 'climate justice'](#)

Little progress in U.N. talks, as Copenhagen rally draws tens of thousands

(By Juliet Eilperin, The Washington Post)

[More Nation](#)

WORLD

[Mexico's drug cartels siphon liquid gold](#)

MALTRATA, MEXICO -- Drug traffickers employing high-tech drills, miles of rubber hose and a fleet of stolen tanker trucks have siphoned more than \$1 billion worth of oil from Mexico's pipelines over the past two years, in a vast and audacious conspiracy that is bleeding the national treasury,...

(By Steve Fainaru and William Booth, The Washington Post)

[Terrorist recruiters leverage the Web](#)

From YouTube to Pakistan: N.Va. men allegedly drafted to fight U.S. troops abroad

(By Griff Witte, Jerry Markon and Shaiq Hussain, The Washington Post)

[Protesters demand 'climate justice'](#)

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[U.S. firms lag in bids for Iraqi oil](#)

Russians, Europeans and Chinese win most contracts for developing major fields

(By Ernesto Londoño, The Washington Post)

[More World](#)

METRO

[Water mains fail in Maryland](#)

As Washington's temperatures once again dipped below freezing Saturday morning, the area experienced another feature of the frosty season: water-main breaks.

(By Martin Weil, The Washington Post)

[Schools for disabled count on Mr. Fix-its](#)

Retired engineers come in handy when students' assistive technology gadgets need repair

(By Michael Alison Chandler, The Washington Post)

[About this investigation](#)

(The Washington Post)

[Santa's just a short flight away](#)

'Special North Pole jet fuel' flies sick kids and their caregivers from Dulles to destination in a half-hour

(By James Hohmann, The Washington Post)

LOTTERIES

December 12

(The Washington Post)

[More Metro](#)

BUSINESS

New lessons, and new jobs

They all have jobs. After spending most of the year desperate for employment, Bobbie and Juan Wilson and Rick Rose -- the participants in the 2009 Color of Money Challenge -- are working full time again. For this Challenge, I decided to focus specifically on people who had lost their jobs. The Wi...

(By MICHELLE SINGLETARY, The Washington Post)

Cooking up a stainless rebound?

Even in humble kitchens, the Food Network generation demands high-end touches

(By Martha C. White, The Washington Post)

U.S. firms lag in bids for Iraqi oil

Russians, Europeans and Chinese win most contracts for developing major fields

(By Ernesto Londoño, The Washington Post)

Tip tips: Be generous, but don't be bullied by the jar

(By Laura Cohn, The Washington Post)

Mexico's drug cartels siphon liquid gold

Bold theft of \$1 billion in oil, resold in U.S., has dealt a major blow to the treasury

(By Steve Fainaru and William Booth, The Washington Post)

[More Business](#)

TECHNOLOGY

Terrorist recruiters leverage the Web

Pakistani authorities on Saturday were searching for an insurgent figure believed to have aided five Northern Virginia men who allegedly tried to join al-Qaeda, saying the case could help unravel a growing network of terrorist recruiters who scour the Internet for radicalized young men.

(By Griff Witte, Jerry Markon and Shaiq Hussain, The Washington Post)

Netbooks: What's the small idea?

(By Rob Pegoraro, The Washington Post)

Taming a jumpy cursor; laptop battery cells

(The Washington Post)

Do you want the extended warranty? The smart answer is 'sometimes.'

(By Janice Podsada, The Washington Post)

Cuba detains contractor for U.S. government

American was handing out mobile phones, laptops to activists

(By William Booth and Mary Beth Sheridan, The Washington Post)

More Technology

SPORTS

Nuggets erase 17-point hole, beat Suns 105-99

DENVER -- Carmelo Anthony scored 32 points and Chauncey Billups shook off an awful first half to lead the Denver Nuggets past the Phoenix Suns 105-99 Saturday night.

(By ARNIE STAPLETON, AP)

Ridnour carries Bucks past Blazers in double-OT

(AP)

Williams, Jazz end Lakers' streak

(By DOUG ALDEN, AP)

[Montana scores late, holds on to reach final](#)

Grizzlies make date with Villanova for I-AA title

(By Associated Press, The Washington Post)

[Penn State notches rare win over ranked foe](#)

(By Associated Press, The Washington Post)

[More Sports](#)

STYLE

[At St. Albans, a new building gives off good vibes](#)

The social energy in the halls, stairways and small lounges of the new Marriott Hall is low-key, but steady. If there's one way to describe what the boys are doing in the new addition to the prestigious St. Albans School, it's mingling.

(By Philip Kennicott, The Washington Post)

[Spare us the pain of another box set](#)

TV shows weren't meant to be seen on a DVD loop

(By Grady Hendrix, The Washington Post)

[With the Neo-Futurists, a lot can happen in an hour](#)

(By Nelson Pressley, The Washington Post)

["Yeah, finally."](#)

Runy Pswarayi & Junie François

(By Ellen McCarthy, The Washington Post)

[Love lessons: From couplet to couple: A meeting of the minds](#)

(By Deborah Bradford, The Washington Post)

[More Style](#)

LIVE DISCUSSIONS

[The OT: Redskins Postgame Live Chat, Redskins vs. Raiders](#)

Welcome to "The OT", the postgame Redskins chat with Washington Post staff writers on the scene at FedEx Field and around the league. Submit your questions during the game or the during the chat after the final whistle.

(The Redskins Writers, washingtonpost.com)

[More Live Discussions](#)

Mr. Catoe's future

IN A HEARING last week, Sen. Barbara A. Mikulski (D-Md.), who has no gift for understatement, unleashed a withering attack on Metro's management. She accused the embattled transit system of "a pattern of laxity, passivity and lip service" on safety issues and concluded with what amounted to a...
(The Washington Post)

A leak in the transmission

Congress tries to thwart automakers' efforts to economize on distribution.
(The Washington Post)

An AIDS mission renewed

A more integrated approach to build on the first five years
(The Washington Post)

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Thu
December

TODAY'S HIGHLIGHTS

[Fed edges away from crisis mode](#)

The Federal Reserve said Wednesday that it will shut down some of the emergency triage measures it put in place at the height of the financial crisis but will leave interest rates near zero out of continuing concern about the weak U.S. economy.

(By Neil Irwin, The Washington Post)

[House passes several temporary measures](#)

Before break, votes to raise debt ceiling and defense budget

(By Paul Kane and Perry Bacon Jr., The Washington Post)

[Signs of hope emerge at climate conference](#)

OVERTURES ON BOTH SIDES Obama's Friday visit expected to be pivotal

(By Juliet Eilperin and David A. Fahrenthold, The Washington Post)

[In Chile, the building blocks of prosperity](#)

Strong institutions and social programs have many optimistic

(By Juan Forero, The Washington Post)

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POLITICS

[Fed edges away from crisis mode](#)

The Federal Reserve said Wednesday that it will shut down some of the emergency triage measures it put in place at the height of the financial crisis but will leave interest rates near zero out of continuing concern about the weak U.S. economy.

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[House passes several temporary measures](#)

Before break, votes to raise debt ceiling and defense budget

(By Paul Kane and Perry Bacon Jr., The Washington Post)

[Pelosi says she will not seek votes for troop surge](#)

Speaker also warns of 'serious unrest' over war in Afghanistan

(By Paul Kane, The Washington Post)

[Senate plan is called too empowering to health insurers](#)

(By David S. Hilzenrath, The Washington Post)

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NATION

[Black coalition calls on census to change how it lists inmates](#)

A coalition of African American leaders concerned about minorities being undercounted in the 2010 Census called Wednesday for inmates at federal and state prisons to be tallied in their home communities instead of the towns where they are incarcerated.

(By Carol Morello, The Washington Post)

[U.S. joins effort to research farm emissions](#)

(By David A. Fahrenthold, The Washington Post)

[Government documents reveal improper spying on Nation of Islam](#)

Homeland Security rules are more rigorous now, spokesman says

(By Spencer S. Hsu and Carrie Johnson, The Washington Post)

[Beyond repair?](#)

In Ohio's fading steel towns, workers are still waiting for economic revival

(By Anne Hull, The Washington Post)

[House passes several temporary measures](#)

Before break, votes to raise debt ceiling and defense budget

(By Paul Kane and Perry Bacon Jr., The Washington Post)

[More Nation](#)

WORLD

[Revered river is now New Delhi's 'dirty underbelly'](#)

NEW DELHI -- With his blue-gloved hands, Rizwan Ali lowered the forked dredging tool slowly into the foul-smelling river and pulled out rotting marigold garlands, shoes, plastic bags, decaying fabric, gooey industrial waste and broken bangles.

(By Rama Lakshmi, The Washington Post)

[Afghans fleeing Taliban are flooding Tajikistan](#)

Country has become front line between the conflict and Central Asia

(By Isabel Gorst, The Washington Post)

[In Chile, the building blocks of prosperity](#)

Strong institutions and social programs have many optimistic

(By Juan Forero, The Washington Post)

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OVERTURES ON BOTH SIDES Obama's Friday visit expected to be pivotal

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[U.S. joins effort to research farm emissions](#)

(By David A. Fahrenthold, The Washington Post)

[More World](#)

METRO

[Whistle-blower on Metro bridge safety is honored](#)

The whistle-blower who alerted federal officials to potential safety issues with a bridge that will carry Silver Line Metrorail trains over Interstate 66 has received a commendation from the inspector general for transportation.

(By Lisa Rein, The Washington Post)

[Board is expected to back ICC toll plan](#)

Vote is scheduled today; peak rates would be among highest in region

(By Katherine Shaver, The Washington Post)

[Police suspect serial rapist in Halloween assaults in Va.](#)

(By Maria Glod, The Washington Post)

[2 Army sergeants decorated for valor in Afghan fighting](#)

Silver Star awarded to Virginians serving in Special Forces

(By Ann Scott Tyson, The Washington Post)

[209 HOV violators cited in N.Va. crackdown](#)

State, local police patrolled interstates, Dulles Toll Road

(By Ashley Halsey III, The Washington Post)

[More Metro](#)

BUSINESS

[Beyond repair?](#)

WARREN, OHIO -- All day long the front door buzzes at Uptown Gems & Jewels. The people come in with their trinkets wrapped in tissue or velvet boxes. They say their hours have been cut or they've been laid off. Some have their first names stitched in cursive on their uniforms, others wear saf...

(By Anne Hull, The Washington Post)

[In choosing new chief executive, Bank of America promotes from within](#)

(By Binyamin Appelbaum, The Washington Post)

[Intel sued by U.S. on antitrust grounds](#)

Tech firm accused of unfair tactics against rivals AMD, Nvidia

(By Cecilia Kang and Steven Mufson, The Washington Post)

[Retailers tempt procrastinators with free shipping](#)

Hundreds of online sellers will honor one-day promotion

(By Ylan Q. Mui, The Washington Post)

[Fed edges away from crisis mode](#)

U.S. RECOVERING BUT STILL WEAK

Central bank also keeps interest rate near zero

(By Neil Irwin, The Washington Post)

[More Business](#)

TECHNOLOGY

[Intel sued by U.S. on antitrust grounds](#)

The Obama administration sued chip giant Intel on Wednesday over a decade-long run of actions allegedly designed to stifle competition, opening a new front in the battle that big technology firms have been waging for years against antitrust challenges in Asia and Europe.

(By Cecilia Kang and Steven Mufson, The Washington Post)

[FCC proposes tapping phone subsidy to bring broadband to all](#)

Regulators also target TV channel boxes, broadcast spectrum

(By Cecilia Kang, The Washington Post)

[Crime Report](#)

(The Washington Post)

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SPORTS

[American surprises DePaul in men's basketball, 62-57](#)

(washingtonpost.com)

[Duncan leads San Antonio past Golden State](#)

Spurs 103, Warriors 91

(AP)

[Koivu lifts Anaheim past Vancouver](#)

Ducks 3, Canucks 2

(AP)

[AP Source: Gonzalez, Orioles agree on 2-year deal](#)

(By RONALD BLUM, AP)

[UAB keeps rolling, knocks off Cincinnati](#)

Blazers win eighth in a row with rout of No. 25 Bearcats

(By From News Services and Staff Reports, The Washington Post)

[More Sports](#)

STYLE

[Behind image, celebs slip us grand elusion](#)

How on Earth did we miss it? With all the reporters, sportswriters, paparazzi and celebrity chroniclers chasing after the world's top golfer, how did Tiger Woods keep his extracurricular activities secret for so long?

(By Howard Kurtz, The Washington Post)

[Insurer stakes its reputation where others fail](#)

(By Paul Farhi, The Washington Post)

[For reform, Shelby heads the bill](#)

Republican senator is poised to lead historic change of fiscal system that 'failed us'

(By Robert G. Kaiser, The Washington Post)

[At a Shabbat dinner, a lesson in unexpected fun](#)

(By Sally Quinn, The Washington Post)

[The first lady makes a special toy delivery](#)

(By Robin Givhan, The Washington Post)

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LIVE DISCUSSIONS

[The 'Lost' Hour: Season 6 Predictions](#)

Join Liz Kelly and Jen Chaney, authors of the Post's "Lost" dueling analysis and both obsessive "Lost" fans, as they try to get to the bottom of the show's mysteries Thursdays at 3 p.m. ET. Their special guest this week: Jon Lachonis, the blogger behind DocArzt.com.

(Jen Chaney and Liz Kelly, with special guest Jon Lachonis (aka Doc Arzt), washingtonpost.com)

[Celebrity Live: Best of the Decade edition](#)

You've Been Served... a Heaping Plate of Gossip

(Liz Kelly, washingtonpost.com)

[Got Plans?](#)

(The Going Out Gurus, washingtonpost.com)

[Color of Money Book Club](#)

(Michelle Singletary, washingtonpost.com)

[Carolyn Hax Live: Advice columnist tackles your problems](#)

(Carolyn Hax, washingtonpost.com)

[More Live Discussions](#)

[Yegor Gaidar](#)

YEGOR GAIDAR, who died Wednesday at the age of 53, was a Russian hero little appreciated by most of his compatriots. Many of them associate him with the miseries of the 1990s. History -- if it is written honestly, always a question in Russia -- will record him as a fearless, clear-eyed believer i...

(The Washington Post)

[Rotting in Denmark?](#)

World leaders remain far from a deal in Copenhagen.

(The Washington Post)

[In a twist](#)

From Richmond, a case of bureaucratic overreach

(The Washington Post)

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Friday, Dec
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TODAY'S HIGHLIGHTS

[On environment, Obama and scientists take hit in poll](#)

As President Obama arrives in Copenhagen hoping to seal an elusive deal on climate change, his approval rating on dealing with global warming has crumbled at home and there is broad opposition to spending taxpayer money to encourage developing nations to curtail their energy use, according to a n...

(By Jon Cohen and Jennifer Agiesta, The Washington Post)

[U.S. urges carbon cuts in the developing world](#)

AID PLEDGED TO POOR NATIONS

China must agree to monitoring, Clinton says

(By Juliet Eilperin and Anthony Faiola, The Washington Post)

[GOP senators to block defense bill in bid to delay health-care vote](#)

MANEUVERING TACTIC

Antiwar liberal offers vote to break filibuster

(By Paul Kane and Lori Montgomery, The Washington Post)

[House panel to investigate Citigroup tax ruling](#)

Kucinich decries IRS decision to let firm keep billions in breaks

(By Binyamin Appelbaum, The Washington Post)

[Virginia illustrates trend of decline in death sentences](#)

Nation's 2009 total is lowest since use of penalty resumed in '76

(By Robert Barnes and Maria Glod, The Washington Post)

[More Today's Highlights](#)

POLITICS

[Democrat's vote on health bill leaves backers feeling betrayed](#)

KANNAPOLIS, N.C. -- To voters in this hard-luck town where stable factory jobs and the health care that came with them have long since disappeared, change looked good a year ago. Change came not only from President Obama, who narrowly won this swing state, but also from a millworker-turned-high...

(By Philip Rucker, The Washington Post)

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AID PLEDGED TO POOR NATIONS

China must agree to monitoring, Clinton says

(By Juliet Eilperin and Anthony Faiola, The Washington Post)

[Senators may be home for Christmas only in their dreams](#)

(By Dana Milbank, The Washington Post)

[McCaskill urges increased oversight of Afghanistan contractors](#)

Pentagon auditors question nearly \$1 billion in charges

(By Walter Pincus, The Washington Post)

[Full Senate to vote on Bernanke](#)

PANEL ADVANCES RENOMINATION

Sharp debate hints at difficult confirmation

(By Neil Irwin, The Washington Post)

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NATION

[McCaskill urges increased oversight of Afghanistan contractors](#)

The chairman of a Senate investigative subcommittee called Thursday for stepped-up government oversight of contract work in Afghanistan, saying Pentagon auditors have already challenged nearly \$1 billion in charges by military contractors.

(By Walter Pincus, The Washington Post)

[Virginia illustrates trend of decline in death sentences](#)

Nation's 2009 total is lowest since use of penalty resumed in '76

(By Robert Barnes and Maria Glod, The Washington Post)

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China must agree to monitoring, Clinton says

(By Juliet Eilperin and Anthony Faiola, The Washington Post)

[**On environment, Obama and scientists take hit in poll**](#)

(By Jon Cohen and Jennifer Agiesta, The Washington Post)

[**Comparing tolls**](#)

(The Washington Post)

[More Nation](#)

WORLD

[**Intense U.S. drone strikes kill 16 in North Waziristan**](#)

ISLAMABAD, PAKISTAN -- An unusually large barrage of missiles fired by remotely piloted U.S. aircraft killed 16 people in the tribal area of North Waziristan on Thursday, a possible indication that the United States plans to escalate such attacks after Pakistan declined to step up its operations...

(By Griff Witte and Haq Nawaz Khan, The Washington Post)

[**Mexican drug kingpin killed in federal raid**](#)

'Boss of bosses' was among top targets of Calderón's bloody war

(By William Booth and Steve Fainaru, The Washington Post)

[**The greening of the grand wedding**](#)

Chefs whose nuptial feasts cost 15,000 trees daily are pushed to try biomass fuel

(By Emily Wax, The Washington Post)

[**U.S. urges carbon cuts in the developing world**](#)

AID PLEDGED TO POOR NATIONS

China must agree to monitoring, Clinton says

(By Juliet Eilperin and Anthony Faiola, The Washington Post)

[**Nation Digest**](#)

(The Washington Post)

[More World](#)

METRO

[**GOP senators to block defense bill in bid to delay health-care vote**](#)

Senate Republicans said Thursday that they would try to filibuster a massive Pentagon bill that funds the wars in Iraq and Afghanistan, an

unusual move that several acknowledged was an effort to delay President Obama's health-care legislation.

(By Paul Kane and Lori Montgomery, The Washington Post)

[GU humor magazine defends satire denounced as racist](#)

(By Daniel de Vise, The Washington Post)

[ICC tolls might be too steep a ride for drivers](#)

Md. highway, set to open next fall, will charge highest rate in D.C. area

(By Katherine Shaver, The Washington Post)

[Ah, the joys of working from home. Oh, how few there are.](#)

(By Petula Dvorak, The Washington Post)

[Kaine to propose tax hikes, cuts in core services](#)

(By Anita Kumar and Rosalind S. Helderman, The Washington Post)

[More Metro](#)

BUSINESS

[Full Senate to vote on Bernanke](#)

Ben S. Bernanke cleared a key hurdle Thursday to being confirmed for a second term as Federal Reserve chairman, but the discussion and vote by a Senate committee suggested that confirmation is not a foregone conclusion.

(By Neil Irwin, The Washington Post)

[Cheaper houses, but harder to afford](#)

Adjustable loans and falling incomes help explain the paradox

(By Renae Merle, The Washington Post)

[House panel to investigate Citigroup tax ruling](#)

Kucinich decries IRS decision to let firm keep billions in breaks

(By Binyamin Appelbaum, The Washington Post)

[D.C. developer is buying back Watergate Hotel](#)

(By Lisa Rein, The Washington Post)

[Democrat's vote on health bill leaves backers feeling betrayed](#)

(By Philip Rucker, The Washington Post)

[More Business](#)

TECHNOLOGY

Projects will extend broadband to rural areas

The Obama administration named 18 projects Thursday that would receive a portion of the \$7.4 billion in stimulus funds set aside to bring high-speed Internet to poor and rural areas that have been overlooked by Internet service providers.

(By Cecilia Kang, The Washington Post)

Sinking in \$380 million on 'Titanic's' director

(By Michael White, The Washington Post)

Ah, the joys of working from home. Oh, how few there are.

(By Petula Dvorak, The Washington Post)

Personal Tech: Holiday Gift Guide

(Rob Pegoraro, washingtonpost.com)

[More Technology](#)

SPORTS

Arenas, Wizards still incomplete

The Wizards are proving they can compete but can't complete, possibly because Gilbert Arenas's return to his pre-injury form is incomplete.

(By Michael Lee, The Washington Post)

Thinking less helps Caps' Alzner

(By Tarik El-Bashir, The Washington Post)

Police say driver in fatal crash that injured Davies had alcohol

(By Del Quentin Wilber, The Washington Post)

Colts remain on track with win over Jaguars

Manning throws four TD passes as Indy moves to 14-0

(By Associated Press, The Washington Post)

[Buzz builds that Shanahan could be coach](#)

(By Jason Reid, The Washington Post)

[More Sports](#)

STYLE

[A lurching 'Young Frankenstein'](#)

"Young Frankenstein" is the whoopee cushion of American musicals, an island of inanity in a sea of silly. Built by Mel Brooks to capitalize on the fond associations with his 1974 movie of the same title ("Frau Blucher" . . .

"Neighhh!"), the show is a juvenile jaunt down memory lane, the kind of ...

(By Peter Marks, The Washington Post)

[Churning through D.C.'s studios to find the 'Cream'](#)

Mera Rubell picks art for a WPA exhibit in one whirlwind weekend

(By Jessica Dawson, The Washington Post)

[In Alexandria jail, spirit of the season can't be contained](#)

(By Dan Zak, The Washington Post)

[Quietly hip jazzmen and how advertising became too cool for school](#)

(By Carolyn See, The Washington Post)

[Is this the start of a 'Beautiful' friendship with YouTube viewers?](#)

(By Lisa de Moraes, The Washington Post)

[More Style](#)

LIVE DISCUSSIONS

[The TV column live](#)

Post TV columnist Lisa de Moraes takes your questions about the drama, comedy and heartbreak of the world of television -- both onscreen and behind-the-scenes.

(Lisa de Moraes, washingtonpost.com)

[Real Estate Live](#)

(Elizabeth Razzi, washingtonpost.com)

[Best of the Decade: Ann Hornaday on top movie moments](#)

(Ann Hornaday, washingtonpost.com)

[Personal Tech: Holiday Gift Guide](#)

(Rob Pegoraro, washingtonpost.com)

[John Kelly's Washington](#)

(John Kelly's Washington: Prepare for the snow apocalypse, washingtonpost.com)

[More Live Discussions](#)

[Cash for clunkers](#)

VICE PRESIDENT Biden brought tidings on Wednesday of a new Obama administration push to more than triple an existing \$2.4 billion tax credit for the manufacture of advanced energy technologies, including batteries for use in plug-in electric hybrid vehicles. Mr. Biden has become something of a sp...

(The Washington Post)

[Justice delayed](#)

Donald Gates is set free after being jailed for 27 years for a murder he didn't commit.

(The Washington Post)

[More hostages](#)

Three young Americans in Evin prison embody Iran's answer to President Obama.

(The Washington Post)

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[The Settlements Myth](#)

The president wishes not to dictate solutions, e

Danielle Pletka

[Negotiating for the Other Side](#)

Whether it's Iran, North Korea or the Israeli-Pa
show from years of jawboning.

Eugene Robinson

[Coal's Pipedream?](#)

Carbon capture and storage is a tantalizing idea

Michael Gerson

[Achilles' Heels of Obamacare](#)

Republicans still have a chance to win the heal

Michael Kinsley

[Pick Your Poison, er, Publisher](#)

Two futures for newspapers: Sam Zell's dunge

Tom **TOLES** & Ann **TELNAES**

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Editorials

[The Cairo Appeal: Arab leaders will seek to narrow Guess which.](#)

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[Chicken Dinner](#)

Why do our chicken, our water and our air contain arsenic?

Michael Kinsley

[Health Care Faces the 'R' Word](#)

Less care isn't necessarily worse care, but the 'threat' of rationing could kill Obamacare.

Ronit Avni

[OUTLOOK PREVIEW](#)

Maybe Obama should pay attention to the non-Israeli influences on settlement growth.

Charles Krauthammer

[Iran: Desperately Seeking Yeltsin](#)

Without Mousavi's leadership, Iran's democratic uprising will quickly fade.

Michael Gerson

[No Choice but Democracy](#)

Democracy promotion in the Middle East isn't new or optional.

Kathleen Parker

[Please Cry For Me, South Carolina](#)

A wise man once said that love is the triumph of imagination over intelligence.

Tom TOLES

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Ann TELNAES

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Editorials

[Waxman-Markey: Action on climate change is overdue. But is this the best we can hope for?](#)

[That Other Affair: Sen. Ensign's infidelity merits further investigation.](#)

[Strip Searches and the Law: A smart compromise that balances the rights of students with the needs of school administrators](#)

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Sarah Palin has turned health-care reform into her own form of McCarthyism.

Eugene Robinson

[Where's Mr. Transformer?](#)

Health care needs the transformational politics that Barack Obama promised.

Robert Kuttner

[A Backlash Worth Tapping](#)

Obama is letting the right tap a populist rage that he should be putting to use.

Rachel Reid

[For Afghan Women, Rights Again at Risk](#)

A weakened Hamid Karzai abets a shameful law that would erode hard-won gains.

Abdelmonem Said

[Egypt's Essential Partnership](#)

A new partnership with the United States could provide Mideast dividends.

Editorials

[Cap and Rage:](#) The fight over health-care reform could hobble climate-change legislation.

[Mr. Mubarak's Return:](#) A new administration seeks favors from an old autocrat.

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[of Abe Pollin](#)

For years to come in Washington, we shall have a deep chasm that Abe Pollin used to fill.

Ruth Marcus

['Illegal health reform'? Not quite.](#)

Congress has every authority to force every American to buy health insurance.

Michael Gerson

[Mugabe's fearless opposition](#)

Remembering women who count their beatings in the once-fair country of Zimbabwe.

Kathleen Parker

[A rusty nail for South Carolina](#)

A minority woman in a six-way Republican primary in the heart of bubba-land.

Ahmed Rashid

[Bridging a gap for India and Pakistan](#)

The U.S. needs both India and Pakistan to work together.

John Feinstein

[Abe Pollin, a dreamer and a winner](#)

It stands on F Street NW between Sixth and Seventh streets. It is the Verizon Center.

Tom TOLES

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Ann TELNAES

Click on the image for the animation.

Editorials

[Abe Pollin: A public-spirited life](#)

[Climate of denial: Researchers show how not to respond to global warming skeptics.](#)

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[out expanding government's reach](#)

His job-killing agenda is scaring people and making matters worse.

Eugene Robinson

[War and peace](#)

Obama's eloquent, often grim treatise on the nature and necessity of warfare.

Kathleen Parker

[An American triumph at Oslo](#)

Obama's Nobel speech marked the moment he became a leader.

Kevin Huffman

[Obama's blockbuster Nobel speech](#)

Through all the distractions, the president stays the course with dignity.

Fred Hiatt

[Does Japan still matter?](#)

It's the U.S.'s most important democratic ally in Asia.

Charles Krauthammer

[The new socialism](#)

In the name of environmentalism, the raid on Western treasuries is on again.

Michael Gerson

[Whose war on science?](#)

Hacked climate e-mails reveal a scandal, but not one for global warming.

David S. Broder

[A health-care boost from Senate rookies](#)

Ideas that might actually cut the costs in our expensive health-care system.

Stephen J. Hadley

[A continued surge](#)

Obama's strategy in Afghanistan is deserving of bi-partisan support.

Tom TOLES

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Ann TELNAES

Click on the image for the animation.

Editorials

[Tax equity:](#) The case for making private investment firms' general partners pay their fair share

[Mr. McDonnell's transition:](#) Grappling with reality, not rhetoric, in an era of austerity

[Medicare sausage?:](#) The emerging buy-in proposal could have costly unintended consequences.

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Tuesday
23

TODAY'S HIGHLIGHTS

[At Least 6 Killed in Red Line Crash](#)

One Metro train slammed into the back of another on the Red Line at the height of the evening rush yesterday, killing at least six and injuring 70 others in the deadliest accident in Metrorail's 33-year-history.
(By Lena H. Sun and Maria Glod, The Washington Post)

[Riders Offer One Another Tourniquets, Tenderness](#)

(By Rosalind S. Helderman and David A. Fahrenthold, The Washington Post)

[THE PROBE: Experts Suspect Failure Of Signal System, Operator Error](#)

(By Lyndsey Layton, The Washington Post)

[Iran Unrest Reveals Split In U.S. on Its Role Abroad](#)

(By Scott Wilson, The Washington Post)

[More Today's Highlights](#)

POLITICS

[Iran Unrest Reveals Split In U.S. on Its Role Abroad](#)

Iran's post-election tumult has exposed the sharply divergent ways in which the Obama administration and its Republican opponents view the nature of American power and the president's role in speaking to political dissent

outside the borders of the United States.
(By Scott Wilson, The Washington Post)

[Voting Rights Act Upheld, But Court Hints at Change](#)

(By Robert Barnes, The Washington Post)

[GAO Cites Gun Sales to Those on Watch List](#)

(By Spencer S. Hsu, The Washington Post)

[S. Carolina Governor Is 'Out of Pocket'](#)

(By Chris Cillizza, The Washington Post)

[Confidence in Stimulus Plan Ebbs, Poll Finds](#)

Obama's Approval Rating Remains High, but Shift in Public Outlook Has Political Implications

(By Dan Balz and Jon Cohen, The Washington Post)

[More Politics](#)

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NATION

[Panel Sets Guidelines For Fighting Prison Rape](#)

Nearly six years after President George W. Bush signed legislation to reduce prison rape, a blue-ribbon commission is calling on corrections officers to identify vulnerable inmates, offer better medical care and allow stricter monitoring of their facilities.

(By Carrie Johnson, The Washington Post)

[Voting Rights Act Upheld, But Court Hints at Change](#)

(By Robert Barnes, The Washington Post)

[The Schoolhouse Flunks](#)

Education Dept. Takes Symbolic Step To Reconstitute No Child Left Behind

(By Maria Glod, The Washington Post)

[GAO Cites Gun Sales to Those on Watch List](#)

(By Spencer S. Hsu, The Washington Post)

[S. Carolina Governor Is 'Out of Pocket'](#)

(By Chris Cillizza, The Washington Post)

[More Nation](#)

WORLD

[Iranian Legislative Panel Hints At Legal Action Against Mousavi](#)

TEHRAN, June 22 -- The Iranian parliament's judiciary committee raised the possibility Monday of legal action against opposition leader Mir Hossein Mousavi, while government forces violently dispersed a crowd protesting alleged fraud in the June 12 presidential election.

(By Thomas Erdbrink, The Washington Post)

[Palestinian Premier Sets 2-Year Statehood Target](#)

Speech Calls for Unity, Institution-Building

(By Howard Schneider, The Washington Post)

[Far Eastern City Sees Kremlin as Cause of Its Troubles](#)

Tariff on Used Japanese Cars Riles Vladivostok

(By Philip P. Pan, The Washington Post)

[Iran Unrest Reveals Split In U.S. on Its Role Abroad](#)

(By Scott Wilson, The Washington Post)

[Bomb Blast Wounds Leader of Russia's Restive Ingushetia Province](#)

Attack Follows Slayings of 3 Other Key Figures in Northern Caucasus

(By Philip P. Pan, The Washington Post)

[More World](#)

METRO

[Court Favors Parents in Battle Over Special-Education Tuition](#)

Parents of children with disabilities may seek reimbursement for private school tuition even if they have never sent their children to public schools, the Supreme Court ruled yesterday in a decision with wide-ranging implications for Washington area school systems.

(By Robert Barnes and Nelson Hernandez, The Washington Post)

[At Least 6 Killed in Red Line Crash](#)

THE IMPACT: Train Strikes Another, Injuring Scores, Stalling Commute

(By Lena H. Sun and Maria Glod, The Washington Post)

[Justice Dept. Wants Charges Against Mexican Man Dropped](#)

(By Del Quentin Wilber, The Washington Post)

[Va. Blaze Injures Resident, Displaces 250](#)

(By Allison Klein, The Washington Post)

[2 Swimmers Still Missing After Search Near Great Falls](#)

(By Dan Morse and Debbi Wilgoren, The Washington Post)

[More Metro](#)

BUSINESS

Climate Bill to Cost Average Consumer \$175 a Year: CBO

Climate-change legislation would cost the average household \$175 a year by 2020, according to the Congressional Budget Office, far below the figure commonly used by GOP critics of the House bill.

(By Steven Mufson, The Washington Post)

World Bank Sees Slow Growth for Economy

Developing Nations To Be Hit Hardest

(By Anny Shin, The Washington Post)

Broad Agreement Reached on Derivative Oversight

(By Zachary A. Goldfarb, The Washington Post)

Area Firms Tweak Benefit Plans

Workers Absorb More Health Costs, but Some Gain Perks

(By V. Dion Haynes, The Washington Post)

Confidence in Stimulus Plan Ebbs, Poll Finds

Obama's Approval Rating Remains High, but Shift in Public Outlook Has Political Implications

(By Dan Balz and Jon Cohen, The Washington Post)

[More Business](#)

TECHNOLOGY

Even Recession Can't Dampen Demand for a Faster iPhone

Evidently, a faster iPhone is enough to get consumers to reach for their wallets again. Apple announced yesterday that it sold 1 million units of its latest iPhone over the weekend.

(By Mike Musgrove, The Washington Post)

[BAE's U.S. Chief Quits To Take Over at SAIC](#)

(By Emma L. Carew, The Washington Post)

[Lawson's Vision Beyond Basketball](#)

(By Steve Yanda, The Washington Post)

[More Technology](#)

SPORTS

[Officials Back Off High-Tech Suit Ban](#)

Questions over technological enhancement and its effect on athletic performance have been raised with increasing frequency in recent years. On the traditional grass courts of Wimbledon yesterday, tennis players wielded rackets that bear little resemblance to the wooden ones of previous generations....

(By Amy Shipley, The Washington Post)

[Wizards Rebuffing Inquiries for Butler](#)

(By Michael Lee, The Washington Post)

[Federer Wins Wimbledon Opening Match in Style](#)

(The Washington Post)

[Twenty Years Ago, Orioles Played a Familiar Negotiating Game](#)

(By Chico Harlan, The Washington Post)

[Ending Played Out As It Usually Does](#)

(By Thomas Boswell, The Washington Post)

[More Sports](#)

STYLE

[Chris Brown Pleads Guilty to Assault](#)

LOS ANGELES, June 22 -- R&B singer Chris Brown has pleaded guilty to one count of felony assault on pop star and former girlfriend Rihanna.

(The Washington Post)

[A Magnificent 'King Lear' Rises to the Madness](#)

(By Peter Marks, The Washington Post)

[Emanuel's Mastery Of Reading Reporters](#)

(By Howard Kurtz, The Washington Post)

Obama and The Burning Question

Tobacco Habit a Hazy Rumor Behind Official Smoke Screen
(By Paul Farhi, The Washington Post)

'NYC Prep' Offers A Class In Inanity

(By Tom Shales, The Washington Post)

[More Style](#)

LIVE DISCUSSIONS

Station Break with Paul Farhi: Pop Culture and More

Post staff writer Paul Farhi talks about the latest news and topical issues in the pop culture world of TV, radio, movies and trends.
(Paul Farhi, washingtonpost.com)

Slate: Advice from 'Dear Prudence'

Manners, Morals and More
(Emily Yoffe, washingtonpost.com)

D.C. Sports Bog Live

(Dan Steinberg, washingtonpost.com)

Post Politics Hour

(Ben Pershing, washingtonpost.com)

Chatological Humor

aka Tuesdays With Moron
(Gene Weingarten, washingtonpost.com)

[More Live Discussions](#)

A Prison Nightmare

WHEN T.J. PARSELL was sentenced to four years in adult prison in 1978, he was 17 years old. Less than a day after he arrived, a group of inmates forced him to drink Thorazine and raped him. For years too traumatized and terrified to come forward, he testified years later that the rape "had stolen...
(The Washington Post)

A Clunker of an Idea

Congress plays shell games with the new-car market.
(The Washington Post)

Voting Rights Victory

The Supreme Court wisely refuses to usurp Congress's judgment.

(The Washington Post)

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Monday
29

TODAY'S HIGHLIGHTS

[Crackdown In Iran Puts Mousavi in Tight Spot](#)

TEHRAN, June 28 -- With the opposition visibly weakening in Iran amid a government crackdown, President Mahmoud Ahmadinejad and his supporters have begun to use his disputed victory in this month's election to toughen the nation's stance internationally and to consolidate control internally.

(By Thomas Erdbrink, The Washington Post)

[How a Loophole Benefits GE in Bank Rescue](#)

Industrial Giant Becomes Top Recipient in Debt-Guarantee Program

(By Jeff Gerth and Brady Dennis, The Washington Post)

[Honduran Military Ousts President](#)

Zelaya Flown to Costa Rica; Congress Votes Him Out, Names Successor

(By William Booth and Juan Forero, The Washington Post)

[Saving Species No Longer a Beauty Contest](#)

Homely Creatures Receiving More Help

(By David A. Fahrenthold, The Washington Post)

[Metrorail Crash May Exemplify Automation Paradox](#)

(By Shankar Vedantam, The Washington Post)

[More Today's Highlights](#)

POLITICS

[Obama Praises Climate Bill's Progress but Opposes Its Tariffs](#)

President Obama yesterday said that the House took an "extraordinary first step" by passing a climate bill on Friday, adding that he hoped it will "prod" action by the Senate and predicting that the legislation could make renewable energy "a driver of economic growth."

(By Steven Mufson, The Washington Post)

[Ky. Schools' Healthy Example Could Shape a National Policy](#)

(By Jane Black, The Washington Post)

[More Politics](#)

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NATION

[How a Loophole Benefits GE in Bank Rescue](#)

General Electric, the world's largest industrial company, has quietly become the biggest beneficiary of one of the government's key rescue programs for banks.

(By Jeff Gerth and Brady Dennis, The Washington Post)

[Metrorail Crash May Exemplify Automation Paradox](#)

(By Shankar Vedantam, The Washington Post)

[Saving Species No Longer a Beauty Contest](#)

Homely Creatures Receiving More Help

(By David A. Fahrenthold, The Washington Post)

[White House Won't Rule Out Benefits Tax](#)

(By Michael D. Shear, The Washington Post)

[In S.C., Governor's Wife Is 'the Hero in This Story'](#)

(By Philip Rucker, The Washington Post)

[More Nation](#)

WORLD

[Crackdown In Iran Puts Mousavi in Tight Spot](#)

TEHRAN, June 28 -- With the opposition visibly weakening in Iran amid a government crackdown, President Mahmoud Ahmadinejad and his supporters have begun to use his disputed victory in this month's election to toughen the nation's stance internationally and to consolidate control

internally.

(By Thomas Erdbrink, The Washington Post)

[1st Pullout Deadline Stirs Anxiety, Pride in Iraq](#)

(By Ernesto Londoño, The Washington Post)

[Honduran Military Ousts President](#)

Zelaya Flown to Costa Rica; Congress Votes Him Out, Names Successor

(By William Booth and Juan Forero, The Washington Post)

[Colombia's Uribe Faces a More Wary U.S.](#)

White House Is Expected to Raise Concerns About Human Rights, Democracy

(By Juan Forero, The Washington Post)

[Pakistan Treads Warily as New Fight Looms](#)

Preliminary Efforts Against Fighters in Tribal Waziristan Yield Mixed Results

(By Pamela Constable, The Washington Post)

[More World](#)

METRO

[Just Another Way to Be Suburban](#)

They call their home "Serendipity." In 2002, when Alicia Wilson and Susan Guardado were looking for a house, they almost lost out on the Cape Cod on a leafy cul-de-sac in Hyattsville. Another couple had more money, but Wilson and Guardado had a better feel for the things that mean the world to...

(By Lonnae O'Neal Parker, The Washington Post)

[Southeastern Ceremony May Be Turning Point](#)

University Facing Closure or Merger

(By Annie Gowen, The Washington Post)

[Two Judges Target Cocaine Penalties](#)

Disparity for Crack Crimes Criticized

(By Del Quentin Wilber, The Washington Post)

[Venus and Mars in High Contrast](#)

(By Blaine P. Friedlander Jr., The Washington Post)

[Throwing a Lifeline to Struggling Teachers](#)

Montgomery Program Embraces Peer Review

(By Daniel de Vise, The Washington Post)

[More Metro](#)

BUSINESS

[How a Loophole Benefits GE in Bank Rescue](#)

General Electric, the world's largest industrial company, has quietly become the biggest beneficiary of one of the government's key rescue programs for banks.

(By Jeff Gerth and Brady Dennis, The Washington Post)

[GM to Allow Some Product Liability Claims](#)

(By Tomoeh Murakami Tse and Kendra Marr, The Washington Post)

[HGS Hoping to Survive Final Test of Lupus Drug](#)

Firm Is Upbeat Despite the Odds

(By Michael S. Rosenwald, The Washington Post)

[Ky. Schools' Healthy Example Could Shape a National Policy](#)

(By Jane Black, The Washington Post)

[Obama Praises Climate Bill's Progress but Opposes Its Tariffs](#)

(By Steven Mufson, The Washington Post)

[More Business](#)

TECHNOLOGY

[Metrorail Crash May Exemplify Automation Paradox](#)

Sometime soon, investigators will piece together why one train on Metro's Red Line hurtled into another last Monday, killing nine people and injuring dozens. Early indications suggest a computer system may have malfunctioned, and various accounts have raised questions about whether the driver of the...

(By Shankar Vedantam, The Washington Post)

[More Technology](#)

SPORTS

[Mariano Rivera Earns 500th Save, Yankees Defeat Mets](#)

Mariano Rivera earned his 500th save, becoming the second reliever to reach the milestone, and the New York Yankees beat the punchless Mets 4-2 on Sunday night for a Subway Series sweep.

(By MIKE FITZPATRICK, AP)

[Underdogs Are Overcome](#)

U.S. Team's Surprising Run Is Halted in Second Half

(By Chris Lehourites, The Washington Post)

[At Wimbledon, the Plots Thicken](#)

(By Howard Fendrich, The Washington Post)

[Martis Is Demoted in Latest Reshuffling of Pitching Staff](#)

(By Chico Harlan, The Washington Post)

[Harris Shines in Lead Role](#)

Nationals 5, Orioles 3

(By Chico Harlan, The Washington Post)

[More Sports](#)

STYLE

[A Generation Gap Unbridged By Jackson's Life, and Death](#)

LOS ANGELES, June 28 -- Squinting at the crowds lining up on Sunday to view Michael Jackson's star on the Hollywood Walk of Fame, 15-year-old Olivia Holiman had a simple reaction: "What's the big deal?"

(By Paul Farhi, The Washington Post)

[Picoult's Appeal Is Weeping The Nation](#)

'Sister's Keeper' Draws A Crowd, and Tears

(By Monica Hesse, The Washington Post)

['Dr. Nancy' Puts Health Issues on the Exam Table](#)

(By Howard Kurtz, The Washington Post)

[Choice Words for Cheney's Memoir?](#)

(The Washington Post)

[Good Triumphs in 'Power'](#)

(The Washington Post)

[More Style](#)

LIVE DISCUSSIONS

[Howard Kurtz Critiques the Press and Analyzes the Media](#)

Post media columnist Howard Kurtz discusses the press and media coverage of the news.

(Howard Kurtz, washingtonpost.com)

[Talk About Travel: Travel Staffers Help You Plan Great Escapes](#)

(The Flight Crew, washingtonpost.com)

[The Chat House With Michael Wilbon](#)

(Michael Wilbon, washingtonpost.com)

[Balance of Power with Tucker Carlson and Ana Marie Cox](#)

(Tucker Carlson and Ana Marie Cox, washingtonpost.com)

[Dr. Gridlock Tackles Your Traffic and Transit Issues](#)

(Robert Thomson, washingtonpost.com)

[More Live Discussions](#)

[China's Information Dam](#)

"IT IS NOT our job to fix the Chinese government," Yahoo CEO Carol Bartz said last week. Maybe not. But search engines operating in China face a dilemma come July. Starting Wednesday, China is embarking on a broad initiative to clamp down on Web content the government views as obscene, billing th...

(The Washington Post)

['America's Subway'](#)

Dedicated federal funding is a no-brainer.

(The Washington Post)

[Fixing Abuses of State Secrets](#)

The House considers a sensible bill to rein in the president's power to exclude court evidence.

(The Washington Post)

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TODAY'S HIGHLIGHTS

[Hospitals Reach Deal With Administration](#)

The nation's hospitals agreed last night to contribute \$155 billion over 10 years toward the cost of insuring the 47 million Americans without health coverage, according to two industry sources.

(By Ceci Connolly and Michael D. Shear, The Washington Post)

[Obama: US, Russia not destined to be adversaries](#)

(By BEN FELLER, AP)

[Bay Is a Threat To Humans, Too](#)

Report Cites Pollutants in Chesapeake

(By David A. Fahrenthold, The Washington Post)

[Alaskans Consider Palin's Legacy As She Prepares to Leave Office](#)

(By Kimberly Kindy, The Washington Post)

[Canceled Trip Started Barry's Bad Day](#)

Council Member, Ex-Girlfriend Disagree on Events Surrounding Arrest

(By Tim Craig and Hamil R. Harris, The Washington Post)

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POLITICS

[Rules on Stem Cell Research Are Eased](#)

Hundreds of embryonic stem cell lines, whose use in the United States had effectively been curtailed by the Bush administration, can be used to study disorders and develop cures if researchers can show the cells were derived using ethical procedures, according to new rules issued by the federal...

(By Shankar Vedantam, The Washington Post)

[U.S. and Russia to Reduce Arsenals](#)

Obama, Medvedev Discuss Cooperation On Missile Defense

(By Michael A. Fletcher and Philip P. Pan, The Washington Post)

[SSNs Not All That Hard to Guess, Study Finds](#)

(By Brian Krebs, The Washington Post)

[Push and Pull in Senate May Recast Climate Bill](#)

Dealings Could Erode Ecological Aims

(By Paul Kane, The Washington Post)

[Alaskans Consider Palin's Legacy As She Prepares to Leave Office](#)

(By Kimberly Kindy, The Washington Post)

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NATION

[Rules on Stem Cell Research Are Eased](#)

Hundreds of embryonic stem cell lines, whose use in the United States had effectively been curtailed by the Bush administration, can be used to study disorders and develop cures if researchers can show the cells were derived using ethical procedures, according to new rules issued by the federal...

(By Shankar Vedantam, The Washington Post)

[States Straining To Repair Budgets](#)

Huge Deficits Challenge Lawmakers

(By Peter Slevin, The Washington Post)

['Terribly Wrong' Handling of Vietnam Overshadowed Record of Achievement](#)

(By Thomas W. Lippman, The Washington Post)

[How Gay Marriage Recognition Works](#)

(The Washington Post)

[Mousavi Promises To Continue Protests](#)

(By Thomas Erdbrink, The Washington Post)

[More Nation](#)

WORLD

[U.S. and Russia to Reduce Arsenals](#)

MOSCOW, July 6 -- President Obama and Russian President Dmitry Medvedev reached a preliminary agreement Monday to cut the American and Russian nuclear arsenals by as much as a third while exploring options for cooperation on missile defense.

(By Michael A. Fletcher and Philip P. Pan, The Washington Post)

[Clinton Agrees To Meet Zelaya](#)

Efforts Intensified To Resolve Crisis

(By Mary Beth Sheridan and Juan Forero, The Washington Post)

[Scores Killed in Ethnic Riots in China](#)

Violence Between Muslim Uighurs and Police Is Among Nation's Deadliest

(By Ariana Eunjung Cha, The Washington Post)

['Terribly Wrong' Handling of Vietnam Overshadowed Record of Achievement](#)

(By Thomas W. Lippman, The Washington Post)

[Obama's Low-Key Push in Russia](#)

President Endorses Medvedev's Agenda but Calls for More Democratic Reforms

(By Philip P. Pan, The Washington Post)

[More World](#)

METRO

[Fenty Proposes Looser Privacy Restrictions](#)

After Banita Jacks was arrested last year and charged with killing her four children, the District government concluded that its agencies had failed to follow up on warning signs at the family's troubled home in Southeast Washington.

(By Henri E. Cauvin, The Washington Post)

[How Gay Marriage Recognition Works](#)

(The Washington Post)

[Worker Fired For Describing Conditions at Funeral Home](#)

(By Josh White, The Washington Post)

[The Chuck Berry of the Engineering World](#)

U-Md. Teacher and Students Develop, Sell Electric Guitar That Allows Customized Sound

(By Susan Kinzie, The Washington Post)

[Gun-Wielding Men Posing as Police Invade Three Homes](#)

(By Matt Zaptosky, The Washington Post)

[More Metro](#)

BUSINESS

[Post-Bankruptcy GM Will Have Work Cut Out for It](#)

The new General Motors hoping to emerge from bankruptcy this week will find itself mired in a weak car market, besieged by competitors vying to eat up its dwindling market share and pressed to change its corporate culture, all under the eyes of a strange new government ownership structure.

(By Steven Mufson and Tomoeh Murakami Tse, The Washington Post)

[CFTC Floats Rules Aimed at Speculation](#)

Wall Street Gears Up to Fight Curbs

(By Zachary A. Goldfarb, The Washington Post)

[Industry Takes Aim at Plan to Create Financial Protection Agency](#)

(By Brady Dennis, The Washington Post)

[Local Office Vacancies Soar, Driving Down Rent](#)

Rate Hits 10.2 Percent in D.C.; Tops 13 Percent in Virginia, Maryland Suburbs

(By V. Dion Haynes, The Washington Post)

[Key Senator Backs Telecom Probe](#)

Concerns Grow in Congress Over Cellphone Carriers' Practices

(By Cecilia Kang, The Washington Post)

[More Business](#)

TECHNOLOGY

[Key Senator Backs Telecom Probe](#)

A senior senator yesterday demanded a federal probe of alleged anti-competitive practices in the wireless industry, escalating recent congressional concern that too much power is concentrating in the hands of a few carriers.

(By Cecilia Kang, The Washington Post)

[SSNs Not All That Hard to Guess, Study Finds](#)

(By Brian Krebs, The Washington Post)

[Rules on Stem Cell Research Are Eased](#)

More Lines Eligible For Federal Funding

(By Shankar Vedantam, The Washington Post)

[More Technology](#)

SPORTS

[V. Williams Headlines Kastles' D.C. Opener](#)

The Williams sisters' World TeamTennis squads face off against each other when Philadelphia visits Washington on Tuesday night, but only Venus will be in action.

(By Liz Clarke, The Washington Post)

[Sandoval's Grand Slam Lifts Giants](#)

Giants 5, Marlins 4

(By Janie McCauley, AP)

[Mystics at Lynx](#)

(The Washington Post)

[Seventeen Years In, Boston's Wakefield Is Among the Stars](#)

(The Washington Post)

[WNBA's Originals Leave League in Good Shape](#)

Thirteen Years Later, Founders Give Way to New Generation
(By Nancy Armour, AP)

[More Sports](#)

STYLE

[Let This Jackson Circus Begin](#)

The Michael Jackson Memorial Orgy of Excess has arrived.
(By Lisa de Moraes, The Washington Post)

[The Post Begins Reviews of Events to Avoid Ethics Conflicts](#)

(By Paul Farhi, The Washington Post)

[Touched Hearts & Minds](#)

(By David Montgomery, The Washington Post)

['Warehouse': No Creativity, Just Cobwebs](#)

The Syfy Series Has a Very Familiar Feel to It
(By Tom Shales, The Washington Post)

['10 Things,' Coming Through Where It Counts](#)

(By Emily Yahr, The Washington Post)

[More Style](#)

LIVE DISCUSSIONS

[Stillbirth: Handling the Tragedy and Raising Awareness](#)

Washington Post staff writer Alan Goldenbach discusses how parents handle the tragedy of a stillbirth, how the medical community responds to it, what can be done to raise awareness and why awareness is so critical toward lowering stillbirth rates and chipping away at the stigma attached to it.

(Alan Goldenbach, washingtonpost.com)

[OnLove: Weddings on a Budget](#)

Get Tips on How to Budget for Your Wedding and More
(Rebecca Dolgin, washingtonpost.com)

[Station Break with Paul Farhi: Michael Jackson Memorial and More](#)

All-Star Tribute to 'The King of Pop'
(Paul Farhi, washingtonpost.com)

[Michael Jackson Memorial: Latest News and Preview](#)

Jackson's Mother Loses Control of Son's Estate

(Sharon Waxman, washingtonpost.com)

[Post Politics Hour](#)

(Ben Pershing, washingtonpost.com)

[More Live Discussions](#)

[Freedom vs. the Firewall](#)

FROM TWITTERERS in Tehran to bloggers in Burma, citizens living under authoritarian regimes depend upon free access to the Internet for information, coordination and the ability to make themselves heard. That's why oppressive governments devote so much effort to online censorship:

They, too, reco...

(The Washington Post)

[The District's Money](#)

The city, not House lawmakers, should decide how local tax dollars are spent.

(The Washington Post)

[Mr. Barry, Again](#)

Another arrest, another distraction D.C. doesn't need

(The Washington Post)

[Robert S. McNamara](#)

From stock villain to tragic character in a searing war

(The Washington Post)

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To "Lisa Heinzerling", "Bob Sussman", "Mathy Stanislaus"
cc
bcc
Subject Fw: Google Alert - lisa jackson epa

From: Google Alerts [googlealerts-noreply@google.com]
Sent: 03/17/2010 09:42 PM GMT
To: Richard Windsor
Subject: Google Alert - lisa jackson epa

Google News Alert for: **lisa jackson epa**

[Obama's Regulatory Czar Deliberately Stalling Toxic Coal Waste Regulation](#)

truthout

Back in October, **Lisa Jackson** of the **EPA** submitted a Notice of Proposed Rulemaking for coal ash to Sunstein's office. The review must be acted on within 90 ...

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Richard Windsor/DC/USEPA/US
04/24/2009 02:49 AM

To "Lisa Home"
cc
bcc
Subject Fw: Google Alert - lisa jackson epa

From: Google Alerts [googlealerts-noreply@google.com]
Sent: 04/23/2009 01:07 AM GMT
To: Richard Windsor
Subject: Google Alert - lisa jackson epa

Google News Alert for: **lisa jackson epa**

[Administration Stops Short of Endorsing Climate Bill](#)

New York Times - United States

Transportation Secretary Ray LaHood, left, Energy Secretary Steven Chu and **Lisa P. Jackson, EPA** chief, testified Wednesday. The latest on President Obama, ...

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Richard Windsor/DC/USEPA/US
04/15/2009 05:54 AM

To "Lisa Jackson"
cc
bcc
Subject Fw: washingtonpost.com News

From: "washingtonpost.com" [newsletters@email.washingtonpost.com]
Sent: 04/15/2009 04:30 AM AST
To: Richard Windsor
Subject: washingtonpost.com News

Wednesday, April 15, 2009

TODAY'S HIGHLIGHTS

[Obama: Economy Gaining Traction](#)

The president and the Federal Reserve chairman voiced cautious optimism yesterday that the economy could be beginning to stabilize. But the economy wasn't cooperating.
(By Neil Irwin and Ylan Q. Mui, The Washington Post)

[How Gays Won a Marriage Victory](#)

For 7 Years, Activists Eyed a Seemingly Unlikely Target: Iowa
(By Keith B. Richburg, The Washington Post)

[Income Tax 'Defiers' Include D.C. Detective](#)

Protesters Call System Illegal; IRS Disagrees
(By Del Quentin Wilber, The Washington Post)

[Illegal Immigrants' Legal Kids Snarl Policy](#)

Increased Birthrate Exacerbates Issue
(By N.C. Aizenman, The Washington Post)

[Five Russian Capitals Find Comfort Zone in D.C.](#)

Teammates Provide a Taste of Home
(By Barry Svrluga, The Washington Post)

[More Today's Highlights](#)

POLITICS

[Top Emissions Negotiator an Expert on Political Climate, Too](#)

When Todd Stern was working in private law practice, the State Department's top climate-change negotiator was known for dispensing blunt political advice. When a client said he was planning to defy the entire Illinois political establishment on an issue affecting Lake Michigan, Stern brought him up...

(By Juliet Eilperin, The Washington Post)

[How Gays Won a Marriage Victory](#)

For 7 Years, Activists Eyed a Seemingly Unlikely Target: Iowa

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NATION

[Illegal Immigrants' Legal Kids Snarl Policy](#)

A new report providing the most detailed portrait to date of the illegal immigrant population found that it is mostly made up of young families that are having children at a much faster rate than previously known. The study, released yesterday by the nonpartisan, Washington-based Pew Hispanic...

(By N.C. Aizenman, The Washington Post)

[A Racial Shift in Drug-Crime Prisoners](#)

Fewer Blacks and More Whites, Says Sentencing Project

(By Darryl Fears, The Washington Post)

[Obama: Economy Gaining Traction](#)

Weak Retail Data Signal Confidence Remains Off-Kilter

(By Neil Irwin and Ylan Q. Mui, The Washington Post)

[How Gays Won a Marriage Victory](#)

For 7 Years, Activists Eyed a Seemingly Unlikely Target: Iowa

(By Keith B. Richburg, The Washington Post)

[Stevens Gambled by Rejecting Deal, Pushing Early Trial](#)

(By Del Quentin Wilber, The Washington Post)

[More Nation](#)

WORLD

[Obama Prepares For Mexico Talks On Drug Trade](#)

MEXICO CITY -- President Obama will travel to Mexico on Thursday in a show of solidarity with his Mexican counterpart, Felipe Calderón, who has asked the new U.S. administration to do more against a thriving drug trade that threatens the integrity of his government and country.

(By William Booth and Scott Wilson, The Washington Post)

[N. Korea Answers U.N. With Defiance](#)

Inspectors Ousted, Talks Denounced

(By Blaine Harden, The Washington Post)

[For 20 Mariners, an Extreme Test of Resolve](#)

Sailors Describe How Crew of Cargo Ship Used Its Training to Resist Somali Pirates

(By Stephanie McCrummen, The Washington Post)

[At Summit of Americas, U.S. May Face World of Blame for Economy](#)

(By Scott Wilson, The Washington Post)

[Thai Protest Leaders Surrender to Police](#)

Analysts Fear Further Damage to Nation's Troubled Economy

(By Tim Johnston, The Washington Post)

[More World](#)

METRO

[Income Tax 'Defiers' Include D.C. Detective](#)

D.C. police Detective Michael C. Irving was looking for a way to keep more money in his pocket when he settled on a little-known "program" that he claimed exempted him from income taxes.

(By Del Quentin Wilber, The Washington Post)

[Without Papers, No Full License](#)

Md. Immigrants' Appointments Cut

(By Lisa Rein and Nick Miroff, The Washington Post)

[Family Members Sue Va. Funeral Home](#)

(By Josh White, The Washington Post)

[Law Professor to Lead FTC's Consumer Unit](#)

(By Kim Hart, The Washington Post)

[Man Removes Car Flag, Gets Clocked by Motorist](#)

(By Martin Weil, The Washington Post)

[More Metro](#)

BUSINESS

[Obama: Economy Gaining Traction](#)

The president and the Federal Reserve chairman voiced cautious optimism yesterday that the economy could be beginning to stabilize. But the economy wasn't cooperating.

(By Neil Irwin and Ylan Q. Mui, The Washington Post)

[U.S. Telecoms Eager to Get Cuba on the Line](#)

Firms Wait to See Plans for Infrastructure, Government's Approach to Access

(By Cecilia Kang, The Washington Post)

[As Company Shares Give Way in '08, Pay of Area CEOs Stays Above Fray](#)

(By Thomas Heath, The Washington Post)

[Goldman Revamp Puts Dec. Losses Off Books](#)

Calendar Shift Left 1 Month Unreported

(By David S. Hilzenrath, The Washington Post)

[Woman Is Awarded \\$3.2 Million in Ikea Accident](#)

(By Tom Jackman, The Washington Post)

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TECHNOLOGY

[Law Professor to Lead FTC's Consumer Unit](#)

The Federal Trade Commission yesterday named Georgetown University law professor David Vladeck as director of the agency's Bureau of Consumer Protection.

(By Kim Hart, The Washington Post)

[U.S. Telecoms Eager to Get Cuba on the Line](#)

Firms Wait to See Plans for Infrastructure, Government's Approach to Access

(By Cecilia Kang, The Washington Post)

[More Technology](#)

SPORTS

[Washington's Young Starters Struggling Out of the Gate](#)

The Nationals' starters are struggling -- together they have a 9.29 ERA. Opponents are batting .35. None has left a game with a lead.

(By Chico Harlan, The Washington Post)

[A Plan for Avery](#)

(By Sally Jenkins, The Washington Post)

[Five Russian Capitals Find Comfort Zone in D.C.](#)

Teammates Provide a Taste of Home

(By Barry Svrluga, The Washington Post)

[This Hockey Is a Whole New Game](#)

(By Tarik El-Bashir, The Washington Post)

[Redskins Open With Giants, Close on Road](#)

(By Jason Reid, The Washington Post)

[More Sports](#)

STYLE

[Designer Chosen for Black History Museum](#)

The long-awaited National Museum of African American History and Culture took an important step forward yesterday with the selection of an architectural and design team.

(By Jacqueline Trescott, The Washington Post)

[Top Emissions Negotiator an Expert on Political Climate, Too](#)

(By Juliet Eilperin, The Washington Post)

[Novel Affairs That Don't Cheat Reader](#)

(By Ron Charles, The Washington Post)

[Love and War, Kansas-Style](#)

(By Colman McCarthy, The Washington Post)

[Michael Jackson Auction Averted](#)

(The Washington Post)

[More Style](#)

LIVE DISCUSSIONS

[Ira Glass Discusses 'This American Life'](#)

"This American Life" host Ira Glass discusses the upcoming live version of the popular radio show.

(Ira Glass, washingtonpost.com)

[Free Range on Food: Making Baby Food, Hitting Farmers Markets, More](#)

(The Food Section, washingtonpost.com)

[The Reliable Source: 'Dead' Visit Obama, Easter Egg Roll, Stalked Congressman,](#)

[More](#)

(Amy Argetsinger and Roxanne Roberts, washingtonpost.com)

[Pearlstein: Bank Regulatory Structure](#)

(Steven Pearlstein, washingtonpost.com)

[Potomac Confidential: Driver's Licenses for Illegal Immigrants, Bloomberg in Va. Politics, the Nats, More](#)

Washington's Hour of Talk Power
(Marc Fisher, washingtonpost.com)

[More Live Discussions](#)

[Clarity in Need of Courage](#)

PRESIDENT Obama's speech on the economy yesterday was, on many fronts, very good. He explained with clarity the causes of the economic meltdown. He pushed back on faulty arguments from the right that stimulus spending is irresponsible and from the left that money shouldn't be funneled to the banks....
(The Washington Post)

[What's Being Negotiated](#)

In D.C. teacher talks, it's students' futures, and that's where a mediator should focus.
(The Washington Post)

[Better Days](#)

The Nats won't go 0-and-162. We guarantee it.
(The Washington Post)

TODAY'S ...

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Richard Windsor/DC/USEPA/US

06/09/2011 10:20 AM

To "Michael Goo", "Bicky Corman", "Laura Vaught", "Janet McCabe"

cc

bcc

Subject Fw: Politico: MIT study: Natural gas boom needs regulation

Betsaida Alcantara

----- Original Message -----

From: Betsaida Alcantara

Sent: 06/09/2011 09:33 AM EDT

To: Richard Windsor; Bob Perciasepe; Stephanie Owens; Gina McCarthy; Bob Sussman; Seth Oster; Dru Ealons; Diane Thompson; Brendan Gilfillan; Adora Andy; Alisha Johnson; Andra Belknap; Nancy Stoner; Cynthia Giles-AA; Arvin Ganesan; David McIntosh

Subject: Politico: MIT study: Natural gas boom needs regulation
MIT study: Natural gas boom needs regulation

By Bob King
6/9/11 5:35 AM EDT

The boom in U.S. natural gas supplies can deliver sizable benefits for the economy, the climate and national security – but also calls for the kind of environmental regulation the industry has been resisting, according to a study<<http://web.mit.edu/press/2011/alert-natural-gas.html>> the Massachusetts Institute of Technology's Energy Initiative is set to release Thursday.

For starters, increased use of existing combined-cycle natural gas power plants – instead of coal – could reduce the U.S. power sector's carbon dioxide emissions as much as 20 percent at relatively little cost, according to a summary provided to POLITICO<<https://www.politicopro.com/f/?f=3237&inb>>.

Further gains are possible by replacing coal-fired and older gas-fired boilers with newer, more efficient natural gas models, and by pairing gas plants with renewable sources such as wind for electricity generation, the study found. And continued high oil prices could allow gas to grab an increasing share of the market for fuel in vehicles.

Meanwhile, the environmental impacts of shale gas extraction are “challenging but manageable,” the authors say, but with a caveat: “Research and regulation, both state and federal, are needed to minimize the environmental consequences.”

The study also points to the kind of policies that could “maximize” the value of the nation's surging gas supply: “A CO2 emissions price for all fuels without subsidies or other preferential policy treatment.” It also calls for the U.S. to encourage the development of the global gas market and “promote sharing of know-how for strategic global expansion of unconventional gas production.”

The authors of the study are Ernest Moniz, director of the energy initiative and a former Clinton-era undersecretary of energy; Henry Jacoby, a professor at MIT's Sloan School of Management; and Tony Meggs, an MIT visiting engineer.

The university said the study also addresses questions such as:

- How much natural gas is there in the world, and how expensive is it to develop?
- What is the role of natural gas in a carbon-restrained economy?

- Could natural gas, in one form or another, be a viable substitute for gasoline or diesel?
- What is the geopolitical significance of the ever-expanding role of natural gas in the global economy?
Betsaida Alcantara

----- Original Message -----

From: Betsaida Alcantara
Sent: 06/08/2011 10:19 PM EDT
To: Richard Windsor; Bob Perciasepe; Stephanie Owens; Gina McCarthy; Bob Sussman; Seth Oster; Dru Ealons; Diane Thompson; Brendan Gilfillan; Adora Andy; Alisha Johnson; Andra Belknap; Lisa Garcia
Subject: LA Times: Latino groups push Obama on ozone standards
Latino groups push Obama on ozone standards

June 8, 2011 | 4:23 pm

[REDACTED]

[REDACTED] On the heels of a scathing critique by former Interior Secretary Bruce Babbitt on Wednesday, President Obama faced pressure from a burgeoning environmental justice coalition demanding stronger action on ozone, a component of smog, in predominantly Latino communities.

Fourteen groups sent a letter to Obama expressing dismay at missed opportunities and delays in bringing permissible ozone levels down to between 60 and 70 parts per billion:

The EPA estimates that the strongest standard of 60 parts per billion would avoid as many as 12,000 deaths and 58,000 asthma attacks per year. Implementing a weaker standard would mean more lives lost and more asthma attacks – costs that Latinos would disproportionately bear.

The Latino community has faced many challenges over the past few years. We've seen missed opportunities, delays and more. With lives at stake, we hope that we won't see yet another burden if polluting industries succeed in blocking EPA's efforts to protect us from smog.

This is a chance to fix a costly mistake by the Bush administration, which in 2008 disregarded science and set smog standards too high to adequately protect public health. This issue is too important to have mistakes like this repeated.

EPA announced proposed ozone standards of 60-70 ppb in January 2010, but delayed implementing them and in December, said it would submit the issue to a scientific advisory panel. That panel since has endorsed the lower limits. The agency is slated to establish new standards in July.

The George W. Bush administration had lowered the limit from 85 to 75 ppb. No urban area of California meets even the 1997 federal standard of 80 ppb. If states fail to meet federal standards, the government can withhold highway funding.

The Latino groups that signed the letter, from California, Texas and other states, are part of a growing environmental movement centered around some of the nation's most polluted urban areas. Signatories included the Comite del Valle from Brawley, in California's Central Valley, and the Latino Coalition for a Healthy California.

Groups such as East Yard Communities in Los Angeles have been pushing for help with unhealthy air in their working-class neighborhoods, surrounded by freeways and large rail yards.

In San Bernardino, air pollution authorities on Wednesday announced a major study of communities around large rail facilities that serve as a main inland hub of goods shipped across the U.S. The study will examine rates of cancer and asthma in those low-income communities.

The study comes two years after the California Air Resources Board determined that diesel emissions

from locomotives, big rigs and other equipment at the facility posed a significant health risk to thousands of residents living near the site, and that the facility posed the greatest cancer risk of any rail yard in California.

Related:

Richard Windsor/DC/USEPA/US
11/22/2011 08:40 AM

To "Michael Moats", "Bob Perciasepe", "Bob Sussman", "Gwendolyn KeyesFleming", "Shawn Garvin", "Janet Woodka", "Nancy Stoner", "Gina (Sheila) McCarthy", "Janet McCabe"
cc
bcc
Subject Fw: [epa_e-clips] US EPA - Daily News Clips - Tuesday, November 22, 2011

Check out the article on the BOOM in coal mining jobs in Appalachia.

----- Original Message -----

From: "EPA NEWS" [us-epa-reports@vocus.com]
Sent: 11/22/2011 07:00 AM EST
To: "EPA E-Clips" <epa_e-clips@lists.epa.gov>
Subject: [epa_e-clips] US EPA - Daily News Clips - Tuesday, November 22, 2011

Good Morning. Here are your daily news clips. This is a service provided by HQ's Office of External Affairs and Environmental Education. Please click on the link below for the clips. Contact the Office of Media Relations at 202-564-4355 if you have any questions.

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Richard
Windsor/DC/USEPA/US
05/10/2011 10:59 AM

To "Seth Oster", "Adora Andy", "Brendan Gilfillan"
cc
bcc

Subject Fw: The Yes Men target Peabody with a satirical campaign.

David McIntosh

----- Original Message -----

From: David McIntosh
Sent: 05/10/2011 10:40 AM EDT
To: Richard Windsor
Subject: The Yes Men target Peabody with a satirical campaign.

Peabody Energy (NYSE: BTU) Announces "Coal Cares™" Initiative, New Nationwide Campaign Against Stigma of Childhood Asthma

ST. LOUIS, May 10, 2011 / PRNewswire via COMTEX/ -- Peabody Energy today announced the creation of an innovative new public health initiative designed to combat the stigma of asthma among American children ages 0-18. With Coal Cares™ (www.coalcares.org), Peabody will offer free, custom-branded [inhaler actuators](#) to children living within 200 miles of a coal plant, along with coupons worth \$10 towards the purchase of the asthma medication itself.

"Too many young Americans face daily schoolyard taunting and bullying because of a condition over which they have no control," said Gregory H. Boyce, Chairman and Chief Executive Officer of Peabody Energy. "By re-branding the inhaler as a cool, individualized, must-have accessory, Coal Cares™ will empower children to tell bullies: 'suck it up.'" Children can choose from a variety of youth-themed inhaler cases, from tween faves like "the Bieber" and "My Little Pony," to the "Emo" and "Diamond" inhalers for older, style-conscious youth. There's even "My First Inhaler," for tots.

Coal Cares™ launches today in commemoration of [Asthma Awareness Month](#), the Environmental Protection Agency's effort to call attention to [rising asthma rates](#), especially among children. Coal Cares™ and its Puff-Puff™ line of inhalers is the first, and most ambitious, market-friendly public health initiative of this scope of any privately-owned American company, and testifies to the energy industry's commitment to the well-being of all citizens, including the youngest.

"Our actions are guided by a singular mission: to be a leading worldwide producer and supplier of balanced energy solutions, which power economic prosperity and well-being," said Boyce. "Coal Cares™ brings this mission to life, empowering children everywhere to take control of their destinies, beginning with their own lungs."

"Coal Cares™ is emblematic of the return to self-reliance that healthy entrepreneurship demands," said James Miasmus, Vice President of Government Affairs at Peabody USA.

"Costly 'scrubbing' technology, on the other hand, is an untested and heavy-handed intrusion into our still-vulnerable economy. At Peabody, we're thinking globally but acting locally, and locating preventive action at the point of consumption, where it belongs."

"Coal Cares™ isn't just the name of a campaign," said Kevin Briesslau, Vice President of Communications at Peabody Coal. "It's a philosophy, a way of doing business in harmony with the community we are a part of. After all, coal is the fastest-growing fuel in the world. We're part of America's heritage, and we're here to stay."

To learn more about Peabody's Coal Cares™ initiative, visit: www.coalcares.org.

Peabody Energy (NYSE: BTU) is the world's largest private-sector coal company and a global leader in clean coal solutions. With 2010 sales of 246 million tons and nearly \$7 billion in revenues, Peabody fuels 10 percent of U.S. power and 2 percent of worldwide electricity.

CONTACT:

Vic Ganey

Phone (314) 472-5539

SOURCE Peabody Energy

Richard Windsor/DC/USEPA/US
01/08/2010 02:52 PM

To "Seth Oster", "Allyn Brooks-Lasure"
cc
bcc
Subject Fw: Google Alert - lisa jackson epa

Cool

From: Google Alerts [googlealerts-noreply@google.com]
Sent: 01/08/2010 07:07 PM GMT
To: Richard Windsor
Subject: Google Alert - lisa jackson epa

Google News Alert for: **lisa jackson epa**

[Media Mayhem: Our media columnist's first annual 'Hot' or 'Not' list](#)

Mother Nature Network

Jackson's EPA so far has stopped short of adequate safeguards for mountaintop-removal coal mining and coal ash dumps. And some **EPA** steps have been hampered ...

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Richard
Windsor/DC/USEPA/US
09/15/2009 08:00 PM

To "Seth Oster", "Allyn Brooks-Lasure", "Adora Andy"
cc
bcc
Subject Fw: Google Alert - lisa jackson epa

Lahood's blog - called welcome to the fast lane. :)

From: Google Alerts [googlealerts-noreply@google.com]
Sent: 09/15/2009 11:48 PM GMT
To: Richard Windsor
Subject: Google Alert - lisa jackson epa

Google Blogs Alert for: **lisa jackson epa**

[Matthew Yglesias » About that **EPA** Regulatory Authority](#)

By myglesias

About that **EPA** Regulatory Authority. **Lisa Jackson**. Ted suggests that I might want to start taking my cues from Katherine Weymouth and offer some cheerier stories: Also, Matt, I think *your* readers might appreciate some cheerier stories ...

[Matthew Yglesias - http://yglesias.thinkprogress.org/](http://yglesias.thinkprogress.org/)

[ECO-BUSINESSWIRE.COM » Everything you always wanted to know about ...](#)

By rafael

Lisa Jackson's EPA has been hashing through the issues quickly. The final endangerment finding is coming soon, the mobile-source proposal is already on paper, and the stationary-source regulations ... well, they're another matter. ...

[ECO-BUSINESSWIRE.COM - http://news.eco-businesswire.com/](http://news.eco-businesswire.com/)

[Welcome to the Fast Lane: The Official Blog of the U.S. Secretary ...](#)

By Ray LaHood

This is one of those days when I am so clearly reminded of why I joined this Administration. Today, **EPA** Administrator **Lisa Jackson** and I announced a proposed rule that would bring our nation a step closer to a future...

[Welcome to the Fast Lane: The... - http://fastlane.dot.gov/](http://fastlane.dot.gov/)

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Richard Windsor/DC/USEPA/US
09/04/2009 06:45 AM

To "Seth Oster", "Allyn Brooks-Lasure", "Diane Thompson",
"Gina (Sheila) McCarthy", "Lisa Heinzerling", "Bob Sussman"
cc "Katharine Gage", "Robert Goulding"

bcc

Subject Fw: PSA Bipartisan Statement on Climate Change

Fyi

Aaron Dickerson

----- Original Message -----

From: Aaron Dickerson

Sent: 09/03/2009 04:45 PM EDT

To: windsor.richard@epa.gov; David McIntosh; Seth Oster; Diane Thompson

Subject: Fw: PSA Bipartisan Statement on Climate Change

FYI

----- Forwarded by Aaron Dickerson/DC/USEPA/US on 09/03/2009 04:28 PM -----

From: Matthew Rojansky <psa@psaonline.org>
To: Aaron Dickerson/DC/USEPA/US@EPA
Date: 09/03/2009 04:20 PM
Subject: PSA Bipartisan Statement on Climate Change

Dear Ms. Jackson,

I am writing to bring to your attention a high-level bipartisan statement on climate change and national security, signed by thirty-two top Democrats and Republicans, including nine former Senators, three former National Security Advisors, two former Secretaries of State, and a former Secretary of Defense. The full text and signatory list are copied below, and a PDF of the statement can be seen here:

<http://www.psaonline.org/downloads/Climate.pdf>

The statement will appear in Politico as a full page advertisement on Tuesday, September 8. With the U.S. Senate currently considering a bill on climate change and the Copenhagen summit only three months away, we hope this statement can help generate consensus for a clear, comprehensive, realistic and broadly bipartisan plan to address our role in the climate change crisis.

I have copied below an invitation to our formal launch event to be held on Capitol Hill, on Tuesday. Please join us if you can, and feel free to share this invitation with others who may be interested. If you have any questions or suggestions regarding this effort, I would be happy to hear from you.

Sincerely,

Matt Rojansky

Executive Director
Partnership for a Secure America
2000 P Street, NW, Suite 505
Washington, DC 20036
Phone: (202) 293-8580
Fax: (202) 747-7732
E-mail: rojansky@psaonline.org

*** EVENT INVITATION ***

Climate Change, Energy and National Security We Must Work Together on an American Strategy

Tuesday, September 8, 2009, 11:00 am – 12:00 pm
Reserve Officers Association (One Constitution Avenue, NE, Washington, DC 20002)

You are invited to join Partnership for a Secure America, the Reserve Officers Association and CNA for a discussion on the national security implications of climate change and America's energy use. This event will coincide with the release of PSA's bipartisan statement, signed by 32 prominent Republicans and Democrats, urging the development of a "unified American strategy" that will allow the U.S. to respond to and mitigate the impact of climate change.

Speakers:

Sen. Joseph Lieberman (Invited)
R. James Woolsey, Director of Central Intelligence 1993-95

Frank Wisner, Undersecretary of State 1992-93, Amb. to India 1994-97
Vice Admiral Dennis McGinn, USN (Ret.), CNA Military Advisory Board

To RSVP

E-mail prandato@psaonline.org

Call 202-293-8580

*** FINAL STATEMENT AND SIGNATORIES ***

For a PDF version of the statement as it will appear in Politico, click here:

<http://www.psaonline.org/downloads/Climate.pdf>

Climate Change Threatens All Americans We Must Work Together on an American Strategy

Climate change is a national security issue. The longer we wait to act, the harder it will be to mitigate and respond to its impacts. U.S. leadership alone will not guarantee global cooperation. But if we fail to take action now, we will have little hope of influencing other countries to reduce their own harmful contributions to climate change, or of forging a coordinated international response.

We must also help less developed countries adapt to the realities and consequences of a drastically changed climate. Doing so now will help avoid humanitarian disasters and political instability in the future that could ultimately threaten the security of the U.S. and our allies.

But most importantly, we must transcend the political issues that divide us – by party and by region – to devise a unified American strategy that can endure and succeed.

We, the undersigned Republicans and Democrats, believe Congress working closely with the Administration must develop a clear, comprehensive, realistic and broadly bipartisan plan to address our role in the climate change crisis. We must lead.

Howard Baker, US Senator (R-TN) 1967-85

Samuel Berger, National Security Advisor 1997-2001

Warren Christopher, Secretary of State 1993-97

John C. Danforth, US Senator (R-MO) 1977-95

Kenneth M. Duberstein, White House Chief of Staff 1988-89

Slade Gorton, US Senator (R-WA) 1981-87, 1989-2001

Lee Hamilton, US Congressman (D-IN) 1965-99, Co-Chair, PSA Advisory Board

Gary Hart, US Senator (D-CO) 1975-87

Rita E. Hauser, Chair, International Peace Institute

Carla Hills, US Trade Representative 1989-93

Nancy Kassebaum-Baker US Senator (R-KS) 1978-97

Thomas Kean, Governor (R-NJ) 1982-90, 9/11 Commission Chair

Anthony Lake, National Security Advisor 1993-97

Richard Leone, President, The Century Foundation

Robert McFarlane, National Security Advisor 1983-85

Vice Admiral Dennis McGinn, USN (Ret.), CNA Military Advisory Board

Donald McHenry, US Ambassador to the UN 1979-81

Sam Nunn, US Senator (D-GA) 1972-96

William Perry, Secretary of Defense 1994-97

Peter G. Peterson, Secretary of Commerce 1972-73

Thomas Pickering, Under Secretary of State 1997-2000

Joseph Prueher, US Ambassador to China 1999-2001, Commander, U.S. Pacific Command 1996-99

Warren Rudman US Senator (R-NH) 1980-92

George Shultz Secretary of State 1982-89

Theodore Sorensen, White House Special Counsel 1961-63

Gen. Charles F. Wald, USAF (Ret.) Deputy Commander, US European Command 2002-06, CNA Military Advisory Board

John Warner, US Senator (R-VA) 1979-2009

John Whitehead, Deputy Secretary of State 1985-88

Christine Todd Whitman, Governor (R-NJ) 1994-2001

Timothy E. Wirth US Senator (D-CO) 1987-93

Frank Wisner, Under Secretary of State 1992-93

R. James Woolsey, Director of Central Intelligence 1993-95

www.PSAonline.org

Richard Windsor/DC/USEPA/US
12/20/2011 11:52 AM

To "Stephanie Owens"
cc
bcc
Subject Fw: globe op ed

From: Sarah Pallone
Sent: 12/20/2011 11:50 AM EST
To: Brendan Gilfillan; Richard Windsor; Laura Vaught
Subject: Fw: globe op ed

FYI

From: "Maser, Gabe" [gmaser@sso.org]
Sent: 12/20/2011 11:41 AM EST
To: Sarah Pallone
Subject: globe op ed

This actually ran Saturday in the Globe.

Cleaning the air

Kenneth Kimmell

New air quality rules would build on the state's pollution limits

December 17, 2011|By Kenneth Kimmell

FOR YEARS, the Northeast has been called the "tailpipe of the United States" - a place where air pollutants from across the country foul our skies and lungs. That negative moniker is due to no fault of our own, but is a casualty of our location downwind of pollution sources in other regions.

Under Governor Deval Patrick, Massachusetts has led the nation in reducing pollution from power plants, cars and trucks, industrial sources and consumer products. For example, strict mercury limits for coal plants went into effect in 2008, and the plants have reported dramatic reductions in mercury emissions.

Yet, despite these efforts, the Commonwealth still has too many days each year of

unhealthy air. This is largely due to the pollutants that are produced by power plants in upwind states in the Midwest and Southeast, and carried by prevailing winds into our backyards. Pollution from cars and trucks also continues to be a significant factor.

Fortunately, new rules from the US Environmental Protection Agency would require upwind power plants to cut pollution the way we have done here, which will level the playing field and ensure that Massachusetts reaps the benefits of its clean air rules. The EPA is also expected to propose rules to cut pollution from cars and light trucks through tighter vehicle standards and cleaner gasoline. These rules deserve our support.

The EPA's Cross-State Air Pollution Rule, finalized in July, requires power plants to reduce emissions that cause ozone and fine particulates that can be drawn deep into one's lungs. This will cut down on the number of days that we need to warn our residents that our air is unhealthy, something that happened 10 times last summer.

The EPA estimates that nationwide, up to \$280 billion in health benefits will result from the new rule, due to 34,000 fewer premature deaths each year, 15,000 fewer non-fatal heart attacks, thousands of fewer hospitalizations, and 400,000 fewer cases of aggravated asthma throughout the eastern, central, and southern United States.

In addition, the EPA is expected to soon finalize a rule to reduce toxic emissions from large power plants - the Mercury and Air Toxics Rule. Mercury is a potent neurotoxin, particularly to the developing brain of the fetus and young child. Even small amounts of mercury are harmful.

Extensive scientific research shows widespread mercury pollution across New England, largely due to air deposition of mercury from upwind states. Because of high mercury levels, all New England states warn against eating certain types of locally caught fish.

*Gabe Maser
Director, Washington Office
Governor Deval Patrick
Commonwealth of Massachusetts
(202) 624-7713 - Office
(617) 549-2126 - Cell*

Richard Windsor/DC/USEPA/US
12/11/2009 05:00 PM

To "Todd Stern", "Jonathan Pershing", "Gina (Sheila) McCarthy"
cc
bcc
Subject Fw: TIME SENSITIVE: MONDAY Senator Boxer to Deliver Remarks on Copenhagen and Climate Change (12/14 at 11 am ET)

Fyi from Lisa Jackson

From: David McIntosh
Sent: 12/11/2009 04:55 PM EST
To: windsor.richard@epa.gov; oster.seth@epa.gov; depass.michelle@epa.gov; vajjhala.shalini@epa.gov
Subject: Fw: TIME SENSITIVE: MONDAY Senator Boxer to Deliver Remarks on Copenhagen and Climate Change (12/14 at 11 am ET)

Just FYI. Michelle or Shalini, you might alert State, in case they don't know already.

From: "Gilman, Kate (EPW)" [Kate_Gilman@epw.senate.gov]
Sent: 12/11/2009 04:49 PM EST
Cc: "Ordal, Paul (EPW)" <Paul_Ordal@epw.senate.gov>; "Rafle, Peter (EPW)" <Peter_Rafle@epw.senate.gov>
Subject: TIME SENSITIVE: MONDAY Senator Boxer to Deliver Remarks on Copenhagen and Climate Change (12/14 at 11 am ET)

**Hello, we would like to invite you to attend Senator Boxer's press conference on Monday, December 14th. The details are below. Please RSVP if you are able to attend as soon as possible.
Thank you.**

For Planning Purposes Only
(cell)
Transmitted December 11, 2009

Contact: Pete Rafle 202-302-7086
Kate Gilman 202-207-8639 (cell)

U.S. Senate Committee on Environment and Public Works

*** MEDIA ADVISORY ***

Senator Boxer to Deliver Remarks on Copenhagen and Climate Change

BACKGROUND: As the high level segment of the United Nations Climate Change Conference begins in Denmark, U.S. Senator Barbara Boxer (D-CA), Chairman of the Senate Environment and Public Works Committee, will hold a press conference to deliver remarks on Copenhagen and climate change.

WHEN: **MONDAY, DECEMBER 14, 2009**
11:00 AM ET

LOCATION: **EPW Hearing Room**
406 Dirksen

WHO: **Senator Barbara Boxer (D-CA)**
Chairman, Environment and Public Works Committee

###

Kate Gilman
Press Secretary
Senate Committee on Environment and Public Works
Senator Barbara Boxer, Chairman
410 Dirksen Senate Office Building
(202) 224-8832 main
(202) 207-8639 cell
kate_gilman@epw.senate.gov

Richard Windsor/DC/USEPA/US
03/16/2012 01:54 PM

To "Wyeth Wiedeman"
cc
bcc
Subject Fw: The Hill: Sen. Inhofe tells MSNBC's Maddow she's one of his 'three favorite liberals'

:)

Betsaida Alcantara

----- Original Message -----

From: Betsaida Alcantara
Sent: 03/16/2012 08:20 AM EDT
To: Richard Windsor; Brendan Gilfillan; Arvin Ganesan; Alisha Johnson; Andra Belknap; Laura Vaught
Subject: The Hill: Sen. Inhofe tells MSNBC's Maddow she's one of his 'three favorite liberals'
Sen. Inhofe tells MSNBC's Maddow she's one of his 'three favorite liberals'

by Ben Geman
03/16/12

Conservative Sen. James Inhofe (R-Okla.) offered high praise Thursday night for a trio of ideological foes, including MSNBC host Rachel Maddow.

"By the way, you and Lisa Jackson and Barbara Boxer are my three favorite liberals, because I enjoy watching you very much," Inhofe told Maddow during an interview about global warming.

EPA Administrator Lisa Jackson and Sen. Barbara Boxer (D-Calif.), the chairwoman of the Senate Environment and Public Works Committee, are frequent sparring partners for Inhofe, the panel's top Republican.

However, Inhofe frequently points out that he has a friendly relationship with them.

"Lisa, she even has a picture of my 20 kids and grandkids hanging on her wall. She and I get along fine," Inhofe said on MSNBC. (An EPA spokeswoman confirmed his comment about the picture.)

Inhofe has long battled EPA and Democratic efforts to curb greenhouse gas emissions through cap-and-trade legislation, which collapsed in 2010, or regulations.

He's Capitol Hill's most outspoken opponent of mainstream climate science. "You say something over and over again and sooner or later, people, particularly your audience, there's a liberal audience, they want to believe it," Inhofe told Maddow.

The overwhelming majority of climate scientists say the planet is warming and that human activities - including the burning of fossil fuels - are a major cause.

A small minority of scientists argue that data on warming trends and the human contribution is inaccurate or inconclusive.

**Robert
Goulding/DC/USEPA/US**
03/10/2009 12:12 PM

To
cc
bcc
Subject Briefing on Coal Ash

Meeting

Date 03/10/2009
Time 01:45:00 PM to 02:15:00 PM
Chair Robert Goulding
Invitees
Required
Optional
FYI
Location Your Office
Staff: Bob, Allyn, Adora

**Robert
Goulding/DC/USEPA/US**
03/02/2009 04:47 PM

To
cc
bcc

Subject Business for Innovative Climate and Energy Policy Thought
Leaders Breakfast

Meeting

Date 03/12/2009

Time 07:45:00 AM to 08:15:00 AM

Chair Robert Goulding

Invitees

Required

Optional

FYI

Location Crystal Ballroom, Willard Hotel, 1401
Pennsylvania

Ct: Vivian 202-510-5998

**Robert
Goulding/DC/USEPA/US**
02/18/2009 05:30 PM

To
cc
bcc
Subject Climate and Energy Lunch

Meeting

Date 02/23/2009
Time 12:30:00 PM to 01:30:00 PM
Chair Robert Goulding
Invitees
Required
Optional
FYI
Location DOE, 1000 Independence Ave., SW

Ct: Lyndsey 202-586-7941

VIP Desk on left - Staff to greet.

**Robert
Goulding/DC/USEPA/US**
08/20/2009 09:40 AM

To
cc
bcc
Subject Climate Prep

Meeting

Date 08/20/2009
Time 10:15:00 AM to 12:00:00 PM
Chair Robert Goulding
Invitees
Required
Optional
FYI
Location Out of Office

**Robert
Goulding/DC/USEPA/US**
03/27/2009 04:55 PM

To
cc
bcc
Subject Energy/Climate Communicaiton

Meeting

Date 03/30/2009
Time 03:45:00 PM to 04:45:00 PM
Chair Robert Goulding
Invitees
Required
Optional
FYI
Location Roosevelt Room, WH
Staff: Allyn Brooks-LaSure
Call in:

**Robert
Goulding/DC/USEPA/US**
02/17/2009 09:51 AM

To
cc
bcc

Subject Env and Climate Chg Working Group

Meeting

Date 02/18/2009
Time 01:45:00 PM to 02:45:00 PM
Chair Robert Goulding
Invitees
Required
Optional
FYI
Location Indian Treaty Room, EEOB

**Robert
Goulding/DC/USEPA/US**
01/26/2009 07:11 PM

To
cc
bcc

Subject European Commission - Int'l Plan for Climate Change

Meeting

Date 01/29/2009
Time 10:00:00 AM to 11:00:00 AM
Chair Robert Goulding
Invitees
Required
Optional
FYI
Location Your Office

Contact: Dave McIntosh

Staff: Dave McIntosh, Lisa Heinzerling, Scott Fulton, Brian McLean (Dir - Atmospheric Programs), Diana Kruger and Bill Inving (Atm Programs Staff)

Attendees: Todd Stern (State)

From delegation:

1. Full name : Karl Friedrich FALKENBERG
Official title: Director General - DG Environment, European Commission
2. Full Name : BALDWIN MATTHEW ROBERT
Official title: ADVISOR PRESIDENT BARROSO, European Commission
3. Full Name : Artur RUNGE-METZGER
Official title : Head of Unit, DG Environment, European Commission
4. Full name: Luisa Ragher
Official title: Head of Transport, Energy and Environment (TEE) Section, Delegation of European Commission to the US
5. Full name: Malachy Hargadon
Official title: Counselor for Environment, Delegation of European Commission to the US

**Robert
Goulding/DC/USEPA/US**
03/10/2009 06:03 PM

To
cc
bcc

Subject Followup to Energy/Climate Lunch

Meeting

Date 03/12/2009
Time 02:00:00 PM to 03:00:00 PM
Chair Robert Goulding
Invitees
Required
Optional
FYI
Location EEOB

**Robert
Goulding/DC/USEPA/US**
04/16/2009 04:54 PM

To
cc
bcc
Subject FYI - Energy/Climate Lunch

Meeting

Date 05/14/2009
Time 01:30:00 PM to 03:00:00 PM
Chair Robert Goulding
Invitees
Required
Optional
FYI
Location HUD, 451 7th Street, SW,
Secretary's Dining Room (10th Floor)
Megan Robertson, 402-6014

Please Note: We have RSVP'd NO. This is just FYI.

**Robert
Goulding/DC/USEPA/US**
03/09/2009 02:56 PM

To
cc
bcc
Subject Press, Coal Ash

Meeting

Date 03/10/2009
Time 02:00:00 PM to 02:35:00 PM
Chair Robert Goulding
Invitees
Required
Optional
FYI
Location The Administrator's Office

Ryan Robison/DC/USEPA/US

To

02/02/2011 10:02 AM

cc

bcc

Subject Interview with Robin Bravender of Politico

Meeting

Date 02/07/2011

Time 11:00:00 AM to 11:30:00 AM

Chair Ryan Robison

Invitees

Required

Optional

FYI

Location Administrator's Office

Ct: Brendan Gilfillan - 202-564-2081

Topic:

New Congress, climate and other upcoming air rules.

NOTE: A photographer will be there to take photos of the interview.

Ryan Robison/DC/USEPA/US

To

02/11/2011 12:10 PM

cc

bcc

Subject Meeting on Boiler MACT

Meeting

Date 02/16/2011

Time 11:30:00 AM to 12:00:00 PM

Chair Ryan Robison

Invitees

Required

Optional

FYI

Location Administrator's Office

Chris Busch - 202-250-8798

Staff:

Bob Perciasepe, Bob Sussman, Jose Lozano, Diane Thompson (OA)

Gina McCarthy (OAR)

Mathy Stanislaus (OSWER)

Scott Fulton (OGC)

Seth Oster, Brendan Gilfillan, Stephanie Owens (OEAAE)

Michael Goo (OPEI)

Optional:

Bicky Corman (OPEI)



Sarah Pallone/DC/USEPA/US
01/10/2011 08:21 AM

To Bob Perciasepe, Richard Windsor
cc
bcc
Subject NJ, once again leading the other states....

Sharing an article of interest: <http://www.njspotlight.com/stories/11/0109/2117/>



Pending Bills Pit Business Interests Against Environmentalists
Four-bill package enjoys bipartisan support, but conservationists warn it will undercut environmental regulations

 print |  email |  share

By Tom Johnson, January 10 in Energy & Environment | [Post a Comment](#)



To proponents, it is a legislative effort to streamline the bureaucracy and make New Jersey's economic climate more business-friendly. To foes, it is a move to undermine some of the state's environmental rules at the urging of special interests.

Related Links

[Environmentalists Argue Against Bills that Would Streamline Regulatory Process](#)

[Fine Print: Senate Bill 2014 \(A-2721\)](#)

The four-bill package, which enjoys bipartisan support and emerged, in part, from Gov. Chris Christie's Red Tape Review, is up for a vote in both houses today. The bills are opposed by most environmental groups, but are backed by business interests. Each of the bills was passed unanimously when voted out of committee.

The legislation primarily addresses the administrative law system that governs how the state adopts rules and regulations stemming from bills adopted by the legislature and issues permits to developers and businesses. The system, long criticized by many for being too long and burdensome, was set up two decades ago to regulate how state laws are implemented and how businesses can appeal unfavorable decisions by cabinet officers.

But to Jeff Tittel, executive director of the Sierra Club of New Jersey, the bills attack environmental protection and the rights of citizens to participate in government decision-making. "These bills give too much power to special interests and take away the public's right to comment when it comes to rules, regulations, environmental standards and permits."

[Speedier Permitting](#)

One of the bills (A-2853) would require state and local agencies to streamline the permitting process for permits related to business, particularly larger developments that create many jobs. It would set up an individual in state government to act as a point person on major projects, helping developers navigate all the necessary permits needed to move a venture forward. Critics argue that this provision would end up creating an in-house lobbyist for polluters.

But backers defended the measure. When the bill was passed unanimously by the Assembly Budget Committee last month, Assemblyman John Burzichelli (D-Gloucester) said, "Businesses devoted to economic development and creating jobs that benefit this state shouldn't have to run through an obstacle course to get the permits they need. It makes no sense to obstruct economic development, so we need a streamlined system that makes creating jobs as easy as possible."

The other three bills, voted out of the Assembly Regulatory Government and Oversight Committee in June, deal with trying to streamline the administrative process system, including allowing administrative law court judges, and, potentially, the Attorney General, to decide contested cases where two state agencies may be in conflict.

On Appeal

Under current law, if a developer has a permit that an agency denied, he or she can appeal the decision to an administrative law court judge who hears the case, listens to expert witnesses and issues a ruling. That ruling can be modified, accepted or rejected by the cabinet officer denying the permit. Under one bill (A-2922), the administrative law court or Attorney General makes the final decision in contested cases.

Tittel argued the bill takes away authority from the Department of Environmental Protection (DEP) and may violate federal delegation of various environmental programs in New Jersey given to DEP by the federal Environmental Protection Agency (EPA).

The other bills in the package would allow substantive changes to agency rulemaking upon adoption (A-2720), instead of going through the time-consuming process of reproposing the rule and holding new public hearings on the proposal. Finally, the package includes a measure (A-2721) that would change the expiration of new rules from five years to seven years.

More in Energy & Environment »

Comments on this story

No comments have been posted.

Sarah Hospodor-Pallone
Deputy Associate Administrator
for Intergovernmental Relations
Office of the Administrator
202-564-7178
pallone.sarah@epa.gov

Sarah Pallone/DC/USEPA/US

06/24/2011 09:48 AM

To Richard Windsor

cc

bcc

Subject FYI

This article is from the Atlantic City Press:

DEP questions Sierra Club's mercury testing

By SARAH WATSON Staff Writer | Posted: Thursday, June 23, 2011 9:41 pm

Two months ago, some area residents volunteered to have a snip of their hair collected at an Ocean City hair salon and tested for mercury as part of a national campaign to raise awareness about pollution emitted from coal-fired power plants.

On Thursday, the New Jersey chapter of the Sierra Club announced on the Ocean City Boardwalk that of the 34 people who agreed to share their results with the advocacy group, eight, or 23.5 percent, had mercury levels above the limit the federal Environmental Protection Agency considers safe.

While that may sound alarming, state Department of Environmental Protection spokesman Larry Ragonese said the results released by the Sierra Club lack statistical significance and context about who the participants are and why they may have elevated mercury levels.

“I don’t know what their testing means, who is tested, how it was tested. If this was something that came out of the American Medical Association or some scientific group, I would have some basis for seeing their sampling methods and the science of it, but at this point — and I don’t want to demean what they’re doing — I don’t know what it means,” Ragonese said. “We really don’t like to scare people, and I think this could scare people because they’ll hear something about mercury contamination.”

The Sierra Club embarked on a national campaign earlier this year for volunteers to have their hair sampled, which determines the level of mercury in the body, New Jersey chapter spokeswoman Christine Guhl said. As part of that campaign, the advocacy group is urging people to support rules proposed by the EPA that would establish national standards on how much mercury and other toxics could be released from coal-fired power plants, which are the largest source of airborne mercury pollution.

Once the chemical enters the environment, microbes convert it into a biologically available form called methylmercury, which moves its way up the food chain through fish. Large predatory fish have the highest concentration of methylmercury in their tissues, which is why there are consumption advisories. And consuming certain types of seafood is the major way for mercury to accumulate in humans, the Centers for Disease Control and Prevention says.

In Ocean City, twins Jill Mullins and Jaime Bowen, 31, volunteered their results to the Sierra Club. Bowen, a mother of two, had a mercury level above the EPA limit, and Mullins, a mother of one, was well below the limit. Both said they live in the same house on Wesley Avenue and eat similar diets — their only major difference was that Mullins had lived out of state for a number of years before moving to Ocean City recently.

“It just doesn’t make sense to me,” Mullins said. “What’s really disconcerting is that my level was so low and hers was so high.”

Contact Sarah Watson:

609-272-7216

SWatson@pressofac.com

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for Intergovernmental Relations
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202-564-7178
pallone.sarah@epa.gov

Sarah Pallone/DC/USEPA/US

05/03/2011 08:31 AM

To Richard Windsor

cc

bcc

Subject EPA tries to win back farm states

FYI

POLITICO

EPA tries to win back farm states

By: [Robin Bravender](#)

May 3, 2011 04:44 AM EDT

Lisa Jackson is looking for some friends down on the farm.

Farm-state voters have seemingly lost patience with Democrats in Washington. Last fall, the governorships and a combined 16 congressional seats in several key states that supported President Barack Obama in 2008 flipped to Republicans, including Iowa, Michigan, Ohio, Pennsylvania and Wisconsin.

At the center of complaints from farm-state lawmakers: the Environmental Protection Agency's air and water regulations, which they claim will put farms out of business.

In an effort to repair its image in the heartland, EPA Administrator Lisa Jackson and other Cabinet officials are hitting the road and the airwaves.

Jackson traveled to Iowa last month and California farm country in March, and EPA says additional trips are in the works. She has also been trying to improve EPA's image through appearances on local radio stations and with op-eds in farm states.

"Part of the reason for being here is to speak directly to folks outside of that echo chamber that's the Washington, D.C., world about what's really happening," Jackson told Des Moines, Iowa, radio station WHO last month.

"I call it sort of my 'debunking the myths' tour," she said.

Jackson admits she doesn't have a background in agriculture. "I'm a city girl," the New Orleans native said.

She insists EPA isn't out to put farms out of business but has failed to make much headway on Capitol Hill, where the agency's farm policies have come under fire from Democrats and Republicans alike.

At a heated March House Agriculture Committee hearing, California Democrat Dennis Cardoza told Jackson her agency was "the most unpopular agency in farm country from sea to shining sea, bar none."

The committee's top Democrat, Collin Peterson of Minnesota, said EPA appears to farmers like "an out-of-control agency that doesn't understand agriculture and doesn't seem to want to understand it." And Illinois Republican Tim Johnson told Jackson that her agency has been the "poster child ... for usurpation of legislative authority."

Among the most common anti-EPA talking points: The agency plans to clamp down on farm dust, regulate spilled milk like spilled oil and impose a "cow tax" on farmers for the greenhouse gases emitted by livestock.

Jackson says those are all myths. She told the House panel that the "mischaracterizations" about her agency "are more than simply a distraction" and "could prevent real dialogue to address our greatest problems."

Jackson insists that EPA has no plans to regulate dust on farms, although she hasn't ruled out the possibility. Last month, EPA made good on its promise to exempt milk containers from rules aimed at preventing oil spills from reaching water supplies.

And Jackson says the "cow tax" rumors are hot air. "That myth was started in 2008 by a lobbyist" and quickly debunked by a nonpartisan, independent group, she said at the hearing.

"I have a tremendous respect for the agricultural sector," she said. "Farmers and ranchers are an essential part of our economy; they give us food, fiber and fuel."

Jon Doggett, vice president of public policy of the National Corn Growers Association, said he often hears concerns from growers about not just what they see happening now at EPA but also "what they see coming in the future."

But he said it's a welcome sign that EPA officials are heading out to talk to farmers. "The thing that gets our folks most upset is the feeling that EPA doesn't know what we're doing out on farms," he said.

Pairing Jackson with Agriculture Secretary Tom Vilsack could help on that front.

Jackson and the former Iowa governor last month visited a livestock farm, a row crop farm and a biodiesel plant.

The two also penned an op-ed in The Des Moines Register last week touting the "shared goals" of EPA and farmers and again sought to set straight "some of the misconceptions and myths about the EPA."

Jackson is also known for her ability to put even her fiercest critics at ease when she meets them face to face. She's friendly with the Senate's top climate skeptic, Jim Inhofe (R-Okla.), who regularly berates the administration's environmental policies.

The EPA chief would do well to make stops in places such as Fort Wayne, Peoria or Evanston and answer questions about what much-feared regulations will really do, said a former Senate Democratic aide.

"Lisa Jackson does a very good job in that environment," that person said, because she can easily relate to people and doesn't get rattled.

Jackson also met with farmers and ranchers in Fresno, Calif., in March. In an op-ed in the Fresno Bee, she touted EPA's partnerships with agriculture and said its top brass has met with hundreds of farmers and ranchers across the country in the past year.

Norm Ornstein, a political analyst at the American Enterprise Institute, said the administration is likely trying to avoid fights in states that still rely heavily on agriculture.

"The last thing you want to do is piss them off for no good reason," he said.

And the attacks from farmers have been amplified amid Republicans' constant criticism of EPA and the Obama administration's environmental agenda.

"If you're aiming at the White House, you're going to use every weapon in your arsenal and everything that you can do to raise the dissatisfaction level in people," Ornstein said.

House Republicans on the Agriculture and Natural Resources committees plan to continue their assault Tuesday with a joint hearing titled "At Risk: American Jobs, Agriculture, Health and Species — the Costs of Federal Regulatory Dysfunction."

Jackson isn't scheduled to testify, but with fights ahead on 2012 appropriations, skyrocketing gas and oil prices and a possible farm bill in the offing next year, she'll need to keep up the effort.

"In the end, the proof is in the pudding, you look at what happens day to day," said Paul Schlegel, director of environment and energy policy at the American Farm Bureau Federation.



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FD HIDDEN DIV
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202-564-7178
pallone.sarah@epa.gov

Sarah Pallone/DC/USEPA/US

01/24/2011 08:27 AM

To Richard Windsor

cc

bcc

Subject Former Gov. Granholm

FYI:

POLITICO

Granholm heads west to Cal-Berkeley

By: [Molly Ball](#)

January 24, 2011 04:50 AM EST

Now that she's left office, former Michigan Gov. Jennifer Granholm plans to write a book, teach at Berkeley and stay in the public eye as a speaker and commentator.

The 51-year-old two-term Democrat told POLITICO in an interview that her new work will revolve around the interrelated themes she emphasized as governor: creating jobs, reviving American manufacturing and expanding the clean energy economy.

"I'm very much looking forward to this new chapter in what has been and will continue to be a very full life," Granholm said.

Granholm and her husband, Dan Mulhern, are coauthoring a book about "the experience of governing what has been the toughest state in the country," she said. It is set to be published in September by Public Affairs.

Granholm and Mulhern also have a joint two-year academic appointment at the University of California-Berkeley, Granholm's undergraduate alma mater. Together, they will teach a course this coming spring semester at the university's Goldman School of Public Policy. In the fall, they will teach separate courses in the public policy, law and business schools.

The common theme of the courses and book will be the lessons Michigan holds for the rest of the country as "the canary in the coal mine — the state hardest hit by the loss of traditional manufacturing jobs," she said. "We want to be able to have the nation draw lessons, good and bad, about what can happen if the United States doesn't take a more active role" in job creation.

In addition, Granholm and Mulhern have signed on with the Keppler Speakers Bureau to be represented for speaking engagements; they are fielding offers to serve on the boards of companies and nonprofits; and Granholm will be a paid contributor to NBC's "Meet the Press."

Mulhern, the former "first gentleman," is a radio host, inspirational speaker and leadership coach.

For Granholm, who grew up in California, the Berkeley appointment is a chance to spend more time with her parents, including an ailing father. Granholm and Mulhern plan to split their time between Michigan, California and Washington.

Since leaving the governor's mansion, the family has been renting in the Lansing area while their son finishes middle school. Granholm said they're working with a realtor to buy a permanent Michigan residence.

She was not approached for a job by the Obama administration, and does not plan to reenter politics. "I'm done with that," she said. "I'm ready for a new thing."

Granholm said the president has "taken some really good steps, but additional, aggressive steps need to be taken." The investments in a new clean-energy infrastructure made by the 2009 stimulus should "be put on steroids," she said.

Granholm's popularity was low by the time she left office — one April 2010 poll put her approval rating at 27 percent. She defended her record as having made tough decisions and put in place the changes that will eventually see Michigan recover from its long slump.

Under Granholm, the state's budget shrunk more than any other as declining revenues forced painful cuts. Now, she said, the beginnings of a turnaround can be seen: Michigan unemployment, which peaked at 14.5 percent in December 2009, was down to 11.7 percent in the latest December 2010 statistics.

"It's not like things have been fixed," Granholm said, but "our efforts in the past year and a half have really shown some remarkable progress."

She praised her successor, Republican Rick Snyder, for his bipartisan outreach, noting that the two jointly announced the new board of the Michigan Economic Development Corporation, with 10 appointees each. "He didn't have to do that," she said.

And she said she has no doubt Democrats will recover from their drubbing in the 2010 elections. "The president is obviously starting out well in 2011, with demonstrating that you can get stuff done at the end of last year and with the tone he set in Arizona," she said. "Citizens need to see continual movement. Citizens are impatient for change, understandably. If he can demonstrate continual progress, 2012 will be a good year for Democrats."

Now that she's left office, former Michigan Gov. Jennifer Granholm plans to write a book, teach at Berkeley and stay in the public eye as a speaker and commentator.

The 51-year-old two-term Democrat told POLITICO in an interview that her new work will revolve around the interrelated themes she emphasized as governor: creating jobs, reviving American manufacturing and expanding the clean energy economy.

"I'm very much looking forward to this new chapter in what has been and will continue to be a very full life," Granholm said.

Granholm and her husband, Dan Mulhern, are coauthoring a book about "the experience of governing what has been the toughest state in the country," she said. It is set to be published in September by Public Affairs.

Granholm and Mulhern also have a joint two-year academic appointment at the University of California-Berkeley, Granholm's undergraduate alma mater. Together, they will teach a course this coming spring semester at the university's Goldman School of Public Policy. In the fall, they will teach separate courses in the public policy, law and business schools.

The common theme of the courses and book will be the lessons Michigan holds for the rest of the country as "the canary in the coal mine —>

In addition, Granholm and Mulhern have signed on with the Keppler Speakers Bureau to be represented for speaking engagements; they are fielding offers to serve on the boards of companies and nonprofits; and Granholm will be a paid contributor to NBC's "Meet the Press."

For Granholm, who grew up in California, the Berkeley appointment is a chance to spend more time with her parents, including an ailing father. Granholm and Mulhern plan to split their time between Michigan, California and Washington.

Since leaving the governor's mansion, the family has been renting in the Lansing area while their son finishes middle school. Granholm said they're working with a realtor to buy a permanent Michigan residence.

She was not approached for a job by the Obama administration, and does not plan to reenter politics. "I'm done with that," she said. "I'm ready for a new thing."

Granholm said the president has "taken some really good steps, but additional, aggressive steps need to be taken." The investments in a new clean-energy infrastructure made by the 2009 stimulus should "be put on steroids," she said.

Granholm's popularity was low by the time she left office — one April 2010 poll put her approval rating at 27 percent. She defended her record as having made tough decisions and put in place the changes that will eventually see Michigan recover from its long slump.

Under Granholm, the state's budget shrunk more than any other as declining revenues forced painful cuts. Now, she said, the beginnings of a turnaround can be seen: Michigan unemployment, which peaked at 14.5 percent in December 2009, was down to 11.7 percent in the latest December 2010 statistics.

"It's not like things have been fixed," Granholm said, but "our efforts in the past year and a half have really shown some remarkable progress."

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Sarah Pallone/DC/USEPA/US
12/08/2010 08:24 AM

To Richard Windsor
cc
bcc
Subject From Business Week

This was on Politicker's site:

Scientists offer NJ gov climate change message

By ANGELA DELLI SANTI

Story Tools

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TRENTON, N.J.

Three scientists who specialize in climate change delivered a message to New Jersey Gov. Chris Christie on Tuesday: Global warming is real, it's caused mostly by people and it has already increased the frequency of severe weather in the Garden State. The Rutgers University scientists came to the Statehouse with reams of documents in the hope of convincing Christie, who has said he is reserving judgment on the issue.

Christie did not meet with the experts. Instead, his representatives sat in on their presentation. Afterward, governor's spokesman Michael Drewniak declined to comment.

The governor told a town hall meeting last month that he'd seen evidence on both sides of the climate change issue and was reserving judgment.

"To be honest with you, I don't know. And that's probably one of the reasons why I became a lawyer and not a doctor, or an engineer, or a scientist -- because I can't figure this stuff out," Christie said at the time. "But I would say at this point, that has to be proven, and I'm a little skeptical about it."

Meteorologist Alan Robock of Rutgers' Environmental Studies Department said if he could send one message to the governor, it would be this: "Global warming is real. Humans are causing it, and there's no doubt about that."

Robock, who wondered aloud whether Christie's comments were engineered to appeal to conservatives, said he wrote the governor after hearing his comments. In the letter, Robock said, he explained that the only scientifically credible explanation for global warming is that it stems mostly from human activity. He said the state's energy policy hangs in the balance of the governor's beliefs.

Oceanographer Paul Falkowski, who teaches at the Rutgers' Institute of Marine & Coastal Sciences, faulted the governor for discouraging mass transit use by hiking rail fares while encouraging driving by refusing to raise the gasoline tax, which at 14.5 cents is the third lowest in the country.

"While this governor has raised the cost of NJ Transit, he has not yet increased by even one cent the cost of gasoline," said

Falkowski. "Behavioral changes are simply modified by cost."

Overall, the experts rated New Jersey's energy policy as uneven. Environment New Jersey Executive Director Dena Jaborska, whose group hosted the event, said Christie has been "a real champion" in pursuing wind energy but has not yet affirmed his commitment to the state's renewable energy goals on solar energy. He has also yet to commit to the regional greenhouse gas reduction initiative known as RGGI.

Jim Miller, a climatologist who also teaches at the Department of Marine and Coastal Sciences, said the climate is changing, with more floods and droughts in New Jersey, for example. He said it's time to decide how much to invest in adapting to the climate change that's already been caused and how much to invest in mitigating against future damage.

Falkowski said he hopes decisions on climate change and energy

policy can be made rationally, beyond the sphere of politics.

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04/19/2011 08:19 AM

To Richard Windsor

cc

bcc

Subject From the Asbury Park Press

to Supreme Court

12:20 PM, Apr. 17, 2011 |

[5Comments](#)



In this photo taken Feb. 9, 2011, Environmental Protection Agency (EPA) Administrator Lisa Jackson testifies on Capitol Hill in Washington before the House subcommittee on Energy and Power hearing on the "Energy Tax Prevention Act of 2011. As the EPA considers rules to reduce carbon dioxide emissions from power plants, Republicans in Congress lead an effort to strip the EPA of its power to regulate greenhouse gases. Arguments will be heard Tuesday, April 19, before the U.S. Supreme Court over the ability of states and groups such as the Audubon Society to sue large electric utilities and force power plants in 20 states to cut their emissions. (AP Photo/Manuel Balce Ceneta, File)

Written by
MARK SHERMAN, Associated Press

WASHINGTON — The Obama administration and environmental interests generally agree that global warming is a threat that must be dealt with.

But they're on opposite sides of a Supreme Court case over the ability of states and

groups such as the Audubon Society that want to sue large electric utilities and force power plants in 20 states to cut their emissions.

The administration is siding with American Electric Power Co. and three other companies in urging the high court to throw out the lawsuit on grounds the Environmental Protection Agency, not a federal court, is the proper authority to make rules about climate change. The justices will hear arguments in the case Tuesday.

The court is taking up a climate change case for the second time in four years. In 2007, the court declared that carbon dioxide and other greenhouse gases are air pollutants under the Clean Air Act. By a 5-4 vote, the justices said the EPA has the authority to regulate those emissions from new cars and trucks under that landmark law. The same reasoning applies to power plants.

The administration says one reason to end the current suit is that the EPA is considering rules that would reduce carbon dioxide emissions from power plants. But the administration also acknowledges that it is not certain that limits will be imposed.

At the same time, Republicans in Congress are leading an effort to strip the EPA of its power to regulate greenhouse gases.

The uncertainty about legislation and regulation is the best reason for allowing the case to proceed, said David Doniger, a lawyer for the Natural Resources Defense Council, which represents Audubon and other private groups dedicated to land conservation.

"This case was always the ultimate backstop," Doniger said, even as he noted that the council would prefer legislation or EPA regulation to court decisions. The suit would end if the EPA does set emission standards for greenhouse gases, he said.

The legal claims advanced by six states, New York City and the land trusts would be pressed only "if all else failed," he said.

(Page 2 of 2)

When the suit was filed in 2004, it looked like the only way to force action on global warming. The Bush administration and the Republicans in charge of Congress doubted the EPA's authority to regulate greenhouse gases.

Federal courts long have been active in disputes over pollution. But those cases typically have involved a power plant or sewage treatment plant that was causing some identifiable harm to people, and property downwind or downstream of the polluting plant.

Global warming, by its very name, suggests a more complex problem. The power companies argue that any solution must be comprehensive. No court-ordered change alone would have any effect on climate change, the companies say.

"This is an issue that is of worldwide nature and causation. It's the result of hundreds of years of emissions all over the world," said Ed Comer, vice president and general counsel of the Edison Electric Institute, an industry trade group.

The other defendants in the suit are Cinergy Co., now part of Duke Energy Corp. of North Carolina; Southern Co. Inc. of Georgia; Xcel Energy Inc. of Minnesota; and the federal Tennessee Valley Authority. The TVA is represented by the government and its views do not precisely align with those of other companies.

Eight states initially banded together to sue. They were California, Connecticut, Iowa, New Jersey, New York, Rhode Island, Vermont and Wisconsin. But in a sign of the enduring role of partisan politics in this issue, New Jersey and Wisconsin withdrew this year after Republican replaced Democrats in their governor's offices.

Another complication is that the administration and the companies may be on the same side at the Supreme Court, but the power industry is strongly opposing climate change regulation. The Southern Co. is a vocal supporter of GOP legislation to block the EPA from acting.

"It's two-faced for them (the companies) to come into court and say everything is well in hand because EPA is going to act," said Doniger, the NRDC lawyer.

Comer said the key point is that judges should not make environmental policy. "This has important implications for jobs. If you raise energy costs in the U.S., does that lead industry jobs to go elsewhere and if it does, do you get the same emissions, just from another country?" Comer said. "These judgments are properly made by elected officials."

Justice Sonia Sotomayor, who was on the federal appeals court panel that heard the case, is not taking part in the Supreme Court's consideration of the issue.

The case is American Electric Power Co. v. Connecticut, 10-174.

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01/05/2011 04:39 PM

To Richard Windsor

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Subject Fw: fyi

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----- Forwarded by Sarah Pallone/DC/USEPA/US on 01/05/2011 04:37 PM -----

From: Jim Martin/R8/USEPA/US
To: David McIntosh/DC/USEPA/US@EPA, Sarah Pallone/DC/USEPA/US@EPA, Bob Sussman/DC/USEPA/US@EPA, Bob Perciasepe/DC/USEPA/US@EPA, Janet Woodka/DC/USEPA/US@EPA, Marygrace Galston/R8/USEPA/US@EPA
Date: 01/05/2011 03:40 PM
Subject: fyi

Ritter takes job at CSU

By Lynn Bartels
The Denver Post

Posted: 01/05/2011 09:45:20 AM MST

Updated: 01/05/2011 12:27:53 PM MST



Gov. Bill Ritter holds up his old student card from CSU while talking about his next job, w Director of the Center for the New Energy Economy at the Colorado State University. (THE DENVER POST | JOHN PRIETO)

Gov. Bill Ritter said today he passed over "lucrative" job offers from law firms to accept a position that combines two of his greatest passions: energy and higher education.

Ritter, a Denver Democrat who leaves office Tuesday, announced he will become director of the Center for the New Energy Economy at Colorado State University.

The new position pays \$300,000, a hefty increase from his gubernatorial salary of \$90,000 annually for the past four years.

In his news conference in his office, Ritter said that CSU President Tony Frank approached him about the job.

"He sent an e-mail to me asking if I'd consider joining CSU and building a center for the New Energy Economy," he said.

The two then talked about how to privately fund it.

"It was very important to me and the president that it was privately funded because of the difficulty we've had in securing public dollars for higher ed during this awful recession," Ritter said.

CSU spokesman Brad Bohlander said the initial budget for the center is \$550,000, which also will cover expenses for an assistant director, graduate student and operational costs.

The funding at this point is a three-way split between the Bohemian Foundation, the San Francisco-based Energy Foundation and private commitments that have not yet been finalized so are not being publicized, Bohlander said.

The Bohemian Foundation was founded in 2001 by medical heiress Pat Stryker of Fort Collins, who also has used her family wealth to help Democrats win state legislative races and Ritter win the governor's contest in 2006.

Ritter was asked about Stryker's role and what kind of speculation it would fuel. Republicans have accused wealthy Democrats of using their money to buy seats and influence under the Gold Dome.

"This is not political at all," Ritter said. "It is very substantive. In my perspective, it is in keeping with the Bohemian Foundation."

He said the group is one of CSU's biggest supporters, and is more likely the reason for its financial contribution than him being appointed the director.

"My relationship with Pat Stryker has been at arm's length the entire time that I have been governor," he said. "While she has been supportive of Democrats generally, I have functioned as the governor independent of their wishes or hopes. That gives me a great deal of comfort in saying that they're doing this because of their belief that CSU should be part of a building a national energy agenda."

Ritter listed several examples of CSU's cutting-edge technology in new energy strategies.

As governor, Ritter focused on what he called "the new energy economy," signing 57 related energy bills during his tenure and helping to lure new energy companies to Colorado.

Colorado is now home to the fourth-highest concentration of clean-energy workers in the country, the second-highest renewable energy standard in the nation, and the first law in the country that will convert old and inefficient coal plants to cleaner natural gas.

Ritter begins his new job Feb. 1. He said he will be in Washington that day giving an energy speech but plans to spend much of his time in Fort Collins. He will commute from Denver.

Ritter said he was "flattered" to be wooed by law firms and foundations, including the Energy Foundation providing funding for his new job.

"But I really believe that my heart was in continuing to develop a clear energy agenda for America," he said.

Ritter also will assume the title of senior scholar within CSU's School of Global Environmental Sustainability but had no details yet on what that will entail.

Ritter earned his bachelor's degree in political science from CSU in 1978.

Lynn Bartels: 303-954-5327 or lbartels@denverpost.com

Read more: [Ritter takes job at CSU - The Denver Post](http://www.denverpost.com/news/ci_17015999#ixzz1ACASTkuj)

http://www.denverpost.com/news/ci_17015999#ixzz1ACASTkuj

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U.S. Environmental Protection Agency

Sarah Pallone/DC/USEPA/US

08/01/2011 04:59 PM

To Richard Windsor

cc

bcc

Subject Fw: Gov. Gregoire's statement on new vehicle efficiency standards

See attached, from one of our favorite Governors

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----- Forwarded by Sarah Pallone/DC/USEPA/US on 08/01/2011 04:59 PM -----

From: "Rupp, Mark (GOV)" <mark.rupp@gov.wa.gov>
To: Sarah Pallone/DC/USEPA/US@EPA, Gina McCarthy/DC/USEPA/US@EPA
Date: 08/01/2011 04:57 PM
Subject: Fw: Gov. Gregoire's statement on new vehicle efficiency standards

FYI

From: Shagren, Karina (GOV)
Sent: Monday, August 01, 2011 01:13 PM
To: Shagren, Karina (GOV)
Cc: Rupp, Mark (GOV); Curtis, Cory (GOV)
Subject: Gov. Gregoire's statement on new vehicle efficiency standards

CHRISTINE O. GREGOIRE
Governor



STATE OF WASHINGTON
OFFICE OF THE GOVERNOR

P.O. Box 40002 • Olympia, Washington 98504-0002 • (360) 902-4111

For Release: Immediate
Office
Date: August 1, 2011

Media Contact: Governor's Communications
Phone: 360-902-4136

Gov. Gregoire's statement on new vehicle efficiency standards

OLYMPIA – Gov. Chris Gregoire today issued the following statement, commending the nation's new vehicle efficiency standards:

“These new standards improve both the health of our climate and economy – and ensure hard-working Americans achieve real cost savings down the road. Between now and 2025, Washington residents will save an estimated \$34 billion in fuel costs for operating motor vehicles that meet these new standards, while breathing cleaner air.

“Additionally, these new standards will spur job creation and reduce our need on foreign oil.

“I commend President Obama's leadership on this issue, and his focus on bringing the parties together to create vehicle efficiency standards that benefit all Americans. These new standards build on the real progress made last year, and ensure our nation's leadership position in addressing the real threats of climate change.”

###

Sarah Pallone/DC/USEPA/US

04/23/2010 08:06 AM

To Richard Windsor

cc

bcc

Subject Fw: Gov. Gregoire Op-Ed: States can lead way to a clean-energy future

FYI

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----- Forwarded by Sarah Pallone/DC/USEPA/US on 04/23/2010 08:06 AM -----

From: "Rupp, Mark (GOV)" <mark.rupp@gov.wa.gov>
To: "Rupp, Mark (GOV)" <mark.rupp@gov.wa.gov>
Date: 04/23/2010 05:57 AM
Subject: Gov. Gregoire Op-Ed: States can lead way to a clean-energy future

Please find an op-ed (below) that appears in today's Seattle Times. (Also, the link: http://seattletimes.nwsources.com/html/opinion/2011678594_guest23gregoire.html)

Mark

Mark W. Rupp
Director, Washington DC Office
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The Seattle Times
Friday, April 23, 2010

States can lead way to a clean-energy future

By Chris Gregoire

Special to The Times

RECENTLY, the Obama administration took a historic step toward curbing America's dependence on oil and reducing our nation's contribution to global warming by adopting the clean-cars program, which will require automakers to make cleaner vehicles that go farther on a gallon of gas. The clean-cars program is a great idea: It will cut pollution, save consumers money at the pump, and save Washingtonians 219 million gallons of gasoline per year by 2016.

This idea didn't come from the halls of Congress -- it came from Washington and the 13 other states that adopted similar standards in recent years. And it serves as just one example of how Washington and other states have consistently led the way in developing new strategies to create jobs, protect the environment and build the clean-energy economy.

Despite our leadership and innovation, some industry lobbyists in the other Washington want to limit states' ability to act independently to protect our economy and natural resources. That's a bad idea, and it sets a dangerous precedent.

Here's why. In Washington state, we've demonstrated the workability of dozens of new solutions to our long-standing energy problems. We've adopted cutting-edge programs to increase the amount of energy we get from renewable sources, make our homes and businesses more energy-efficient, set targets for reductions in global-warming pollution, and encourage a shift toward cleaner modes of transportation.

Our programs and strategies are not only having a positive impact on the environment, but on our economy as well.

A recent study by the Washington State Employment and Security Division, for example, found there were nearly 100,000 "green jobs" in Washington in 2009. With Washington's business climate ripe to add to its 400 clean-energy-technology companies already located here, that number is expected to grow.

In fact, earlier this month, a joint venture between BMW and SGL Group announced it has chosen Moses Lake in Grant County -- where unemployment is at 13.6 percent -- as the site for a new plant to manufacture lightweight carbon-fiber parts to be used in electric cars, making them lighter and more efficient.

As Washington takes steps toward a clean-energy future, we are learning from other states' examples, just as other states learn from ours. Even as members of Congress debate energy and climate policies to curb global warming, for example, there is already a successful, state-based cap-and-trade system up and running in the Northeastern United States, designed and operated by 10 states working together.

Similarly, the Western Climate Initiative (WCI), of which Washington state is a founding member, and the Midwest Greenhouse Gas Reduction Accord (MGGA) have laid the groundwork for comprehensive reductions in harmful greenhouse gases.

So it is troubling that at a time when we need good ideas the most, special interests continue to push U.S. senators for greater pre-emption of state authority -- pre-emption that would stifle innovation and potentially hold the nation back from achieving our emission-reduction and clean-energy goals. Such action would also violate the long-standing central role of states in setting environmental policy -- a role that states may need to play again one day given the changing political winds that seem to

consume Washington, D.C.

The time has surely come for the United States to adopt comprehensive policies to put America on course to a clean-energy future. Having testified before Congress in favor of federal action and after traveling to Copenhagen to see firsthand the precipice we are on in terms of losing our edge to other nations, I remain committed to the passage of federal energy and climate legislation this year.

But Congress would make a grave error if it were to shut down the state "laboratories of democracy" -- the proven testing grounds of the next generation of effective environmental and economic policies.

If we are serious about a strong economic recovery and a healthy future, with real opportunities for all Americans, we cannot accept the status quo. As a nation, we must repower our economy with a new engine of innovation, investment and job creation. States -- in a true partnership with the federal government -- can do just that.

Chris Gregoire is governor of Washington. Margie Alt, executive director of Environment America, and Cara H. Dolan from Environment Washington contributed to this commentary.

Sarah Pallone/DC/USEPA/US

To Richard Windsor

01/22/2010 08:27 AM

cc

bcc

Subject Fw: ROLLING STONE: Obama's Top Eco-Warrior

I keep hearing "on the cover of the Rolling Stone...gonna see my picture on the cover, gonna buy 5 copies for my mother..." I'm an old Dr. Hook fan.

Really great stuff! We can talk more about this next week.

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----- Forwarded by Sarah Pallone/DC/USEPA/US on 01/22/2010 08:23 AM -----

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Cc: Adora Andy/DC/USEPA/US@EPA, Allyn Brooks-LaSure/DC/USEPA/US@EPA, Arvin Ganesan/DC/USEPA/US@EPA, Avi Garbow/DC/USEPA/US@EPA, Barbara Bennett/DC/USEPA/US@EPA, Bob Perciasepe/DC/USEPA/US@EPA, Bob Sussman/DC/USEPA/US@EPA, Brendan Gilfillan/DC/USEPA/US@EPA, Charles Imohiosen/DC/USEPA/US@EPA, Christopher Busch/DC/USEPA/US@EPA, Chuck Fox/CBP/USEPA/US@EPA, Clay Diette/DC/USEPA/US@EPA, Craig Hooks/DC/USEPA/US@EPA, Cynthia Giles-AA/DC/USEPA/US@EPA, Daniel Gerasimowicz/DC/USEPA/US@EPA, David McIntosh/DC/USEPA/US@EPA, Diane Thompson/DC/USEPA/US@EPA, Eric Wachter/DC/USEPA/US@EPA, Gina McCarthy/DC/USEPA/US@EPA, Heidi Ellis/DC/USEPA/US@EPA, Janet McCabe/DC/USEPA/US@EPA, Katharine Gage/DC/USEPA/US@EPA, Lawrence Elworth/DC/USEPA/US@EPA, Lisa Garcia/DC/USEPA/US@EPA, Lisa Heinzerling/DC/USEPA/US@EPA, Marcus McClendon/DC/USEPA/US@EPA, Marygrace Galston/DC/USEPA/US@EPA, Mathy Stanislaus/DC/USEPA/US@EPA, Megan Cryan/DC/USEPA/US@EPA, Michael Moats/DC/USEPA/US@EPA, Michelle DePass/DC/USEPA/US@EPA, Paul Anastas/DC/USEPA/US@EPA, Peter Silva/DC/USEPA/US@EPA, Ray Spears/DC/USEPA/US@EPA, Robert Goulding/DC/USEPA/US@EPA, Robert Verchick/DC/USEPA/US@EPA, Sarah Dale/DC/USEPA/US@EPA, Sarah Pallone/DC/USEPA/US@EPA, Scott Fulton/DC/USEPA/US@EPA, Seth Oster/DC/USEPA/US@EPA, Shakeba Carter-Jenkins/DC/USEPA/US@EPA, Shalini Vajjhala/DC/USEPA/US@EPA, Shira Sternberg/DC/USEPA/US@EPA, Stephanie Owens/DC/USEPA/US@EPA, Steve Owens/DC/USEPA/US@EPA, Wyatt Rockefeller/DC/USEPA/US@EPA
Date: 01/21/2010 07:41 PM
Subject: ROLLING STONE: Obama's Top Eco-Warrior

The Eco-Warrior

President Obama has appointed the most progressive EPA chief in history – and she's moving swiftly to clean up the mess left by Bush

TIM DICKINSON

Posted Jan 20, 2010 11:30 AM

http://www.rollingstone.com/politics/story/31820267/the_ecowarrior



When it comes to passing major legislation – reforming health care, reining in Wall Street, curbing climate change – the Obama administration is under fire from all sides for bowing to special interests and conducting government business behind closed doors. But there's one agency where the hope and hype of the campaign trail have transitioned seamlessly into effective governance: the Environmental Protection Agency.

With a minimum of fanfare, new EPA administrator Lisa Jackson has established herself as the agency's most progressive chief ever – and one of the most powerful members of Obama's Cabinet. In her first year on the job, Jackson has not only turned the page on the industry-friendly and often illegal policies of the Bush era, but has embarked on an aggressive campaign to clean up the nation's air and drinking water. Under her leadership, the EPA has sought stricter limits on toxic pollutants like mercury, moved to scrub emissions of arsenic and heavy metals from coal-fired plants, and revoked a permit for the nation's largest mountaintop-removal coal mine. "The American people can be outraged when we're not living up to the P part of our name," Jackson says. "The protection part."

Even more striking, Jackson has expanded the EPA's mandate to include sweeping new powers to crack down on climate-warming pollution from cars and industry. The move, which has the full backing of the White House, could prove to be the only viable way to stop Big Oil and Big Coal from overheating the planet – especially after the disastrous collapse of climate talks in Copenhagen in December. "If Congress doesn't pass legislation on climate change," says Carol Browner, Obama's climate czar, "EPA will follow through under the requirements of the Clean Air Act."

Taken together, Jackson's efforts represent a sweeping attempt to revitalize an agency that was gutted during the Bush years. The goal, as she sees it, is to once again base environmental regulations on science and the law – not on the demands of well-connected industries. "Under Jackson, it's a whole new ballgame," says Eric Schaeffer, who resigned as the agency's director of environmental enforcement in protest over Bush policies. "You now have an EPA administrator who has White House support but is still tough enough to provide an independent voice for the environment."

When Jackson was appointed in December 2008, some prominent environmentalists considered her the wrong person for the job. During her tenure as head of New Jersey's Department of Environmental Protection, they pointed out, the state did such a dismal job of cleaning up toxic Superfund sites that even the Bush administration felt compelled to take them over. In a separate case, Jackson's unit discovered that a day-care facility housed in a former thermometer factory was exposing toddlers to mercury pollution, yet failed to alert parents for more than three months. "Under her watch, New Jersey's

environment only got dirtier, incredible as that may seem," Jeff Ruch, president of Public Employees for Environmental Responsibility, said at the time. "If past is prologue, one cannot reasonably expect meaningful change if she is appointed to lead EPA."

In the early going, Ruch's warning appeared prescient. Jackson kicked off her tenure at EPA by greenlighting more than two dozen permits for mountaintop removal coal mining that were held over from the Bush administration. "This mining is devastating Appalachia," warned Robert F. Kennedy Jr. "Everyone expected Obama to do something about it. Instead they're saying, 'We're going to let this happen.'"

Jackson herself now admits that those initial approvals were mishandled. "In hindsight, I certainly wish we could have gone through a longer process on some of those," she says. In September, the EPA put 79 permits for mountaintop removal on hold, pending a review to ensure that each complies with the Clean Water Act. In an unprecedented move, the agency also revoked a permit for the Spruce No. 1 mine, Appalachia's largest mountaintop-removal operation, observing that it would destroy seven miles of West Virginia streams already ravaged by mining.

In addition, Jackson tells Rolling Stone, the EPA is reviewing the infamous Bush "fill rule" that allows mining companies to bury streams and lakes with mining rubble in the first place. "Staff is working on it now," she says. "We haven't put anything about it out publicly." Jackson says the primary goal is to reform gold mining in Alaska – where miners have begun dumping toxic waste into a pristine lake near Juneau – but adds that the move may also "curtail" mountaintop-removal mining.

Today, environmentalists who fretted openly about Jackson's nomination are almost unanimous in singing her praises. "Parts of the environmental community were skeptical of her appointment," says Buck Parker, former executive director of the environmental-law firm Earthjustice. "But she's fantastic. Gutsy. Acts in accordance with what she says. She's proving to be one of the bright lights of the administration."

Most afternoons, you can find Jackson at EPA's headquarters in the old Post Office headquarters, a marble art-deco monument to an era when postmasters were kings. Her sprawling office is paneled, floor to ceiling, in old-growth walnut, and decorated with bright abstract art from the National Gallery. Near a copy of *The Lorax*, the Dr. Seuss environmental parable, Jackson keeps a photograph of Sen. James Inhofe, perhaps the most rabid anti-environmental zealot in Congress, surrounded by his grandchildren.

"We don't have rancor," Jackson says of the senator, who gave her the photo. "I keep it here to remind me that you gotta work with people. You gotta figure it out."

Jackson has a master's degree in chemical engineering from Princeton, and nearly two decades of experience directing the cleanup of toxic waste. But from her first day, she discovered, her most important skill was her ability to shift the attitude of staffers who remain stuck in the Bush-era mind-set that the EPA should weaken environmental enforcement to satisfy the demands of big polluters.

"Oftentimes we're in a meeting and somebody starts telling me, 'Well, we already know what this official – usually a local official – really wants.' I tell them I don't want to know that," she says. "I want to know what the science says. Even now they're surprised to hear me say that."

To shift the agency's culture, Jackson has moved swiftly to restore top career staffers who were shunted aside during the Bush years. "We call them 'cryogenically frozen,'" says a top aide to Jackson. "We've reactivated a lot of people who were known to disagree with the Bush administration's politics and were hung up in closets." Veteran staffers who have gotten their old jobs back say privately that they spent eight years under Bush "trying to do something good under the radar" – even as they were forced to design programs that "we all knew the courts were going to throw out."

Under Jackson, the agency is once again basing decisions on science rather than politics. "The science is not something the Obama administration feels they have to guard themselves against," says one clean-air staffer who was sidelined under Bush. "Because they are not trying to protect their industry buddies from environmental regulations."

"They have freed up agency employees to do what they're supposed to do: protect public health and the environment," says Jeremy Symons, the EPA's former climate-policy adviser. "And God knows there's a lot of pent-up work behind the dam that needs to be unleashed."

Much of Jackson's first year at the EPA, in fact, has been eaten up by reversing the worst of the Bush legacy. "It requires that we use our time and resources to look back," she says, "when we absolutely need to be moving ahead."

In one of its final acts, the Bush EPA effectively barred new oversight of oil refineries with a regulatory trick: It covered up the overall impact of a refinery's pollution by measuring every smokestack separately, as if each were operating in isolation. "Imagine if you had 10 smokers in a room and a baby in the middle," says Schaeffer, the former enforcement director. "You're trying to figure the impact on that baby's lungs, but you model the smoke from each cigarette and assume that's all you have in the room. There wasn't any science behind it."

Jackson summarily revoked the oil-friendly rule in October. She also jettisoned lax smog rules set under Bush that flouted the unanimous recommendation of independent scientists and allowed higher pollution levels – effectively sentencing hundreds of people a year to premature death. "This is one of the most important protection measures we can take to safeguard our health," Jackson said in sending the rules back to the drawing board. In January, the agency proposed strict new smog limits that are expected to be finalized later this year.

After having its budget sharply curtailed under Bush, the EPA now has its biggest budget in history – thanks to an increase of \$3 billion under Obama. The additional resources have enabled Jackson to put dozens of new federal cops on the environmental beat, and to crack down on states that fail to enforce the law. Chief among those states is Texas, where Gov. George Bush shifted the state to a system of "flexible permits" that allow oil refineries, chemical plants and other industrial polluters to increase toxic emissions as they modernize their facilities. Last summer, Jackson lowered the boom on Texas – first by sending an order to Gov. Rick Perry that rejected key elements of the state's regulatory implementation plan, then by descending on the state EPA office in person, accompanied by top enforcement officials from Washington.

"It was an army of people – I've never seen anything like that," says Neil Carman, director of clean-air programs for the Texas chapter of the Sierra Club. "We've got the attention of the highest level of people at the EPA, and they're going after it. We've waited 15 years to see this happen."

Advocates of environmental justice are also thrilled by Jackson's emphasis on protecting vulnerable communities that lack lobbying clout. She has started by filling the EPA, long a bastion of whiteness in Washington, with young aides who represent minority groups hard hit by pollution: the nearly three-fourths of Hispanics who live in communities that fail to meet clean-air standards, African-Americans who are more than twice as likely as whites to die from asthma, Native Americans whose homes lack clean water at almost 10 times the national rate. For Jackson, who grew up in the Ninth Ward of New Orleans, near the toxic corridor known as "Cancer Alley," such realities are a major reason she joined the EPA right out of grad school.

"What I'm trying to do is bring the agency back to being closer to the communities that are fighting for environmental protection," she says. "Because that's how environmental protection gets done – it usually comes from the communities up."

The shift to a more community-focused approach is already having an effect. When Emily Enderle, an environmental-health advocate with Earthjustice, recently petitioned the EPA to protect children exposed to dangerous pesticides, she was amazed to see the agency respond in only three weeks by initiating the process to create a new regulation.

"We didn't have any of the big green groups supporting this," Enderle says. "But they were very supportive of protecting rural kids who've been poisoned by nerve-toxic pesticides."

Jackson has moved with equal dispatch to clean up the nation's drinking water. After a storage facility loaded with coal ash collapsed in Tennessee in 2008 – creating a toxic spill 100 times larger than the Exxon Valdez – the EPA quickly disclosed previously secret information about 44 other "high hazard" storage facilities. The agency has also targeted 104 chemicals to be added to the Safe Drinking Water Act – a move that would more than double the 91 toxic substances currently subject to regulation.

In addition, Jackson is working with Congress to require all chemical manufacturers to prove that their compounds are safe before they enter the environment. "Safety standards cannot be applied without adequate information," says Jackson, "and responsibility for providing that information should rest on industry."

The biggest fight that Jackson faces, however, is her effort to regulate auto exhaust and other climate pollution under the Clean Air Act. While friends of industry have tried to paint Jackson as an unhinged eco-vigilante, her approach to regulating carbon emissions has been as serious as the Bush administration's was slapdash. Jackson has moved incrementally to make sure the agency's rulings stand up to inevitable legal challenges. "One of the worst of the legacies left after the eight years of the Bush administration was the number of regulations that were overturned," she says. "I am not a lawyer by training; I am an engineer. So I am very, very careful about getting good legal advice on the decisions that I am entrusted to make."

In one of the first decisions that Obama entrusted to Jackson, she reversed the Bush EPA and granted California the authority to curb carbon pollution from auto exhaust. That alone, she says, was enough to bring the automakers to the table to negotiate national limits on emissions, rather than face a patchwork of conflicting state regulations. "Once you get to the point where industry asks for regulatory certainty," Jackson says, "that's always a watershed moment in environmental protection." Spurred by the threat of regulation, automakers agreed to raise the fuel efficiency of cars to 35 miles per gallon by 2016, an accord that will reduce future carbon pollution by nearly 1 billion tons.

The EPA followed up in December by issuing an "endangerment finding" that gives the agency the authority to cap carbon pollution under the Clean Air Act. The move was required, Jackson says, by the Supreme Court decision in 2007 that greenhouse gases are a pollutant subject to regulation – a ruling ignored by the Bush White House. Jackson would prefer to curb carbon pollution with the kind of cap-and-trade system being considered by Congress: "Economy-wide, market-based legislation would be a better path," she says. But in the absence of legislative action, Jackson insists that she alone now has the tools to place America on the path to President Obama's target of reducing carbon emissions by 83 percent by 2050.

In January, the EPA began tracking the emissions of the large industrial polluters responsible for 85 percent of America's carbon pollution. That inventory will be completed within a year, paving the way for a first-ever cap on carbon emissions. In the meantime, polluters that want to expand their operations will be required, beginning this spring, to incorporate the "best available methods" for controlling emissions. "I've tried very hard to make sure regulation is common sense," says Jackson. "Not with an eye to developing some doomsday, all-powerful regulatory scenario, but to show folks once again the tremendous power of the Clean Air Act."

Jackson's critics say it's too soon to judge her true commitment to change. Ruch, who denounced her nomination, downplays the EPA's early accomplishments, saying many hard decisions are simply being "ducked or delayed." Case in point: the agency's extended review of permits for mountaintop-removal mining. On January 5th, the very first mine to make it through the process was approved.

Still, the greatest evidence that Jackson is serious about environmental protection may be those who are trying to curb her power. These days, pro-industry Republicans aren't the only ones trying to stymie the EPA. In a move designed to gain support from coal-state Democrats, the climate bill passed by the House would strip the agency of its authority to restrict climate pollution. Rep. Earl Pomeroy, a Democrat from North Dakota, has introduced stand-alone legislation that would do the same. And Rep. David Obey, the powerful and progressive chairman of the House Appropriations Committee, recently added a last-minute

rider to a spending bill that exempted Great Lakes shippers from strict new curbs that the EPA has imposed on diesel emissions from ships. The move – a transparent favor for Murphy Oil, a diesel-fuel refinery in Obey's district – undercuts a rule aimed at saving 12,000 lives a year.

Such maneuvers reveal how difficult it will be for Jackson to move forward on her commitment to craft environmental regulations based on scientific reality, not political favoritism. As with health care reform, a handful of Democrats in Congress could prove influential in undercutting the Obama administration's efforts to defend the environment and safeguard public health. "When it comes to something that threatens the pocketbooks of their own region," says Parker, the former head of Earthjustice, "traditional friends may turn out to be just as bad as Republicans."

[From Issue 1097 – February 4, 2010]

Sarah Pallone/DC/USEPA/US

10/20/2010 08:29 AM

To Richard Windsor

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Subject FYI

POLITICO

EPA in the crosshairs

By: [Robin Bravender](#)

October 19, 2010 07:09 PM EDT

Congressional Republicans planning an assault on the Obama administration's environmental record aim to turn [Lisa Jackson](#) into public enemy No. 1.

On the campaign trail, [Republicans](#) have adopted the Environmental Protection Agency as a favorite symbol of the White House's regulatory overreach. And behind the scenes in Washington, GOP staffers and K Street lobbyists who say they've been dissed by [the EPA](#) administrator are looking forward to getting some revenge.

Like other senior administration officials, Jackson can expect to be chained to a witness chair on Capitol Hill if Republicans win either chamber. There, they hope to make her defend policies the GOP contends are unpopular and anti-business.

"I think she'll be very much in demand on the Hill, at times not of her choosing," said a former staffer on the House Energy and Commerce Committee. "It will diminish her free time, shall we say."

With Democrats holding the reins in Congress, and White House energy and [climate adviser Carol Browner](#) taking many of the arrows from the GOP, Jackson has had enough of a political buffer zone to issue some of the strictest environmental rules in history. Republicans have decried the EPA at each step along the way but have been unable to do much about it.

Some of the animosity is personal: Republicans in both chambers and K Street attorneys say Jackson and her staff are too dismissive of opposing views and other stakeholders.

"When we write a letter to them, we'll get a form letter back," said a Republican aide. "We have seen no real indication that they hear or understand our concerns. She's loyal to the White House, and beyond that, they're just totally in sync with the view that we need a lot more regulations."

Rep. Joe Barton (R-Texas), ranking member of the energy committee, said Jackson isn't "rude or uncivil" but appears to be "on some sort of a mission, come heck or high water."

"Mrs. Jackson does not appear to be overly concerned about a cooperative relationship with the Congress or, at least, with the minority members of the Energy and Commerce Committee," Barton told POLITICO.

Rep. Shelley Moore Capito (R-W.Va.) complained earlier this year after a contentious meeting with Jackson over coal mining. Jackson told her that "the EPA is not required, and they do not consider, jobs or economic impact when evaluating permits," Capito told the Charleston Daily Mail.

"We had a good give and take. It wasn't adversarial," Capito said. "But there was no door opening where she said she might consider something. There was no door opening for me to say, 'Are you open to some change? Maybe you could come down to the coal fields.' I kept trying to, but there wasn't that possibility."

The showdown on Capitol Hill could be reminiscent of 1995, when Republicans reclaimed both chambers of Congress in the middle of President Bill Clinton's first term.

"The impact on EPA was significant," said a former agency official who worked under then-Administrator Browner. "There was more oversight, and it was more intense."

Republicans will try to use hearings to discredit the administration and the EPA, that person said. "It can have its nastier side."

Rep. Fred Upton (R-Mich.), the favorite to chair the Energy and Commerce Committee if Democrats lose the House, hopes to investigate the Obama administration's "poisonous regulations" and the role of policy "czars" in the White House, including energy adviser Browner.

"If we have the gavel, I can assure you that the oversight subcommittee will be very busy," Upton told POLITICO, adding that Browner can also expect frequent invitations to testify. "We'll have a seat reserved for her," he said.

Energy and Commerce won't be the only panel on Jackson's dance card: Rep. Darrell Issa (R-Calif.) said he wants to use the Oversight and Government Reform Committee to lead a probe into the science underpinning the EPA's climate regulations. And Rep. Jim Sensenbrenner (R-Wis.) hopes to keep the Select Committee on Energy Independence and Global Warming alive so he can examine the administration's climate and energy policies.

Jackson, 48, is no shrinking violet. New Orleans raised, she earned her chops as an enforcer at both the EPA and New Jersey's Department of Environmental Protection before becoming the state's top environmental official. She has declared she has no plans to leave her post anytime soon.

Under her watch, the EPA has pushed through the nation's first-ever climate rules aimed at curbing emissions from large industries and automobiles. The agency has also come

under fire for its efforts to limit toxic coal ash, ozone and soot and smog emissions from power plants.

One industry attorney complained that Jackson sees everything as a “mythic struggle between right and wrong,” rather than looking to compromise.

“It’s definitely anti-lobbyist rhetoric,” Jackson told POLITICO earlier this month. “It’s definitely meant to reflect the fact that when I go around the country, people want clean air. They are as passionate about clean air and clean water as [about] any of a number of issues; they want protection for their families and their children.

“I do very much believe that it’s time for us to get past this tired dance, where folks inside this Beltway get paid a lot of money to say things that aren’t true about public health initiatives that this agency is charged by law with undertaking,” she added.

Democratic staffers, meanwhile, are quick to praise the agency. Eben Burnham-Snyder, a spokesman for House energy bill author Rep. Ed Markey (D-Mass.), said the EPA “has been very helpful, especially during the process of passing the energy bill through the committee,” in providing reports and analyses.

EPA spokesman Brendan Gilfillan said Jackson's "commitment to openness compares particularly well to the lack of transparency during the previous administration.

“EPA is not always legally able to answer every question a member of Congress might ask,” he added. “But we have responded – or are in the process of responding – to every letter sent to us, regardless of the merits of the arguments made in the letters themselves.”

And Jackson’s supporters say she won’t relent under pressure. “She’s up to whatever comes,” said Dan Becker, director of the Safe Climate Campaign.

Becker warned that Republicans would pay a price for dragging officials to hearings to score political points. “Merely subpoenaing people and hauling them up to answer the same questions ... will get them nowhere,” he said. “The American people don’t want nothing to happen; they want the right things to happen.”

But not every hearing will produce fireworks, suggested former Rep. Thomas Bliley Jr. (R-Va.), who led the renamed House Commerce Committee from 1995 to 2001.

Bliley said the White House could find creative ways to avoid some GOP attacks. When reluctant officials do appear, he said, “they come in and generally read a long statement; announce in advance that they have another meeting they have to attend, ... and so they won’t be there very long.”



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01/04/2011 08:21 AM

To Richard Windsor

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Subject FYI

In wait-and-see mode, Pringle still onboard the Christie train

By Timothy J. Carroll | January 3rd, 2011 - 6:16pm

[| More](#)



TRENTON – Gov. Chris Christie had so much going on in 2010 that several environmental issues were pushed to the back burner. There was the wild rumpus over the toolkit, the hullabaloo over Race to the Top, the maelstrom of the Supreme Court.

So Barnegat Bay, the Highlands Act, and imminent deregulation were mere background noise in the a Statehouse.

It wasn't until Christie announced his skepticism of the human effect on global warming that ears perked. One person who had his ears perked all year was David Pringle, campaign director of NJ Environment. Pringle and the NJEF board threw their lot behind Christie in last years gubernatorial campaign, a rare feat, besting a Democrat with the Mother Earth multitude.

"Initially an endorsement is a referendum on an incumbent," Pringle said to day of his decision not to bid for a re-election bid. "Corzine basically had no new environmental agenda."

And Pringle knew full well what Corzine brought to the table.

"There was plenty of bad politics in Jon Corzine's administration," he said. "The environment suffered." On the biggest environmental issue of 2010 – the future of the Oyster Creek nuclear plant at Barnegat Bay, Pringle was in the eye.

He opposed the Highlands Council master plan, dragged his feet on new fertilizer standards, and his Denville Bayonne Mayor Joe Doria, was no friend of the green lobby.

So when Pringle's decision to leave Corzine behind was made, he turned to Christie and independent environmentalists. Pringle said Daggett's environmental background was "laudable," but no match for Christie's policy agenda. "I'm on the side of the opponents."

After the first year, Pringle stands by his choice, even though he understands why other enviro-leaders are hawking every decision Christie makes. They're distrustful.

"There haven't been any major broken promises," Pringle said. "Chris Christie is doing things differently and better."

Take Barnegat Bay, for example. The nuclear facility's cooling mechanism was warming the bay water. Holding the company accountable for installation of costly cooling towers was nearly impossible. When the project succeeded.

Instead of waiting to see if nuclear regulations demanded the towers, Christie simply demanded them certain seven to nine years of legal strife.

So after a quick cost-benefit analysis on the cooling towers, the facility's management decided instead volunteering their resignation over Christie's demand.

"No Oyster Creek is better than an Oyster Creek with cooling towers," Pringle said today. "He delivered. Furthermore, the independent safety review for the plant closure is becoming a model for other nuclear plants. "This is precedent-setting," he said, including the governor's 'you're next' nod to Salem County's nuclear plant. The cleanup and restoration of the bay is already in the works too – legislatively speaking – with Assessor (Salem and Orange) bills finding safe passage.

Even so, some critics with less rosy glasses think nine more years of plant operations could have chilled the industry. The conductor is the nation's oldest, a fact that worries some enviros to no end.

Overall, clean energy is a major cornerstone of Christie's regime, Pringle said.

The governor has publicly opposed new fossil fuel facilities – like Linden's coal plant – and is pushing for wind. Despite far-right attacks from Steve Lonegan and the Tea Party, Christie is staying the course, Pringle said. "We haven't got windmills in the water yet," but the state is preparing to become "a Mecca for offshore wind."

Christie turned some heads when he admitted he hadn't seen convincing evidence on humankind's impact on the planet, although he doesn't dispute the phenomenon itself.

"Actions speak louder than words," Pringle said. "The overall day-to-day policy decisions are a much more off-the-cuff sound bite at a town meeting."

In fact, it was Christie's recognition of global warming that was the "turning point in endorsement process." "I think we're about where we expected to be," Pringle remarked on Christie's Year One. "We knew we were doing everything."

Among the disagreements they have is Christie's appointments to the Highlands Council, the body charged with the Highlands Water Policy and Protection Act.

Christie nominated individuals in opposition to the act itself, conveying his wishes to have it repealed and replaced. "Those opposed to the very concept of a law shouldn't be appointed with upholding it," Pringle said, but the appointments have been confirmed by the Senate. "The jury's still out on that front."

A binder full of deregulation-for-the-sake-of-efficiency recommendations came down recently from the Commission, but Pringle isn't as quick to read the tea leaves as everyone else.

He's keen to the government's fiscal crisis and has already seen the effects on the state watchdog. "Deregulation," Pringle said.

But whether the recommended cuts and ease-backs are actually for efficiency's sake is what most enviros worry about. "At best, it's premature to say," according to Pringle. "What's in the Red Tape report doesn't show us where we're heading to be. I can understand why some folks think it's heading in that direction."

In the next few months, some important decisions will be made in Trenton that Pringle will be watching closely: emission reductions for diesel trucks, replenishment of state EPA transportation funds, and the deepening of the state's commitment to clean energy.

"Corzine sold the store on that one and Christie's doing his best to make up for lost time," Pringle said.

"There's a lot of rhetoric out there based on what folks think is going to happen, not on what has already happened. Pringle will work with the governor when he's right and disagree and hold him accountable (when he's not)," Pringle said.

"Are we satisfied?" he asks aloud. "I have a reputation uphold. We're environmentalists. We're never satisfied."

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Sarah Pallone/DC/USEPA/US To Richard Windsor
05/16/2011 08:13 AM cc
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Subject FYI

Governor Christie to Talk Global Climate Change with Scientists
Governor tells NJ Environmental Federation his original doubts were due to not having a "fully formed opinion."

By Tom Johnson, May 16 in Energy & Environment |Post a Comment

Gov. Chris Christie is going to get schooled on global climate change.

Related Links

Americans for Prosperity Claims Greenhouse Gas Initiative Will Drive Up Cost of Electricity

Fine Print: Connecticut vs. American Power

The Republican governor, who caused a stir when he told a town hall meeting he was unsure about the science of global warming, plans to sit down this week with a couple of climate change scientists recommended by the New Jersey Environmental Federation.

While not taking back his original comments, Christie, appearing at the federation's annual convention Saturday at Rutgers University in Newark, said he replied that way because he didn't think he had enough evidence at the time to offer a "fully formed opinion."

His skepticism on the issue caused concern among clean energy advocates and environmentalists, because New Jersey has established an aggressive target for reducing greenhouse gas emissions. Last month, Board of Public Utilities (BPU) President Lee Solomon questioned whether the state might have to roll back those targets in the wake of the nuclear plant disaster in Japan, an event that makes developing new nuclear power in the U.S. much more problematic.

Christie did not mention who the climate scientists are and David Pringle, the federation's campaign director, declined to identify them after Christie left.

Quitting the Initiative

Meanwhile, a conservative group is pushing for New Jersey to quit a regional initiative among 10 Northeastern states to cooperatively reduce greenhouse gas emissions through a cap-and-trade program. The administration is currently reviewing its participation in the effort, Department of Environmental Protection (DEP) Commissioner Bob Martin told legislators earlier this month. Christie was not asked about this issue on Saturday and did not address it in his opening remarks.

To some critics, Christie's positions on the environment are motivated by his increasing national stature, and reflect a decision to subtly move his stance on certain issues to the right, should he seek national office.

Christie was well received at the federation's meeting, which had endorsed him in his gubernatorial bid. After he finished taking questions, including a few questioning some of those policies, about half of the 100-plus in attendance gave him a standing ovation. Christie told the federation its leadership would have the primary seat at the table in formulation of environmental policies, praising them for their "opinions and reasonableness."

That "reasonableness," however, has been viewed by some conservationists as providing cover for the administration in its efforts to roll back some environmental protections, a stance that has caused a fracture within the environmental community. In his opening remarks, the governor touted his environmental policies, opposing offshore oil drilling, unlike fellow Republicans, he noted, who last week voted to open up more areas to exploration off the eastern seaboard. He also cited his administration's opposition to offshore liquefied natural gas terminals, to the dredging of the Delaware River and efforts to clean up dirty coal plants in Pennsylvania.

Funding Renewables

He also said the administration was committed to develop renewable energy sources, such as offshore wind, but suggested it would require investments from both ratepayers and taxpayers to make it happen.

In questions from the audience, Christie was asked why he had nominated to the New Jersey Highlands Council people who were fervently opposed to the law, which was supposed to protect water supplies and address other issue. Christie said he did not agree with the premise of the question, but added those members reflect his view that the Highlands law failed to compensate property-owners whose land had been affected by the regulations.

Asked about the relicensing of the Salem nuclear power plants, Christie said the issues at Oyster Creek, which his administration signed a deal with Exelon to close in 9 years, and Salem were different in operational terms. "I don't see us closing Salem," he said.

He also defended a controversial proposed waiver rule, that would allow DEP to waive certain regulations where exceptions are merited.

More in Energy & Environment »

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06/24/2011 09:57 AM

To Richard Windsor

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Subject FYI

<http://www.sciencedirect.com/science/article/pii/S0013935111001484>

From Politico: **HEALTH PROBLEMS** — Communities surrounding mountaintop removal coal mines suffer a higher-than-average rate of birth defects, and the rate of those defects continues to rise as the mining practice becomes more prevalent, according to a report from researchers at West Virginia and Washington State universities. They analyzed more than 1.8 million birth records from between 1996 and 2003 and found 235 birth defects per 10,000 births in mining areas, compared with 144 per 10,000 in non-mining areas. The peer-reviewed study has been published in the journal Environmental Research

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07/26/2011 08:38 AM

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Subject FYI

Business Leaders Request a Stronger Regional Greenhouse Gas Initiative

More than 200 business executives call on participating states to put more muscle in RGGI's cap-and-trade program

 [print](#) |  [email](#) |  [share](#)

By [Tom Johnson](#), [July 26](#) in [Energy & Environment](#) | [1 Comment](#)

Nearly two months after New Jersey said it would pull out of a regional initiative to curb greenhouse gas emissions, a few hundred business executives called on the 10 states participating in the program to strengthen and overhaul the effort.

In a letter issued yesterday, the business leaders urged New England and Mid-Atlantic governors to support and improve the Regional Greenhouse Gas Initiative (RGGI), a program designed to help deal with global climate change while supporting clean energy and energy efficiency programs.

"We believe strong clean energy and clean-aid policies create jobs and stimulate economic growth," the letter by more than 225 businesspeople said. "By reducing spending on out-of-region fossil fuels, RGGI improves energy security and economic competitiveness and frees up energy dollars for spending in other parts of our economies."

An Ineffective Initiative?

Calling the program ineffective and merely a tax on consumers, New Jersey Gov. Chris Christie said he would pull out of the program by the end of the year. In doing so, the Republican governor noted that the state already had achieved its goals for reducing greenhouse gas emissions through other programs.

The decision has been criticized by environmentalists and lawmakers, who passed a bill before the legislature's summer recess that would require the state to remain in the program. New Jersey is the first of the 10 states participating in the program to pull out of the initiative, which was originally designed to serve as a model for a national "cap-and-trade" program to deal with global climate change.

Christie is expected to veto the bill, but has yet to do so. The regional initiative has been targeted by conservative organizations, including Americans for Prosperity, which spent hundreds of thousands of dollars lobbying New Jersey to pull out of the initiative.

Capping Greenhouse Gas

The regional initiative, begun in 2005, established a regional cap on greenhouse gas emissions from power plants. Utilities that exceeded the cap paid into a fund that financed clean energy and energy efficiency projects in the states, with the cost ultimately passed onto ratepayers.

Backers say it has helped reduce emissions contributing to global climate change as much as 15 percent, but whether that reduction occurred because of the regional program or the recession and a big drop in natural gas prices is uncertain.

In the business leaders' letter, they argue the 10 states should to update the program to create more effective price signals, a recurring criticism of the current initiative. Opponents argued that RGGI never achieved its goals because the surcharges, about \$2 per ton, were not high enough to get companies to modify their plants or switch to cleaner fuels, a point made by Christie.

Rather than abandon the program, however, environmental groups and lawmakers had argued that the administration should work to strengthen it, as the business leaders are advocating in their letter.

"Updating the RGGI emissions cap to create effective pricing signals will accelerate in-region economic growth while reducing actual emissions," the letter argued.

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07/26/2011 10:51 AM

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Subject FYI

Pulled from the League of Women Voters website:



June 23, 2011

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1600 Pennsylvania Ave, NW
Washington, DC 20500

Dear Mr. Daley:

On behalf of the millions of Americans we represent, we are writing to thank you for your recent comments declaring the Administration is "not going to allow any legislation that impedes the need to improve our health and safety" when you were asked about the Administration's position on legislation to block or delay EPA climate standards. This strong public stance from the White House is welcomed by the millions of Americans who support efforts to clean up our air and protect our children's health. Across the Administration, there are additional efforts underway to ensure an adherence to science and commitment to the health and safety of the American people. We believe your statements are a strong defense of that effort.

As you know, the White House is currently considering the details of the primary National Ambient Air Quality Standard for ozone. In keeping with the administration's commitment to public health, it is our strong hope that the White House will support EPA's establishment of a health-based air quality standard for ozone at the lower end of the range of 60-70 parts per billion recommended by the Clean Air Scientific Advisory Committee (CASAC). The EPA estimates that setting such a protective standard would save thousands of lives every year.

We are also grateful for the Administration's continued support of a strong mercury and air toxics standard for power plants that will save tens of thousands of lives and help reduce American's exposure to a host of health-threatening pollutants including mercury, a known brain poison that can lead to developmental disorders in children.

We will continue to advocate for strong clean air standards that improve public health. We look forward to working with the Obama administration to protect the Clean Air Act and the remarkable impact it has had on the health of our families, our children and seniors, and we hope

that the White House continues its commitment to protecting our health and our safety.

Sincerely,

Trip Van Noppen, President, Earthjustice
Peter Bahouth, Executive Director, US Climate Action Network
Larry J. Schweiger, President & CEO, National Wildlife Federation
Michael Brune, Executive Director, Sierra Club
Frances Beinecke, President Natural Resources Defense Council
Elisabeth MacNamara, President, League of Women Voters of the United States
Margie Alt, Executive Director, Environment America
Gene Karpinski, President, League of Conservation Voters
Fred Krupp, President, Environmental Defense Fund

June 23, 2011

The Honorable William M. Daley
Chief of Staff
The White House
1600 Pennsylvania Ave, NW
Washington, DC 20500

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Fred Krupp, President, Environmental Defense Fund

Sarah Hospodor-Pallone
Deputy Associate Administrator
for Intergovernmental Relations
Office of the Administrator
202-564-7178
pallone.sarah@epa.gov

Sarah Pallone/DC/USEPA/US

11/16/2011 08:57 AM

To Richard Windsor

cc

bcc

Subject FYI: RGGI Created 1700 jobs

Pulling Out of Greenhouse Gas Initiative an Expensive Mistake, Study Suggests

Derided by administration, RGGI actually created 1,700 jobs in the Garden State

 [print](#) |  [email](#) |  [share](#)

By [Tom Johnson](#), [November 16](#) in [Energy & Environment](#) | [Post a Comment](#)

New Jersey is losing the opportunity to create jobs and spur growth by pulling out of a 10-state initiative to reduce greenhouse gas emissions, a new study suggests.

Related Links

[The Economic Impacts of the Regional Greenhouse Gas Initiative on the Northeast and Mid-Atlantic States](#)

[Gov. Christie Abandons Greenhouse Gas Initiative](#)

[Americans for Prosperity Claims RGGI Will Drive Up Electricity Costs](#)

In an economic analysis of the impact of the Regional Greenhouse Gas Initiative (RGGI), a study commissioned by utility regulators claims that a cap-and-trade program initiated by Northeast states resulted in the creation of 1,772 jobs and \$151 million in economic value in New Jersey and a total of 16,135 jobs and \$1.6 billion in economic value throughout the region .

Gov. Chris Christie, in a decision that drew sharp criticism from clean energy advocates and Democratic lawmakers, announced in May that New Jersey would pull out of the program at the end of this year, calling it ineffective environmentally and nothing more than an electricity tax. Christie's move was especially disappointing to RGGI's backers, who hoped the regional initiative would serve as a successful prototype for a national effort to combat global climate change.

The study, done by the Analysis Group for the National Association of Regulatory Utility Commissioners, noted that the \$912 million paid out by electric customers to finance the program is offset by the more than \$1.1 billion in electric savings and \$174 million in gas savings customers will reap from a drop in energy use because of energy efficiency projects funded under the initiative.

The \$912 million in allowances paid out by power suppliers for each ton of carbon dioxide they emit is eventually passed on to utility customers. The money raised by the allowances is redistributed among the 10 states to use primarily on clean energy initiatives, although some states such as New Jersey used the money to plug holes in their budgets.

New Jersey received \$118 million, but \$75 million of that total was used to close budget deficits in the last year of Gov. Jon Corzine's term and the first year under Christie, who diverted \$63 million of the total.

"As the first U.S. experiment with a carbon price in electricity markets, RGGI has produced actual historical data that reveal the concrete economic impact at the state and regional levels," said Susan Tierney, one of the authors of the study and a managing principal in the Analysis Group, which is based in Boston. The report did not examine whether the program was meeting its environmental goals.

Steve Lonegan, state director of Americans for Prosperity, a conservative group that lobbied hard to have New Jersey pull out of RGGI, said he had not yet fully reviewed the report but called it flawed. "It's a bunch of government regulators trying to justify their existence," Lonegan said, calling RGGI an "income redistribution" program thought up by bureaucrats to take money from taxpayers.

The report argued otherwise. It claimed the economic benefits resulting from RGGI stem from the way the states use the funds raised by the allowances to buy goods and services—ranging from energy audits, increased sales of energy efficiency appliances, and labor to install solar panels.

Those investments lead to a drop in electricity prices over time, according to the report. The savings, a net gain of \$1.1 billion, break down into a drop in electricity bills of \$25 for residential customers, \$181 for commercial consumes and \$2,493 for industrial firms over the next decade.

Jeff Tittel, director of the New Jersey Sierra Club, argued that the savings would have been even more substantial in New Jersey if the Christie administration had not siphoned off \$63 in RGGI proceeds to balance its first state budget.

The report also noted reduced demand for electricity as a result of RGGI kept \$765 million in the local economy instead of sending the dollars out of the region to pay for fossil fuels such as natural gas and coal, which are largely not produced in the 10-state region.

Whether the study marks a shift in the national debate over global climate change remains to be seen, but the authors argued that the results are significant, given the size of the 10 states. They represent one-sixth of the nation's population and one-fifth of the U.S. Gross Domestic Product (GDP), while using 11 percent of the country's power generation, but accounting for only 6 percent of all the U.S. carbon emissions.

Given the nature of national politics, Matt Elliott, clean energy advocate for Environment New Jersey, said it is unlikely any national program will move forward soon. “But the study show what we hoped RGGI would demonstrate—it is good for the environment and it is good for the economy,” he said.

Sarah Hospodor-Pallone
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Sarah Pallone/DC/USEPA/US
10/13/2010 08:40 AM

To Richard Windsor
cc
bcc
Subject NJ DEP

If you have time for a little light reading....

Posted on Wed, Oct. 13, 2010

Environmental groups worry about Christie agency decisions

By Adrienne Lu

Inquirer Trenton Bureau

Two recent decisions by state leaders have some environmental groups worried that the Christie administration is putting business interests ahead of environmental concerns.

In one case, environmental advocates point to a decision to reopen the Office of Dispute Resolution, which faced heavy criticism under Gov. Christie Whitman. Companies can appeal to the office to settle disagreements over environmental regulations through alternative dispute resolution.

The second issue cited by some environmental advocates as problematic was a request for proposals issued by the Treasury seeking consultants to review applications and draft permits for land-use programs.

Regarding the Office of Dispute Resolution, the state Department of Environmental Protection announced in a news release last month the creation of the office "to help find common ground between the department and the regulated community to prevent differences from becoming full-blown legal battles."

"This office will head off potentially costly and lengthy litigation that may not have been needed had both sides simply met first to work out their differences," DEP Commissioner Bob Martin said in the release. "In finding common ground, however, we will not compromise protection of the environment."

Larry Hajna, a spokesman for the DEP, said Tina Layre, director of the Office of Dispute Resolution, had had 11 cases referred to her since the office opened in September. He characterized the cases as small, primarily concerning land use, as well as a couple of enforcement actions and a water case.

Some environmental advocates say they fear the office will do little more than let those who violate environmental regulations off the hook.

"This was considered one of the biggest abuses at DEP in the Whitman years, allowing companies that deliberately violated environmental law to get away with it," said Jeff Tittel, director of the New Jersey Sierra Club. "We believe the same thing will happen yet again, putting the environment and public health and safety at risk."

Tittel said that under Whitman, enforcement actions against environmental violators dropped dramatically after the creation of the Office of Dispute Resolution.

Bill Wolfe, director of the New Jersey Chapter of Public Employees for Environmental Responsibility, said dispute resolution was particularly prone to abuse because it was designed to overrule the judgment of DEP staff.

"The danger comes not only in using politics and intervention from above to overrule the technical judgment of staff, but when those meetings go down, there's not really accountability or transparency," Wolfe said. "If it were on the record with full disclosure, there would be an entirely different dynamic."

Hajna said settlement agreements would be made available to the public by the DEP.

Not all environmental advocates are on the same page. Dave Pringle, campaign director for the New Jersey Environmental Foundation, which endorsed Christie, a Republican, over incumbent Democrat Jon S. Corzine in the last election, said that while the Office of Dispute Resolution under Whitman was used to undermine environmental law, the Christie administration has assured the foundation that that will not be the case this time around.

Pringle said his organization was willing to withhold judgment until the evidence was in.

Business advocates welcome the new office.

"This office will theoretically allow for a mechanism for a company outside the agency with a problem to come together and avoid going to court and settle their disputes through this new office," said Hal Bozarth, executive director of the Chemistry Council of New Jersey, which represents chemical and pharmaceutical companies. "It's clear the Christie administration recognizes the DEP has been a contributor to New Jersey's very bad reputation as to a negative business climate. I think they're trying as many things as they can to reorganize DEP, and I think dispute resolution is a step in the right direction."

Dave Brogan, vice president for environmental policy for the New Jersey Business and Industry Association, said the office would help cut litigation costs for the state while helping to reach settlements faster.

On the issue of private consultants to deal with land-use permits, the DEP made no formal

statements about how or when such consultants would be used, and the issue came to light only when environmental groups discovered the request for proposals (RFP). The request states that \$200,000 to \$600,000 is expected to be available in the current fiscal year for the consultants.

The Assembly Environment and Solid Waste Committee has scheduled a hearing on the request for Thursday.

Michael Catania, president of the nonprofit organization Conservation Resources and a former deputy commissioner at the DEP, said the request raises some troubling questions, including whether the DEP is trying to quietly expand the privatization of permitting responsibilities.

"I am very concerned that if you're going to do this, instead of having a public debate, just doing it by posting something on a Treasury website really makes it look like you're ashamed of it and you're trying to hide it," Catania said.

Environmental advocates say the request for proposals could mean that consultants being paid by developers would draft and review land-use permits, possibly presenting a direct conflict of interest.

"The agency's job is to enforce the law; the office's job is not to enforce the law," said Dena Mottola Jaborska, executive director of Environment New Jersey. "I think the mission of that office is to find ways to allow regulated agencies to pay fines and comply with the law. There is a process in place for disputes, and we should follow that."

Hajna said the DEP had made no formal announcement because it only intends to use the consultants if a backlog of land-use work develops. With the building industry hit hard by the recession, though, there is no need for those consultants now, he said.

"We put out the RFP at this time just to be ready when the economy turns around," Hajna said. "We want to be able to assure that we are able to continue reviewing, processing applications in a timely fashion. It's not something we're anticipating using any time soon."

Catania was skeptical of that.

"It's a lot of work to pull together an RFP if they're not planning to do something about it," he said. "It seems it's an option they're exploring, and it has some serious implications."

DEP staff members are concerned the administration could be moving toward privatizing jobs, which could jeopardize environmental protections, said Adam Liebttag, president of Communications Workers of America Local 1036, which represents many DEP staff members.

"It is bad public policy to let the same entity fill out an application, certify that it is accurate and will cause no environmental harm, and then stamp it 'approved,'" Liebttag said. "That's taking the DEP totally out of the equation, and allows self-policing and self-approval by a party with a vested interest who will profit from the permit."

The Christie administration has talked about privatization as a way to make government more

efficient, but it has yet to name specific targets.

On the request for proposals for land-use consultants, too, business advocates applaud the administration.

"In light of the 'Great Recession,' any efforts to streamline our often duplicative and overlapping system are greatly appreciated by the home-building community," said Stefanie A. Riehl, director of government affairs for the New Jersey Builders Association. "We think it is possible to strike a balance between the state's environmental and economic needs, and believe that the efforts by the DEP take us a step closer toward reaching that equilibrium."

The Christie administration has made it clear the DEP is to become more efficient and customer-friendly.

On Thursday, Martin, who came to the DEP after 25 years at the business and technology consulting firm Accenture Ltd., announced a "transformation plan" to steer the department's efforts.

"This document establishes the process to transform the DEP into a more streamlined organization that maximizes the abilities of our fiscal and human resources to protect New Jersey's environment and natural resources," Martin said. "For the sake of both the environment and economy, we cannot continue to operate as we always have. We need to take bold steps to change how the DEP operates."

Contact staff writer Adrienne Lu at 609-989-8990 or alu@phillynews.com.

Find this article at:

http://www.philly.com/inquirer/local/nj/20101013_Environmental_groups_worry_about_Christie_agency_decisions.html

Sarah Hospodor-Pallone
Deputy Associate Administrator
for Intergovernmental Relations
Office of the Administrator
202-564-7178
pallone.sarah@epa.gov

Sarah Pallone/DC/USEPA/US

07/10/2011 09:04 PM

To Richard Windsor

cc

bcc

Subject Re:

Got it!

From: Richard Windsor
Sent: 07/10/2011 08:48 PM EDT
To: Sarah Pallone
Subject: Re:

Sent you the picture.

From: Sarah Pallone
Sent: 07/10/2011 08:46 PM EDT
To: Seth Oster; Richard Windsor
Subject: Re:

Excellent!

From: Seth Oster
Sent: 07/10/2011 08:33 PM EDT
To: Bob Sussman; Lisa Garcia; Scott Fulton; "Michelle DePass" <depass.michelle@epa.gov>; "Paul Anastas" <anastas.paul@epa.gov>; Gina McCarthy; Steve Owens; Mathy Stanislaus; Lisa Feldt; "Shalini Vajjhala" <vajjhala.shalini@epa.gov>; Cynthia Giles-AA; Barbara Bennett; Malcolm Jackson; Curt Spalding; Judith Enck; Al Armendariz; Susan Hedman; Jim Martin; "Jared Blumenfeld" <blumenfeld.jared@epa.gov>; "Dennis McLerran" <mclerran.dennis@epa.gov>; Gwendolyn KeyesFleming; Jose Lozano; Heidi Ellis; Daniel Kanninen; "Eric Wachter" <wachter.eric@epa.gov>; Janet Woodka; Sarah Pallone; Arvin Ganesan; Laura Vaught; Charles Imohiosen; Dru Ealons; Stephanie Owens; Matt Bogoshian; Nancy Stoner; Craig Hooks; Michael Goo; Bicky Corman; "Aaron Dickerson" <dickerson.aaron@epa.gov>; Shawn Garvin; Jeffrey Corbin; Debbie Dietrich; Ryan Robison; Marcus McClendon
Cc: "David Cohen" <cohen.david@epa.gov>; Adora Andy; Alisha Johnson; Andra Belknap; Shira Sternberg; Michael Moats; Vicki Ekstrom; "Betsaida Alcantara" <alcantara.betsaida@epa.gov>; Candace White; Roxanne Smith; Larry Jackson

Wantd to share with you an editorial just posted today in the Baltimore Sun about EPA and Administration Jackson.

Seth

Seth Oster
Associate Administrator
Office of External Affairs and Environmental Education

Environmental Protection Agency
(202) 564-1918
oster.seth@epa.gov

www.baltimoresun.com/news/opinion/editorial/bs-ed-lisa-jackson-20110709,0,6614641.story

Baltimore Sun

EPA administrator stands tall

Our view: With latest rules, federal agency puts public health and welfare ahead of the financial interests of polluters

8:00 AM EDT, July 10, 2011

For those who long for clean water, breathable air and perhaps even a healthy Chesapeake Bay, there's at least one public figure willing to fight for your cause, and she's a former chemical engineer who has never held elected office.

U.S. Environmental Protection Agency Administrator Lisa P. Jackson has emerged as one of the most effective figures in the Obama administration to date. She's a tough, no-nonsense, plain-spoken regulator who doesn't seem especially fazed by constant attacks from House Republicans who insist that EPA rules are costing the nation precious jobs.

Of course, the EPA is not the economic boogeyman that conservatives claim. While polluters must sometimes dip into profits to meet minimum environmental standards, studies have shown the net effect on the economy is hardly disastrous. A recent Office of Management and Budget report found the benefits of EPA regulations over the past 10 years outweigh the costs anywhere from 3-to-1 to as much as 20-to-1.

How is that possible? Because for every polluter who must toe the line – install scrubbers to take sulfur dioxide out of factory emissions, for instance – there are new jobs created in building and installing those scrubbers, opportunities in next-generation factories to replace aging technology, as well as health benefits to people living downwind from the facility.

The EPA is no jobs killer; it's often a job creator. But the agency's chief role is to look out for the health and welfare of the public by creating rules and procedures polluters must follow so that their profits are not based on choking or poisoning the American people.

One of the best examples came on Thursday, with the new EPA rules governing power plant emissions that contribute to soot, smog and acid rain. The agency estimates that for an additional \$1 billion investment to upgrade these plants, the public will be spared 34,000 premature deaths, 15,000 nonfatal heart attacks and countless cases of asthma and other respiratory ailments.

That's particularly helpful to residents of Maryland, where the state has already taken great strides to clean up local power plants but is powerless to do anything about coal-fired plants in the Midwest that send air pollution streaming eastward.

Of course, that won't stop the polluters and their allies in Congress from complaining about how the regulations will drive up costs while completely ignoring the billions of dollars in lost productivity and health care costs such air pollution causes downwind. Why should Maryland residents pay with their lives so others can run their air conditioners more cheaply?

But that's not the only battle Ms. Jackson and the EPA are taking on this summer and fall. New rules

governing mercury emissions, mining wastes, vehicle emissions and, most controversial of all, climate change, are also coming out – much to the chagrin not only of Republicans but some Democrats facing re-election in 2012.

That Ms. Jackson so far seems resolute in her agency's efforts is a tribute to her professionalism and integrity. No doubt there are even some in the White House who would prefer that the EPA soften or delay its approach.

Closest to home, she's also been a driving force in the Obama administration's efforts to create a "pollution diet" for the Chesapeake Bay by holding states in the watershed accountable. That's drawn howls of protest from farmers, builders and others who may face increased regulations – and costs – as a result. But it's the best hope in a generation for a cleaner Chesapeake Bay, and Marylanders should be thrilled by Ms. Jackson's advocacy.

That's not to suggest that everything ever written by an EPA bureaucrat is above criticism or should be the last word in public policy. But the reality is that the agency is not caving to industry as it did so often during the George W. Bush years. It is putting the public's best interests ahead of polluters, even the deep-pocketed, politically influential kind. That's reason to cheer.

Sarah Pallone/DC/USEPA/US
02/22/2010 12:25 PM

To: Richard Windsor
cc
bcc
Subject: Re: Fw: Gov. Gregoire's statement on EPA finding

More coming!
Richard Windsor

----- Original Message -----

From: Richard Windsor
Sent: 02/22/2010 12:23 PM EST
To: Sarah Pallone
Subject: Re: Fw: Gov. Gregoire's statement on EPA finding

:)

Sarah Pallone FYI Sarah Hospodor-Pallone Deputy A... 02/22/2010 11:48:38 AM

From: Sarah Pallone/DC/USEPA/US
To: Richard Windsor/DC/USEPA/US@EPA, Seth Oster/DC/USEPA/US@EPA, David McIntosh/DC/USEPA/US@EPA
Date: 02/22/2010 11:48 AM
Subject: Fw: Gov. Gregoire's statement on EPA finding

FYI

Sarah Hospodor-Pallone
Deputy Associate Administrator
for Intergovernmental Relations
Office of the Administrator
202-564-7178
pallone.sarah@epa.gov

----- Forwarded by Sarah Pallone/DC/USEPA/US on 02/22/2010 11:48 AM -----

From: "Rupp, Mark (GOV)" <mark.rupp@gov.wa.gov>
To: Sarah Pallone/DC/USEPA/US@EPA
Date: 02/22/2010 11:46 AM
Subject: FW: Gov. Gregoire's statement on EPA finding

From: Shagren, Karina (GOV)
Sent: Mon 2/22/2010 11:44 AM
To: Shagren, Karina (GOV)
Cc: Rupp, Mark (GOV); Curtis, Cory (GOV); Shelton, Viet (GOV)
Subject: Gov. Gregoire's statement on EPA finding

CHRISTINE O. GREGOIRE
Governor

STATE OF WASHINGTON

OFFICE OF THE GOVERNOR

P.O. Box 40002 • Olympia, Washington 98504-0002 • (360) 902-4111

For Release: Immediate
Date: Feb. 22, 2010

Media Contact: Governor's Communications Office
Phone: 360-902-4136

Gov. Gregoire's statement on EPA finding

OLYMPIA – Gov. Chris Gregoire today released the following statement on the Environmental Protection Agency's endangerment finding that greenhouse gas emissions threaten public health:

"In 2007, the U.S. Supreme Court ruled that the Clean Air Act makes it incumbent upon the Environmental Protection Agency to determine if greenhouse gas emissions are a threat to public health and welfare. After a thorough review of the science and after assessing literally thousands of public comments, to include my own, on December 7, EPA Administrator Lisa Jackson signed an endangerment finding, obligating her agency to take the reasonable steps necessary to reduce greenhouse gas pollutants.

"A majority of my colleagues and I – Democrats and Republicans, alike – have worked at the state and regional level to promote clean energy jobs, energy independence, and caps on greenhouse gas emissions. In the absence of comprehensive federal energy and climate legislation, EPA must be applauded for accepting the responsibility Congress has given it under the Clean Air Act to reduce carbon dioxide and other pollutants that threaten our people and our communities." [attachment "attd5f7b.gif" deleted by Richard Windsor/DC/USEPA/US] [attachment "attd5f7c.gif" deleted by Richard Windsor/DC/USEPA/US] [attachment "attd5f7d.gif" deleted by Richard Windsor/DC/USEPA/US]

Sarah Pallone/DC/USEPA/US

10/19/2011 10:18 AM

To Richard Windsor

cc

bcc

Subject This didn't pop up for me yesterday...

From Politico yesterday, it didn't pop up for me, so hopefully you have seen this:

POLITICO

Greens try to rebrand air-rule foes

By: [Erica Martinson](#)

October 18, 2011 10:38 PM EDT

Environmentalists have a new nickname for members of Congress questioning the public health benefits of the Environmental Protection Agency's proposed air rules: health deniers.

It's a "new wing of climate science ... now denying the medical science," said Peter Iwanowicz, vice president of National Policy and Advocacy at the American Lung Association. "They believe that EPA has made this all up."

As the job creation conversation has taken over national political discourse, EPA and environmentalists have fought back against rhetoric that EPA is a "job-killing" agency — and the accompanying slew of legislation aimed at EPA regulations — by arguing that upcoming air regulations are needed to save lives, and that translates into massive national costs.

The "health denier" campaign takes the effort to another level and comes as critics of EPA air regulations have sought to undermine the science behind EPA and environmentalist estimates of risks to human health posed by toxic air pollution.

Members of Congress who are also medical professionals — six doctors and one dentist — recently wrote a letter to EPA Administrator Lisa Jackson, calling the public health claims accompanying EPA's proposed regulation to regulate hazardous air pollutants at utilities "dubious."

"Our strong concern is that EPA has been double counting particulate health benefits — taking credit for them in the context of this proposed rule when it well knows that past rule makings already address these concerns," the lawmakers wrote.

Jeff Holmstead, an EPA official under George W. Bush and current industry attorney, lays out the argument: "There are some real problems with EPA's claims, and in some ways ... the way they are used by EPA's supporters." Holmstead argues that "95-98 percent of

the benefits that they claim are ... going to be saving lives [are] of people who live in areas that already meet" air quality standards requirements.

Holmstead believes the real push behind utility rules is to shut down coal-fired power plants.

EPA has not formally responded to the letter from the lawmakers but told POLITICO in an email that "for every dollar spent to reduce this pollution, Americans get \$5-\$13 in health benefits in lives saved, asthma and emergency room visits avoided and more." The agency notes that the new standards will apply only to about 44 percent of coal-fired plants that do not already meet the requirements.

In 2016, proposed air rules would help prevent: "6,800-17,000 premature deaths; 4,500 cases of chronic bronchitis; 11,000 nonfatal heart attacks; 12,200 hospital and emergency room visits; 11,000 cases of acute bronchitis; 220,000 cases of respiratory symptoms; 850,000 days when people miss work; 120,000 cases of aggravated asthma; and 5.1 million days when people must restrict their activities," the agency said.

The game of questioning EPA regulations has long been pushed by Rep. Joe Barton (R-Texas), former Energy and Commerce Committee chairman, who this spring charged, "I think the EPA numbers are pulled out of the thin air."

And at an Energy and Commerce hearing on Sept. 22, Rep. Steve Scalise (R-La.) argued that "it seems like there are arbitrary numbers being thrown out just to justify a radical regulation that really has nothing to do with improving health and safety."

House members have acted on these concerns too: In the past several weeks, they passed the TRAIN Act, which would allow for review of the costs and benefits of EPA rules for power plants, gasoline and industry sectors, delay upcoming mercury standards for power plants and the agency's regulation of smog and particulate pollution across state lines, as well as bills to halt or limit EPA regulations for boilers and incinerators, cement plants, power plants and coal ash impoundments.

"The Clean Air Act, make no mistake about it, is under attack," Iwanowicz said Monday in a press call aimed at calling attention to the inclusion of 25 state attorneys general in a lawsuit asking for a one-year extension to EPA's Utility MACT standard for power plants that is due to be finalized Nov. 16.

"I think what they're doing here is trying to sow that same kind of doubt" as critics of global warming science do," he said.

Meanwhile, Rep. Henry Waxman, ranking member of the Energy and Commerce Committee, is on a tear to paint the House GOP as anti-environment. Last month, the California Democrat unveiled a searchable database of anti-environment votes in the 112th Congress — at press time, the count was 168 votes. That includes 71 to block pollution prevention regulations and 61 aimed at the Clean Air Act.

And EPA is making plans to promote its scientific beliefs further: Jackson announced Monday in a USA Today op-ed that she and Health and Human Services Secretary Kathleen Sebelius are launching a new initiative to provide environmental exposure information to local doctors.

In the joint op-ed, Jackson and Sebelius said that “one in every 12 Americans — and one in 10 children, suffers from asthma, which is worsened by air pollution. In total, our children’s exposure to air pollution and toxic chemicals costs America more than \$75 billion every year.” They go on to note that economically distressed and minority communities have a significantly greater risk of health problems because of pollution exposure.

Beyond focusing on environmental justice issues, the two agencies plan to combine their data “to give local policymakers access to detailed information on environmental factors and health disparities,” so that local officials can see the correlation between, for instance, air quality and asthma hospitalization data.

A spokeswoman with HHS said the agency is reviewing a report released earlier this month that addresses “how to promote the inclusion of occupational and environmental exposure histories into” electronic health records, as well as public comments received on the draft strategy.

An August report by nonpartisan publication American Economic Review measures gross external damages caused by industry via pollution, compared with value added to the economy, and found that in 2002 the aggregate pollution damages across all industries were \$184 billion, with the heaviest polluters coming from the agriculture and utilities sectors, the latter being the cause of \$63 billion in damages.

The study found “air pollution damages ... are greater than their net contribution to output” for seven industries: stone quarrying, solid waste incineration, sewage treatment plants, oil- and coal-fired power plants, marinas, and petroleum-coal product manufacturing. And “five industries stand out as large air polluters: coal-fired power plants, crop production, truck transportation, livestock production and highway street-bridge construction.”

Of its analysis, the study says, “At an intuitive level, it indicates that the regulated levels of emissions from the industry are too high.” But there are a number of uncertainties, the report notes, including “the value of mortality risks, the relationship of this value to age, the mortality effect of fine particulates and the social cost of CO2 emissions. Sensitivity analyses using alternative values for these parameters change the magnitude of the results significantly.”



Sarah Hospodor-Pallone
Deputy Associate Administrator
for Intergovernmental Relations
Office of the Administrator
202-564-7178
pallone.sarah@epa.gov

Sarah Pallone/DC/USEPA/US

02/11/2011 01:21 PM

To Richard Windsor

cc Seth Oster

bcc

Subject E&C press release

Press release on the House Energy and Commerce website:

Press Release

Editorial: Stop EPA's Energy Tax

February 11, 2011

Federal Authority: At a contentious hearing on legislation to keep the EPA from regulating global warming a power-grabbing hoax that is all pain for no gain.

The assertion came at a Wednesday hearing before the House subcommittee on energy. The measure is designed to reassert the authority of Congress to levy taxes on the American people, a power usurped by the unelected bureaucrats at the Environmental Protection Agency.

In a power grab that rivals ObamaCare in audacity and job-killing effects, the EPA has declared CO2 a byproduct of human and animal respiration and the basis for all life on earth, as a pollutant. House representatives — voted to pass it.

The EPA claims science has given it the justification, and the Supreme Court has given it the authority. Regulations governing virtually every aspect of American business and our daily life already exist. Leading off the witness list was Sen. James Inhofe, R-Okla., ranking member of the Senate Environment and Public Works Committee, co-author of the legislation with House Committee Chairman Fred Upton.

Inhofe rightly noted that Congress deliberately did not regulate so-called greenhouse gases, but air quality with air quality, not climate change.

He also observed that EPA Director Lisa Jackson herself has acknowledged the Clean Air Act does not regulate "greenhouse gases." The House-passed Waxman-Markey did, but it died with Senate inaction and the Supreme Court's decision on the issue. Along with Obama-Care, the American people also rejected the idea of taxing air pollution. Rep. Ed Whitfield, R-Ky., pointed out to Jackson, who was also called to testify, that Congress has acted on no fewer than three occasions. "Do you object to an up or down vote in Congress?"

"I would not presume to tell Congress what to do," Jackson answered, saying she was willing to let the EPA enforce the Clean Air Act, including heavy carbon emissions.

Inhofe disputed this, saying that while the Supreme Court said the EPA had the discretion to regulate "health and welfare," it did not authorize draconian regulations based on flawed science, including a tax on businesses, energy producers and American consumers.

Inhofe said he was there to question EPA's authority, not the science. But he did point out that a tax covering CO2 from cars would by 2100 reduce global temperatures by 0.006 degree Celsius.

In his opening remarks, Inhofe also noted that Dr. Tom Wigley of the National Center for Global Climate Change at the Kyoto Protocol on greenhouse gases, including action by the U.S., Europe, Canada

more than 0.21 degree Celsius by 2100.

Not along ago Inhofe related on a YouTube video: "Lisa Jackson, Obama's EPA administrator (issuing its CO2 endangerment finding) in good measure on the findings of the U.N.'s Intergovernmental Panel on Climate Change (IPCC) report that EPA accepted those findings without any serious, independent analysis to see if they were correct. The EPA's dangerous policy is based on flawed science that contradicts the intent of Congress. It has not been stopped. We count ourselves among those yearning to breathe free.

Read the editorial online [HERE](#).

###

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Sarah Pallone/DC/USEPA/US

02/11/2011 01:44 PM

To Richard Windsor

cc Seth Oster

bcc

Subject Re: E&C press release

This editorial appeared in Investors Business Daily.
Sarah Pallone

----- Original Message -----

From: Sarah Pallone

Sent: 02/11/2011 01:21 PM EST

To: Richard Windsor

Cc: Seth Oster

Subject: E&C press release

Press release on the House Energy and Commerce website:

Press Release

Editorial: Stop EPA's Energy Tax

February 11, 2011

Federal Authority: At a contentious hearing on legislation to keep the EPA Republicans rightly called global warming a power-grabbing hoax that is all p The assertion came at a Wednesday hearing before the House subcommittee Act of 2011." The measure is designed to reassert the authority of Congress policy — powers that are being usurped by the unelected bureaucrats at the In a power grab that rivals ObamaCare in audacity and job-killing effects, the carbon dioxide, a byproduct of human and animal respiration and the basis f ObamaCare, Congress — our representatives — voted to pass it.

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on Climate Change, or IPCC. She told me that EPA accepted those findings w
whether they were true."

The EPA's dangerous policy is based on flawed science that contradicts the in
authority must be stopped. We count ourselves among those yearning to bre
Read the editorial online [HERE](#).

###

Sarah Hospodor-Pallone
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Sarah Pallone/DC/USEPA/US

07/10/2011 08:46 PM

To Seth Oster, "Richard Windsor"

cc

bcc

Subject Re:

Excellent!

From: Seth Oster

Sent: 07/10/2011 08:33 PM EDT

To: Bob Sussman; Lisa Garcia; Scott Fulton; "Michelle DePass" <depass.michelle@epa.gov>; "Paul Anastas" <anastas.paul@epa.gov>; Gina McCarthy; Steve Owens; Mathy Stanislaus; Lisa Feldt; "Shalini Vajjhala" <vajjhala.shalini@epa.gov>; Cynthia Giles-AA; Barbara Bennett; Malcolm Jackson; Curt Spalding; Judith Enck; Al Armendariz; Susan Hedman; Jim Martin; "Jared Blumenfeld" <blumenfeld.jared@epa.gov>; "Dennis McLerran" <mclerran.dennis@epa.gov>; Gwendolyn KeyesFleming; Jose Lozano; Heidi Ellis; Daniel Kanninen; "Eric Wachter" <wachter.eric@epa.gov>; Janet Woodka; Sarah Pallone; Arvin Ganesan; Laura Vaught; Charles Imohiosen; Dru Ealons; Stephanie Owens; Matt Bogoshian; Nancy Stoner; Craig Hooks; Michael Goo; Bicky Corman; "Aaron Dickerson" <dickerson.aaron@epa.gov>; Shawn Garvin; Jeffrey Corbin; Debbie Dietrich; Ryan Robison; Marcus McClendon

Cc: "David Cohen" <cohen.david@epa.gov>; Adora Andy; Alisha Johnson; Andra Belknap; Shira Sternberg; Michael Moats; Vicki Ekstrom; "Betsaida Alcantara" <alcantara.betsaida@epa.gov>; Candace White; Roxanne Smith; Larry Jackson

Wantd to share with you an editorial just posted today in the Baltimore Sun about EPA and Administration Jackson.

Seth

Seth Oster
Associate Administrator
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Environmental Protection Agency
(202) 564-1918
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www.baltimoresun.com/news/opinion/editorial/bs-ed-lisa-jackson-20110709,0,6614641.story

Baltimore Sun

EPA administrator stands tall

Our view: With latest rules, federal agency puts public health and welfare ahead of the financial interests of polluters

8:00 AM EDT, July 10, 2011

For those who long for clean water, breathable air and perhaps even a healthy Chesapeake Bay, there's

at least one public figure willing to fight for your cause, and she's a former chemical engineer who has never held elected office.

U.S. Environmental Protection Agency Administrator Lisa P. Jackson has emerged as one of the most effective figures in the Obama administration to date. She's a tough, no-nonsense, plain-spoken regulator who doesn't seem especially fazed by constant attacks from House Republicans who insist that EPA rules are costing the nation precious jobs.

Of course, the EPA is not the economic boogeyman that conservatives claim. While polluters must sometimes dip into profits to meet minimum environmental standards, studies have shown the net effect on the economy is hardly disastrous. A recent Office of Management and Budget report found the benefits of EPA regulations over the past 10 years outweigh the costs anywhere from 3-to-1 to as much as 20-to-1.

How is that possible? Because for every polluter who must toe the line – install scrubbers to take sulfur dioxide out of factory emissions, for instance – there are new jobs created in building and installing those scrubbers, opportunities in next-generation factories to replace aging technology, as well as health benefits to people living downwind from the facility.

The EPA is no jobs killer; it's often a job creator. But the agency's chief role is to look out for the health and welfare of the public by creating rules and procedures polluters must follow so that their profits are not based on choking or poisoning the American people.

One of the best examples came on Thursday, with the new EPA rules governing power plant emissions that contribute to soot, smog and acid rain. The agency estimates that for an additional \$1 billion investment to upgrade these plants, the public will be spared 34,000 premature deaths, 15,000 nonfatal heart attacks and countless cases of asthma and other respiratory ailments.

That's particularly helpful to residents of Maryland, where the state has already taken great strides to clean up local power plants but is powerless to do anything about coal-fired plants in the Midwest that send air pollution streaming eastward.

Of course, that won't stop the polluters and their allies in Congress from complaining about how the regulations will drive up costs while completely ignoring the billions of dollars in lost productivity and health care costs such air pollution causes downwind. Why should Maryland residents pay with their lives so others can run their air conditioners more cheaply?

But that's not the only battle Ms. Jackson and the EPA are taking on this summer and fall. New rules governing mercury emissions, mining wastes, vehicle emissions and, most controversial of all, climate change, are also coming out – much to the chagrin not only of Republicans but some Democrats facing re-election in 2012.

That Ms. Jackson so far seems resolute in her agency's efforts is a tribute to her professionalism and integrity. No doubt there are even some in the White House who would prefer that the EPA soften or delay its approach.

Closest to home, she's also been a driving force in the Obama administration's efforts to create a "pollution diet" for the Chesapeake Bay by holding states in the watershed accountable. That's drawn howls of protest from farmers, builders and others who may face increased regulations – and costs – as a result. But it's the best hope in a generation for a cleaner Chesapeake Bay, and Marylanders should be thrilled by Ms. Jackson's advocacy.

That's not to suggest that everything ever written by an EPA bureaucrat is above criticism or should be the last word in public policy. But the reality is that the agency is not caving to industry as it did so often during the George W. Bush years. It is putting the public's best interests ahead of polluters, even the deep-pocketed, politically influential kind. That's reason to cheer.

Sarah Pallone/DC/USEPA/US
12/20/2011 11:50 AM

To "Brendan Gilfillan", "Richard Windsor", "Laura Vaught"
cc
bcc
Subject Fw: globe op ed

FYI

From: "Maser, Gabe" [gmaser@sso.org]
Sent: 12/20/2011 11:41 AM EST
To: Sarah Pallone
Subject: globe op ed

This actually ran Saturday in the Globe.

Cleaning the air

Kenneth Kimmell

New air quality rules would build on the state's pollution limits

December 17, 2011|By Kenneth Kimmell

FOR YEARS, the Northeast has been called the "tailpipe of the United States" - a place where air pollutants from across the country foul our skies and lungs. That negative moniker is due to no fault of our own, but is a casualty of our location downwind of pollution sources in other regions.

Under Governor Deval Patrick, Massachusetts has led the nation in reducing pollution from power plants, cars and trucks, industrial sources and consumer products. For example, strict mercury limits for coal plants went into effect in 2008, and the plants have reported dramatic reductions in mercury emissions.

Yet, despite these efforts, the Commonwealth still has too many days each year of unhealthy air. This is largely due to the pollutants that are produced by power plants in upwind states in the Midwest and Southeast, and carried by prevailing winds into our backyards. Pollution from cars and trucks also continues to be a significant factor.

Fortunately, new rules from the US Environmental Protection Agency would require upwind power plants to cut pollution the way we have done here, which will level the playing field and ensure that Massachusetts reaps the benefits of its clean air rules. The EPA is also expected to propose rules to cut pollution from cars and light trucks through

tighter vehicle standards and cleaner gasoline. These rules deserve our support.

The EPA's Cross-State Air Pollution Rule, finalized in July, requires power plants to reduce emissions that cause ozone and fine particulates that can be drawn deep into one's lungs. This will cut down on the number of days that we need to warn our residents that our air is unhealthy, something that happened 10 times last summer.

The EPA estimates that nationwide, up to \$280 billion in health benefits will result from the new rule, due to 34,000 fewer premature deaths each year, 15,000 fewer non-fatal heart attacks, thousands of fewer hospitalizations, and 400,000 fewer cases of aggravated asthma throughout the eastern, central, and southern United States.

In addition, the EPA is expected to soon finalize a rule to reduce toxic emissions from large power plants - the Mercury and Air Toxics Rule. Mercury is a potent neurotoxin, particularly to the developing brain of the fetus and young child. Even small amounts of mercury are harmful.

Extensive scientific research shows widespread mercury pollution across New England, largely due to air deposition of mercury from upwind states. Because of high mercury levels, all New England states warn against eating certain types of locally caught fish.

*Gabe Maser
Director, Washington Office
Governor Deval Patrick
Commonwealth of Massachusetts
(202) 624-7713 - Office
(617) 549-2126 - Cell*

Sarah Pallone/DC/USEPA/US

06/10/2010 09:15 PM

To "David McIntosh", "Richard Windsor"

cc

bcc

Subject Fw: Gov. Gregoire's statement on Senate climate resolution

From: "Rupp, Mark (GOV)" [mark.rupp@gov.wa.gov]
Sent: 06/10/2010 05:48 PM MST
To: "Rupp, Mark (GOV)" <mark.rupp@gov.wa.gov>
Subject: Fw: Gov. Gregoire's statement on Senate climate resolution

From: Shagren, Karina (GOV)
To: Rupp, Mark (GOV)
Sent: Thu Jun 10 17:30:55 2010
Subject: Gov. Gregoire's statement on Senate climate resolution

CHRISTINE
O.
GREGOIRE
Governor



STATE OF WASHINGTON
OFFICE OF THE GOVERNOR

P.O. Box 40002 • Olympia, Washington 98504-0002 • (360) 902-4111

For Release: Immediate
Office

Date: June 10, 2010

Media Contact: Governor's Communications

Phone: 360-902-4136

Gov. Gregoire's statement on Senate climate resolution

OLYMPIA – Gov. Chris Gregoire today issued the following statement on the U.S. Senate voting against a resolution that would have overturned EPA's authority to regulate greenhouse gas emissions:

“I applaud the Senate’s action today – and thank Senators Murray and Cantwell for their help in defeating this misguided resolution. I’ve worked diligently with governors on both sides of the aisle to promote clean energy jobs, energy independence, and caps on greenhouse gas emissions. The states need a strong partnership with the federal government so that collectively, the United States can assume its rightful place as the world leader in developing the clean energy future of the 21st century.

“Last December, I went to Copenhagen and learned firsthand how quickly the rest of the world is moving to develop clean energy technologies that they hope to export. With a strong comprehensive energy and climate bill, Congress can set the U.S. on the path to ensure our nation’s leadership in clean energy, while at the same time creating good jobs right here at home.

“Until Congress acts, we need the Environmental Protection Agency to continue to use its current authority under the Clean Air Act, upheld by the U.S. Supreme Court, to reduce carbon dioxide and other pollutants that threaten our people and our communities.”

###

Sarah Pallone/DC/USEPA/US

03/16/2011 06:21 PM

To "Judith Enck", "Richard Windsor"

cc

bcc

Subject Fw: time sensitive

Thanks Judith!

----- Original Message -----

From: "Michael Bopp" [mfbopp@gw.dec.state.ny.us]

Sent: 03/16/2011 06:13 PM AST

To: Sarah Pallone; Judith Enck

Cc: <Thomas.Congdon@exec.ny.gov>; "Jared Snyder"

<jjsnyder@gw.dec.state.ny.us>; "Joe Martens" <jmartens@gw.dec.state.ny.us>;

"James Tierney" <jmtierne@gw.dec.state.ny.us>

Subject: Re: time sensitive

Judith - we'd like to provide the following statement for EPA use:

In response to EPA's proposed Utilities Toxics Rule to limit mercury pollution, Joseph Martens, Commissioner of the New York State Department of Environmental Conservation stated:

"Mercury is a powerful neurotoxin that accumulates in fish and humans. Although New York is requiring substantial emission reductions from its coal-fired power plants, the vast majority of the mercury contamination in New York comes from out-of-state sources. We are still studying the details of this complex proposal, but we are pleased that EPA is acting to limit harmful mercury contamination -- a national problem that needs a national solution."

New York is requiring coal-fired power plants to install air pollution controls to reduce mercury air emissions 90% by 2015. In conjunction with New England, New York developed a Clean Water Act pollution budget, accepted by EPA, that quantifies mercury's serious adverse impacts on waters throughout the Northeast. New York and New England also filed a formal Clean Water Act petition calling on EPA to reduce atmospheric mercury emissions nationally.

thanks, Michael

Michael Bopp
Acting Director of Communications
(518) 402-8000

>>> 03/16/11 1:54 PM >>>

hi tom and jared: today epa put out excellent national standards for mercury and other toxic air pollutants from coal and oil fired power plants. details on the www.epa.gov epa staff in washington reached out to governor cuomo's washington staff to request a supportive

statement but were told that they would not provide one. that is odd given ny's long history on this issue, including out of state atmospheric mercury doing so much damage to ny's lakes and rivers. below is a quote from delaware governor markell.

could you guys scramble and try to get a quote from governor cuomo and or commissioner martens? if so, please email it to me and pallone.sarah@epa.gov

many thanks. call me with any questions.

cheers,
Judith

?EPA?s proposed Utilities Toxics Rule builds upon work in Delaware that shows we can significantly reduce pollution from power plants through cost-effective and technologically feasible solutions. Delaware has adopted some of the most advanced air quality regulations in the nation. Despite these efforts, Delaware still faces air quality challenges with nearly 90% of our local air pollution coming from out of state sources. The proposed rule makes important strides towards requiring upwind sources to install the cost-effective pollution controls necessary to protect public health in Delaware and save millions of dollars of healthcare expenditures. We applaud EPA for their efforts.?

Sarah Pallone/DC/USEPA/US
04/14/2011 11:12 AM

To "Richard Windsor"
cc
bcc
Subject Fw: Dichotomy WA & MT

Interesting...
Anthony Raia

----- Original Message -----

From: Anthony Raia
Sent: 04/13/2011 12:00 PM EDT
To: Sarah Pallone; Jack Bowles
Subject: Dichotomy WA & MT

Should a 'green' state ship coal to China?

By Josh Goodman, Stateline Staff Writer

iStockphoto

A coal ship moves along the Yangtze river in China.

When the Board of Commissioners in Cowlitz County, Washington, met a few months ago, they had a surprising guest: Montana Governor Brian Schweitzer. To point out the obvious, Schweitzer doesn't usually attend local government meetings 400 miles outside Montana's borders. Then again, county commissions in other states don't usually make decisions that strike to the heart of Montana's economic future.

Schweitzer popped up in Cowlitz, a county on the Columbia River with a direct water route to the Pacific, to plead the case for a new port terminal there that would ship Montana coal to Asia. He was there to counter environmentalists who questioned whether the United States should be helping to increase greenhouse gas emissions overseas. Coal is a major source of carbon dioxide (CO₂), which scientists generally regard as the most significant contributor to man-made global warming.

In an interview with *Stateline*, Schweitzer was incredulous. "Should we consider the CO₂ that's produced in Korea," he asked mockingly, "because they bought American coal instead of Australian

coal?”

That is precisely what Washington State has been trying to figure out. Washington has set a goal of reducing its own greenhouse gas emissions to 1990 levels by 2020. To help do that, it's moving away from coal. Under a deal reached this year, the state's last coal-fired power plant will switch away from coal and likely to natural gas by 2025.

But from the perspective of global warming, it doesn't matter whether Washington uses less coal if China and Korea use more of it. Greenhouse gas emissions anywhere contribute to global warming everywhere. So, if Washington is serious about fighting global warming, should it ship coal to Asia?

State officials in Washington aren't willing to ban the practice. Still, the coal export debate in Washington represents a hard test of how far a state should extend its environmental principles into global commerce — and a test of whether states can take meaningful action against global warming without national or international help.

China's demand

Until recently, sending American coal to overseas energy markets wasn't something anyone seriously considered. American utilities have a large appetite for coal, so it's been more profitable to send it to American power plants than to export it. But that is likely to change.

China's energy consumption is growing rapidly. The world's most populous country is embracing wind and solar power, but it is using a lot of coal as well. In the last decade, China built as much coal plant capacity as the entire existing capacity in the United States.

Meanwhile, the U.S. is gradually moving away from coal. States' renewable portfolio standards mean that utilities in much of the country are required to find alternative energy sources. Low natural gas prices also are hurting the domestic coal industry. No new coal plant has broken ground in the U.S. since 2008. While domestic coal consumption isn't disappearing by any means, the long-term prospects of the American coal industry may depend on finding markets overseas.

The stakes are especially large for Wyoming, which is the nation's largest coal producer, and Montana, which has the nation's largest coal reserves. “If you have lemons, you make lemonade,” says Bud Clinch, executive director of the Montana Coal Council. “We have coal.”

Today on the West Coast, only the Canadian province of British Columbia regularly exports coal. Two proposals in Washington State would change that. One would place a port terminal near Bellingham on the Canadian border. That proposal's backers are still conducting environmental reviews. The other is for the one at Longview, in Cowlitz County, which won approval from the Cowlitz Board of Commissioners a few months ago.

When that happened, a coalition of environmental groups objected. Their concerns included the local environmental consequences of transporting millions of tons of coal through their state, such as health problems from coal dust. More than anything, though, the environmentalists didn't want coal to be burned anywhere — in Washington State or halfway around the globe.

KC Golden, policy director with Olympia-based Climate Solutions, points out that once they're built, coal plants can operate cheaply for 50 years. That means that if China keeps building coal plants now, the world's most populous nation may well be committing itself to decades of greenhouse gas emissions.

"Do the math on the carbon," Golden says. "If China builds out three, four, five times as much coal capacity as it currently has, we are toast from a carbon prospective." While there are other countries China can get its coal from, such as Australia and Indonesia, environmentalists hope that if it doesn't have American coal China will decide that renewable energy sources make more economic sense.

In applying for its permit from Cowlitz County, Millennium Bulk Logistics, a subsidiary of an Australian coal company, hadn't conducted a full review of the project's environmental impacts. It said they would be minimal. Environmentalists appealed that conclusion to a state board. For Washington's Department of Ecology, the appeal raised a tough question: Just how broadly should the state look when considering a project's greenhouse gas emissions?

As it turned out, Washington never had to answer that question definitively. Documents emerged that showed Millennium officials discussing an expansion of the Cowlitz County port to handle as much as 80 millions tons of coal a year, vastly more than the 5 million tons the company had publicly acknowledged. Millennium withdrew the permit request, pledging to produce a complete environmental review before it moved forward.

No global policy

That move, though, only delays the choices facing the West Coast. The United States has the world's largest coal reserves. China has the world's largest demand for coal. It's only a matter of time until ports in Longview or Bellingham or elsewhere are ready to press their case.

Schweitzer, himself a Democrat, isn't shy about stating his desire to help them. He describes residents of Washington State as "these people that are living in these big houses with all this electricity they've been getting with Montana's coal." Now, he says, when Montana wants to send some of its coal overseas, some Washingtonians, who have consumed Montana coal for decades, think they can unilaterally stop it. "Do we have a global CO2 policy?" Schweitzer says. "Well, no. Do we have a CO2 policy? Has the American Congress even created a CO2 policy? No."

If it were only up to Washington's state government, Schweitzer would get his way. While Washington's laws give the state broad leeway to consider environmental effects beyond its borders, the state has concluded that it would be a step too far to take into account greenhouse gas emissions from the burning of coal shipped abroad through the state's ports.

"Washington is an export state, so where do you draw the line?" asks Janice Adair, special assistant to the director of the Department of Ecology. She says that if the state were to start considering the greenhouse gas emissions from the end uses of its exports, the implications would go far beyond coal. She uses the example of corn. "What if it's being used for cows that create methane? That's the kind of slippery slope that you get on."

There is no sign that the Washington State government will block construction of new port terminals to carry coal. The issue in the Cowlitz permit case was about disclosure, not whether the projects will ultimately be accepted.

Still, Adair thinks there's an important lesson in the delay of the Cowlitz project. A variety of local and state approvals will be needed before coal is ever exported from Washington, which will give environmentalists plenty of opportunities to stymie the effort.

"Any company that's going to be proposing exporting coal should be prepared for a tremendous amount of public scrutiny," Adair says. "Coal is not illegal. It's the process that's going to trip anyone up, just like it did Millennium. The environmental community in this state is very organized and very large."

Sarah Pallone/DC/USEPA/US

12/21/2011 04:25 PM

To "Richard Windsor"

cc

bcc

Subject Fw: Statement from Mayor Emanuel on New Federal Rule to Limit Air Pollutant Emissions - For Immediate Release

From the raft....

From: Stephanie Owens
Sent: 12/21/2011 04:22 PM EST
To: Betsaida Alcantara; Brendan Gilfillan; Sarah Pallone
Subject: Re: Statement from Mayor Emanuel on New Federal Rule to Limit Air Pollutant Emissions - For Immediate Release

Nice.

From: Betsaida Alcantara
Sent: 12/21/2011 04:20 PM EST
To: Brendan Gilfillan; Sarah Pallone; Stephanie Owens
Subject: Fw: Statement from Mayor Emanuel on New Federal Rule to Limit Air Pollutant Emissions - For Immediate Release

From: "Diette, Clay" [clay.diette@cityofchicago.org]
Sent: 12/21/2011 03:17 PM CST
To: Betsaida Alcantara
Subject: Fw: Statement from Mayor Emanuel on New Federal Rule to Limit Air Pollutant Emissions - For Immediate Release

Thought you would enjoy

From: Mayor's Press Office
Sent: Wednesday, December 21, 2011 03:15 PM
Subject: Statement from Mayor Emanuel on New Federal Rule to Limit Air Pollutant Emissions - For Immediate Release



OFFICE OF THE MAYOR
CITY OF CHICAGO

FOR IMMEDIATE RELEASE

December 21, 2011

CONTACT:

Mayor's Press Office

(312) 744-3334

press@cityofchicago.org

Statement from Mayor Emanuel on New Federal Rule to Limit Air Pollutant Emissions

I commend the U.S. Environmental Protection Agency (EPA) for introducing new standards to reduce levels of dangerous toxins in our air. Limiting emissions of mercury and other pollutants from coal and oil-fired power plants will save thousands of lives, protect public health, and create jobs for Americans. Our experience in Illinois has shown that mercury emissions can be dramatically reduced without any impact on reliability, cost, or quality of service. We must continue to clean our air and clean up this industry across the country, to create opportunities for Americans and allow all Americans to lead healthier lives.

###

Sarah Pallone/DC/USEPA/US
01/15/2010 01:24 PM

To "Richard Windsor", "Mr. Allyn Brooks-LaSure"
cc
bcc
Subject Fw: FYI: Gov. Gregoire's statement on new EPA Region X director

Governor Gregoire's release:

From: "Rupp, Mark (GOV)" [mark.rupp@gov.wa.gov]
Sent: 01/15/2010 10:21 AM PST
To: Anthony Raia; Sarah Pallone
Subject: FYI: Gov. Gregoire's statement on new EPA Region X director

Sarah and Tony: Apologies for not getting this out to you yesterday.
Mark

Gov. Gregoire's statement on new EPA Region X director

For Immediate Release: January 14, 2010

OLYMPIA – Gov. Chris Gregoire today released the following statement following the announcement of Dennis McLerran to be regional administrator for the U. S. Environmental Protection Agency's Region 10:

“I'm excited to hear of Dennis's selection to head the EPA's regional headquarters based in Seattle. Dennis has experience in important environmental issues that will serve the region and our nation well.

“Dennis is known as a strong leader. As the head of the Puget Sound Clean Air Agency, he brought that to bear while working with the Washington Department of Ecology to establish effective approaches to improving air quality in the Puget Sound region. He was instrumental in the adoption of Washington's Clean Car standards, and is recognized nationally for his work on programs to reduce toxic diesel emissions from school buses and ports. He also has extensive knowledge of the challenges facing Puget Sound.

“As our state and region continue to plan for the impacts of climate change, I believe Dennis will be a strong partner with us. He knows local and state issues well and can bring that experience to improve state-federal relations. Dennis is well positioned to make the best use of EPA's wide range of resources to help meet our state and region's needs.”

Seth Oster/DC/USEPA/US

09/22/2009 01:33 PM

To Betsaida Alcantara, Richard Windsor

cc

bcc

Subject Quote on Murkowski Amendment

"U.S. industry and businesses have sought clarity and certainty about how carbon emissions will be addressed under government rulemaking. While we have worked to provide the clarity American business needs, the Murkowski amendment would deliver exactly the opposite. The Murkowski amendment would halt EPA's effort to give industry clear rules for storing carbon pollution deep underground. It would subject state permitting authorities and industrial permit applicants alike to more litigation, more delay, more uncertainty, and more expense. In large parts of this country, including our offshore oil and gas fields, the amendment actually would freeze industrial development entirely. And it would prevent the agency from collecting information that industry wants EPA to have in order to distribute transition assistance equitably and promptly under any future climate law. None of those results would be good for American jobs or American competitiveness, and certainly not for our efforts to address the dangerous levels of carbon polluting our skies."

Seth Oster
Associate Administrator
Office of Public Affairs
Environmental Protection Agency
(202) 564-1918
oster.seth@epa.gov

Seth Oster/DC/USEPA/US
08/31/2010 05:31 PM

To Bob Perciasepe, Bob Sussman, Lisa Heinzerling, Scott
Fulton, Barbara Bennett, Charles Imohiosen, Richard
Windsor, David McIntosh, Arvin Ganesan, Sarah Pallone,
Lawrence Elworth, Michael Moats, Betsaida Alcantara,
Brendan Gilfillan, Adora Andy, Stephanie Owens, Dru
Ealons, Gina McCarthy

cc

bcc

Subject In case you missed it.....NY Times: "Banks Grow Wary of
Environmental Risks"

The New York Times

August 30, 2010

Banks Grow Wary of Environmental Risks

By [TOM ZELLER Jr.](#)

Blasting off mountaintops to reach [coal](#) in Appalachia or churning out millions of tons of carbon dioxide to extract [oil](#) from sand in Alberta are among environmentalists' biggest industrial irritants. But they are also legal and lucrative.

For a growing number of banks, however, that does not seem to matter.

After years of legal entanglements arising from environmental messes and increased scrutiny of banks that finance the dirtiest industries, several large commercial lenders are taking a stand on industry practices that they regard as risky to their reputations and bottom lines.

In the most recent example, the banking giant [Wells Fargo noted last month](#) what it called "considerable attention and controversy" surrounding mountaintop removal mining, and said that its involvement with companies engaged in it was "limited and declining."

The bank was a small player in the sector, representing about \$78 million in bonds and loan financing for such companies from 2008 to April of this year, according to data compiled by the Rainforest Action Network, an environmental group tracking the issue.

But the policy shift by Wells Fargo follows others over the last two years, including moves by [Credit Suisse](#), [Morgan Stanley](#), [JPMorgan Chase](#), [Bank of America](#) and Citibank, to increase scrutiny of lending to companies involved in mountaintop removal — or to end the lending altogether.

[HSBC](#), which is based in London, has curtailed its relationships with some producers of palm oil, which is often linked to deforestation in developing countries. The Dutch lender Rabobank has applied a nine-point checklist of conditions for would-be oil and gas borrowers that includes commitments to improve environmental performance and protect water quality.

In some cases, the changing policies represent an attempt to burnish green credentials in areas

where the banks had little interest, and there is no indication that companies engaged in the objectionable practices cannot find financing elsewhere.

Still, banking analysts and others suggest that heated debate over [climate change](#), water quality and other environmental considerations is forcing lenders to take a much harder — and often uncomfortable — look at where they extend credit, and to whom.

“It’s one thing if your potential borrower is dumping cyanide in a river,” said Karina Litvack, the head of governance and sustainable investment with F&C Investments, an investment management firm based in London. “But if they’re dumping carbon dioxide into the air, which is not exactly illegal — what do you do? Banks are in kind of a quandary, because they are competing for business, and if they get holier-than-thou and start to play policeman, they risk allowing other banks to take that business.”

Environmental risk has been on the radar for lenders since the 1980s and early 1990s, when courts began forcing some measure of responsibility on banks for the polluting factories, [superfund](#) sites and other environmental problems that had, to one degree or another, been facilitated by their financing.

Congress passed a law in 1996 that limited the exposure of lenders on this front, but since then, most major banks have developed environmental risk management divisions as part of their commercial banking due diligence efforts.

Now, the rise of murkier issues like global warming, along with increasing scrutiny by environmental groups of banks’ investments in many other industries — like oil and gas development, nuclear power, coal-fired electricity generation, [oil sands](#), fuel pipeline construction, dam building, forestry and even certain types of agriculture — are nudging lenders into new territory.

“We’re taking a much closer look at a much broader variety of issues, not all of which are captured under state and local laws,” said Stephanie Rico, a spokeswoman for the environmental affairs group at Wells Fargo.

Ms. Litvack, of F&C Investments, pointed to [large protests](#) last week by many climate activists outside the [Royal Bank of Scotland](#) in Edinburgh. At least a dozen protesters have been arrested in demonstrations against the bank’s financing of oil sands development in Canada.

The [Royal Bank of Canada](#), meanwhile, responding to intense pressure from environmental advocates denouncing the bank’s financing of oil sands projects, hosted 18 international banks in Toronto in February for “[a day of learning](#)” on the “regulatory, social and environmental issues” surrounding the oil sands.

Globally, banks and environmental advocates are seeking to make things easier by developing best practices and other voluntary standards. [Citigroup](#), JPMorgan Chase and Morgan Stanley helped initiate the [Carbon Principles](#), which aim to standardize the assessment of “carbon risks in the financing of electric power projects” in the United States. Several international financial

institutions — including HSBC, Munich Re and others — have formed the Climate Principles, which aim to encourage the management of climate change “across the full range of financial products and services,” according to the [compact’s Web site](#).

In the United States, mountaintop removal mining has become both [increasingly common and contentious](#), as coal companies vie to feed the nation’s appetite for inexpensive electricity. An expeditious and disruptive form of surface mining, it involves blasting off the tops of mountains and dumping the debris in valleys and streams below.

A [report](#) published in May by the [Sierra Club](#) and the Rainforest Action Network estimated that nine banks were the primary lenders for companies engaged in mountaintop removal mining in Appalachia, and that they had provided nearly \$4 billion in loans and bond underwriting to those companies — chiefly [Massey Energy](#), Patriot Coal, and [Alpha Natural Resources](#) — since 2008.

The Rainforest Action Network, which has headed a campaign to highlight financial institutions with connections to the mining, said this month that the policy shifts were chipping away at the financing.

Citing Bloomberg data, for example, the group noted that Bank of America — listed as recently as 2008 as one of the “syndication agents” on a \$175 million revolving line of credit to Massey Energy — has eliminated that and all other connections to the company. The group also pointed to JPMorgan, which had previously underwritten \$180 million in debt securities to Massey, but no longer has any financial ties to that company. In May, the bank said it would be subjecting all future engagements with companies involved in mountaintop removal mining to “enhanced review.”

Some environmental groups have criticized that and other policies as providing too much wiggle room — and whether any of it has any real impact is an open question. Mining industry representatives say such policies often fail to consider laws already in place requiring coal companies to limit their environmental impact, and to restore former mine sites when they are finished.

Carol Raulston, a spokeswoman for the National Mining Association, an industry group, said that most of the policies in question position the banks to phase out lending over time — and only to companies that primarily engage in mountaintop removal mining. “Companies are still getting financing for their projects,” she said.

Roger S. Hendriksen, the vice president for investor relations for Massey Energy, suggested that environmentalists were overstating things, and that his company was having no trouble securing financing.

“While some banks no longer provide financing for companies conducting surface mining, there are many who will,” Mr. Hendriksen said. “We have and will continue to replace their services with alternate bank providers with little difficulty.”

But Rebecca Tarbotton, the executive director of the Rainforest Action Network, said in a

published statement that the banks' moves nonetheless send "a clear signal that these companies have a high risk profile and that other banks should beware."

"Bottom line," she added, "as access to capital becomes more constrained it will be harder for mining companies to finance the blowing up of America's mountains."

Seth Oster/DC/USEPA/US
07/05/2011 11:48 PM

To Bob Perciasepe, Janet Woodka, Diane Thompson, Scott Fulton, Barbara Bennett, "Paul Anastas", Craig Hooks, Mathy Stanislaus, Lisa Garcia, "Michelle DePass", Steve Owens, Daniel Kanninen, "Eric Wachter", Bob Sussman, Arvin Ganesan, Laura Vaught, Sarah Pallone, Bicky Corman, Michael Goo, Gina McCarthy, Cynthia Giles-AA, Nancy Stoner, Charles Imohiosen, Christopher Busch, "Aaron Dickerson", "Gladys Stroman", Jose Lozano, Heidi Ellis, Stephanie Owens, Dru Ealons, Lawrence Elworth, Avi Garbow, Malcolm Jackson, Curt Spalding, Judith Enck, Shawn Garvin, Gwendolyn KeyesFleming, Susan Hedman, Al Armendariz, "Jared Blumenfeld", "Dennis Mclerran", Joel Beauvais, Alex Barron, Ryan Robison
cc "Betsaida Alcantara", Adora Andy, Brendan Gilfillan, Shira Sternberg, Alisha Johnson, "David Cohen", Andra Belknap, Michael Moats, Vicki Ekstrom
bcc Richard Windsor
Subject NY Times: "EPA Chief Stands Firm as Tough Rules Loom"

All,

Wednesday's New York Times will have a lengthy story about EPA and Administrator Jackson. The story is pasted below and this is the link to it online.
<http://www.nytimes.com/2011/07/06/science/earth/06epa.html?pagewanted=2&hpw>

Seth

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July 5, 2011

E.P.A. Chief Stands Firm as Tough Rules Loom

By [JOHN M. BRODER](#)

WASHINGTON — In the next weeks and months, [Lisa P. Jackson](#), the [Environmental Protection Agency](#) administrator, is scheduled to establish regulations on smog, mercury, carbon dioxide, mining waste and vehicle emissions that will affect every corner of the economy.

She is working under intense pressure from opponents in Congress, from powerful industries, from impatient environmentalists and from the Supreme Court, which just

[affirmed the agency's duty](#) to address [global warming](#) emissions, a project that carries profound economic implications.

The new rules will roll out just as [President Obama](#)'s re-election campaign is getting under way, with a White House highly sensitive to the probability of political damage from a flood of government mandates that will strike particularly hard at the manufacturing sector in states crucial to the 2012 election.

No other cabinet officer is in as lonely or uncomfortable a position as Ms. Jackson, who has been left, as one adviser put it, behind enemy lines with only science, the law and a small band of loyal lieutenants to support her.

Ms. Jackson describes the job as draining but says there are certain principles she will not compromise, including rapid and vigorous enforcement of some of the most far-reaching health-related rules ever considered by the agency.

"The only thing worse than no E.P.A. is an E.P.A. that exists and doesn't do its job — it becomes just a placebo," she said last week in an hourlong interview in Houston. "We are doing our job."

Although she has not met with the president privately since February, Ms. Jackson said she was confident that he would back her on the tough decisions she had to make. "All of us are mindful that he has a lot of things to do," she said.

Attacks on her and her agency have become a central part of the Republican playbook, but she said she wanted no sympathy.

"Any E.P.A. director sits at the intersection of some very important issues — air pollution, clean water, and whether businesses can survive," said Ms. Jackson, a chemical engineer trained at Tulane and Princeton Universities and a former director of the New Jersey Department of Environmental Protection. "No one knows this job unless they've sat in the seat."

Ms. Jackson said she intended to go forward with new, tougher air- and water-quality rules, including those that address climate change, despite Congressional efforts to override her authority and even a White House initiative to weed out overly burdensome regulations.

The first of these new rules is expected to be announced Thursday, imposing tighter restrictions on soot and smog emissions from coal-burning power plants in 31 states east of the Rockies. The regulation is expected to lead to the closing of several older plants and will require the installation of scrubbers at many of those that remain in operation. One former E.P.A. administrator, [William K. Reilly](#), who served under the first President George Bush, is a sometime adviser to Ms. Jackson. He said she was taking fire from all sides.

"She's got three very large challenges," Mr. Reilly said. "First, she's got to administer the [Clean Air Act](#) to try to accomplish something for which it was never designed, the control of carbon dioxide, a difficult regulatory challenge in itself. Second, she has to do that and cope with all these other regulations which are not of her making and have come to land on her desk in a climate of intense political polarization and economic distress."

"And the third challenge," he continued, "is that the White House — any White House — doesn't want to hear an awful lot from the E.P.A. It's not an agency that ever makes friends for a president. In the cabinet room, many of the secretaries got along with each other, but they all had an argument with me. It's the nature of the job."

Mr. Reilly said the White House had left Ms. Jackson out on a limb when it failed to push hard for the [cap-and-trade climate change bill](#) that passed the House in 2009 but stalled in the Senate last year. Administration officials had argued that legislation was far superior to agency regulation as a means of addressing climate-altering emissions. But when the bill ran up against bipartisan opposition in the Senate, Mr. Reilly said, "the White House didn't lift a finger," an assertion administration officials dispute.

The White House said that it fully supported the agency's aggressive standards for a variety of pollutants to protect public health and the environment and denied that it was resisting further regulatory action for political reasons.

"It's simply a matter of choosing the health and safety of the American people over polluters," Clark Stevens, a White House spokesman, said in an e-mailed statement, "and doing so in a common-sense way that allows us to protect public health while also growing the economy — which will continue to be a shared goal of this entire administration."

One of Ms. Jackson's most vocal critics is [Representative Edward Whitfield](#), Republican of Kentucky and chairman of the energy and power subcommittee of the House Energy and Commerce Committee. He has held several hearings at which Ms. Jackson served as target practice for opponents of E.P.A. regulation of carbon dioxide and other pollutants. Ms. Jackson said that was the roughest treatment she had gotten in her two and a half years in Washington.

Mr. Whitfield, who has never met privately with Ms. Jackson, was unapologetic.

"It is unprecedented the number of major regulations this administration is putting out," he said, "and I can't tell you how many calls and meetings and letters I have asking, 'Is there any way to slow E.P.A. down?'"

"What's troubling to us," Mr. Whitfield continued, "is that President Obama on the one hand is saying we have to be really careful about these regulations and consider the impact on jobs and the economy, but over at the agency they're just going full speed ahead with minimal attention or analysis on job impact."

One hot spot where Ms. Jackson can count on friendly treatment is "The Daily Show," where she has [appeared](#) three times in two years. Questioning from the host, Jon Stewart, was gentle, to say the least, referring in a recent show to the agency's "unassailable successes" in dealing with air and water pollution and to the "tremendous corporate interests" arrayed against her.

Even those most supportive of Ms. Jackson say that the agency has taken on a virtually unmanageable set of challenges across the range of policy, from mountaintop-removal coal mining to wetlands preservation to the control of toxic emissions from power plants and refineries. She is also in charge of federal restoration efforts in the Gulf of Mexico after the BP [oil spill](#).

"Have they bitten off more than they can chew?" asked Jason S. Grumet, president of the [Bipartisan Policy Center](#), who has close ties to the White House and the agency. "Yes. But that's a testament to their aspirations, and now reality is setting in."

The reality being that there is often political fallout whenever tough policy decisions are made, and that the timing of Ms. Jackson's rule setting could not be more inopportune for Mr. Obama. "It's always the case that there are conflicts between good policy and good

politics, and the E.P.A. is often the crucible of those challenges," Mr. Grumet said.

One of the toughest pending decisions, he said, concerns a standard for permissible levels of smog-causing compounds including [ozone](#). The agency's scientific advisory panel has recommended setting a high bar that could put hundreds of counties out of compliance with the law, forcing them to take action to reduce emissions, even though the pollutants may be generated beyond their jurisdiction.

The law requires that E.P.A. make such decisions based solely on the health effects of the pollution, not on the possible cost of compliance, creating a huge political problem.

"Telling a government that has to stand for re-election that it should make decisions with no consideration of cost is understandably going to create great agita in the political offices," Mr. Grumet said.

Seth Oster/DC/USEPA/US

12/17/2009 01:10 PM

To Bob Sussman

cc "Aaron Dickerson", "Diane Thompson", "Lisa Jackson"

bcc

Subject Re: Eric Schaeffer

I sent around an email about 20 minutes ago with a full briefing. You are on it. I can resend to you.

Boxer and Markey are done. Statement goes at 2:30 pm.

Seth

Seth Oster
Associate Administrator
Office of Public Affairs
Environmental Protection Agency
(202) 564-1918
oster.seth@epa.gov

Bob Sussman

Seth. When are we issuing our stateme...

12/17/2009 01:08:51 PM

From: Bob Sussman/DC/USEPA/US
To: Seth Oster/DC/USEPA/US@EPA, "Lisa Jackson" <windsor.richard@epa.gov>
Cc: "Aaron Dickerson" <dickerson.aaron@epa.gov>, "Diane Thompson" <thompson.diane@epa.gov>
Date: 12/17/2009 01:08 PM
Subject: Re: Eric Schaeffer

Seth. When are we issuing our statement? Has she called markey and boxer?

Seth Oster

----- Original Message -----

From: Seth Oster
Sent: 12/17/2009 12:45 PM EST
To: "Lisa Jackson" <windsor.richard@epa.gov>
Cc: "Aaron Dickerson" <dickerson.aaron@epa.gov>; "Diane Thompson" <thompson.diane@epa.gov>; Bob Sussman
Subject: Eric Schaeffer

Did you want to call him yourself before we go public on coal ash? I have a memory of you saying so, and that time would be now.

Seth Oster/DC/USEPA/US

12/09/2011 02:30 PM

To Curt Spalding, Judith Enck, Shawn Garvin, Gwendolyn KeyesFleming, Susan Hedman, Al Armendariz, Jim Martin, Karl Brooks, Jared Blumenfeld, Dennis McLerran, Gina McCarthy, Nancy Stoner, Ken Kopocis, Mathy Stanislaus, Lisa Feldt, Avi Garbow, Scott Fulton, Craig Hooks, Michelle DePass, Daniel Kanninen, Bob Sussman, Lisa Garcia, Goffman.Joseph, Janet McCabe, Janet Woodka, Jim Jones, Paul Anastas, Cynthia Giles-AA, Barbara Bennett, Michael Goo, Bicky Corman, Diane Thompson, ganesan.arvin, Laura Vaught, Sarah Pallone, Jose Lozano, Elizabeth Ashwell, Eric Wachter, Lawrence Elworth, Charles Imohiosen
cc Richard Windsor, Betsaida Alcantara, Brendan Gilfillan, Johnson.Alisha, Andra Belknap, Michael Moats, Bloomgren.David, Dru Ealons, Stephanie Owens, Heidi Ellis
bcc

Subject A Quote to Note.....

Below is a story related to our announcement yesterday on Pavilion from today's NY Times that includes a quote that I wanted to make sure you all saw. It underscores the points made by the Administrator at the retreat about the importance of the work you all do -- and I hope you'll look at it from time to time when the days get particularly challenging.

“This investigation proves the importance of having a federal agency that can protect people and the environment,” said John Fenton, the chairman of Pavillion Area Concerned Citizens. ***“Those of us who suffer the impacts from the unchecked development in our community are extremely happy the contamination source is being identified.”***

Seth

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December 8, 2011

New York Times

E.P.A. Links Tainted Water in Wyoming to Hydraulic Fracturing for Natural Gas

By KIRK JOHNSON

DENVER — Chemicals used to hydraulically fracture rocks in drilling for natural gas in a

remote valley in central Wyoming are the likely cause of contaminated local water supplies, federal regulators said Thursday.

The draft report, after a three-year study by the Environmental Protection Agency, represents a new scientific and political skirmish line over whether fracking, as it is more commonly known, poses a threat in the dozens of places around the nation where it is now being used to extract previously unreachable energy resources locked within rock.

The study, which was prompted by complaints from local residents about the smell and taste of their water, stressed that local conditions were unusual at the site, called the Pavillion field, in that the gas wells were far shallower than in many other drilling areas around the country. The shallow depth means that natural gas itself can seep upward naturally through the rock, and perhaps into aquifers.

But the suite of chemicals found in two test wells drilled at the site, the report said, could not be explained entirely by natural processes. The agency's analysis of samples taken from deep monitoring wells in the aquifer indicated the presence of synthetic chemicals, like glycols and alcohols consistent with gas production and hydraulic fracturing fluids, benzene concentrations well above standards in the Federal Safe Drinking Water Act standards, and high methane levels.

Also complicating the inquiry is the Pavillion field's long history. The oldest wells there were drilled 40 years ago or more, and chemicals that might have been used were not required to be listed or reported to anyone.

The energy industry has long stressed that fracking and water contamination have never been definitively linked.

"When considered together with other lines of evidence, the data indicates likely impact to ground water that can be explained by hydraulic fracturing," the draft study said. And perhaps just as crucially, the evidence also suggested that seepage of natural gas itself had increased around the drilling sites. Natural gas is often mixed with other elements, including methane, which can taint water supplies.

"Data suggest that enhanced migration of gas has occurred within ground water at depths used for domestic water supply," said the draft study, which will now be sent for scientific peer review and public comment.

A spokesman for Encana Oil & Gas (USA), which bought the Pavillion field in 2004 and drilled some of the approximately 169 wells there, said the E.P.A.'s science was inconclusive. Encana's parent company is based in Calgary.

"What we have here is not a conclusion, but a probability — and based on the facts, not a good probability," said Doug Hock, the company's spokesman. He said that enhanced migration of gas as a result of drilling was unlikely in the Pavillion field, since drilling had reduced pressure in the underlying rock, thus reducing forces that can lead to gas seepage. And finding methane

and benzene in two deep test wells drilled for the study, he said, is what you would expect in a gas-rich zone.

“Encana didn’t put those there, nature did,” he said.

The governor of Wyoming, Matt Mead, also said in a statement that the E.P.A.’s conclusions were “scientifically questionable” and not based on enough data. Mr. Mead, a Republican, called for more testing by the E.P.A., in conjunction with a state group of residents, state and federal agencies, and Indian tribes already at work looking into questions about Pavillion’s water supply.

Wyoming, which is dependent on oil and gas drilling, along with coal mining, as anchors of its economy, will also be among the peer reviewers of the E.P.A.’s draft, the governor’s statement said. The chairman of a local Pavillion residents’ group — about 200 people, mostly involved in farming and ranching, who live in proximity to the drilling sites — expressed gratitude to the E.P.A., and perhaps a bit of veiled doubt about the zeal of local and state regulators.

“This investigation proves the importance of having a federal agency that can protect people and the environment,” said John Fenton, the chairman of Pavillion Area Concerned Citizens. “Those of us who suffer the impacts from the unchecked development in our community are extremely happy the contamination source is being identified.”

Gas drilling, using both hydraulic fracturing to release gas and horizontal drilling techniques that can snake underground far from the actual bore holes, is now moving into closer proximity to American population centers than in the past.

From the suburbs of Denver to Pennsylvania and Oklahoma, natural gas reserves, known about but previously unreachable for economic and technological reasons, are being tapped, and anxieties about the hydraulic injection process and its consequences are growing. Wyoming, in 2010, became one of the first states to require petroleum companies or their contractors to disclose the ingredients in their specially formulated fracking fluids. The E.P.A. has also begun a national study on the potential impacts of hydraulic fracturing on drinking water resources.

Seth Oster/DC/USEPA/US
04/28/2010 11:13 AM

To David McIntosh, Gina McCarthy, "Lisa Heinzerling", "Lisa Jackson", "Diane Thompson", "Bob Perciasepe"
cc
bcc
Subject Fw: NY Blog: E.P.A. Makes Its Case on Climate Change

Betsaida Alcantara

----- Original Message -----

From: Betsaida Alcantara
Sent: 04/28/2010 11:04 AM EDT
To: Seth Oster; Allyn Brooks-LaSure; Brendan Gilfillan; Michael Moats; Alisha Johnson; Vicki Ekstrom
Subject: NY Blog: E.P.A. Makes Its Case on Climate Change

April 27, 2010, 7:43 pm

E.P.A. Makes Its Case on Climate Change

By ELISABETH ROSENTHAL

Polls show that tackling climate change is a low priority for the American public. Indeed, a Yale poll found that only 12 percent of Americans were “very worried” about global warming. In the last few days, the Environmental Protection Agency seems to have initiated a public campaign to make clear where it, and the science, stand, stating that the rise in greenhouse gases is a serious problem to be confronted.

On Monday night, the E.P.A. administrator, Lisa Jackson, made the point as a guest on “The Daily Show With Jon Stewart.” And on Tuesday, the agency released an 80-page glossy report called “Climate Change Indicators in the United States” to help Americans make sense of climate change data.

That report begins: “Over the last several decades, evidence of human influences on climate change has become increasingly clear and compelling. There is indisputable evidence that human activities such as electricity production and transportation are adding to the concentrations of greenhouse gases that are already naturally present in the atmosphere.” The agency lays out 24 possible indicators of climate change — from United States greenhouse gas emissions to tropical cyclone activity to bird wintering ranges — while tracing how they have shifted in recent decades. It lays out what is known, according to the agency’s survey of current science, and what remains uncertain.

Some of the conclusions are already well publicized: “In the United States, greenhouse gas emissions caused by human activities increased by 14 percent from 1990 to 2008.”

Others are less so: “Long-term studies have found that bird species in North America have shifted their wintering grounds northward by an average of 35 miles since 1966, with a few species shifting by several hundred miles.”

And, given the long snowy winter in the mid-Atlantic states this year, readers will certainly find this one interesting: “The portion of North America covered by snow has generally decreased since 1972, although there has been much year-to-year variability. Snow covered an average of 3.18 million square miles of North America during the years 2000 to 2008, compared with 3.43 million square miles during the 1970s.”

The report makes clear that some phenomena that might be viewed as “proof” of climate change may or may not be: From 2001 to 2009, it notes, roughly 30 to 60 percent of the nation was

experiencing drought at any given time. But it adds that “data for this indicator have not been collected for long enough to determine whether droughts are increasing or decreasing.” Filled with charts and graphs, the report is a valuable resource for voters who are trying to make sense of climate change or how they feel about national environment and energy policy. And just as the climate skeptics pored over a landmark 2007 report by the United Nations Intergovernmental Panel on Climate Change in search of possible errors, I’m sure that they’ll be going over the E.P.A.’s offering with a very fine-tooth comb.

Seth Oster/DC/USEPA/US
11/09/2010 02:38 PM

To David McIntosh, "Lisa Jackson", "Diane Thompson", "Janet Woodka", "Bob Perciasepe", Arvin Ganesan, "Sarah Pallone", Bob Sussman, "Lisa Heinzerling", "Lisa Garcia"
cc
bcc

Subject Governor Paterson Releases Climate Action Plan

From: Judith Enck
Sent: 11/09/2010 02:32 PM EST
To: mccarthy.gina@epa.gov; Dave McIntyre; Seth Oster
Subject: Fw: Governor Paterson Releases Climate Action Plan

Leadership from the states
Sent by EPA Wireless E-Mail Services

From: Peter Iwanowicz [Peter.Iwanowicz@chamber.state.ny.us]
Sent: 11/09/2010 02:27 PM EST
To: Judith Enck
Subject: FW: Governor Paterson Releases Climate Action Plan

From: governors.press.office@chamber.state.ny.us [mailto:governors.press.office@chamber.state.ny.us]
Sent: Tuesday, November 09, 2010 2:06 PM
To: #PRESS RELEASES
Subject: Governor Paterson Releases Climate Action Plan

News from New York State Office of the Governor

For more information contact: Morgan Hook, 518-474-8418/212-681-4640; NYSERDA Contact: Jeffrey Gordon, 518-862-1090 Ext. 3544; DEC Contact: Yancey Roy, 518-402-8000

Governor Paterson Releases Climate Action Plan

ALBANY, NY (11/09/2010)(readMedia)-- Governor David A. Paterson today released the New York State Climate Action Plan, which offers a path to rebuild New York's economy and create tens of thousands of jobs by providing a blueprint for reducing greenhouse gas emissions 80 percent by 2050. By refocusing New York's manufacturing infrastructure to support clean energy policies, the State could reach both economic and environmental goals simultaneously. The Governor's plan details how New York can modernize and transform the State power supply,

building codes and agriculture through utilizing clean energy and technology.

"The global race for the clean energy economy is on. We can buy solutions to our energy and environmental challenges from others. Or we can take the initiative and develop clean energy industries right here in New York State," Governor Paterson said. "We must make the investment in our future prosperity now by implementing the strategies and policies that will enable us to meet our aggressive clean energy and environmental goals. By reinventing our State's economy to lead in the global race toward energy independence, we can develop clean energy technologies right here in New York. Our present investments will ensure that the Empire State leads the way in utilizing clean, renewable energy as an engine for economic growth."

The Climate Action Plan recommends, among other actions:

- Accelerating the development of zero- or low-carbon sources of power, reducing reliance on petroleum and upgrading the power grid to increase the use of renewable energy.
- Enhancing construction codes, appliance standards and consumer incentives to ensure construction of the most energy efficient, environmentally-beneficial buildings.
- Encouraging transportation efficiency by developing low-carbon fuel standards, promoting greater use of electric-based public transport, creating rebates/incentives to encourage the sale of efficient cars and light trucks and investing in freight and high-speed rail.
- Promoting sustainable policies in agriculture, forestry and waste sectors, including decreasing the amount of waste generated, supporting the use of renewable forms of clean energy on farms and increasing the use of low-carbon biomass fuels.
- Targeting research and development funds toward helping New York businesses develop low-carbon energy technologies while addressing State energy and infrastructure needs.

"Responding to climate change is an imperative for government. We must not allow ourselves to sit on the sidelines and get bogged down by contrived arguments from climate change doubters while other states and countries take the lead in developing a clean energy economy. The path ahead will require long-term dedication to make the public and private investments necessary to keep us moving in the right direction. But ignoring the need for action will be more costly in the long run," the Governor concluded.

In 2009, Governor Paterson directed the development of a State Climate Action Plan with his Executive Order No. 24. This Order set the goal of reducing the State's greenhouse gas emissions by 80 percent (compared to 1990 levels) by 2050 and established a Climate Action Council to determine how to meet the goal. State agencies then launched a process that brought together more than 100 technical experts and the broader public to develop the plan including strategies for meeting the Governor's emission reduction and clean energy goals.

In 2011, the Climate Action Council will further refine these preliminary ideas, finalize cost information and economic potentials, analyze the macroeconomic impacts of the policies, and

outline a strategy for implementation.

The interim report is open to public review and comment through February 7, 2011. The report and instructions for submitting comments can be found at: <http://nyclimatechange.us/>. The New York State Climate Action Plan Interim Report Fact Sheet can be found at: <http://www.ny.gov/governor/more/ClimateActionPlanInterimReportFactSheet.pdf>.

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The following statements were provided in support of the Governor's Climate Action Plan:

Senator Antoine Thompson said: "As Chair of the Environmental Conservation Committee, I welcome this extraordinary opportunity to work with my colleagues on both sides of the aisle to answer one of our greatest environmental challenges: climate change. I commend Governor Paterson on drafting such a thorough and aggressive Climate Action Plan, which will serve as the catalyst for job creation and a healthier environment in New York State. I am honored to play a critical role in this effort."

Carol E. Murphy, Executive Director of the Alliance for Clean Energy New York (ACE NY), Inc., said: "ACE NY commends Governor Paterson for acknowledging the imperative of reducing our carbon emissions and for establishing the Climate Action Council and plan. With aggressive deployment of renewable energy and energy efficiency technologies we can achieve major progress in meeting both short and long-term emissions reductions goals, which will fortunately have the added benefit of creating desperately needed economic development opportunities. ACE NY and its member organizations and companies look forward to helping the State to continue developing a sustainable energy infrastructure in New York."

William Sweet, Vice President of Construction and Engineering for Golub Corporation/Price Chopper Supermarkets, said: "The Climate Action Council has been instrumental in indentifying the types of challenges and changes necessary to make us environmentally sustainable as a State. I am happy to be a part of this monumental fete and represent the private sector, knowing that I have one small part in helping New York's reach its goals for a clean energy economy."

Steve Corneli, Senior Vice President of Market and Climate Policy for NRG Energy, said: "NRG is pleased to have worked with the State of New York and other stakeholders in developing this roadmap to a low carbon future. Given our significant investment in New York and our major clean energy initiatives across the nation, we look forward to being an active partner in helping the State achieve its sustainable energy goals."

Johanna Wellington, Sustainable Energy Advanced Technology Leader, GE Global Research, said: "GE commends the State on bringing together all of the key stakeholders to create a plan of action for addressing our energy challenges. We're pleased to be a part of the dialogue and are optimistic a Climate Action Plan can be implemented that not only drives clean energy solutions, but fuels new economic opportunities and job creation across New York State."

Sean Sweeney, Director of the Cornell Global Labor Institute, School of Industrial and Labor

Relations, said: "There is a climate crisis and there is a jobs crisis, and we must address both at the same time. Unions engaged in developing the Climate Action Plan therefore support the State's science-based commitment to dramatically reduce emissions. Such a commitment will generate jobs in energy conservation, mass public transit, transforming power generation, green manufacturing and sustainable agriculture. However, it is crucial that these 'climate jobs' to be good jobs that sustain families and communities."

Ashok Gupta, Senior Energy Economist and Director of Energy Policy at the National Resources Defense Council, said: "The good news is that done right, addressing global warming pollution will result in immediate jobs associated with making existing buildings more energy efficient, reduction of pollutants harmful to public health and making the State and region more competitive through necessary investments in transmission, renewables, clean fuels, and transportation infrastructure. This plan shows how that could happen in New York."

Robert Moore, Executive Director of Environmental Advocates of New York said: "Governor Paterson's Climate Action Plan lays the groundwork for reducing New York's greenhouse gas emissions 80 percent by the year 2050 through clean energy development and reductions in energy consumption. Thanks to Governor-elect Andrew Cuomo's firm commitment to action on climate change in his 'Cleaner, Greener NY' environmental agenda, we fully expect that these recommendations will be aggressively pursued."

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Permalink:

<http://readme.readmedia.com/Governor-Paterson-Releases-Climate-Action-Plan/1770902>

Seth Oster/DC/USEPA/US
04/01/2011 11:44 AM

To David McIntosh, Adora Andy, Richard Windsor
cc
bcc
Subject Re: TIME (BLOG) : Under Pressure—Q & A With EPA Head
Lisa Jackson

Yup. Good hit.

Seth

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David McIntosh All looks very good to me. From: Adora... 04/01/2011 11:36:39 AM

From: David McIntosh/DC/USEPA/US
To: Adora Andy/DC/USEPA/US@EPA, Richard Windsor/DC/USEPA/US@EPA, Seth Oster/DC/USEPA/US@EPA
Date: 04/01/2011 11:36 AM
Subject: Re: TIME (BLOG) : Under Pressure—Q & A With EPA Head Lisa Jackson

All looks very good to me.

Adora Andy Under Pressure—Q & A With EPA Head... 04/01/2011 11:21:51 AM

From: Adora Andy/DC/USEPA/US
To: Richard Windsor/DC/USEPA/US@EPA, Bob Perciasepe/DC/USEPA/US@EPA, Diane Thompson/DC/USEPA/US@EPA, Bob Sussman/DC/USEPA/US@EPA, Arvin Ganesan/DC/USEPA/US@EPA, David McIntosh/DC/USEPA/US@EPA, Sarah Pallone/DC/USEPA/US@EPA, Stephanie Owens/DC/USEPA/US@EPA, Dru Ealons/DC/USEPA/US@EPA, Seth Oster/DC/USEPA/US@EPA
Cc: Brendan Gilfillan/DC/USEPA/US@EPA, Betsaida Alcantara/DC/USEPA/US@EPA
Date: 04/01/2011 11:21 AM
Subject: TIME (BLOG) : Under Pressure—Q & A With EPA Head Lisa Jackson

Under Pressure—Q & A With EPA Head Lisa Jackson
Time (blog)
Bryan Walsh
April 1, 2011 at 10:38 am

EPA Administrator Lisa Jackson—who has emerged as the Republicans' favorite target as the party looks to dismantle environmental protections—sat down with us for a 10 Questions in this week's issue. That interview was condensed to fit one page—click below for the full transcript:

To of your Republican predecessors recently wrote in the Post that the EPA is under siege from Republicans. Do you see that as the case? Do you see a war going on against the EPA?

There are certainly some members of Congress who I think have come in with an agenda that includes this agency, and we hear words like scaling back and you even hear things like defunding. I really

appreciate two former Republican heads of this agency who point out that this agency plays an extremely important role in protecting American's health and the environment.

The key point of argument is really these EPA regulations that could be coming on climate change. Can you outline quickly, what is the agency going to be looking to do on this issue?

As I've said before, we're talking about common sense steps that get us started. Using the Clean Air Act, updating standards under the Clean Air Act to address pollution, in this case, greenhouse-gas pollution. In a common sense way, the Clean Air Act history, not the rhetoric, but the history of the Clean Air Act is that it moves in moderate steps that add up over time to pollution reduction. I think we can use the Clean Air Act to get started on greenhouse-gas pollution, as we have on other types of pollution, very successfully.

In the past, both you and President Obama have said that you much prefer Congress to take the lead on greenhouse gases, probably preferably through a cap and trade program as opposed to regulation. Why should the EPA be in the business of doing this regulation?

Well first off because it's the law. The Clean Air Act and Supreme Court cases have said that EPA must determine whether or not greenhouse gases endanger public health. We have determined, based on multiple lines of scientific evidence, that they do. And the Clean Air Act then requires us to act. The second reason is more of a common sense approach. Although I joined the President in calling for legislation, that doesn't mean we can't get started using the Clean Air Act to make a series of moderate steps that would add up to real reduction. And third, and certainly not the least important, but a little bit different, is that industry needs to know what the rules of the game are going to be. So in the absence of legislation, the Clean Air Act and the requirements of the Clean Air Act, touch certainly the power sector. No one's ever denied that. Require them to make pollution control investments, so we don't have unlimited amounts of pollution, including carbon pollution, entering our air.

You've called Congressional attempts underway right now to restrict the EPA's ability to regulate these gases draconian. If some of the legislation that's out there right now were to go through, what would it mean for the agency?

The biggest criticism that I've leveled - and I've done it in my hearing testimony - is that what the current efforts do is overrule scientists on a scientific finding. Congress is essentially passing a law that says, We, a bunch of lawmakers, have decided what the science is on this issue. And that to me is what this Congress could be remembered for, more than anything else. History will forget a lot of the day-to-day, inside the beltway discussions about riders and budget and trying to get rid of or defund the EPA, but I don't think that history will forget the first time that politicians made a law to overrule scientists.

Speaking of testifying, you've been called upon frequently since the Republicans have taken over the House to testify on Capitol Hill. They said that you might need your own parking space there. Do you feel that you are being targeted personally?

I certainly hope not. I have no reason to think that. But, listen, I have so far and continue to - although getting ready for hearings is - I certainly take time out - I see it as part of my job. I should be able to explain our actions to Congress, and I should be able to explain them to the American people. I think facts matter. So one of the things that we've used these hearings to do is point out the facts of what the EPA's doing, not what special interests are saying we're doing. They're very different things. In the countryside, Americans want a strong EPA that protects public health, that reins in polluters. Inside the beltway, they may be bombarded with different messages. It's an opportunity for me, as head of this agency, to speak to what we are doing.

Are there other ways you can go around that mouthpiece and actually make that case to the American people? Do they understand what it is the EPA's mission really is?

It isn't our job to poll them, but polling data, there's a new one out to do from the League of Conservation Voters, showing that the American people want a strong EPA. We have another Gallup poll out today saying that Americans remain unchanged in their concern about environmental issues, particularly clean

water issues. Events of the day, as usual, point out the things that we don't think about until we need them. One of them is our RadNet monitoring system, which has been out there monitoring air quality and now is coming into highlight because of the horrible tragedy in Japan. So it's also my job as head of this agency to try to manage the budget that we get, so we squeeze every drop of environmental protection out. It's also my job to point out when I think either cuts or legislation or proposals are going to tie the hands of this agency and let industries that want to pollute, go unchecked.

If indeed we do see legislation that would block the EPA's regulatory ability on greenhouse gases actually go through Congress, are you confident the President would veto?

Listen, the President's been really clear all along that he supports this agency following the law. Whenever he's talked about it, he and I have said we call for legislation, but we also need to follow the Supreme Court decision. The other issue here is that these are not thumbs up, thumbs down issues. We are happy to work with Congress to insure that we work on a common sense timetable to address the largest polluting industries. We've proposed rules that are actually deregulatory to insure small and medium size businesses aren't covered. We've had wonderful success in moving this country toward more efficient cars, and we're working on more efficient trucks. So it's my hope that we can get into the discussion, some real facts about what we have accomplished and try to allay real or imagined fears about what we might do.

Speaking of that fear, we often see in bad economic times like we have now, this argument that America can't afford both strong environmental protection and policies that would promote job creation. Can those needs be balanced? How should they be balanced?

They have been balanced in this country for 40 years, as long as there's been an Environmental Protection Agency, as long as there's been a Clean Air Act, a Clean Water Act. We've shown the world that it can and should be done. We have cleaned the air. We're not done. We have cleaned the water. We're not done. But we've done it while our country prospered. So I don't think we should minimize the concerns of the average American, but I think the proof - it's important to look at what has been done, not these doomsday scenarios that special interests trump up about what might happen. Well what has happened? It's also important to - I get a chance to do a little bit of work internationally and I think we've also seen, and it's pretty stark what happens when you try to pick economic development over clean air or clean water. It may seem like a short-term gain, but once air is dirty, once water is dirty, it is extremely expensive to clean it up and untold lives have been impacted or untold illness and cost have been accrued.

Another somewhat controversial subject the EPA's going to be getting into soon is that study that's being formulated on hydraulic fracturing and shale-gas drilling. The EPA did a study on this back in 2004. A lot of people in the industry ask, Why do we need a new one?

The study back in 2004 was what scientists might call a review of the existing literature. No samples were taken, no independent studies were done. It was a very narrow look at a very specific set of data. This is a much different study. This is a comprehensive look at the impact of hydraulic fracturing on drinking water, which means surface water and groundwater resources. Even the [inaudible] of the study is going through a peer review. We've been very transparent and open about it. It's important to understand that no one in this agency, including recently we had the former head of the water program who said he believed that the 2004 study was over-interpreted, that people were drawing conclusions from it that the study itself did not warn, and I agree with that.

We're nearing the one-year anniversary of the BP oil spill. At this point, is it possible to begin to really get a fix on how much environmental damage was done to that region by the spill?

Scientists will tell you that the picture will continue to emerge over several seasons. Those who study the ecosystem and the food chain out in the Gulf will tell you that we need to see what happens this year, but not only this year. It may take several years to manifest itself. I think in general the science that's coming back is somewhat reassuring, which is that, I think, partially because of the distance from shore, partially because of the efforts that were made the government and the private sector to respond to the explosion and the spills and the ongoing spill afterward, that we may see a situation where the ecosystem can

recover quite well. But there will be studies for years and years, and you know what, the ecosystem deserves to be studied because I think that there's a skeptical group of people down there and they deserve to know that real resources are going into understanding their resource and any impact on it.

You grew up in that region. For you to go back when that spill was happening, personally to see Louisiana and that region getting hit by disaster again, another one that like Katrina, that had issues of manmade problems that went along with it. What did that mean to you?

It was an honor to be able to go back and serve a region I call home. In this job and in the jobs I've had before, I've had to respond to major crises - either environmental crises or crises that had environmental components. And in all the cases, the work I came here to do, I mean no one wants a crisis, but my belief is that we can protect the environment even when we're responding to a crisis. So it's an honor to be able to do it. It was - the only difference with the Gulf spill is that I would go home and see people I knew and hear from people I knew who would reach out to me and want to make sure that their voices were being heard. It made me feel good to know that they knew that they had a person at a very high level in their government, who they could reach out to and who was hearing them. If it brought them any comfort, I'm happy, but it's also my job.

You're chairing the Gulf Coast Ecosystem Restoration Taskforce. What are your plans for that? Is it going to go beyond just looking at what happened with the oil spill and also take on the other environmental damages, hypoxia, erosion to coastal wetlands? Are we really going to be able to make that region better than it was before the spill?

That is the intent of the taskforce. This is not about a response to the oil spill. In fact there's separate work going on. This is about the President's other promise, which was to make the Gulf ecosystem stronger and more resilient than it was when the oil spill happened, the day before it, if you will. So to me this taskforce is an opportunity to give voice to people in that region who have been working literally for decades trying to be a voice for coastal restoration, for the ecosystem as a whole, how to balance the myriad needs of a working Gulf with the demands of a tourist-based economy that exists many times in the exact same spot. As head of this agency I chair the taskforce for Chesapeake Bay. I've sit on a Commission for the Great Lakes. I sit on the National Oceans Commission. This is the opportunity for the Gulf Coast, the Gulf of Mexico to get that same level of attention, and it's long overdue.

Are we ready for another spill of this nature, should it happen again? Have we learned something from this first experience to make sure either it doesn't happen again or if it does we can respond better and faster?

We are more ready. The thing I have learned in this career of mine is that you can never anticipate all the ins and outs of any crisis. Part of this is having really experience and bright people who can respond to what the crisis is on the ground, but yes we're more ready. We've dealt with some issues in the course of that crisis that have highlighted work that can be done. Here at the EPA we've gone back to our National Response Team and offered additional guidance and questions on everything from the use of dispersants to the preparation of the response plans that are in place in every region of the country to deal with releases to water. We've also looked at facilities on land and beefed that up. We're doing additional research on dispersant chemistry and the use in general. So I never like to say we're 100% ready because the next emergency, if and when it comes, could be entirely different. But we learned and we're certainly more ready. Probably, in my experience, this crisis more than any other was an example of a team effort by government. Certainly on a federal level, this far surpasses any response I've been involved with in terms of how we worked as a team, our whole government approach.

The EPA recently had its 40th birthday. Where do you see the agency in another 10 years time? How will it change from what it is now?

If history's any guide, the American people will continue to support a strong, independent agency that protects their health and the environment for future generations. I think this agency, if history is any guide, will continue to need to be both a strong protector, but also incorporate the kind of flexibility that responds

to the issues of the day. For us whether it's an agency that through the Energy Star program saw the need for us to deal with energy efficiency voluntarily, I think the world has caught up with that. We'll see this agency moving into issues of sustainability that cross any individual media even more and more, where we look at pollution, is it sustainable for water, air and land? We'll continue to deal with issues of adaptation to climate change. I think because of the change in demographics in this country, we will see issues that are important to Latinos and African Americans come to forefront, and those tend to be issues of environmental justice, longstanding pockets of pollution that just haven't been addressed, the unfinished business of this agency.

With the agency coming in for a lot of criticism in the press and some members of Congress, how do you keep your workers feeling optimistic, keeping from feeling that they're under attack as well?

My job is to go to the hearings and talk about their great work, but the other thing I say to them - I worked in this agency for over 15 years as a career employee, non-political and it's not about us. It's not about this agency. It's not about any individual effort. It's about reminding us what it is we come here to do. And that's to uphold the environmental laws of this country. This agency has lived through tough times before, where it seemed as though the politics in Washington were aligned against it. What has always made a difference in the environmental field is that the public, the people of this country, know that clean air and clean water are important, that were it not for the work of this agency, there would be more sickness, more illness, more incidences of water that can't be used, that doesn't support fishing or can't be used for drinking. So what I tell them is to keep their eye on their jobs, to do their jobs with impeccable science and integrity and I feel confident that the American people will then turn to us as they should.

Seth Oster/DC/USEPA/US

04/05/2011 12:38 PM

To David McIntosh, Richard Windsor

cc

bcc

Subject Fw: Politico: Republicans signal flexibility on EPA

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----- Forwarded by Seth Oster/DC/USEPA/US on 04/05/2011 12:38 PM -----

From: Jessica Lopez/DC/USEPA/US
To: Dru Ealons/DC/USEPA/US@EPA, Stephanie Owens/DC/USEPA/US@EPA, Alisha Johnson/DC/USEPA/US@EPA, Seth Oster/DC/USEPA/US@EPA, Vicki Ekstrom/DC/USEPA/US@EPA, Andra Belknap/DC/USEPA/US@EPA, Adora Andy/DC/USEPA/US@EPA, Betsaida Alcantara/DC/USEPA/US@EPA, Brendan Gilfillan/DC/USEPA/US@EPA, Michael Moats/DC/USEPA/US@EPA, Dan Lindner/DC/USEPA/US@EPA, Shira Sternberg/DC/USEPA/US@EPA
Date: 04/05/2011 12:02 PM
Subject: Politico: Republicans signal flexibility on EPA

Politico: Republicans signal flexibility on EPA
By: Robin Bravender
April 5, 2011 11:33 AM EDT

House Republicans are willing to deal when it comes to budget riders to hobble the EPA.

One of the many sticking points in the budget brawl under way on Capitol Hill is the slew of controversial amendments House Republicans are pushing for in a short-term spending bill – including riders to limit federal spending on EPA rules, Planned Parenthood and other hot-button issues.

But many GOP lawmakers – including staunchly conservative freshmen – say they're not drawing lines in the sand when it comes to hamstringing the Obama administration's environmental policies.

"I want to see spending cuts, and that's right now where I think the speaker is and where the majority of the caucus is," freshman Republican Rep. Cory Gardner of Colorado told POLITICO on Monday night after a caucus meeting about the budget negotiations. "I haven't seen anybody say that they have to have this or that on the EPA."

Gardner serves on the House Energy and Commerce Committee, with jurisdiction over EPA rules.

Another Energy and Commerce Committee freshman, Rep. Morgan Griffith (R-Va.), said he'd be willing to do without EPA riders if the spending cuts were big enough. "It might be a deal-maker; it wouldn't be a deal-breaker," he said of attaching EPA amendments. "I'm very concerned about debt as well."

House Republicans cleared a spending bill in February for the remainder of the fiscal year that included riders to limit EPA rules on issues including climate change, mountaintop mining and water pollution. But those riders have caused friction in the tense budget negotiations, and Senate Majority Leader Harry Reid

told reporters last week that EPA was one area where Senate Democrats refuse to budge. Reid has said that the Senate will consider some GOP policy riders in order to strike a deal.

Of the amendments Republicans are pushing for, EPA isn't at the top of the list for some. Rep. Lee Terry (R-Neb.) said he's heard demands from his colleagues for amendments to defund Planned Parenthood and the administration's health care policies, but not for EPA riders.

"The biggest thing I hear at home is defund Obamacare," said Rep. John Shimkus (R-Ill.), "so if there is a major rider that's probably the big issue that people bring back from their districts, it's probably Obamacare."

And despite overwhelming support in their caucus to stifle EPA regs, House Republicans appear willing to use other venues like stand-alone bills or future budget deals to attack agency rules.

"We'd like to have it," Rep. Jeff Flake (R-Ariz.) said of EPA pre-emption, but "that's something that we can work on in [fiscal year 2012] and do it in a more deliberative fashion, so we'll see."

House Republicans have offered a spate of additional bills so far this Congress aimed at limiting EPA regulations, and the House is slated to vote Wednesday on legislation from Energy and Commerce Committee Chairman Fred Upton (R-Mich.) to unravel EPA's authority to regulate greenhouse gases. Still, many EPA critics see budget negotiations as their best bet to curtail the agency because while many of those measures can likely clear the House, they'll have trouble making it through the Democratic-led Senate and winning the president's approval.

Seth Oster/DC/USEPA/US
06/10/2010 06:06 PM

To David McIntosh, Richard Windsor, Allyn Brooks-LaSure, Adora Andy, Brendan Gilfillan, Gina McCarthy, Arvin Ganesan, Diane Thompson, Bob Perciasepe, Michael Moats, Janet McCabe, Joseph Goffman, Lawrence Elworth, Bob Sussman, Lisa Heinzerling, Scott Fulton, Sarah Pallone, Betsaida Alcantara

cc

bcc

Subject Statement by the President on Senator Murkowski's Resolution of Disapproval, S.J. Res. 26

----- Forwarded by Seth Oster/DC/USEPA/US on 06/10/2010 06:05 PM -----

From: "White House Press Office" <whitehouse-lists-noreply@list.whitehouse.gov>
To: Seth Oster/DC/USEPA/US@EPA
Date: 06/10/2010 06:05 PM
Subject: Statement by the President on Senator Murkowski's Resolution of Disapproval, S.J. Res. 26

THE WHITE HOUSE
Office of the Press Secretary

FOR IMMEDIATE RELEASE
June 10, 2010

Statement by the President on Senator Murkowski's Resolution of Disapproval, S.J. Res. 26

I commend the Senate for rejecting the resolution put forward by Senator Murkowski, which would have increased our dependence on oil by blocking efforts to cut the harmful pollution that contributes to climate change. Today's vote is yet another reminder of the urgent need to pass legislation that would help America transition to a 21st century clean energy economy that would create jobs, strengthen our national security, and protect our environment for our children. Today, the Senate chose to move America forward, towards that clean energy economy – not backward to the same failed policies that have left our nation increasingly dependent on foreign oil.

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Seth Oster/DC/USEPA/US
08/03/2009 07:36 PM

To Diane Thompson, Peter Silva, Cynthia Giles, Mathy Stanislaus, David McIntosh, Arvin Ganesan, Lisa Heinzerling, Bob Sussman, Eric Wachter, Craig Hooks
cc Richard Windsor, Allyn Brooks-LaSure
bcc

Subject Gallup's Agency Ratings

July 27, 2009

CDC Tops Agency Ratings; Federal Reserve Board Lowest

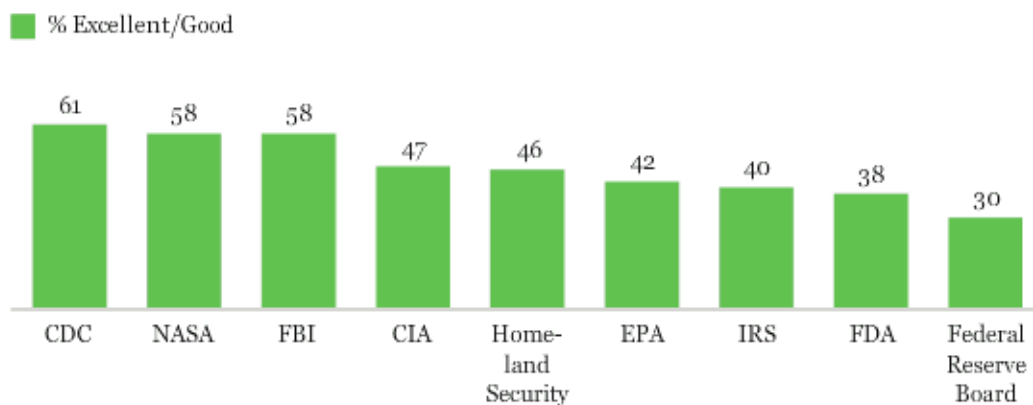
NASA ratings remain high, while Federal Reserve has lost ground

by Lydia Saad

Page: [12](#)

PRINCETON, NJ -- At a time when Americans are discouraged about [the direction of the country](#) and hesitant about the scope of President Barack Obama's [federal budget plans](#), the U.S. Centers for Disease Control and Prevention, NASA, and the FBI earn credit for a job well done from a majority of Americans. The 61% who say the CDC is doing an excellent or good job can be contrasted with the 30% who say this of the Federal Reserve Board, making the latter the worst reviewed of nine agencies and departments rated in the July 10-12 Gallup Poll.

How would you rate the job being done by [agency/department]? Would you say it is doing an excellent, good, only fair, or poor job?



July 10-12, 2009

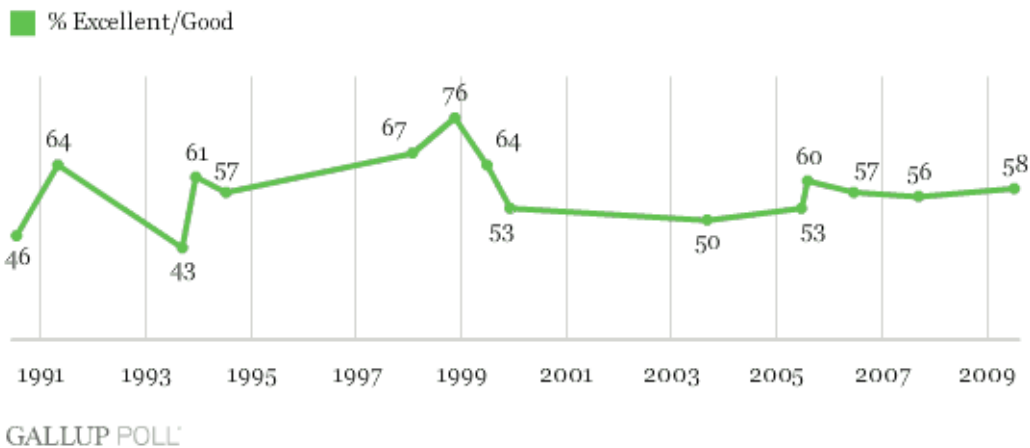
GALLUP POLL

The two national security-oriented groups included in the recent poll -- the CIA and the Department of Homeland Security -- receive moderate performance ratings, with just under half of Americans saying each is doing an excellent or good job.

The Environmental Protection Agency, Internal Revenue Service, and Food and Drug Administration fall a notch lower in the rankings, as close to 40% of Americans give each of them credit for doing an excellent or good job. The relatively low ranking of the FDA is of particular note with regard to the scrutiny the agency has been under, given recent attention to U.S. food safety.

The new poll, conducted just prior to the 40th anniversary of the July 20, 1969, moon landing by Apollo 11 -- perhaps the most celebrated of all NASA achievements -- finds NASA's rating about where it has been in recent years. While not nearly as high as it was in late 1998 (a month after John Glenn's successful return to space), NASA's current excellent/good score falls within the upper half of ratings it has received over the past two decades.

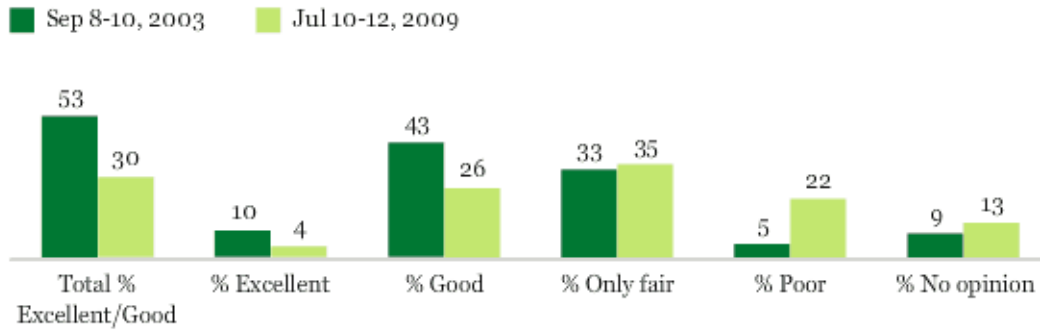
Job Ratings for NASA, the U.S. Space Agency



Today's rating of the FDA is the first measured by Gallup, but all other agencies on the list were previously rated in September 2003 (NASA, as shown, has been rated multiple times). The only significant changes since that time are a sharp deterioration in perceptions about the Federal Reserve, and a decline in highly positive views toward the CDC.

In 2003, the slight majority of Americans, 53%, said the Federal Reserve was doing an excellent or good job and 5% called it poor. Today, 30% of Americans praise the job the Fed is doing, while nearly as many, 22%, call it poor. While this ratings downturn coincides with a substantial drop in consumer confidence toward the U.S. economy over the same period, it is unclear how much of the Fed's image decline is due to the general decline in the country's economic climate, as opposed to specific perceptions about the agency's performance in carrying out its monetary responsibilities and possibly its role in the crisis surrounding U.S. financial markets. The Fed's low excellent/good rating may also reflect the higher-than-average percentage of Americans having "no opinion" about this arm of the government, relative to the other agencies rated.

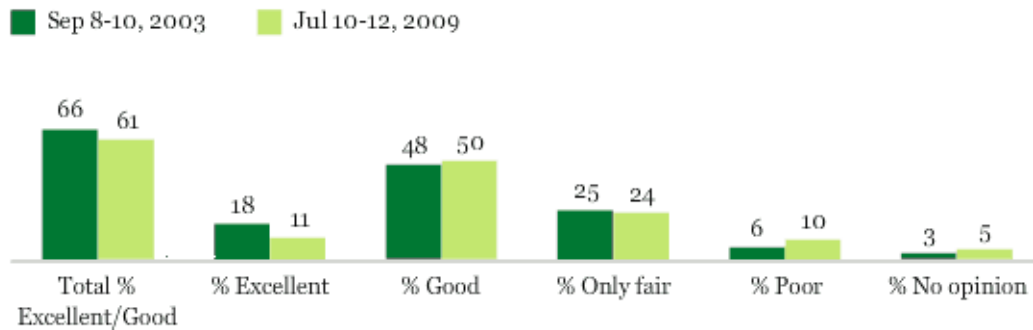
Job Ratings for Federal Reserve Board



GALLUP POLL

The CDC has had a particularly high public profile since April, when cases of the H1N1 virus, also known as swine flu, were first detected in the United States. Whether its role in tracking the disease and informing Americans about the illness has elevated or hurt the agency's image is not clear. However, compared with six years ago, fewer Americans believe the agency is doing an "excellent" job -- now 11%, down from 18%. Overall, the percentage saying it is doing an excellent or good job is now 61%, down from 66%.

Job Ratings for the Centers for Disease Control and Prevention, or the CDC



GALLUP POLL

Bottom Line

Americans are broadly satisfied with the work the CDC, NASA, and the FBI are doing. The CIA and the Department of Homeland Security are also fairly well reviewed; however, the current job ratings of the EPA, IRS, FDA, and Federal Reserve Board all have significant room for improvement.

Survey Methods

Results are based on telephone interviews with 1,018 national adults, aged 18 and older, conducted July 10-12, 2009. For results based on the total sample of national adults, one can say with 95% confidence that the maximum margin of sampling error is ±3 percentage points.

Interviews are conducted with respondents on land-line telephones (for respondents with a land-line telephone) and cellular phones (for respondents who are cell-phone only).

In addition to sampling error, question wording and practical difficulties in conducting surveys can introduce error or bias into the findings of public opinion polls.

10. How would you rate the job being done by -- [agency/department]? Would you say it is doing an excellent, good, only fair, or poor job?

Ranked by % excellent/good

	Excellent/ Good	Only fair	Poor	No opinion
	%	%	%	
The Centers for Disease Control and Prevention, or the CDC	61	24	10	5
NASA , the U.S. space agency	58	26	7	10
The Federal Bureau of Investigation, or the FBI	58	27	7	8
The Central Intelligence Agency, or the CIA	47	29	13	12
The Department of Homeland Security	46	31	18	4
The Environmental Protection Agency, or EPA	42	33	21	4
The Internal Revenue Service, or the IRS	40	36	20	5
The Food and Drug Administration, or FDA	38	37	22	3
The Federal Reserve Board	30	35	22	13

July 10-12, 2009

GALLUP POLL

Federal Agency/Department Ratings -- Full Results With Trends

	Excellent	Good	Only fair	Poor	No opinion
	%	%	%	%	%
A. NASA, the U.S. space agency					
2009 Jul 10-12	13	45	26	7	10
2007 Sep 14-16	16	40	29	8	6
2006 Jun 23-25	17	40	30	7	6
2005 Aug 5-7	16	44	29	8	3
2005 Jun 24-26	11	42	34	6	7
2003 Sep 8-10	12	38	36	10	4
1999 Dec 9-12	13	40	31	12	4
1999 Jul 13-4	20	44	20	5	11
1998 Nov 20-22	26	50	17	4	3
1998 Jan 30-Feb 1	21	46	21	4	8
1994 Jul 15-17	14	43	29	6	8
1993 Dec 17-19	18	43	30	7	2
1993 Sept 13-15	7	36	35	11	11
1991 May 2-5	16	48	24	6	6
1990 July 19-22	10	36	34	15	5
B. The Department of Homeland Security					
2009 Jul 10-12	8	38	31	18	4
2003 Sep 8-10	10	38	33	15	4
C. The Federal Reserve Board					
2009 Jul 10-12	4	26	35	22	13
2003 Sep 8-10	10	43	33	5	9
D. The Federal Bureau of Investigation, or the FBI					
2009 Jul 10-12	10	48	27	7	8
2003 Sep 8-10	10	43	31	12	4
E. The Central Intelligence Agency, or the CIA					
2009 Jul 10-12	10	37	29	13	12
2003 Sep 8-10	9	36	35	13	7
F. The Internal Revenue Service, or the IRS					
2009 Jul 10-12	5	35	36	20	5
2003 Sep 8-10	6	38	38	15	3

G. The Environmental Protection Agency, or EPA					
2009 Jul 10-12	5	37	33	21	4
2003 Sep 8-10	6	33	38	20	3

H. The Centers for Disease Control and Prevention, or the CDC					
2009 Jul 10-12	11	50	24	10	5
2003 Sep 8-10	18	48	25	6	3

I. The Food and Drug Administration, or FDA					
2009 Jul 10-12	5	33	37	22	3

GALLUP POLL

Page: [12](#)

Click below for more on these topics:

Seth Oster/DC/USEPA/US
03/02/2010 11:00 AM

To Diane Thompson, Richard Windsor, Bob Perciasepe
cc Allyn Brooks-LaSure
bcc
Subject Fw: TODAY: Labor Secretary Hilda Solis, Carol Browner,
Assistant to the President for Energy and Climate Change to
Hold Press Conference Call to Discuss President's Remarks
on Home Retrofit

Seth Oster
Associate Administrator
Office of Public Affairs
Environmental Protection Agency
(202) 564-1918
oster.seth@epa.gov

----- Forwarded by Seth Oster/DC/USEPA/US on 03/02/2010 10:59 AM -----

From: "White House Press Office" <whitehouse-lists-noreply@list.whitehouse.gov>
To: Seth Oster/DC/USEPA/US@EPA
Date: 03/02/2010 10:19 AM
Subject: TODAY: Labor Secretary Hilda Solis, Carol Browner, Assistant to the President for Energy and
Climate Change to Hold Press Conference Call to Discuss President's Remarks on Home Retrofit

THE WHITE HOUSE
Office of the Press Secretary

FOR IMMEDIATE RELEASE
March 2, 2010

**TODAY: Labor Secretary Hilda Solis, Carol Browner, Assistant to the President for
Energy and Climate Change to Hold Press Conference Call to Discuss President's
Remarks on Home Retrofit**

WASHINGTON – Today, at 1:30 p.m. EST, Labor Secretary Hilda Solis and Carol Browner, Assistant to the President for Energy and Climate Change will hold an on the record press conference call to discuss the President's remarks at Savannah Technical College about providing incentives for consumers who retrofit their homes to become more energy-efficient in order to create jobs, save money for families and reduce pollution that threatens our environment.

WHAT: On the record conference call on Home Retrofit with Labor Secretary Hilda Solis and Carol Browner, Assistant to the President for Energy and Climate Change

WHEN: TODAY, Tuesday March 2, 2010
1:30 p.m. EST

DIAL-IN: Participant dial in 800-288-9626, no code necessary.
If prompted, ask to join the "White House Conference Call"

#

Seth Oster/DC/USEPA/US
12/18/2009 10:13 AM

To: Gina McCarthy, "Lisa Jackson", "Diane Thompson", David
McIntosh, "Michelle DePass", "Shalini Vajjhala"
cc
bcc
Subject: Fw: Update from Press Secretary Robert Gibbs

From: "White House Press Office" [whitehouse-lists-noreply@list.whitehouse.gov]
Sent: 12/18/2009 10:09 AM EST
To: Seth Oster
Subject: Update from Press Secretary Robert Gibbs

Update: The President is currently attending a second multilateral meeting with many of the same leaders he met with earlier today. Yu Qingtai, Special Representative on Climate Change Negotiations of Ministry of Foreign Affairs, is representing China at the meeting.

-----Original Message-----

Sent: Friday, December 18, 2009 5:19 AM
To: 'whitehouse-daily-reporters@list.whitehouse.gov'
Subject: Update from Press Secretary Robert Gibbs

Update from Press Secretary Robert Gibbs

After arriving, President Obama joined a multilateral meeting with the following leaders which just concluded -

Australian Prime Minister Kevin Rudd

United Kingdom Prime Minister Gordon Brown

French President Nicolas Sarkozy

Danish Prime Minister Lars L. Rasmussen

German Chancellor Angela Merkel

European Commission President Jose Manuel Barroso

Japanese Prime Minister Yukio Hatoyama

Ethiopian Prime Minister Meles Zenawi

Bangladesh Prime Minister Sheikh Hasina

Brazilian President Luiz Lula da Silva

Russian President Dmitry Medvedev

Indian Prime Minister Manmohan Singh

South African President Jacob Zuma

Mexican President Felipe Calderon

Spanish Prime Minister Jose Luis Rodriguez Zapatero

South Korean President Lee Myung-bak

Norwegian Prime Minister Jens Stoltenberg

Colombian President Alvaro Uribe

###

Seth Oster/DC/USEPA/US
03/02/2010 01:57 PM

To Gina McCarthy, "Lisa Jackson", "Diane Thompson", "Bob Perciasepe", "Lisa Heinzerling", "Charles Imohiosen", Bob Sussman, David McIntosh
cc "Allyn Brooks-LaSure"
bcc
Subject Fw: FACT SHEET: HOMESTAR ENERGY EFFICIENCY RETROFIT PROGRAM

From: "White House Press Office" [whitehouse-lists-noreply@list.whitehouse.gov]
Sent: 03/02/2010 12:38 PM EST
To: Seth Oster
Subject: FACT SHEET: HOMESTAR ENERGY EFFICIENCY RETROFIT PROGRAM

THE WHITE HOUSE
Office of the Press Secretary

FOR IMMEDIATE RELEASE
March 2, 2010

FACT SHEET: HOMESTAR ENERGY EFFICIENCY RETROFIT PROGRAM

WASHINGTON--In his State of the Union address, the President called on Congress to pass a program of incentives for homeowners who make energy efficiency investments in their homes. Today, while touring a training facility at Savannah Technical College, the President outlined more details of a new "HOMESTAR" program that would help create jobs by encouraging American families to invest in energy saving home improvements. Consistent with the President's call for a HOMESTAR program, the Senate Democratic leadership included a proposal of this kind as part of their [Jobs Agenda](#) released on February 4, 2010. The President looks forward to continuing to work with Members of Congress, business, environmental and labor leaders to enact a HOMESTAR program into law.

Background on the HOMESTAR program

With unemployment in the construction sector near 25% and with substantial underutilized capacity in our manufacturing sector, the HOMESTAR program has the potential to jumpstart our economic recovery by boosting demand for energy efficiency products and installation services. For middle-class families, this program will help them save hundreds of dollars a year in energy costs while improving the comfort and value of their most important investment – their homes. In addition, the program would help reduce our economy's dependence on oil and support the development of an energy efficiency services sector in our economy. Key components of the HOMESTAR Program include:

- **Rebates delivered directly to consumers:** Like the Cash for Clunkers program,

consumers would be eligible for direct HOMESTAR rebates at the point of sale for a variety of energy-saving investments in their homes. A broad array of vendors, from small independent building material dealers, large national home improvement chains, energy efficiency installation professionals and utility energy efficiency programs (including rural utilities) would market the rebates, provide them directly to consumers and then be reimbursed by the federal government.

- **\$1,000 - \$1,500 Silver Star Rebates:** Consumers looking to have simple upgrades performed in their homes would be eligible for 50% rebates up to \$1,000 - \$1,500 for doing any of a straightforward set of upgrades, including: insulation, duct sealing, water heaters, HVAC units, windows, roofing and doors. Under Silver Star, consumers can chose a combination of upgrades for rebates up to a maximum of \$3,000 per home. Rebates would be limited to the most energy efficient categories of upgrades—focusing on products made primarily in the United States and installed by certified contractors.
- **\$3000 Gold Star Rebates:** Consumers interested in more comprehensive energy retrofits would be eligible for a \$3,000 rebate for a whole home energy audit and subsequent retrofit tailored to achieve a 20% energy savings in their homes. Consumers could receive additional rebate amounts for energy savings in excess of 20%. Gold Star would build on existing whole home retrofit programs, like EPA's successful Home Performance with Energy Star program.
- **Oversight to Ensure Quality Installations:** The program would require that contractors be certified to perform efficiency installations. Independent quality assurance providers would conduct field audits after work is completed to ensure proper installation so consumers receive energy savings from their upgrades. States would oversee the implementation of quality assurance to ensure that the program was moving the industry toward more robust standards and comprehensive energy retrofit practices.
- **Support for financing:** The program would include support to State and local governments to provide financing options for consumers seeking to make efficiency investments in their homes. This will help ensure that consumers can afford to make these investments.

The program will result in the creation of tens of thousands of jobs while achieving substantial reductions in energy use – the equivalent of the entire output of three coal-fired power plants each year. Consumers in the program are anticipated to save between \$200 - \$500 per year in energy costs, while improving the comfort and value of their homes.

BACKGROUND ON PARTICIPANTS IN TODAY'S PRESIDENTIAL EVENT

- **Business Leaders**
 - *Larry Laseter, President of Masco Home Services.* Masco is a Fortune 150 company specializing in products and services for the home building and home improvement business, including windows and doors, installation, and contracting. After being hit particularly hard by the recession (40% reduction in workforce over a several year period), Masco created Masco Home Services (MHS) a year ago with the

intent to provide residential energy efficiency retrofits to American households. Laseter is a Georgia resident, and MHS will open a Home Performance branch in Atlanta in May.

- Mike Lawrence, Vice President and General Manager for Insulation Systems, Johns Manville. Johns Manville is a leading manufacturer and marketer of insulation and roofing materials for commercial, industrial, and residential applications. Johns Manville is based in Denver, CO and has manufacturing facilities in Georgia as well as California, Montana, Arizona, Indiana, Ohio, Virginia, Texas, and New Jersey.

- Mark Andrews, CEO, North America, Knauf Insulation . Knauf Mark was named to a newly created North American CEO position in January 2010. Knauf's US headquarters is in Shelbyville Indiana, and Knauf has manufacturing facilities in Indiana, Alabama, and California.

- **Local Efficiency Contractors**

- Patrick Shay, Green Swap . Patrick is an architect and co-founder of Green Sweep, an energy efficiency company that works with residential, commercial and industrial customers on cost saving clean energy and energy efficiency upgrades. Pat is also a Chatham County Commissioner and chair of the Chatham Environmental Forum, which is addressing energy, climate and other sustainability issues in the Savannah Chatham area.

- Howard Feldman, Coastal Green Building Solutions . Howard is a co-founder of Coastal Green Building Solutions. He is a builder, renovator and a certified RESNET HERS rater, which means he evaluates homes and businesses for energy efficiency opportunities and upgrades. Howard's company works in both Georgia and South Carolina. In addition to Patrick Shay and Howard Feldman, several other Savannah-area contractors and small businesses who would create jobs if this program were passed are in attendance.

###

Seth Oster/DC/USEPA/US

08/14/2010 12:03 PM

To Richard Windsor

cc

bcc

Subject AUTO: Oster, Seth is out of the office. (returning 08/23/2010)

I am out of the office until 08/23/2010.

During my absence, please contact Allyn Brooks-Lasure for any assistance you may need at brooks-lasure.allyn@epa.gov. Thank you.

Note: This is an automated response to your message "**Re: Administrator climate hearing on September 15 or 16**" sent on **8/14/2010 8:38:32 AM**.

This is the only notification you will receive while this person is away.

Seth Oster/DC/USEPA/US

06/20/2011 02:00 PM

To Richard Windsor

cc

bcc

Subject Breaking News

Three workers trapped in flooded Kentucky coal mine -- FYI.

Seth Oster
Associate Administrator
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Seth Oster/DC/USEPA/US

04/19/2010 12:46 PM

To Richard Windsor

cc

bcc

Subject FOR YOUR REVIEW -- NY Times/LA Times Op-Ed Draft --

It's the Sustainable Economy

Today we celebrate the 40th anniversary of Earth Day, and later this year we will mark the 40th birthday of the U.S. Environmental Protection Agency and 40 years of the remarkably successful Clean Air Act. The suite of environmental protections that took shape in 1970, along with a sweeping Clean Water Act in 1972, remain some of the most effective policies in our history.

What is sometimes less noticed is that those actions were about more than environmental protection. They also represented an economic philosophy, a belief that American industries could continue to expand and innovate without jeopardizing our health and welfare. And it worked. Despite the overheated rhetoric we often hear today about runaway environmental regulations killing jobs, our history is one of healthier families, cleaner communities – and, yes, job-creating innovation and a stronger America.

Forty years of environmental action have meant cleaner air in our cities and safe water in our homes. These changes have made our communities healthier, reducing exposure to pollution that causes cancer, heart disease and respiratory illness – three of the top four deadliest conditions in our country. And they've made our economy stronger by giving cities and towns what they need to attract new residents and new jobs.

But let's note what also took place during those same four decades of environmental progress.

We have seen the rise of a world-leading environmental technology industry. In 2007 environmental firms and small businesses in the US generated \$282 billion in revenues and \$40 billion in exports, and supported 1.6 million American jobs. That number doesn't include all the engineers and professional services firms that support those businesses.

This industry has also created cutting-edge innovations and technologies to meet new environmental and health standards. One powerful example is the catalytic converter. When EPA used the Clean Air Act to phase in unleaded gas and catalytic converters in the early seventies, major automakers fought it. The Chamber of Commerce claimed "entire industries might collapse" as a result. But today, lead pollution in our air is 92 percent lower than it was in 1980. Emissions of dangerous air pollutants that cause smog, acid rain, and more have been cut by more than half. And in the same period, our gross domestic product grew by 126 percent. Rather than hurting the economy, American innovators and entrepreneurs found ways to produce and sell more cars without increasing pollution that threatened our cities and caused costly and often deadly health problems for Americans.

At a time of historic economic difficulty, the Obama administration has sought out similar opportunities to improve our economy by protecting our environment. In a groundbreaking step

in our work against climate change, President Obama formed an alliance with American automakers to set aggressive emissions standards for American cars and light trucks. The next generation of clean cars will protect our health and environment and keep almost a billion tons of carbon pollution out of our skies. At the same time, they will American drivers and reduce our dependence on foreign oil by billions of dollars.

Notwithstanding periods of difficulty, the last 40 years have seen steady improvements in the health of both our environment and our economy. Progress on both fronts has been driven by smart environmental policies that keep us healthy, strengthen our communities, and foster industry innovation. Looking ahead to the next 40 years, it is clear we must continue on the same path. Sustainability and planetary stewardship must be part of the economic growth that is reaching more and more people around the world every day. Without protections for the water, air and land that communities depend on, our economic horizons are limited. Without innovations like clean energy and energy efficiency, the global economy will be running on empty within our lifetimes.

Our economy and our environment are inextricably linked. If we want forty more years of American leadership in the global marketplace, then there is no choosing one or the other. The first generation of Earth Day leaders understood that truth. Our generation can set in motion four more decades of prosperity by insisting today that our economic and environmental interests work hand in hand.

Lisa P. Jackson is the Administrator of the U.S. Environmental Protection Agency

Seth Oster/DC/USEPA/US

04/22/2011 04:21 PM

To Richard Windsor

cc

bcc

Subject Fw: BET: A Conversation With EPA's Lisa Jackson

Seth Oster
Associate Administrator
Office of External Affairs and Environmental Education
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-----Forwarded by Seth Oster/DC/USEPA/US on 04/22/2011 04:21PM -----

To: Seth Oster/DC/USEPA/US@EPA, Adora Andy/DC/USEPA/US@EPA, Brendan Gilfillan/DC/USEPA/US@EPA, Andra Belknap/DC/USEPA/US@EPA, Michael Moats/DC/USEPA/US@EPA, Vicki Ekstrom/DC/USEPA/US@EPA, Shira Sternberg/DC/USEPA/US@EPA, Dru Ealons/DC/USEPA/US@EPA, Stephanie Owens/DC/USEPA/US@EPA
From: Alisha Johnson/DC/USEPA/US
Date: 04/22/2011 11:06AM
Subject: BET: A Conversation With EPA's Lisa Jackson

A Conversation With EPA's Lisa Jackson

By Joyce Jones

EPA administrator insists everybody has a right to clean air and water in their communities.

Filed Under Earth Day, Lisa P. Jackson

Since taking over the helm of the Environmental Protection Agency, Lisa P. Jackson has been on a mission: clean air, clean water and a strong green economy in every American community. Blacks, in particular, she says, need to understand the connection between the environment and their daily health, and the adverse impact living around contaminants, whether they be lead paint or the filthy abandoned buildings and lots known as brownfields. Jackson spoke with BET.com about her efforts to ensure that African-Americans are getting the information they need so their communities can benefit from her agency's environmental clean-up efforts, including green jobs.

BET.com: What are some of the biggest environmental challenges you've faced as EPA administrator?

Lisa Jackson: There are a number of standards that needed to be updated under the Clean Water Act and the Clean Air Act that really provide fundamental protections for the American people. We've been quietly attacking and getting rid of that backload of

rulemaking, but not without running into special interests and lobbyists for polluters who are trying to stop us.

Probably the thing closest to my heart is the work we're doing on expanding the conversation on the environment and environmental justice. I'm the first African-American to run EPA and it provides a real opportunity to bring home to all communities that clean air and water aren't the purview of the very wealthy; they're something all Americans need and deserve and should insist on.

What are some of your plans for the upcoming year?

We're initiating a launch of a partnership with faith-based groups across the country to educate people about the environment and public health protections. It's an opportunity to work with communities on the issues that they're concerned about, whether that's energy efficiency or jobs in a clean energy economy. Or something really important, like asthma and explaining to people how it's connected to air pollution and what their government is doing and has done to improve air quality and what needs to happen in the future to make it even better.

Do you think that environmental justice is still a very pervasive issue in Black communities?

Absolutely. The idea of environmental justice is two-fold. It's looking back and realizing that for whatever reasons—sometimes historic racism, sometimes poverty—there are communities in this country that have the disproportionate share of impacts. It's also looking forward. How do we ensure that those communities get economic opportunities, like jobs, and at the same time have cleaner air.

What are some of the more noted environmental accomplishments and disappointments in Black communities in the last year?

We've proposed the first-ever mercury and air toxic standards in our country that primarily affect power plants that burn coal. They set tough standards to reduce the amount of mercury, which is poison for children's developing brains, and other contaminants like arsenic, chromium and acid gasses. That could save an estimated 17,000 premature deaths every year once it's implemented. We've also proposed the strictest standards for smog, which is a direct cause of asthma attacks on hot summer days and will be finalizing them in July.

Do you think that African-Americans are as aware as they should be of environmental inequities?

I think it's changing but we still have a challenge to make sure that environmental challenges aren't on the very bottom of their list. We haven't always done a good job of making a connection between the environment and our daily health.

How does one fight some of the misconceptions of what it means to be "green?"

Part of our job is to educate. It's one thing to have government talk to you about being green. What about a neighbor who tells you what it's like to live with asthma or how their child suffered because of lead poisoning or may be having developmental issues that might be tracked to the environment and the horrible fear of not knowing whether something [they were exposed to] before birth might cause problems later? When we as a community talk to each other we learn a lot and dispel myths.

There's lots of talk about a green economy and green jobs, but little information about how to get those jobs. What are some of the entry- and mid-level points?

Community colleges are a great linkage point for young people, but also for people seeking retraining. They offer courses on everything from environmental energy auditing to how to repair and care for pollution technology. Young people understand the importance of green technology. They see it as the jobs of the future.

More than one million jobs will have to be filled to help power utilities comply with the Clean Air Act. What and where will those jobs be?

A recent study by the University of Massachusetts and Ceres estimated that close to 1.5 million jobs will be needed just to implement two requirements over the next several years. They are jobs that range from the technician all the way up to the engineer level and across the country. They'll be centered in places where there are old dirty power plants that need to be cleaned up, but in some cases we'll see new power plants being built to modernize and reduce pollution coming from our utility sector.

Seth Oster/DC/USEPA/US

09/14/2010 03:02 PM

To Richard Windsor

cc

bcc

Subject Fw: DOW JONES: EPA Chief Blasts Lobbyists For Making 'Doomsday Predictions'

I like this one, even though it's positioned as if we're on the defensive.

Seth Oster
Associate Administrator
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----- Forwarded by Seth Oster/DC/USEPA/US on 09/14/2010 03:01 PM -----

From: Alisha Johnson/DC/USEPA/US
To: Seth Oster/DC/USEPA/US@EPA, Brendan Gilfillan/DC/USEPA/US@EPA, Betsaida Alcantara/DC/USEPA/US@EPA, Adora Andy/DC/USEPA/US@EPA
Date: 09/14/2010 02:57 PM
Subject: DOW JONES: EPA Chief Blasts Lobbyists For Making 'Doomsday Predictions'

September 14, 2010

EPA Chief Blasts Lobbyists For Making 'Doomsday Predictions'
By Tennille Tracy, Of DOW JONES NEWSWIRES

WASHINGTON -(Dow Jones)- U.S. Environmental Protection Agency Administrator Lisa P. Jackson took a swipe at industry lobbyists Tuesday, saying their " doomsday predictions" of environmental rules and the rules' impacts on U.S. businesses are often false and exaggerated.

"We are not going to fall victim to another round of trumped-up doomsday predictions," Jackson said during a symposium to celebrate the 40th anniversary of the Clean Air Act.

Jackson's comments coincide with EPA's ongoing efforts to regulate greenhouse gas emissions -- a controversial endeavour that has sparked widespread criticism from lawmakers and lobbyists alike.

Energy lobbyists, in particular, have criticized the EPA for using its authority under Clean Air Act to regulate greenhouse gases and have said the costs of complying with the rules could cripple some sectors of the industry and kill jobs.

Jackson's comments, made during a 15-minute keynote address at the Washington, D.C., symposium, appeared to be a direct response to those attacks and a defense of her agency's decision to regulate carbon dioxide and other greenhouse gases.

Jackson said the EPA's rules are based on solid science, pointing to a so- called endangerment finding the agency released last year. She also reminded audience members that the EPA was directed to regulate greenhouse gases by the U.S. Supreme Court, which decided in 2007 that greenhouse gases are air pollutants under the Clean Air Act.

She also denied claims that EPA's efforts represented a "bureaucratic power grab," which some industry representatives have claimed in urging the U.S. Congress to block the agency's efforts.

Jackson also criticized some lobbyists for openly encouraging the EPA to regulate greenhouse gases in the most aggressive way possible, saying their goal was to make greenhouse gas rules so burdensome that it would create a backlash and force the EPA to back down.

Fortunately, Jackson said, "the Clean Air Act does not require EPA to act in a reckless manner."

-By Tennille Tracy, Dow Jones Newswires; 202-862-6619; tennille.tracy@ dowjones.com

Read more:

<http://www.nasdaq.com/aspx/stock-market-news-story.aspx?storyid=201009141321dowjonesdjournalonline0RQX>

Seth Oster/DC/USEPA/US

09/21/2010 06:42 PM

To Richard Windsor

cc

bcc

Subject Fw: Dr. Lawrence H. Summers, Director of the National Economic Council, to Return to Harvard University at the End of the Year

Seth Oster
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----- Forwarded by Seth Oster/DC/USEPA/US on 09/21/2010 06:42 PM -----

From: White House Press Office <noreply@messages.whitehouse.gov>
To: Seth Oster/DC/USEPA/US@EPA
Date: 09/21/2010 05:13 PM
Subject: Dr. Lawrence H. Summers, Director of the National Economic Council, to Return to Harvard University at the End of the Year

THE WHITE HOUSE
Office of the Press Secretary

For Immediate Release

September 21, 2010

Dr. Lawrence H. Summers, Director of the National Economic Council, to Return to Harvard University at the End of the Year

WASHINGTON - Dr. Lawrence H. Summers, Director of the National Economic Council and Assistant to the President for Economic Policy, announced his plans to return to his position as University Professor at Harvard University at the end of the year.

Dr. Summers is the chief White House advisor to the President on the development and implementation of economic policy. He also leads the President's daily economic briefing.

"I will always be grateful that at a time of great peril for our country, a man of Larry's brilliance, experience and judgment was willing to answer the call and lead our economic team. Over the past two years, he has helped guide us from the depths of the worst recession since the 1930s to renewed growth. And while we have much work

ahead to repair the damage done by the recession, we are on a better path thanks in no small measure to Larry's wise counsel. We will miss him here at the White House, but I look forward to soliciting his continued advice and his counsel on an informal basis, and appreciate that he has agreed to serve as a member of the President's Economic Advisory Board."

Dr. Summers said "I will miss working with the President and his team on the daily challenges of economic policy making. I'm looking forward to returning to Harvard to teach and write about the economic fundamentals of job creation and stable finance as well as the integration of rising and developing countries into the global system."

Dr. Summers oversees the coordination of economic policy making across the Administration, leads the President's daily economic briefing and has been a frequent public spokesman for the Administration's policies.

Under Dr. Summers's leadership, the National Economic Council has been at the center of economic policy making in the Obama Administration. He served as an architect of the Recovery Act and other job creation measures and the Financial Stability Program. As co-chair of the President Auto Task Force, he led the restructuring of the U.S. automobile industry. He has also played a leading role in managing our international economic relationships including China, developing the President's health care plan, opening the broadband spectrum, and in international climate negotiations.

###

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Seth Oster/DC/USEPA/US

10/23/2011 09:32 PM

To Richard Windsor

cc

bcc

Subject Fw: FOLLOW-UP -- Administrator Jackson Op-Ed in LA Times & Appearance Tonight on Bill Maher's Show

FYI.

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Date: 10/23/2011 09:31PM

Subject: FOLLOW-UP -- Administrator Jackson Op-Ed in LA Times & Appearance Tonight on Bill Maher's Show

Hi all.

I hope many of you had a chance to watch Administrator Jackson's appearance on HBO's "Real Time with Bill Maher" this past Friday night. The interview focused on many of the issues confronting the EPA, and the Administrator made a spirited defense of the agency's work and the many accomplishments of this administration.

At the conclusion of the broadcast show, Bill Maher continued a discussion with the panel that is available exclusively on HBO.com. Administrator Jackson joined the panel -- which included, among others, Tom Friedman of the NY Times and Rachel Maddow of MSNBC -- for that discussion. Here is the link -- <http://www.hbo.com/#/real-time-with-bill-maher>.

I also wanted to let you know that Administrator Jackson's op-ed in Friday's Los Angeles Times, "Too Dirty to Fail: House Republicans Assault on Our Environmental Laws Must Be Stopped," has, so far, been shared almost 14,000 times by LA Times readers and the piece also made the "five best columns" list on The Atlantic.com. So the message is spreading.

Seth

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Subject: Administrator Jackson Op-Ed in LA Times & Appearance Tonight on Bill Maher's Show

All,

Over the past year, we have all seen the escalation in anti-EPA rhetoric and action, reaching its peak in the past six weeks with repeated votes to halt and roll back a number of vital environmental and public health protections. Tomorrow, in an op-ed in the Los Angeles Times—pasted below—Administrator Jackson has given their campaign a name: Too Dirty to Fail.

In it, among other things, she makes the point that we've seen this false choice before, and we know better. More to the point, the American people know better. As the Administrator notes, an overwhelming majority of Americans in a recent bipartisan poll said they support EPA's efforts to protect their health and their environment.

This is just the start of an ongoing discussion the Administrator has said she intends to have across this country. Among the venues includes an appearance tonight on "Real Time with Bill Maher"—which airs live on HBO at 10 pm EST/7 pm PST.

Seth

Link to Administrator Jackson's Los Angeles Time op-ed

http://www.latimes.com/news/opinion/commentary/la-oe-jackson-train-act-20111021_0_4827827.story

Op-Ed

'Too dirty to fail'?

House Republicans' assault on our environmental laws must be stopped.

By Lisa P. Jackson

October 21, 2011

Americans must once again stand up for their right to clean air and clean water.

Since the beginning of this year, Republicans in the House have averaged roughly a vote every day the chamber has been in session to undermine the Environmental Protection Agency and our nation's environmental laws. They have picked up the pace recently — just last week they voted to stop the EPA's efforts to limit mercury and other hazardous pollutants from cement plants, boilers and incinerators — and it appears their campaign will continue for the foreseeable future.

Using the economy as cover, and repeating unfounded claims that "regulations kill jobs," they have pushed through an unprecedented rollback of the Clean Air Act, the Clean Water Act and our nation's waste-disposal laws, all of which have successfully protected our families for decades. We all remember "too big to fail"; this pseudo jobs plan to protect polluters might well be called "too dirty to fail."

The House has voted on provisions that, if they became law, would give big polluters a pass in complying with the standards that more than half of the power plants across the country already meet. The measures would indefinitely delay sensible upgrades to reduce air pollution from industrial boilers located in highly populated areas. And they would remove vital federal water protections, exposing treasured resources such as the Gulf of Mexico, Lake Erie, the Chesapeake Bay and the Los Angeles River to pollution.

How we respond to this assault on our environmental and public health protections will mean the difference between sickness and health — in some cases, life and death — for hundreds of thousands of citizens.

This is not hyperbole. The link between health issues and pollution is irrefutable. Mercury is a neurotoxin that affects brain development in unborn children and young people. Lead has similar effects in our bodies. Soot, composed of particles smaller across than a human hair, is formed when fuels are burned and is a direct cause of premature death. Nitrogen oxides and volatile organic compounds contribute to the ozone alert days when seniors, asthmatics and others with respiratory problems are at serious risk if they do nothing more dangerous than step outside and breathe the air.

"Too dirty to fail" tries to convince Americans that they must choose between their health and the economy, a choice that's been proved wrong for the four decades that the EPA has been in existence. No credible economist links our current economic crisis — or any economic crisis — to tough clean-air and clean-water standards.

A better approach is the president's call for federal agencies to ensure that regulations don't overburden American businesses. The EPA has already put that into effect by repealing or revising several unnecessary rules, while ensuring that essential health protections remain

intact.

We can put Americans to work retrofitting outdated, dirty plants with updated pollution control technology. There are about 1,100 coal-fired units at about 500 power plants in this country. About half of these units are more than 40 years old, and about three-quarters of them are more than 30 years old. Of these 1,100 units, 44% do not use pollution controls such as scrubbers or catalysts to limit emissions, and they pour unlimited amounts of mercury, lead, arsenic and acid gases into our air. Despite requirements in the bipartisan 1990 Clean Air Act amendments, these facilities have largely refused to control their emissions — creating an uneven playing field for companies who play by the rules and gaming the system at the expense of our health.

If these plants continue to operate without pollution limits, as a legislative wish list from House Majority Leader Eric Cantor (R-Va.) would allow, there will be more cases of asthma, respiratory illness and premature deaths — with no clear path to new jobs.

By contrast, the nation's first-ever standards for mercury and other air toxic pollutants which the EPA will finalize this fall — and which the Republican leadership aims to block — are estimated to create 31,000 short-term construction jobs and 9,000 long-term jobs in the utility sector through modernizing power plants. And the savings in health benefits are estimated to be up to \$140 billion per year by 2016.

Contrary to industry lobbying, this overhaul can be accomplished without affecting the reliability of our power grid.

Our country has a long tradition of treating environmental and public health protections as nonpartisan matters. It was the case when President Nixon created the EPA and signed into law the historic Clean Air Act, when President Ford signed into law the Safe Drinking Water Act and when President George H.W. Bush oversaw important improvements to the Clean Air Act and enacted the trading program that dramatically reduced acid rain pollution.

Our environment affects red states and blue states alike. It is time for House Republicans to stop politicizing our air and water. Let's end "too dirty to fail."

Lisa P. Jackson is the administrator of the U.S. Environmental Protection Agency.

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10/07/2009 02:23 PM

To Richard Windsor
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Subject Fw: Greenwire: EPA Air Chief Offers 'No Apologies' for
Greenhouse-Gas Permitting Rule

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Subject: Greenwire: EPA Air Chief Offers 'No Apologies' for Greenhouse-Gas Permitting Rule

EPA Air Chief Offers 'No Apologies' for Greenhouse-Gas Permitting Rule

By ROBIN BRAVENDER of [Greenwire](#)

U.S. EPA air chief Gina McCarthy today defended the agency's controversial proposal that limits greenhouse gas emissions only from the nation's largest industrial sources, calling it an appropriate strategy for curbing heat-trapping emissions while Congress works to develop a climate bill.

The draft rule unveiled last week would require facilities that release more than 25,000 tons of greenhouse gases a year to demonstrate that they have used the best available pollution controls to curb those emissions ([E&ENews PM](#), Sept. 30).

EPA proposes to "tailor" the Clean Air Act permitting programs to limit the number of facilities that would be required to obtain Prevention of Significant Deterioration (PSD) and Title V operating permits under the programs. The Clean Air Act requires facilities to obtain those construction and operating permits when they emit more than 250 tons of harmful pollutants.

"The PSD rule was not about what we're exempting. It's about what we're capturing and the opportunities," McCarthy told EPA's Clean Air Act Advisory Committee. "I make no apologies for PSD being triggered. It is a good thing."

EPA says the rule will cover nearly 70 percent of U.S. greenhouse gas emissions sources by

regulating large emitters like power plants, refineries and cement production facilities.

Since its release last week, the rule has come under fire from industry groups and many clean air experts, who argue that EPA does not have the legal authority to raise the threshold for greenhouse gas emissions. Many observers fear that courts will overturn the rule, leading to strict regulatory requirements for small sources like hospitals and schools.

McCarthy defended the rule's legal foundations. "We made, we think, a very strong legal argument," she said. "We also made, I think, a very strong common-sense argument on why we would want to have PSD apply to the larger facilities, why it makes the most sense there, why it's not the most appropriate tool for smaller facilities."

Still, she echoed other top Obama administration officials' calls for Congress to pass a comprehensive climate bill.

The best thing, McCarthy said, would be for Congress to pass a comprehensive piece of legislation that allows a flexible cap-and-trade program. But in the meantime, she said, EPA and other stakeholders should continue to look at the best available control technologies for larger facilities and to ensure that greenhouse gas emissions do not continue to increase as facilities are built and modified.

"I can't imagine that it makes sense for EPA to stand still while debates are happening on rules for reducing greenhouse gases," she said.

McCarthy said EPA's rule would be concurrent with the agency's proposed nationwide standard to control greenhouse gas emissions from automobiles, expected to be finalized early next year.

"Its timing will align with the light-duty vehicle rule because -- as you all know -- if the light-duty vehicle rule is finalized in March, then greenhouse gases are a regulated pollutant under the interpretation, the current interpretation of the EPA, which is already out for comment and discussion, as well."

EPA also announced last week that it is reconsidering a George W. Bush administration memorandum detailing when the government should regulate carbon dioxide emissions from industrial facilities, known as the Johnson memo ([Greenwire](#) , Oct. 1).

Seth Oster/DC/USEPA/US

07/18/2011 01:26 PM

To Richard Windsor

cc

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Subject Fw: HBO Documentary on Ringwood Superfund Site

FYI on Ringwood stories. Continuing to follow closely

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Subject: HBO Documentary on Ringwood Superfund Site

The following are two articles about the HBO documentary on the Ringwood Mines Superfund site that appeared today in the Bergen Record. There is also a piece in the Star Ledger, but it is not posted online. It focuses mainly on the health problems in the community and the legacy of contamination represented by this site. EPA is not the centerpiece of either article. Neither newspaper contacted us for a comment on the film.

The second story below focuses on the finding of lead contamination on residential properties revealed after testing conducted by the state. The state health department and ATSDR recently conducted two clinics to test blood lead levels in children, which had a small turnout despite very active community outreach by EPA and the other agencies. We continue to encourage community members to have their children tested, and are taking over the sampling and cleanup of the residential properties.

Finally, Bob Spiegel of Edison Wetlands (the NGO that supports the Community Advisory Group - CAG - for the site), who appears in the film, and the filmmakers are encouraging people to attend our next CAG meeting on August 2.

We have not gotten any additional calls from the media on the film or the cleanup.

Ramapoughs' battle with Ford detailed in HBO documentary

07/17/2011

NorthJersey.com

First, you hear the sound of birds singing, and over the next 104 minutes, you see many images of nature in full glory.

But the story "Mann v. Ford" goes on to tell is jarringly ugly.

The HBO documentary takes its name from a class-action lawsuit that Wayne Mann and some 600 other members of the Ramapoughs in Upper Ringwood brought against Ford

Motor Co. in 2006 for its dumping of toxic waste from its Mahwah plant around their homes between 1967 and 1971.

Directed and produced by Maro Chermayeff and Micah Fink and produced by Jamie Redford – whose dad, Robert Redford, brought star power to the Manhattan screening last week – "Mann v. Ford" chronicles the minority community's serious health issues and endless struggles to have the government and Ford clean up their land.

The Record brought this tale to light in its award-winning 2005 series "Toxic Legacy," and two members of the investigative team – reporter Barbara Williams and former reporter Jan Barry – are key commentators in the film.

The Ramapoughs have lived in these hills and forests for more than 200 years. In recent decades, they've suffered from mysterious rashes, nosebleeds, asthma, kidney stones and high rates of diabetes, miscarriage and deadly cancers. In one powerful sequence, community leader Vivian Milligan takes attorney Vicki Gilliam on a walking tour, pointing out house after house that has been touched by cancer.

A generation ago, people here lived into their 80s or 90s, they say, but there are no old folks anymore in Upper Ringwood. It's chilling to hear 60-year-old Mike Stefancik say, "It's too late for us. ... I'll be in the ground soon."

Some Ramapoughs talk about how as kids they'd play amid the color-flecked, lava-like paint sludge. They'd slide down hills of it, and use it to make "mud" pies, which some even consumed. "The dirt used to taste weird, so we'd eat it sometimes," says Mann, the lead plaintiff.

Their memories are bolstered by evocative 8 mm home movies shot by Milligan's dad.

Ford, which declined to be interviewed for the film, opened its massive Mahwah assembly plant in 1955. Besides cars, it produced 6,000 gallons of paint sludge a day. And in 1967, the company began dumping that sludge and other industrial waste – which the plaintiffs' attorneys say included PCBs, Freon, heavy metals, lead and arsenic – on land it then owned in Upper Ringwood.

In the mid-1980s, the Ramapoughs' ancestral homeland was placed on the Environmental Protection Agency's list of federally funded Superfund sites - and supposedly cleaned up by Ford.

But we see Bob Spiegel, an environmental activist with Edison Wetlands Association, leading a press contingent onto a supposedly sludge-free site. Lifting a corroded sludge-filled barrel left by Ford, he says, "I think even Stevie Wonder could find this." He also picks up what looks like a big rock but is actually coagulated sludge. When he breaks it open, you can see flashes of candy apple red paint.

In September 2006, after The Record's series ran, the EPA took the unprecedented step of returning the area to the Superfund list. The cleanup continues, with potentially tons of

waste still remaining in the woods and abandoned iron mines.

"Mann v. Ford" is a good film, but at 1 hour, 44 minutes, it feels long. The documentary fails to fully make clear why the Ramapoughs continued to live in the area after realizing it was endangering their lives. Given their connection to this land, they say in the film, leaving it was unthinkable.

In September 2009, Ford, which has denied all responsibility for the illnesses, made an offer to settle and the Ramapoughs accepted. (Kevin Madonna, one of the plaintiffs' attorneys, explains in the film the scientific, legal and economic challenges that made the suit's outcome iffy.) Ford ponied up \$11 million and Ringwood (this writer's town, by the way) added \$1.5 million. That \$12.5 million was split by more than 600 people, netting residents anywhere from \$4,000 to just below \$35,000 – small compensation for so much heartache.

As the cleanup proceeds, again, one wonders if this story will ever have an ending – much less a happy one.

E-mail: rohan@northjersey.com

Upper Ringwood residents should be tested for lead poisoning , environmentalist says

Sunday, July 17, 2011

BY MARY JO LAYTON

STAFF WRITER

The Record

Toxic Legacy: Ford and the Ramapoughs

Interactive maps and ongoing coverage of toxic sites in North Jersey

Adults in Upper Ringwood should be tested for lead poisoning and all properties in the community should be analyzed for the metal after 10 homes were found to have elevated lead readings, an environmentalist and community representative said Sunday.

STEVE HOCKSTEIN/SPECIAL TO THE RECORD

From left, EPA officials Joe Gowers, Bruce Means and John LaPadula conduct a site inspection at the Ringwood Mine site on Peter's Mine Road last week. The neighborhood is part of the 500-acre Superfund site where the Ford Motor Co. dumped paint sludge and other waste from its now-shuttered Mahwah manufacturing plant more than 40 years ago.

The Community Advisory Group, a panel of local residents and officials formed to monitor the cleanup, recently passed a resolution requesting state health officials to offer testing of adults in the community, said Robert Spiegel, a member of the group and executive director of Edison Wetlands Association.

Watch

HBO's documentary on the community's fight against Ford, "Mann v. Ford," debuts at 9 p.m. Monday, July 18.

Special Report

"We want testing of everybody up there," Spiegel said. "We want to see that done immediately."

Pat Seppi, of the federal Environmental Protection Agency, said officials were awaiting comment from the state health department on the request to offer testing to adults.

Seven children were tested last month after state health officials recommended that all children in the neighborhood be evaluated following the discovery of elevated lead levels in soil, Seppi said. Those results are expected this week, according to state health officials.

Spiegel said the group also wants the testing of soil at any of the remaining homes in the community that haven't been tested.

Ten of 19 properties tested exceeded safety standards. In one case, a reading was 22,000 parts per million – more than 50 times the standard of 400 parts per million, according to the state Department of Environmental Protection.

"Only a small percentage of homes were tested and as of now, there are no cleanup plans," Spiegel said. "There's probably no more important thing than to clean up the residential properties and make them safe," he said.

Seppi, the EPA's community involvement coordinator, said the agency will take over residential property sampling from the state.

"We have our EPA folks putting together their work plan do so," Seppi said. "Our intention is to go back to the properties that DEP originally sampled and come up with a plan."

Additional properties would also be tested if residents approve, she said.

Many homeowners had declined testing of their property at the advice of their lawyers, Spiegel said. More than 600 former and current residents filed a multi-million dollar lawsuit against Ford and other polluters, a case heralded as one of the largest civil environmental litigations ever in New Jersey. It settled for \$12.5 million in 2009.

Now that the litigation is complete, more homeowners may comply with testing, Spiegel said.

The lead issue is likely to be discussed at the group's Aug. 2 meeting scheduled for 6:30 p.m. at Ringwood Borough Hall, Seppi said. Officials from the EPA and the state DEP are expected to answer questions about the status of the cleanup and plans to do more testing, Spiegel said.

Lead exposure has been a concern in the community for years – it was found at six times the safety standard in soil at the former O'Connor landfill and is moving into the food chain, the EPA announced last year.

Paint sludge with high levels of arsenic, lead, benzene and other contaminants ended up in Ringwood along with other waste from the factory. The 500-acre area remains the only Superfund site in the nation to be re-listed because of several failed cleanups.

The sludge – in chunks and chips – remains despite repeated cleanups.

Last week, EPA Project manager Joseph Gowers and other federal officials toured the site, which is still undergoing review for remediation at three major dumping areas: the 5-acre Peters Mine pit, considered one of the most polluted at the site; the 15-acre O'Connor Disposal Area; and the 5-acre Cannon Mine area.

The community's battle against Ford and its push for a thorough cleanup are detailed in the HBO documentary "Mann v. Ford" which airs starting tonight at 9 p.m. The film is directed and produced by Maro Chermayeff and Micah Fink and also produced by Jamie Redford, the son of Robert Redford.

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Seth Oster/DC/USEPA/US
10/13/2011 10:29 AM

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FYI. Your piece in Time is posted.

Seth

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-----Forwarded by Seth Oster/DC/USEPA/US on 10/13/2011 10:29AM -----

To: "Seth Oster" <Oster.Seth@epamail.epa.gov>, "Brendan Gilfillan" <Gilfillan.Brendan@epamail.epa.gov>, "Dru Ealons" <Ealons.Dru@epamail.epa.gov>, "Stephanie Owens" <Owens.Stephanie@epamail.epa.gov>, "Alisha Johnson" <Johnson.Alisha@epamail.epa.gov>, "Andra Belknap" <Belknap.Andra@epamail.epa.gov>, "Michael Moats" <Moats.Michael@epamail.epa.gov>, "Heidi Ellis" <Ellis.Heidi@epamail.epa.gov>, "David Bloomgren" <Bloomgren.David@epamail.epa.gov>
From: Betsaida Alcantara/DC/USEPA/US
Date: 10/13/2011 08:44AM
Subject: Lisa Jackson - Opinion piece for TIME

This piece is live, thanks moats!

<http://ideas.time.com/>

----- Original Message -----

From: Ruth Konigsberg [ruth_konigsberg@timemagazine.com]
Sent: 10/13/2011 08:08 AM AST
To: Betsaida Alcantara
Cc: Frances Romero <frances_romero@timemagazine.com>
Subject: Re: Lisa Jackson - Opinion piece for TIME

Betsaida, the site is live and Lisa's piece is up. Many thanks!

<http://ideas.time.com/>

On 10/4/11 6:58 PM, "Alcantara.Betsaida@epamail.epa.gov" <Alcantara.Betsaida@epamail.epa.gov> wrote:

> Here's the piece and a photo. Let me know if the photo works with what
> you were looking for. Also, please let me know when you're planning to
> run the piece.
>
>
> Betsaida Alcantara
> Press Secretary
> US Environmental Protection Agency
> 202-564-1692
> alcantara.betsaida@epa.gov
> (See attached file: LPJatDesk crop.JPG)
>
>
> Facts over Fears
>
> EPA Administrator Lisa P. Jackson
>
> When a fire erupted at a chemical plant in Texas this week, emergency
> responders included the local fire department, city and state officials,
> and the U.S. Environmental Protection Agency. The EPA was on the scene
> to monitor air quality around the burning plant and make certain that
> the nearby area -- which included an elementary school -- was safe from
> toxic pollution. By the afternoon of the blaze, EPA monitors had
> detected no public health threat, but remained on duty to ensure the
> safety of the community.
>
> This is what the EPA does. Whether we are taking part in an emergency
> response like a chemical fire, or developing long-term efforts to remove
> mercury -- a neurotoxin that can cause serious health problems in
> children -- from our air, our mission is to protect the health of
> American families from pollution in our environment. Lately, however,
> that mission has faced some serious challenges.
>
> Much of that has come in the form of misleading information. One example
> is an assertion that the EPA is putting forward a ³train wreck² of
> regulations that will hobble the American economy. That claim has been
> repeated in major newspapers and on the floor of Congress. But it is
> founded on a report detailing regulations EPA never proposed.
>
> False claims like these have real consequences. In recent months, the
> U.S. House of Representatives has voted to roll back Clean Air Act
> protections that would save lives, prevent asthma attacks, foster
> innovation and new jobs, and safeguard children from harmful pollution.
> We now face the question of whether to put in place standards that
> prevent power plants from sending mercury and other toxics into the air
> we breathe, or whether we leave ourselves unprotected. We have to
> determine if we will allow aging coal plants to emit sulfur dioxide and
> nitrogen dioxide into our skies, or whether every facility in America
> should meet at least the most basic standards for modern pollution
> control.
>
> Rather than taking up the president's job proposals or offering
> alternatives of their own, some members of Congress are spending their
> time trying to weaken protections for the air we breathe. Even
> successful initiatives like the clean cars program are under threat.
> That effort will save drivers money, make American vehicles more
> efficient than ever, and keep millions of tons of pollution out of the
> air we breathe. It was crafted by auto companies, auto workers, federal
> and state officials, and environmentalists, who ended years of divisive
> debate and came together to find a workable solution. Last year, General

> Motors and Chrysler announced plans to hire 1,000 new workers -- each --
> to develop fuel-efficient vehicles. Despite the win-win outcome for our
> economy and our environment, the program has been questioned in
> Congress.
>
> No American wants dirtier air and more pollution in their water. No one
> is calling for more childhood asthma, especially when 1 in 10
> school-aged American children already fight the disease. No one believes
> we should go back to the way it was before the EPA existed, when rivers
> were coated with industrial sludge and fouled with untreated sewage.
>
> The challenges we face as a nation deserve a fact-based discussion, not
> scare tactics. We shouldn't let a lot of hot air in Washington lead to
> dirty air in your hometown. Yet that is the direction we are heading if
> we don't recognize that health and environmental protection are bigger
> than politics.
>

Seth Oster/DC/USEPA/US

09/14/2010 03:06 PM

To Richard Windsor

cc

bcc

Subject Fw: NY Times blog: Clean Air Act Turns 40

Very nice piece.

Seth Oster
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----- Forwarded by Seth Oster/DC/USEPA/US on 09/14/2010 03:06 PM -----

From: Brendan Gilfillan/DC/USEPA/US
To: Seth Oster <oster.seth@epa.gov>, Adora Andy/DC/USEPA/US@EPA, Betsaida Alcantara/DC/USEPA/US@EPA, Michael Moats/DC/USEPA/US@EPA, Alisha Johnson/DC/USEPA/US@EPA, Vicki Ekstrom/DC/USEPA/US@EPA, Stephanie Owens/DC/USEPA/US@EPA, Dru Ealons/DC/USEPA/US@EPA, Shira Sternberg/DC/USEPA/US@EPA
Date: 09/14/2010 01:34 PM
Subject: NY Times blog: Clean Air Act Turns 40

Clean Air Act Turns 40

By [JOHN M. BRODER](#)

The federal Clean Air Act, one of the most consequential pieces of environmental and health legislation in American history, celebrated its 40th birthday on Tuesday. The law, which has been attacked by business interests since its birth as overly costly and prescriptive, is under siege again as the Environmental Protection Agency begins to invoke the law to rein in the gases that contribute to global warming.

Lisa P. Jackson, the E.P.A. administrator, delivered an impassioned defense of the law Tuesday morning at a daylong symposium on the Clean Air Act in Washington. She said that lobbyists had falsely claimed for years that the measure and the agency's application of it would shutter factories, kill jobs and cost billions for compliance. But each of these doomsday predictions was proved wrong, she said, asserting that the bill saves tens of thousands of lives each year and returns \$40 in health and environmental benefits for every dollar in compliance cost.

"Say what you want about E.P.A.'s business sense," she told an audience of agency officials, environmental advocates and business lobbyists, "but we certainly know how to get a return on our investment."

She said the law had not only improved health and cleaned up the nation's skies, "it has been remarkably effective at proving lobbyists wrong."

But even as Ms. Jackson promised to apply the law modestly and transparently to the regulation of climate-altering gases, momentum is building in Congress to deny her the authority to do so. There are bipartisan proposals in both the House and Senate to impose a two-year moratorium on the E.P.A.'s ability to regulate carbon dioxide and other greenhouse gases. The Senate may vote on one of them as early as this week as part the 2011 budget bill for the E.P.A. and the Interior Department.

Even if such efforts succeed in the Senate, they are unlikely to come to a vote in the House, where they are opposed by the Democratic leadership. And White House officials have said the President Obama will veto any attempt to tie the hands of the E.P.A.

Industry groups have already filed suit to block the agency from using the law to regulate carbon dioxide, and several states are also challenging the action.

Ms. Jackson said that the agency would use common sense, sound science and rigorous cost-benefit analysis as it tries to reduce the volume of greenhouse gases pouring into the atmosphere. The agency will allow companies maximum flexibility in meeting the new mandates and will seek extensive public and business input as it moves forward.

“We will proceed carefully,” she said. But she insisted: “We are not going to fall victim to another round of trumped-up doomsday predictions. We are a stronger, healthier and more prosperous nation because of the Clean Air Act.”

Seth Oster/DC/USEPA/US
10/26/2010 03:25 PM

To: Richard Windsor
cc
bcc
Subject: Fw: Politico: EPA: Enviro regs won't affect grid

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----- Forwarded by Seth Oster/DC/USEPA/US on 10/26/2010 03:25 PM -----

From: Brendan Gilfillan/DC/USEPA/US
To: Seth Oster <oster.seth@epa.gov>, Michael Moats/DC/USEPA/US@EPA, Vicki Ekstrom/DC/USEPA/US@EPA, Stephanie Owens/DC/USEPA/US@EPA, Dru Ealons/DC/USEPA/US@EPA
Cc: David McIntosh/DC/USEPA/US@EPA
Date: 10/26/2010 03:16 PM
Subject: Politico: EPA: Enviro regs won't affect grid

EPA: Enviro regs won't affect grid

By: [Robin Bravender](#)

October 26, 2010 02:52 PM EDT

The Obama administration is pushing back against projections that the reliability of the domestic power supply is threatened by a series of environmental rules.

A [report issued Tuesday](#) by the North American Electric Reliability Corp. found that that up to 75 gigawatts — about 7 percent of the national power capacity — could be forced offline by 2015 as companies either shutter plants or install new energy-consuming pollution controls.

The Environmental Protection Agency and the chairman of the Federal Energy Regulatory Commission on Tuesday said the possibility that the reliability of the U.S. grid could be weakened by EPA rules targeting power plants emissions of mercury, coal ash, soot and smog is the worst-case scenario.

FERC Chairman Jon Wellinghoff told POLITICO that the Obama administration can mitigate the potential loss of power generation.

“We understand that there are certain problems that could occur if these regulations do in fact cause the closing of a number of coal plants,” Wellinghoff said, “but it doesn’t mean that they can’t be dealt with.”

Republicans are working hard to demonize EPA regulations during the runup to the midterm elections and a GOP-led Congress could work to overcome many of the agency's rules.

The administration is working to ensure that the EPA rules have no effect whatsoever on domestic power supply, Wellinghoff said, including boosting supply side resources like wind and natural gas, in addition to finding ways to operate the grid more efficiently to reduce congestion. "The sky isn't falling," he added.

Meanwhile, EPA is questioning the report's projections, which are based in part on rules that haven't yet been issued.

"By NERC's own admission, its projections about electricity supply impacts rest on its own fortune-telling about future regulations that have not even been proposed yet," said agency spokesman Brendan Gilfillan. "In reality, EPA has some discretion and will be more sensitive to reliability than NERC gives us credit for."

But industry attorney Joe Stanko warned that the report drastically underestimates the impact on the power supply.

"It's great that NERC looked at reliability, but the impact is really much greater than the report claims because of one-size-fits-all assumptions on cost," Stanko said.

Seth Oster/DC/USEPA/US

01/14/2011 12:24 PM

To Richard Windsor

cc

bcc

Subject Fw: Politico: Top EPA water official to quit

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Date: 01/14/2011 12:16 PM
Subject: Politico: Top EPA water official to quit

Top EPA water official to quit

By: [Patrick Reis](#)

January 14, 2011 12:06 PM EST

The Environmental Protection Agency's top water official is resigning.

Pete Silva, the agency's assistant administrator for water, will leave his post in February to return to California with his family, EPA Administrator Lisa Jackson announced today in a staff email obtained by POLITICO.

The announcement comes a day after one Silva's biggest policy decisions. Thursday, EPA revoked a permit for one of the largest mountaintop removal coal mines ever proposed in Appalachia, revising a 2007 decision by the George W. Bush administration and marking the first time the agency had revoked a mine's Clean Water Act permit after it had been finalized.

Silva is also leaving in the middle of a major revision of the agency's water policy. EPA is currently developing an internal guidance on which types of waterways are subject to federal permitting requirements, a move that follows a pair of Supreme Court decisions in recent years that ruled the agency had overstepped its bounds. The revision is currently under White House review, and a draft is expected to be released no sooner than March.

"During his tenure, Pete has led a wide range of important actions to help protect the

water we drink and safeguard the health of millions of Americans,” Jackson wrote. “We have greatly valued his service, and we offer him our deepest thanks as he prepares to embrace new opportunities.”

Silva’s successor is yet-to-be-named and will require Senate confirmation.

Nancy Stoner – EPA’s deputy assistant administrator for the Office of Water – will assume his duties until the post is officially filled.

In the e-mail, Jackson also announced two new additions to the agency. Joel Beauvais, a former staff member for Rep. Ed Markey (D-Mass.) on the House Energy and Commerce Committee, will join EPA as a senior advisor in the agency’s general counsel’s office.

And Bicky Corman, an attorney who last worked at the District of Columbia’s Department of the Environment and is a former staffer for Sen. Frank Lautenberg (D-N.J.), will take the reins as the deputy associate administrator for the Office of Policy.

Seth Oster/DC/USEPA/US
07/07/2010 05:41 PM

To Richard Windsor
cc
bcc
Subject Huff Post -- Jim Messina Offers Glimpse Into White House
Improvisation

[Jim Messina Offers Glimpse Into White House Improvisation](#)

First Posted: 07- 7-10 02:16 PM | Updated: 07- 7-10 02:16 PM



White House Deputy Chief of Staff Jim Messina made a rare public appearance on Wednesday, addressing throngs of progressive students at the Campus Progress National Conference. And while he stuck mostly to platitudes -- telling the audience that if they worked hard, they too could be the next Jim Messina! -- he did raise the curtain a bit to reveal some of the disorder that surrounds daily White House operations.

Reflecting on an early administration pseudo-scandal, in which an Air Force One photo-op triggered a panic in downtown Manhattan, Messina recalled the haphazard process by which he somehow became the point man for internal investigations.

"I had gone out for lunch," he said, "which I don't normally do. And when I got back, I was watching Robert Gibbs do [the daily briefing]."

"He said 'The president has appointed White House Deputy Chief of Staff Jim Messina to investigate the matter. I was like, 'Excuse me?'"

Messina, subsequently, was called into a high-staff meeting to be told exactly what that role entailed. In the end, the AF1 flyover was an incident that will be remembered (if remembered at all) as a minor blip in the Obama presidency. Far more time-consuming crises have engulfed the administration since then though those stories were left out of Messina's question and answer session.

But the Deputy Chief of Staff did hint at the stresses the job entails, which, in some respects, represents a deviation for a White House that prides itself on remaining calm, collected and organized. Messina, who prior to his current post, served as Sen. Max Baucus's Chief of Staff, urged the audience to understand that it was "hard work" passing health care reform and climate change legislation. As for gay rights (a hearty cause for the attendees), he stressed that the president has made "more significant progress on these issues than any administration in the history of the country."

"The challenges that this president has had are just monumental," he concluded. "When you work on the Hill, you don't have that."

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Seth Oster/DC/USEPA/US

10/28/2009 09:10 AM

To Richard Windsor

cc

bcc

Subject Inhofe

In case you missed this in today's Post.

<http://www.washingtonpost.com/wp-dyn/content/article/2009/10/27/AR2009102702845.html>

Washington Post

A senator in a hostile climate

By Dana Milbank

Wednesday, October 28, 2009

It must be very lonely being the last flat-earthier.

Sen. Jim Inhofe of Oklahoma, committed climate-change denier, found himself in just such a position Tuesday morning as the Senate environment committee, on which he is the ranking Republican, took up legislation on global warming. Sen. Lindsey Graham (R-S.C.) was in talks with Democrats over a compromise bill -- the traitor! And as Inhofe listened, fellow Republicans on the committee -- turncoats! -- made it clear that they no longer share, if they ever did, Inhofe's view that man-made global warming is the "greatest hoax ever perpetrated on the American people."

"Eleven academies in industrialized countries say that climate change is real; humans have caused most of the recent warming," admitted Sen. Lamar Alexander (R-Tenn.). "If fire chiefs of the same reputation told me my house was about to burn down, I'd buy some fire insurance."

An oil-state senator, David Vitter (R-La), said that he, too, wants to "get us beyond high-carbon fuels" and "focus on conservation, nuclear, natural gas and new technologies like electric cars." And an industrial-state senator, George Voinovich (R-Ohio), acknowledged that climate change "is a serious and complex issue that deserves our full attention."

Then there was poor Inhofe. "The science is more definitive than ever? You keep saying that because you want to believe it so much," he said bitterly. He offered to furnish a list of scientists who once believed in climate change but "who are solidly on the other side right now." The science, he said, "already has shifted" against global-warming theory. "Science is not settled! Everyone knows it's not settled!"

Inhofe called for more oil drilling. His aides tried to debunk the other senators' points by passing

around papers titled "Rapid Response." Mid-hearing, Inhofe's former spokesman, now in the private sector, sent out an e-mail -- "Prominent Russian Scientist: 'We should fear a deep temperature drop -- not catastrophic global warming.'"

The climate of the hearing itself seemed designed to burn Inhofe. Chairman Barbara Boxer (D-Calif.), sponsor of the climate bill, insisted on having it in a too-small hearing room, causing the place to overheat from all the bodies. Though none of the committee Republicans are supporting her cap-and-trade plan for carbon emissions so far, Boxer made it clear that her primary grievance is with one Republican. "Since John Warner retired, I don't have a Republican partner on the committee, but I am appreciative for the productive conversations I've had with Senator Alexander, about nuclear energy, and for the wide-ranging conversations and meetings I had with Senator Voinovich," Boxer said, pointedly omitting Inhofe.

Inhofe began by expressing surprise that Boxer would even use the term "global warming," asserting that "people have been running from that term ever since we went out of that natural warming cycle about nine years ago." And he turned with a fury on Graham, his fellow Republican, for an "apparent compromise will also entail a massive expansion of government bureaucracy."

Sen. John Kerry (D-Mass.), the first witness, turned up the temperature further on Inhofe. He gave a Gore-like tour of climate catastrophe: "the science is screaming at us to take action . . . pine beetles have destroyed 6.5 million acres of forestland . . . 180 Alaskan villages are losing permafrost . . . we have columns of methane rising now in the ocean."

Kerry went on like this for an extraordinary 26 1/2 minutes that included the phrase, uttered with no apparent self-consciousness, "we invented wind." At various points, Kerry signaled an end with "I'll just close" or "I'll just end on this note" but continued on. This infuriated nobody as much as Inhofe, whom Kerry repeatedly singled out for a lecture. "Senator Inhofe, you just talked about the costs of doing some of this," he said. But "the cost of doing nothing," Kerry countered, "is far more expensive for your folks in Oklahoma."

Inhofe, who glared back at Kerry, still seethed a few minutes later when he interrupted the chairman. "You know, I sat here for 25 minutes listening to Senator Kerry talk about me, and I didn't have a chance to respond," he complained. "I will, however."

"I so appreciate it," Boxer said.

Inhofe molested the majority by having committee staffers put up on the dais a series of 3-by-5-foot posters with messages such as "Congressional Budget Chief Says Climate Bill Would Cost Jobs" and "U.S. Unemployment High/Why Kill More Jobs With Cap & Trade?" But this failed to cool Inhofe's temper, and by the time his turn came to question the administration witnesses, Inhofe was so steamed that he used his entire five minutes to vent.

He described the Democrats' proposal as "the largest tax increase in -- in history!" Agitated, his utterances disjointed, Inhofe went on: "Now, I also was -- was kind of -- I don't want any of the media to think just because I had to sit here and listen to our good friend Senator Kerry for 28

minutes, that I don't have responses to everything he said."

Nobody doubted that Inhofe had a response. The doubt was whether the response would make any sense.

Seth Oster/DC/USEPA/US
07/28/2009 06:40 PM

To Richard Windsor
cc
bcc
Subject Interesting....

July 27, 2009

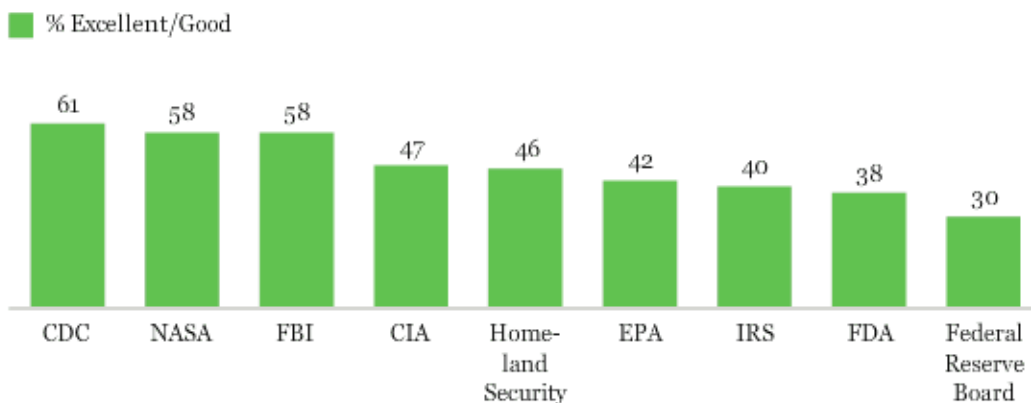
CDC Tops Agency Ratings; Federal Reserve Board Lowest

NASA ratings remain high, while Federal Reserve has lost ground

by Lydia Saad
Page: [12](#)

PRINCETON, NJ -- At a time when Americans are discouraged about [the direction of the country](#) and hesitant about the scope of President Barack Obama's [federal budget plans](#), the U.S. Centers for Disease Control and Prevention, NASA, and the FBI earn credit for a job well done from a majority of Americans. The 61% who say the CDC is doing an excellent or good job can be contrasted with the 30% who say this of the Federal Reserve Board, making the latter the worst reviewed of nine agencies and departments rated in the July 10-12 Gallup Poll.

How would you rate the job being done by [agency/department]? Would you say it is doing an excellent, good, only fair, or poor job?



July 10-12, 2009

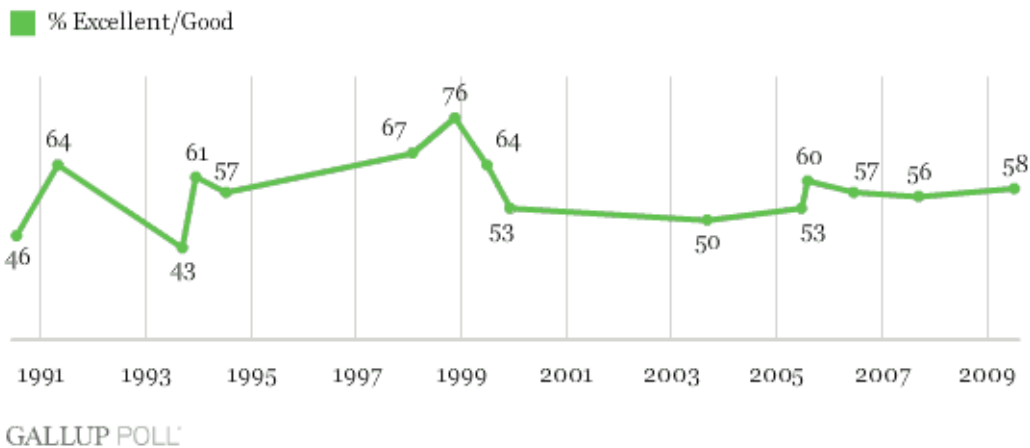
GALLUP POLL

The two national security-oriented groups included in the recent poll -- the CIA and the Department of Homeland Security -- receive moderate performance ratings, with just under half of Americans saying each is doing an excellent or good job.

The Environmental Protection Agency, Internal Revenue Service, and Food and Drug Administration fall a notch lower in the rankings, as close to 40% of Americans give each of them credit for doing an excellent or good job. The relatively low ranking of the FDA is of particular note with regard to the scrutiny the agency has been under, given recent attention to U.S. food safety.

The new poll, conducted just prior to the 40th anniversary of the July 20, 1969, moon landing by Apollo 11 -- perhaps the most celebrated of all NASA achievements -- finds NASA's rating about where it has been in recent years. While not nearly as high as it was in late 1998 (a month after John Glenn's successful return to space), NASA's current excellent/good score falls within the upper half of ratings it has received over the past two decades.

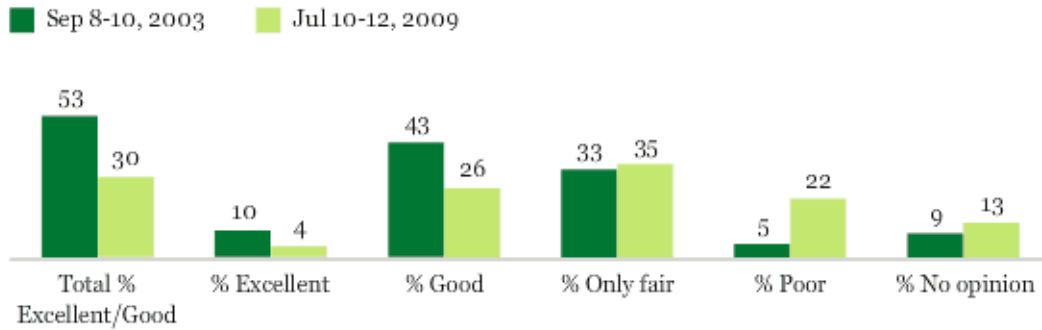
Job Ratings for NASA, the U.S. Space Agency



Today's rating of the FDA is the first measured by Gallup, but all other agencies on the list were previously rated in September 2003 (NASA, as shown, has been rated multiple times). The only significant changes since that time are a sharp deterioration in perceptions about the Federal Reserve, and a decline in highly positive views toward the CDC.

In 2003, the slight majority of Americans, 53%, said the Federal Reserve was doing an excellent or good job and 5% called it poor. Today, 30% of Americans praise the job the Fed is doing, while nearly as many, 22%, call it poor. While this ratings downturn coincides with a substantial drop in consumer confidence toward the U.S. economy over the same period, it is unclear how much of the Fed's image decline is due to the general decline in the country's economic climate, as opposed to specific perceptions about the agency's performance in carrying out its monetary responsibilities and possibly its role in the crisis surrounding U.S. financial markets. The Fed's low excellent/good rating may also reflect the higher-than-average percentage of Americans having "no opinion" about this arm of the government, relative to the other agencies rated.

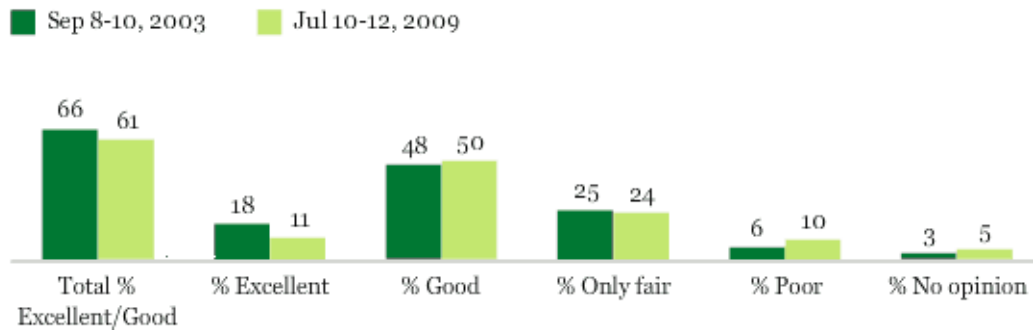
Job Ratings for Federal Reserve Board



GALLUP POLL

The CDC has had a particularly high public profile since April, when cases of the H1N1 virus, also known as swine flu, were first detected in the United States. Whether its role in tracking the disease and informing Americans about the illness has elevated or hurt the agency's image is not clear. However, compared with six years ago, fewer Americans believe the agency is doing an "excellent" job -- now 11%, down from 18%. Overall, the percentage saying it is doing an excellent or good job is now 61%, down from 66%.

Job Ratings for the Centers for Disease Control and Prevention, or the CDC



GALLUP POLL

Bottom Line

Americans are broadly satisfied with the work the CDC, NASA, and the FBI are doing. The CIA and the Department of Homeland Security are also fairly well reviewed; however, the current job ratings of the EPA, IRS, FDA, and Federal Reserve Board all have significant room for improvement.

Survey Methods

Results are based on telephone interviews with 1,018 national adults, aged 18 and older, conducted July 10-12, 2009. For results based on the total sample of national adults, one can say with 95% confidence that the maximum margin of sampling error is ±3 percentage points.

Interviews are conducted with respondents on land-line telephones (for respondents with a land-line telephone) and cellular phones (for respondents who are cell-phone only).

In addition to sampling error, question wording and practical difficulties in conducting surveys can introduce error or bias into the findings of public opinion polls.

10. How would you rate the job being done by -- [agency/department]? Would you say it is doing an excellent, good, only fair, or poor job?

Ranked by % excellent/good

	Excellent/ Good	Only fair	Poor	No opinion
	%	%	%	
The Centers for Disease Control and Prevention, or the CDC	61	24	10	5
NASA , the U.S. space agency	58	26	7	10
The Federal Bureau of Investigation, or the FBI	58	27	7	8
The Central Intelligence Agency, or the CIA	47	29	13	12
The Department of Homeland Security	46	31	18	4
The Environmental Protection Agency, or EPA	42	33	21	4
The Internal Revenue Service, or the IRS	40	36	20	5
The Food and Drug Administration, or FDA	38	37	22	3
The Federal Reserve Board	30	35	22	13

July 10-12, 2009

GALLUP POLL

Federal Agency/Department Ratings -- Full Results With Trends

	Excellent	Good	Only fair	Poor	No opinion
	%	%	%	%	%
A. NASA, the U.S. space agency					
2009 Jul 10-12	13	45	26	7	10
2007 Sep 14-16	16	40	29	8	6
2006 Jun 23-25	17	40	30	7	6
2005 Aug 5-7	16	44	29	8	3
2005 Jun 24-26	11	42	34	6	7
2003 Sep 8-10	12	38	36	10	4
1999 Dec 9-12	13	40	31	12	4
1999 Jul 13-4	20	44	20	5	11
1998 Nov 20-22	26	50	17	4	3
1998 Jan 30-Feb 1	21	46	21	4	8
1994 Jul 15-17	14	43	29	6	8
1993 Dec 17-19	18	43	30	7	2
1993 Sept 13-15	7	36	35	11	11
1991 May 2-5	16	48	24	6	6
1990 July 19-22	10	36	34	15	5
B. The Department of Homeland Security					
2009 Jul 10-12	8	38	31	18	4
2003 Sep 8-10	10	38	33	15	4
C. The Federal Reserve Board					
2009 Jul 10-12	4	26	35	22	13
2003 Sep 8-10	10	43	33	5	9
D. The Federal Bureau of Investigation, or the FBI					
2009 Jul 10-12	10	48	27	7	8
2003 Sep 8-10	10	43	31	12	4
E. The Central Intelligence Agency, or the CIA					
2009 Jul 10-12	10	37	29	13	12
2003 Sep 8-10	9	36	35	13	7
F. The Internal Revenue Service, or the IRS					
2009 Jul 10-12	5	35	36	20	5
2003 Sep 8-10	6	38	38	15	3

G. The Environmental Protection Agency, or EPA					
2009 Jul 10-12	5	37	33	21	4
2003 Sep 8-10	6	33	38	20	3

H. The Centers for Disease Control and Prevention, or the CDC					
2009 Jul 10-12	11	50	24	10	5
2003 Sep 8-10	18	48	25	6	3

I. The Food and Drug Administration, or FDA					
2009 Jul 10-12	5	33	37	22	3

GALLUP POLL

Seth Oster/DC/USEPA/US

06/22/2011 09:28 AM

To Richard Windsor

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bcc

Subject Main Headline on Huff Post

GORE BLASTS OBAMA ON CLIMATE CHANGE

Seth Oster
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Seth Oster/DC/USEPA/US

12/08/2010 03:30 PM

To Richard Windsor

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Subject Miami Herald Editorial: EPA at 40 -- still under siege

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----- Forwarded by Seth Oster/DC/USEPA/US on 12/08/2010 03:30 PM -----

From: Brendan Gilfillan/DC/USEPA/US
To: Seth Oster <oster.seth@epa.gov>, Adora Andy/DC/USEPA/US@EPA, Betsaida Alcantara/DC/USEPA/US@EPA, Alisha Johnson/DC/USEPA/US@EPA, Andra Belknap/DC/USEPA/US@EPA, Michael Moats/DC/USEPA/US@EPA, Vicki Ekstrom/DC/USEPA/US@EPA, Stephanie Owens/DC/USEPA/US@EPA, Dru Ealons/DC/USEPA/US@EPA
Date: 12/08/2010 01:43 PM
Subject: Miami Herald Editorial: EPA at 40 -- still under siege

EPA at 40 -- still under siege

OUR OPINION: cf,gtm Agency must tackle climate change, water issues

For 40 years the Environmental Protection Agency has been the regulatory scourge of U.S. polluters of air, land and water. Created on Dec. 2, 1970, with an executive order by President Richard Nixon, the EPA's primary mandate is to enforce clean air and water laws.

These landmark laws needed a tough sheriff. The EPA by and large has been up to the challenge. Inevitably, it has had -- and still does have -- stiff opposition.

For instance, some members of Florida's congressional delegation this year opposed the agency's proposed nutrient standards for the state's rivers, lakes and streams. The lawmakers, and business and agricultural groups, say the proposed standards for acceptable phosphorus and nitrogen in water will cost billions and aren't based on sound science. The EPA agreed to delay finalizing the criteria until August 2011 and submit them to more scientific scrutiny. But on Tuesday, Attorney General Bill McCollum and his successor, Pam Bondi, filed a lawsuit challenging the EPA proposals anyway.

The South Florida Water Management District Board also sharply criticized the EPA last month

for its court-ordered plan to stem pollution in the Everglades. The board decried it as infringing on state rights to set water-quality laws, having an unrealistic time line for massive construction projects and saddling South Florida taxpayers with the \$1.5 billion-plus cost.

On top of that, Judge Alan Gold, who told the agency to write the plan after a successful lawsuit by the Miccosukee Indian tribe, ordered EPA Administrator Lisa Jackson to come to a Miami court in October to explain the agency's slow pace of enforcing Glades cleanup. An appellate court overturned Judge Gold's order.

Clearly, when it comes to Florida water-quality issues, the EPA must work with state officials to find solutions both sides agree are practical and that will be effective.

The EPA is also involved in a much bigger controversy about climate change. In 2007, the U.S. Supreme Court ruled that the EPA violated the Clean Air Act by wrongly declining to regulate new-vehicle emissions to control the pollutants that cause global warming. The court told the Bush administration to reverse course and start controlling these emissions. Yet the agency still dragged its feet.

But, under President Obama, once it became clear that Congress wasn't going to act soon on climate-change legislation, the EPA took steps to regulate greenhouse gases. Still, even as the EPA celebrated its 40th birthday last week, incoming House Speaker John Boehner abolished the House's climate-change panel. And the new GOP House leadership wants to limit EPA's emissions regulation by cutting funding.

That would be such folly. Climate change is real, and Florida's coastline will see its bad effects for real in the next 50 years. The EPA is the right agency to deal with reducing greenhouse gas emissions to slow climate change. Congress should be supporting the EPA at this crucial time, not threatening to tie its hands.

Read more:

<http://www.miamiherald.com/2010/12/08/1963310/epa-at-40-still-under-siege.html#ixzz17XzGt5qc>

Seth Oster/DC/USEPA/US

06/13/2011 01:08 PM

To Richard Windsor

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bcc

Subject NY Times (Semple) Editorial Today -- in case you missed it

June 12, 2011

Mr. Babbitt's Protest

Former Interior Secretary Bruce Babbitt declared in a speech last week that President Obama's failure to mount a persuasive counterattack to the Republicans' "radical" assault on the country's environmental safeguards amounts to a "form of appeasement."

It is rare for someone of Mr. Babbitt's stature to use such caustic language about a sitting president from his own party. But he was reflecting growing concern — which we share — that the president and his top aides have decided for political reasons to back away from the fight. In recent months the White House has been far too quiet on the problem of climate change, and its once-promising efforts to regulate industrial pollution, toxic coal ash and mountaintop mining are flagging.

Mr. Babbitt's main complaint involved Mr. Obama's failure to do more to conserve open space and protect sensitive areas threatened by imminent development. He was particularly dismayed by the White House's acceptance of a Republican budget rider — pushed by the oil and gas industry — undercutting the Interior Department's authority to identify and set aside valuable public lands for future designation as permanent wilderness.

Mr. Babbitt said Mr. Obama still represented "the best, and likely only, hope for meaningful progress" on energy and the environment, and we must hope, as he does, that the president's temporizing is merely temporary. Even bigger fights lie ahead. The administration has proposed to limit power plant emissions of toxic pollutants like mercury and impose new rules governing power plant emissions of greenhouse gases. Any retreat from these pledges would be disastrous.

Mr. Babbitt also said President Obama should emulate President Bill Clinton, Mr. Babbitt's old boss, who faced similar opposition after the 1994 Republican revolution but came roaring back. After wavering for a while, he seized the lead on conservation issues and threatened to veto all anti-environmental legislation. The public supported him; the Republicans retreated. It is sound advice.

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11/28/2009 12:40 PM

Please respond to
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ast.com>

To Richard Windsor

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Subject oster.seth@epa.gov sent you an article from The Daily Beast

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Message from sender: From Daily Beast....mentions you midday. Seth

Today: November 28, 2009

Richard Wolffe

Obama's
Secret
Climate
Pact
by
*Richard
Wolffe*

I
t

's no coincidence that one day after the White House announced new emissions targets, China followed suit with its own target. The Daily Beast's Richard Wolffe on the behind-the-scenes negotiations during Obama's Asia trip that could help break the climate stalemate in Copenhagen.

After the Olympic-sized disappointment of his last trip to Copenhagen, why on earth would President Obama want to travel once again to the Danish capital for next month's UN climate talks?

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November 26, 2009 | 6:51 PM

Seth Oster/DC/USEPA/US

06/17/2011 08:05 AM

To Richard Windsor

cc

bcc

Subject Re: NAT'L JOURNAL: Power Company Contradicts Itself on EPA Rules

These are starting to pile up.
Richard Windsor

----- Original Message -----

From: Richard Windsor

Sent: 06/17/2011 07:50 AM EDT

To: Seth Oster

Subject: Re: NAT'L JOURNAL: Power Company Contradicts Itself on EPA Rules

Tx!

Seth Oster

----- Original Message -----

From: Seth Oster

Sent: 06/17/2011 07:20 AM EDT

To: "Lisa Jackson" <windsor.richard@epa.gov>

Subject: Fw: NAT'L JOURNAL: Power Company Contradicts Itself on EPA Rules

Alisha Johnson

----- Original Message -----

From: Alisha Johnson

Sent: 06/17/2011 06:34 AM EDT

To: Seth Oster; Adora Andy; Brendan Gilfillan; Betsaida Alcantara; Andra Belknap; Shira Sternberg; Dru Ealons; Stephanie Owens; Michael Moats; Vicki Ekstrom

Subject: NAT'L JOURNAL: Power Company Contradicts Itself on EPA Rules
Power Company Contradicts Itself on EPA Rules
National Journal

By Amy Harder

Wednesday, June 15, 2011 | 9:06 p.m.

American Electric Power, one of the nation's biggest coal utilities, downplayed the impact of EPA regulations to its investors while forecasting a doom-and-gloom outcome for Washington policymakers.

AEP has come under scrutiny after announcing on June 9 that it would have to close five of its coal-fired power plants and post a net loss of 600 jobs because of Clean Air Act regulations.

Other utilities employ this strategy, too. Investors have different concerns than average Americans and lawmakers, after all. But the seemingly contradictory comments are drawing renewed scrutiny as EPA Administrator Lisa Jackson works to finalize a slew of controversial standards for major polluters that could potentially change the economy. EPA plans to regulate everything from mercury to greenhouse gases. Republicans have attacked those regulations and introduced legislation to curb the agency's power.

"Because of the unrealistic compliance timelines in the EPA proposals, we will have to prematurely shut down nearly 25 percent of our current coal-fueled generating capacity, cut hundreds of good power-plant jobs, and invest billions of dollars in capital to retire, retrofit, and replace coal-fueled power plants," AEP chairman and CEO Mike Morris said in a statement last week. "The sudden increase in electricity rates

and impacts on state economies will be significant at a time when people and states are still struggling.”

A week earlier, Morris had sought to allay investors' concerns about the plant closures and their effect on AEP's bottom line at a June 1 investors conference.

“On balance, we think that is the appropriate way to go,” Morris said of the closures. “Not only to treat our customers, but also to treat our shareholders, near and long term, with that small amount of the fleet going off-line.”

Most of what AEP said it will have to shutter is spare capacity, used when it's very hot or cold. (The plants were used, for example, during last week's Midwestern heat spell.) That fact was not included in the company's release, but Morris made sure to remind investors.

“As you know, those are high-cost plants and dispatch infrequently,” Morris said. He went on to add that most of them didn't run at all in 2009 because natural-gas prices were so low.

AEP spokeswoman Melissa McHenry told National Journal Daily that the plants slated for closure haven't been used much in recent years because of low natural-gas prices, but that having them available for use in times of extreme temperatures seems crucial.

McHenry said costs made closing plants a better alternative than retrofitting them. Consumers would still face surging electricity prices because of the time frame, which AEP and many other coal utilities say is unrealistic. Companies must comply with two of EPA's major set of rules by 2015. AEP wants the compliance time frame extended to 2020.

Southern Co., another major coal utility, also fights EPA's regulations and tries to walk a fine line. CEO Tom Fanning told investors in the first-quarter earnings statement that he remains “confident or optimistic perhaps that we've been able to work through some tough complex issues in the past.” He also said that extending the compliance timeline to 2018 would make him “feel a lot more comfortable about being able to run our portfolio.”

EPA's Jackson was not impressed with the AEP announcement last week. She said after a hearing on Wednesday that it was “misleading at best, scare tactics at worst.”

Southern's Fanning, meanwhile, had positive words to say about the agency's administrator.

“In my constructive conversations with Lisa Jackson, she, I think, recognizes that the EPA—last thing they want us to create [is] reliability crises,” he said in the earnings statement.

Seth Oster/DC/USEPA/US
12/08/2010 05:32 PM

To Richard Windsor
cc
bcc
Subject Texas Judge's Comments

This is the story that includes the comment by the Texas county judge pushing back on the Railroad commissioner.

Seth

Star-Telegram

Driller denies blame for methane in Parker County homes' water

Posted Tuesday, Dec. 07, 2010

By Bill Hanna and Jack Z. Smith

billhanna@star-telegram.com; jzsmith@star-telegram.com

Fort Worth-based Range Resources Corp. said in a statement today that its own investigation has shown that its drilling activities were not responsible for methane contamination of two water wells in southwest Parker County, contrary to findings by the federal Environmental Protection Agency.

"Based on our findings to date, it's very clear that our activities have not had any impact on the water aquifer in Parker County or the subject water wells," Range said. "The investigation has revealed that methane in the water aquifer existed long before our activity and likely is naturally occurring migration from several shallow zones immediately below the water aquifer."

Methane is the primary component of natural gas.

"Range's wells are completed in the Barnett Shale formation, which is over a mile below the water zone," the company said in the statement posted on its website, www.rangeresources.com.

The EPA said Tuesday, however, that two Parker County homes have water contaminated by natural gas drilling activities and face the risk of fire and explosion.

The EPA issued an emergency order against Range, telling the drilling company to provide the homes with safe drinking water and take other measures to protect the nine residents after the Texas Railroad Commission, which regulates gas drilling, declined to take immediate action.

"The Railroad Commission has told us our actions are premature, but I believe they are mistaken," EPA Regional Administrator Al Armendariz said. "We are worried about the families' safety. It was incumbent on us to act quickly."

Armendariz said the EPA is "very concerned" that natural gas could migrate into the home through waterlines, leading to a fire or explosion.

Officials declined to identify the homeowners, who live in the southwestern portion of the county.

Range said in its statement today that it "has been working with the Texas Railroad Commission staff, engineers and field inspectors for several months and has conducted extensive testing of both Range-operated gas wells and the water wells of concern."

"We've provided those findings to the landowner, the Railroad Commission and the EPA," the company said.

Despite its own findings, Range said "we remain committed to working with regulators and residents to determine the cause and assist with any remediation the Texas Railroad Commission determines is warranted. Range will also offer to provide drinking water to residents in the area while the investigation continues."

Railroad Commission Chairman Victor G. Carrillo blasted the EPA's actions, saying it is "unprecedented in Texas, and commissioners will consider all options as we move forward."

The commission said in a statement that it has "made no conclusions about possible sources of natural gas and hydrocarbons found in a water well. Additionally, no pathways from a deep hydrocarbon source to the water well have been identified."

Commissioner Michael Williams called the EPA's actions "Washington politics of the worst kind."

"The EPA's act is nothing more than grandstanding in an effort to interject the federal government into Texas business," Williams said. "The Railroad Commission has been on top of this issue from Day One. We will continue to take all necessary action to protect Texas lakes, rivers and aquifers."

"Texans have no interest in Washington doing for Texas what it did for Louisiana fishermen," he said, referring to the BP oil spill in the Gulf of Mexico.

The Railroad Commission said Range agreed Friday to conduct further testing of its well and "perform soil gas surveys that may lead to additional environmental investigation activities, monitor gas concentrations, and offer a water supply to the residence."

After the commission's inspection Aug. 6, one homeowner contacted Parker County Judge

Mark Riley, who visited one of the homes. He said the problem quickly became apparent.

"I went out to his home and saw it firsthand, putting a lighter to the end of the water hose and flames coming out, a strong odor in the drinking water and the homeowner having his sliding glass door open to prevent a buildup of fumes inside," Riley said.

"I'm certainly not a scientist, but anybody with common sense would know an issue existed."

Riley said he has had no contact with the second homeowner, whose property was included in the emergency order after the EPA was called in.

Riley's office filed two open-records requests with the Railroad Commission to learn more about the findings, but Riley said the reports provided little information. He would not reveal the identity of the homeowner, who wishes to remain anonymous.

"I'm no fan of having the federal government coming in but, once again, we have state agencies that should be doing their job and instead are letting the federal government come in and do it for them," Riley said.

The EPA filed an imminent and substantial endangerment order under the federal Safe Drinking Water Act.

In that order, Range Resources has 24 hours to indicate in writing whether it will comply with the order and must install EPA-approved "explosivity meters" in the homes within 48 hours.

In the next five days, Range must list and identify all private water wells within 3,000 feet of the drilling site, including the Lake Country Acres subdivision public water supply wells, and test those water wells for contamination.

Within 14 days, Range must submit a plan to conduct soil gas surveys and indoor air concentration analyses of the two contaminated water wells that serve the two homes. In the next two months, the order states, Range must identify any "gas flow pathways to the Trinity Aquifer" and eliminate those flows if possible and conduct remediation if the aquifer has been harmed.

The accounts of hose water igniting are similar to those seen in the documentary *Gasland*, which spotlighted concerns over gas drilling in Pennsylvania's Marcellus Shale, as well as the Barnett Shale and other formations across the country.

In October, Pennsylvania's top environmental regulator threatened to sue Houston-based Cabot Oil & Gas Corp. unless it paid about \$12 million to extend a public waterline to at least 18 residents whose water wells were contaminated with methane, according to The Associated Press.

Bill Hanna, 817-390-7698; Jack Z. Smith, 817-390-7724

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12/08/2010 09:35 AM

To Richard Windsor

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Subject The coverage of Gina comments to Cancun

The Inside Story

Environmentalists are criticizing comments from EPA air chief Gina McCarthy after she told them that President Obama is not committed to vetoing expected legislation that could override the agency's authority to regulate greenhouse gases (GHG).

The National Wildlife Federation (NWF) alerted reporters to remarks from McCarthy, who spoke via webcast to a Dec. 7 session at this week's international climate negotiations in Cancun. According to NWF, an activist asked McCarthy about the expectation that congressional Republicans and energy-state Democrats would push legislation to delay or overturn EPA's GHG authority, and expressed reservations that Obama would sign such a bill.

"Rather than affirm the President would veto such a bill, she said Congress had a legitimate reason to look at legislation that we say would short circuit EPA action," according to NWF. "With almost no chance for a comprehensive climate bill next year in the U.S., environmental advocates are counting on the President and EPA to stick to their Copenhagen pledge, which by necessity would require a veto of any bill that would delay or constrain the EPA's authority."

Sen. Jay Rockefeller (D-WV) this year introduced a bill to delay for two years EPA's stationary-source GHG regulations, which are slated to take effect in January, although the bill never came to the floor. A Congressional Review Act resolution introduced by Sen. Lisa Murkowski (R-AK) to overturn EPA's GHG endangerment finding failed on a procedural vote this summer.

Rockefeller has said he plans to reintroduce his legislation next year, and House Republicans have pledged to introduce legislation to block EPA's GHG regulations. Press reports quoting anonymous administration officials earlier this year indicated that Obama planned to veto such moves, but industry sources and other observers have noted that such plans have never been confirmed publicly, questioning how far Obama would go to defend EPA.

Obama has opened the door to preempting EPA authority to regulate GHGs in exchange for a scaled-back bipartisan agreement that would at least begin to address the problem of climate change by encouraging development of clean energy choices. But not vetoing legislation blocking EPA's current authority or regulations could undermine any leverage the administration has to drive clean energy legislation.

"NWF is pleased that administration officials have affirmed on numerous occasions while in Cancun that the Copenhagen agreement stands," the group says, referring to the nonbinding political accord that came out of last year's negotiations, in which the U.S. pledged to cut its emissions in the range of 17 percent below 2005 levels by 2020. "We hope Ms. McCarthy will clarify the administration's position."

Video of McCarthy's remarks was expected to be posted later in the evening on the Cancun U.S. Center website.

Related News: [Climate Change](#)

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Seth Oster/DC/USEPA/US

08/11/2010 01:42 PM

To Richard Windsor

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Subject

[Obama and the Left, Part 2,048](#)

[By Mike Lux](#)

Author, The Progressive Revolution: How the Best in America Came to Be

Posted: August 11, 2010 11:04

The progressive community and the Obama administration are once again in a firefight, this one started by White House spokesman Robert Gibbs. There has been and will be a huge amount of commentary on this in the blogosphere and the media in general over the next few days, and Gibbs' quote will go right up there with the infamous "left of the left" quote during health care, Rahm's infamous "f'ing retarded" quote (he apologized afterward to advocates for those with mental disabilities, but of course not to progressives), the locker room gloating "organized labor just flushed \$10 million down the toilet" quote, and a variety of other random insults that progressives have to chew over.

Thankfully, Gibbs has released a statement pulling back from that interview, and I am assured by friends at the White House that this is just "Robert being in a bad mood", etc. Happy to hear it, and I am willing to give the White House the benefit of the doubt (which I know may not be very popular among many folks in progressiveland). I also am happy to give this Administration credit where credit is due, and they do actually deserve some.

Given the economic straits we are in, the stimulus was too small, and had too many tax cuts in it, but it is still the biggest jobs bill in American history, and the biggest investment in public goods (schools, teachers, roads, bridges, clean energy, firefighters, cops, broadband, etc.). The health care bill had big flaws, including the lack of a public option, but Obama succeeded at extending coverage to virtually everyone and reining in major insurance abuses (on pre-existing conditions, lifetime caps, etc.) when every other President before for a hundred years had failed.

The financial reform bill didn't break up the banks, but we won very significant victories in reining in the financial sector, and went the right direction on financial regulation instead of the wrong direction as we did in the last four presidents' tenures. The federal budgets Obama submitted have been the most progressive in many ways, at least since 1993, and maybe since the 1960s. We won a major victory on, and expansion of, the student loan program for college students. Tobacco is regulated by the FDA for the first time. The equal pay law got passed, S-CHIP got expanded, the hate crimes bill got signed, unneeded weapons systems got eliminated. And Obama has at least pushed for other big legislation on climate change, immigration reform, and more jobs programs, even if he didn't succeed at everything.

It hasn't all been perfect -- far from it -- but Obama deserves enormous credit for wading into these big fights, and for persevering on some of the toughest, like health care (where his chief of Staff Rahm Emanuel wanted him to back down and give up.) If I were in the Obama White House, I might be feeling a little irritable myself at the lack of credit I was getting.

Were you waiting for the "but"? Well, here it is.

But here's the thing, folks at the White House: your strategy for getting the credit you think you deserve sucks. It's not working, and bitching about the fact that people don't give you enough credit is not going to get them to give you more.

I may be wrong, I hope I am wrong, but as far as I can tell, the White House right now has very little in the way of strategy for reaching out to the progressive community. Beyond meeting regularly with some of the big DC groups (meetings that have been described to me by a White House ally as pretty much being "one way communication" from the White House to the groups), I know of no consistent high level outreach to the broad progressive community. My guess is that it's because they don't think they need to, that as Gibbs indicated, they don't feel they need the groups or the blogs or progressive media or the "progressive left", in Gibbs' delightful phrase, to reach progressive voters.

Maybe. But it's a pretty huge gamble. The Obama team forgets that once the primary was over in 2008, the folks in the blogosphere and all the progressive groups were pretty united on helping Obama win the election. A pretty sizable share of the 13 million people on the Obama e-mail list were also reading blogs, getting e-mails from MoveOn.org or phone/mail from unions and other groups. Everyone had the same goal of defeating McCain and other right-wing Republicans, and we were all reinforcing (for the most part) what the campaign was doing and saying.

That sense of teamwork is pretty well gone, blown apart not only because of some policy decisions many progressives disagreed with, and not just by the series of insulting comments I spelled out in the first paragraph, but by a serious lack of outreach as well. The result is that Obama gets a steady stream of criticism from Markos, Arianna, Rachel, and many of the rest of us, and when good things happen, they rarely get played up positively as well as they should. I think that is one of the big reasons why online giving has been fairly weak on the Obama list (a person with knowledge of the list told me that the fundraising trend off their email list was "extremely worrisome"), why volunteer recruitment has been down, and why Democratic voter enthusiasm in the polling has been so consistently weak (obviously the bad economy has a lot to do with that as well, but don't discount the bad relationship with progressive media and institutions).

Here's the thing that drives me most crazy, though: the only thing making the Obama White House take the huge gamble of not reaching out to the professional left is their own arrogance. Engaging the "professional left" would be easy to do if they cared about it at all, and had a strategy to do it. In the Clinton White House, that presidency of NAFTA, failed health care, the 1994 election fiasco, and "triangulation", the progressive community- the professional left as well as progressive voters- progressives never deserted Clinton. Through his two elections,

special prosecutors, the Lewinsky mess and impeachment, the Democratic base stayed loyal to and enthusiastic about Bill Clinton (even when he didn't always deserve it). Why? Because Bill Clinton cared about having a good relationship with progressives, and because we had a strategy for working effectively with them. President Clinton frequently asked me about who was happy with us and who was disgruntled in the progressive world, and we made sure to bring in everyone in the latter category for meetings and social events at the White House. At the height of the NAFTA fight, we organized a dinner for labor leaders where the President hung out with them for a long, social evening, telling them in his remarks "I know we are in a fight right now, but I want you to know that my White House will always be your house too, that we always will be friends." We made sure progressives always had chances to have serious input into policy development. Whenever we had bad news to deliver to progressive groups on any issue big or small, we reached out to them before the announcement, talked about how to make the damage hurt less, and talked about what we could do to help them on other issues. And whenever there was good news, we made sure the folks who cared about it were part of the celebration.

Here's the other thing: other Democratic politicians in 2010 get the need to work effectively with progressives. I have had my share of disagreements with Speaker Pelosi and Majority Leader Reid, but they and their staff have never failed to work constructively and conscientiously with me and other progressives I know. This is politics 101 as far as I am concerned, but to my knowledge, this White House isn't engaging in much of it. I am on the board of many different progressives groups, and know a wide assortment of folks in the blogosphere, in organizations, in the progressive donor world, on Capitol Hill, and I rarely hear about any kind of high-level outreach of this sort going on. One other important point on all this: what worries me the most is that I am as insider-y as a person can get. I have known Rahm for 30 years, Axelrod and Plouffe for over 20. I have been a client of Jim Margolis, Anita Dunn, and Axelrod's firms. I was a co-founder of Strategy Group, the Chicago based firm that was one of the closest inner circle firms in the Obama Presidential campaign. I have worked in the White House, and I even worked on the Obama transition. I am one of the professional left (not at all the only one, by the way) who, in spite of my disappointments with some of the compromises made, ended up supporting, enthusiastically working for, and praising Obama on all those initiatives mentioned above. Now I know that some folks in the White House are mad at me and have shut me out because I have been critical at times of this White House, but I still have to think: if the relationship with the "professional left" is as shaky as it is, and someone like me is not being reached out to much or asked to help, what about all those bloggers and progressive media people and organizations who don't have much in the way of inside connections? It worries the hell out of me, and it ought to be worrying the White House.

Gibbs' statement has caused a flurry of damage control, just as all the other statements in paragraph one did. But it's not enough: this White House has to do a better job of working constructively, every single day, with progressives. The White House should be in genuine partnership with the progressive community. That doesn't mean agreeing on every issue, and it doesn't mean avoiding some frank conversations behind the scenes where voices get raised back and forth. But progressives, including the "professional left" would be a lot more loyal and enthusiastic, a lot more willing to give credit where credit is due, if they felt like the White House cared what they thought.

Our job as progressives is to never be satisfied, to always be impatient with the pace of change. Frederick Douglass, Alice Paul, Walter Reuther, Martin Luther King, Jr.- none of them were ever satisfied with the progress being made, and the Presidents they worked with were constantly aggravated at the pressure they received. But big changes got done when Presidents understood the importance of working effectively with them and the movements they represented. It is time for Obama (and his staff) to understand this and make the effort. Even when we are being irritating, even when you think we are being unfair, the White House needs to reach out their hand to progressives and work with us instead of venting about us to the media. FDR understood that and got re-elected by landslides with enthusiastic base support in the toughest of times. LBJ understood that in 1964, got re-elected in a landslide with progressives happily behind him, but then forgot it and let Vietnam break his party in the '68 election. Bill Clinton understood that, avoided a primary in tough political circumstances, and won re-election easily with a pumped up progressive community strongly behind him. I hope President Obama comes to understand that it is your base, including the professional left, that can sustain you in tough economic and political times, but that you need to reach out to them rather than complain about them.

Cross-posted at my home blog, OpenLeft.com , where you can read all of my other writing

Seth Oster/DC/USEPA/US

04/12/2010 06:34 PM

To Richard Windsor

cc Adora Andy, Betsaida Alcantara, Allyn Brooks-LaSure, Diane Thompson

bcc

Subject Ruckelshaus Time 100 Piece

Administrator -- below is the piece by William Ruckelshaus that will introduce your listing on the Time 100 Most Influential People in the World.

Seth

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Time 100
Administrator Lisa Jackson
By William D. Ruckelshaus

The most impressive thing about Lisa Jackson is that she is doing exactly what an EPA Administrator is supposed to do – thoughtfully and carefully, but aggressively – implementing our environmental laws to protect public health and our environment. The job of the Administrator of the EPA is not to make people happy but to make them and their environment healthier

Fortunately for the Agency, and the country, she arrives equipped with a rare combination of assets to help do her job: in equal measure experience, fairness, sure-footedness, determination and the ability to sound a credible and measured voice in defense of citizen's rights to fresh air, clean water and a stable climate. She understands the biggest impact of pollution is often on the poor – those least able to cope with the complexities of modern life.

Fresh from managing a challenging State environmental program in New Jersey, Jackson inherited a buffeted EPA suffering from a reputation as a political windsock. It is tempting to conclude that EPA's authority is drawn primarily from its regulatory power, as indeed much of it is. But

Jackson has correctly sensed that restoring public trust in the Agency is essential to its effectiveness. In this era of growing public mistrust of government, that same public, as well as, state partners, industry, small

businesses and importantly EPA staff must have confidence that decisions are being driven by science and an unbiased interpretation of the law, and not a political agenda.

Jackson is inspiring this kind of confidence: She recently worked with President Obama to help broker a deal among major automakers to raise fuel efficiency of cars to 35 miles per gallon, no small feat. In moving forward with a Supreme Court ordered decision to act on a scientifically based conclusion that greenhouse gasses endanger public health and welfare, Jackson has strongly signaled sensitivity to the economic consequences of regulating these emissions by supporting a tailored approach that would make its impact more publically palatable.

The real promise of Lisa Jackson is that she can guide this ship, steer it out of the furious partisan maelstrom that always threatens to blow it off course, and restore environmental protection to its rightful place essential to a functioning democracy.

The American people are lucky to have such a dedicated and skilled protector at EPA.

Seth Oster/DC/USEPA/US

09/11/2009 01:25 PM

To Richard Windsor

cc Adora Andy, Betsaida Alcantara, Brendan Gilfillan

bcc

Subject Chu on Jackson....

Steven Chu posted the following on his Facebook page about you.

Seth

My colleague, EPA Administrator Lisa Jackson, has recently launched a Facebook page (insert link to facebook.com/lisapjackson) of her own. From climate legislation to the EnergyStar program, Lisa and I work very closely together on a wide variety of issues. Check out her page for great updates on the issues.

But of course, when it comes to nerdy Powerpoint slides, this is still the DEFINITIVE Facebook page.

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Seth Oster/DC/USEPA/US
12/16/2009 08:37 AM

To Richard Windsor, Allyn Brooks-LaSure, David McIntosh, Gina McCarthy, Lisa Heinzerling, Diane Thompson, Bob Perciasepe, Adora Andy

cc

bcc

Subject Al Gore -- Reuters

NEW YORK (Reuters) - Al Gore's pitch for saving the planet from global warming appears to be falling on increasingly deaf ears, a Zogby Interactive survey shows.

Nearly half of Americans, or 49 percent, say they are only slightly or not at all concerned about climate change, while 35 percent are somewhat or highly concerned, the survey shows.

Zogby's latest poll shows those with more relaxed views on the issue jumped 10 percentage points from 2007, when 39 percent said they were slightly or not at all concerned. In 2007, 48 percent said they were somewhat or highly concerned.

The survey's results emerge as the United Nations climate change summit in Copenhagen heads into its final week, amid warnings that global warming could eventually melt the polar ice caps, raising sea levels and causing drought and other severe weather conditions.

Gore, a former U.S. vice president, helped raise awareness of climate change by narrating the hit documentary "An Inconvenient Truth," which won two Academy Awards in 2007.

"Well, I think people respond to what is going on around them. In the last couple of years, especially in the Eastern part of the United States, weather patterns have been quite normal," said Stephen Harned, executive director for the National Weather Association, and a 36-year veteran of the National Weather Service.

RECORD "PRETTY FIRM"

Harned, who cited regular snowy winters and particularly cool summers, said there could be a shift in perception because the weather seems to not be getting warmer.

"But I think the record is pretty firm that global air temperatures are increasing," Harned said. "The amount of carbon dioxide in the air is also increasing."

Global warming refers to an increase of average temperatures on the earth's near-surface air and oceans, which many experts believe is caused by higher concentrations of greenhouse gases caused mainly by the burning of fossil fuels.

"It's a fact that there has been warming of the earth's atmospheric temperatures in the past few years," Harned said.

However, Harned explains that near-term doomsday scenarios are far-fetched. He said sea levels

will not rise dramatically over the next 10 years, even though glaciers worldwide have shrunk in many locations.

"But in the next 50 to 100 years -- and hopefully I won't be here -- that is what's going to happen," Harned stressed. "And that is where the controversy comes into play."

Many Americans seem unworried, the survey showed.

The percentage not at all concerned about global climate change rose to 37 percent from 27 percent in 2007, while only 20 percent said they were highly concerned, compared with 37 percent in 2007.

The survey found that 44 percent believe the United States should act to reduce energy use if it means major lifestyle changes.

Harned said more renewable green sources of energy are needed and that people need to live more energy-conscious lives because "worldwide there is going to be more and more of us."

The survey also showed 68 percent of Republicans and 46 percent of political independents said they are not at all concerned about global climate change and global warming, compared to just 7 percent of Democrats.

The interactive survey of 3,072 adults nationwide was conducted December 8-10. A sampling of Zogby International's online panel, which is representative of adult Americans, was invited to participate. The margin of error is plus or minus 1.8 percentage points.

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Seth Oster/DC/USEPA/US
09/16/2009 03:04 PM

To Richard Windsor, Arvin Ganesan, David McIntosh, Diane Thompson, Allyn Brooks-LaSure, Bob Perciasepe, Bob Sussman, Lisa Heinzerling, Gina McCarthy

cc

bcc

Subject Cap and Trade Estimates from Treasury

This is a CBS news story being pumped now by Drudge...you should read

The Obama administration has privately concluded that a cap and trade law would cost American taxpayers up to \$200 billion a year, the equivalent of hiking personal income taxes by about 15 percent.

A previously unreleased analysis prepared by the U.S. Department of Treasury says the total in new taxes would be between \$100 billion to \$200 billion a year. At the upper end of the administration's estimate, the cost per American household would be an extra \$1,761 a year.

A second memorandum, which was prepared for Obama's transition team after the November election, says this about climate change policies: "Economic costs will likely be on the order of 1 percent of GDP, making them equal in scale to all existing environmental regulation."

The documents (PDF) were obtained under the Freedom of Information Act by the free-market Competitive Enterprise Institute and released on Tuesday.

These disclosures will probably not aid the political prospects of the Democrats' cap and trade bill. The House of Representatives approved it by a remarkably narrow margin in June -- the bill would have failed if only six House members had switched their votes to "no" -- and it faces significant opposition in the Senate.

One reason the bill faces an uncertain future is concern about its cost. House Republican Leader John Boehner has estimated the additional tax bill would be at \$366 billion a year, or \$3,100 a year per family. Democrats have pointed to estimates from MIT's John Reilly, who put the cost at \$800 a year per family, and noted that tax credits to low income households could offset part of the bite. The Heritage Foundation says that, by 2035, "the typical family of four will see its

direct energy costs rise by over \$1,500 per year."

One difference is that while Heritage's numbers are talking about 26 years in the future, the Treasury Department's figures don't have a time limit.

"Heritage is saying publicly what the administration is saying to itself privately," says Christopher Horner, a senior fellow at the Competitive Enterprise Institute who filed the FOIA request. "It's nice to see they're not spinning each other behind closed doors."

"They're not telling you the cost -- they're not telling you the benefit," says Horner, who wrote the Politically Incorrect Guide to Global Warming. "If they don't tell you the cost, and they don't tell you the benefit, what are they telling you? They're just talking about global salvation."

The FOIA'd document written by Judson Jaffe, who joined the Treasury Department's Office of Environment and Energy in January 2009, says: "Given the administration's proposal to auction all emission allowances, a cap-and-trade program could generate federal receipts on the order of \$100 to \$200 billion annually." (Obviously, any final cap-and-trade system may be different from what Obama had proposed, and could yield higher or lower taxes.)

Because personal income tax revenues bring in around \$1.37 trillion a year, a \$200 billion additional tax would be the equivalent of a 15 percent increase a year. A \$100 billion additional tax would represent a 7 or 8 percent increase a year.

Update 9/16/2009: The Environmental Defense Fund has responded to the documents' release with a statement saying, in part:

Even if a 100 percent auction was a live legislative proposal, which it's not, that math ignores the redistribution of revenue back to consumers. It only looks at one side of the balance sheet. It would only be true if you think the Administration was going to pile all the cash on the White House lawn and set it on fire.

The bill passed by the House sends the value of pollution permits to consumers, and it contains robust cost-containment provisions. Every credible and independent economic analysis of the American Clean Energy

and Security Act (such as those done by the non-partisan Congressional Budget Office, the Energy Information Administration, and the Environmental Protection Agency) says the costs will be small and affordable -- and that the U.S. economy will grow with a cap on carbon.

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Seth Oster/DC/USEPA/US
01/29/2010 04:07 PM

To Richard Windsor, Arvin Ganesan, David McIntosh, Diane Thompson, Bob Perciasepe, Bob Sussman, Lisa Heinzerling, Gina McCarthy, Sarah Pallone, Scott Fulton, Allyn Brooks-LaSure, Adora Andy, Brendan Gilfillan, Betsaida Alcantara, Michael Moats

cc

bcc

Subject President's Response to Cong. Capito on Energy

The president spoke today at the GOP issues conference in Baltimore and was asked a question by Congresswoman Capito that the White House suggested we should all note. Here it is:

CONGRESSWOMAN CAPITO: Thank you, Mr. President, for joining us here today. As you said in the State of the Union address on Wednesday, jobs and the economy are number one. And I think everyone in this room, certainly I, agree with you on that.

I represent the state of West Virginia. We're resource-rich. We have a lot of coal and a lot of natural gas. But our -- my miners and the folks who are working and those who are unemployed are very concerned about some of your policies in these areas: cap and trade, an aggressive EPA, and the looming prospect of higher taxes. In our minds, these are job-killing policies. So I'm asking you if you would be willing to re-look at some of these policies, with a high unemployment and the unsure economy that we have now, to assure West Virginians that you're listening.

THE PRESIDENT: Look, I listen all the time, including to your governor, who's somebody who I enjoyed working with a lot before the campaign and now that I'm President. And I know that West Virginia struggles with unemployment, and I know how important coal is to West Virginia and a lot of the natural resources there. That's part of the reason why I've said that we need a comprehensive energy policy that sets us up for a long-term future.

For example, nobody has been a bigger promoter of clean coal technology than I am. Testament to that, I ended up being in a whole bunch of advertisements that you guys saw all the time about investing in ways for us to burn coal more cleanly.

I've said that I'm a promoter of nuclear energy, something that I think over the last three decades has been subject to a lot of partisan wrangling and ideological wrangling. I don't think it makes sense. I think that that has to be part of our energy mix. I've said that I am supportive -- and I said this two nights ago at the State of the Union -- that I am in favor of increased production.

So if you look at the ideas that this caucus has, again with respect to energy, I'm for a lot of what you said you are for.

The one thing that I've also said, though, and here we have a serious disagreement and my hope is we can work through these disagreements -- there's going to be an effort on the Senate side to do so on a bipartisan basis -- is that we have to plan for the future.

And the future is that clean energy -- cleaner forms of energy are going to be increasingly important, because even if folks are still skeptical in some cases about climate change in our politics and in Congress, the world is not skeptical about it. If we're going to be after some of these big markets, they're going to be looking to see, is the United States the one that's developing clean coal technology? Is the United States developing our natural gas resources in the most effective way? Is the United States the one that is going to lead in electric cars? Because if we're not leading, those other countries are going to be leading.

So what I want to do is work with West Virginia to figure out how we can seize that future. But to do that, that means there's going to have to be some transition. We can't operate the coal industry in the United States as if we're still in the 1920s or the 1930s or the 1950s. We've got to be thinking what does that industry look like in the next hundred years. And it's going to be different. And that means there's going to be some transition. And that's where I think a well-thought-through policy of incentivizing the new while recognizing that there's going to be a transition process -- and we're not just suddenly putting the old out of business right away -- that has to be something that both Republicans and Democrats should be able to embrace.

Seth Oster/DC/USEPA/US
08/30/2011 04:52 PM

To: Richard Windsor, Bob Perciasepe
cc
bcc
Subject: Fw: recent headlines

The fruits of their labor....

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----- Forwarded by Seth Oster/DC/USEPA/US on 08/30/2011 04:51 PM -----

From: Betsaida Alcantara/DC/USEPA/US
To: Seth Oster/DC/USEPA/US@EPA
Date: 08/30/2011 04:48 PM
Subject: recent headlines

HEADLINES:

Politico Pro: Obama outlines costly EPA rules

AP: Obama To Boehner: New EPA, Transportation Regulations Would Cost Economy More Than \$1 Billion A Year

Politico: Obama to Boehner: Pending EPA rules among priciest

FULL TEXT BELOW

Politico Pro: Obama outlines costly EPA rules

Whiteboard: 8/30/11 1:25 PM EDT

President Barack Obama has responded to House Speaker John Boehner's request to detail pending federal rules with estimated costs more than \$1 billion a year. Four regulations on the list are pending EPA rules on ozone, air toxics from utilities, air toxics from boilers and coal ash.

AP: Obama To Boehner: New EPA, Transportation Regulations Would Cost Economy More Than \$1 Billion A Year

AP

8/30/11

WASHINGTON — President Barack Obama says his administration is considering seven new government regulations that would cost the economy more than \$1 billion each a year, a tally Republicans will pounce on to argue that Congress needs the power to approve costly government rules.

In a letter to House Speaker John Boehner, R-Ohio, Obama lists four proposed Environmental Protection Agency rules and three Department of Transportation rules estimated to cost in excess of \$1 billion. One of the proposed EPA rules – an update to the health-based standard for smog – is estimated to cost the economy between \$19 billion and \$90 billion.

The letter, dated Tuesday, comes as the Republican-controlled House prepares to consider legislation that would require congressional approval for any new regulations that would impose a significant cost on industries.

The four environmental regulations, which target air pollution and coal residue primarily from coal-fired power plants, have already been attacked by House Republicans, who have said they would kill jobs and harm the economy.

A federal court ordered the Obama administration to propose two of the four environmental rules.

And while the regulations would be expensive to comply with, EPA officials say they will save billions of dollars in avoided health care costs each year by reducing asthma and other illnesses, such as cancer. In some cases, the cost savings are greater than the upfront expense, according to EPA figures.

Obama's letter was in response to a Boehner request last week for more details from the president on the proposed costs of the most expensive regulations under consideration by his administration. Obama's administration has identified 219 proposed regulations this year with a cost to the economy of more than \$100 million.

Obama said a number of regulations being contemplated are in such preliminary stages of review that they have no reliable cost estimates.

The president said the seven proposals he did identify are not final and that his administration will "give careful consideration" to cost-savings. He said his administration already has made changes that have saved more than \$10 billion in regulatory costs over the next five years, and said new regulations must meet cost-saving requirements that he ordered earlier this year.

He also defended his regulatory record, saying the cost of final rules adopted in 2007 and 2008, during the administration of President George W. Bush, were higher than in the first two years of his administration.

"In 2009 and 2010, the benefits of such rules -- including not only monetary savings but also lives saved and illnesses prevented -- exceeded the costs by tens of billions of dollars," Obama wrote.

Politico: Obama to Boehner: Pending EPA rules among priciest

By Robin Bravender

8/30/11 3:33 PM EDT

President Barack Obama provided House Speaker John Boehner with a list Tuesday of the most expensive rules coming soon from the federal government, including four contentious EPA regulations.

In response to a request from Boehner last week, Obama sent a list of seven pending federal

rules with estimated costs of more than \$1 billion annually. Four of the seven regulations on the list are EPA rules on ozone, air toxics from utilities, air toxics from boilers and coal ash. Obama said the rules are “merely proposed, and before finalizing any of them, we will take account of public comments and concerns and give careful consideration to cost-saving possibilities and alternatives.”

Boehner last week charged that planned regulations have jumped in the past year, and called on the administration to calculate and publicize their economic impact.

“This year, the administration’s current regulatory agenda identifies 219 planned new regulations that have estimated annual costs in excess of \$100 million each,” [Boehner wrote](#). “That’s almost a 15 percent increase over last year and appears to contradict public suggestions by the administration this week that the regulatory burden on American job creators is being scaled back.”

Obama countered that the regulatory agenda is “merely a list of rules that are under general contemplation,” and would be subject to review and cost-saving requirements before being issued.

Of the rules on the list, the most expensive is EPA’s pending reconsideration of the George W. Bush administration’s 2008 ozone standard. That proposed rule has an estimated cost between \$19 billion and \$90 billion per year.

The annual estimated cost is \$10 billion for EPA’s air toxics standards for power plants; \$3 billion for the air toxics rule for boilers; and between \$600 million and \$1.5 billion for the coal ash rule.

The other three rules on Obama’s list are from the Transportation Department. They deal with safety standards and hours-of-service requirements that limit when and how long operators of commercial motor vehicles can drive.

The administration’s critics are certain to seize upon the list as they accuse the White House and the EPA of pursuing regulations that hamper job growth. The ozone standard in particular has already drawn the ire of a broad range of industry groups and GOP lawmakers.

But Obama insisted that his administration is working to reduce the regulatory burden on industry through a government-wide initiative to limit costs of new rules and slash outdated existing rules.

Obama said the total costs of major rules reviewed under the George W. Bush administration in 2007 and 2008 were higher than they were during the first two years of his administration. In 2009 and 2010, he said, “the benefits of such rules — including not only monetary savings but also lives saved and illnesses prevented — exceeded the costs by tens of billions of dollars.”

To read and comment online:

Seth Oster/DC/USEPA/US
06/22/2011 11:43 AM

To Richard Windsor, Bob Perciasepe
cc
bcc
Subject Gora Article in Rolling Stone

Climate of Denial

Can science and the truth withstand the merchants of poison?

Illustration by Matt Mahurin

The first time I remember hearing the question "is it real?" was when I went as a young boy to see a traveling show put on by "professional wrestlers" one summer evening in the gym of the Forks River Elementary School in Elmwood, Tennessee.

The evidence that it was real was palpable: "They're really hurting each other! That's real blood! Look a'there! They can't fake that!" On the other hand, there was clearly a script (or in today's language, a "narrative"), with good guys to cheer and bad guys to boo.

But the most unusual and in some ways most interesting character in these dramas was the referee: Whenever the bad guy committed a gross and obvious violation of the "rules" — such as they were — like using a metal folding chair to smack the good guy in the head, the referee always seemed to be preoccupied with one of the cornermen, or looking the other way. Yet whenever the good guy — after absorbing more abuse and unfairness than any reasonable person could tolerate — committed the slightest infraction, the referee was all over him. The answer to the question "Is it real?" seemed connected to the question of whether the referee was somehow confused about his role: Was he too an entertainer?

[Photo Gallery: 11 extreme-weather signs the climate crisis is real](#)

That is pretty much the role now being played by most of the news media in refereeing the current wrestling match over whether global warming is "real," and whether it has any connection to the constant dumping of 90 million tons of heat-trapping emissions into the Earth's thin shell of atmosphere every 24 hours.

This article appears in the July 7, 2011 issue of Rolling Stone. The issue is available on newsstands and in the digital archive on June 24.

Admittedly, the contest over global warming is a challenge for the referee because it's a tag-team match, a real free-for-all. In one corner of the ring are Science and Reason. In the other corner: Poisonous Polluters and Right-wing Ideologues.

[How Obama gave up on climate change legislation](#)

The referee — in this analogy, the news media — seems confused about whether he is in the news business or the entertainment business. Is he responsible for ensuring a fair match? Or is he part of the show, selling tickets and building the audience? The referee certainly seems distracted: by Donald Trump, Charlie Sheen, the latest reality show — the list of serial obsessions is too long to enumerate here.

[Photo Gallery: 12 politicians and executives blocking progress on climate change](#)

But whatever the cause, the referee appears not to notice that the Polluters and Ideologues are trampling all over the "rules" of democratic discourse. They are financing pseudoscientists whose job is to manufacture doubt about what is true and what is false; buying elected officials wholesale with bribes that the politicians themselves have made "legal" and can now be made in secret; spending hundreds of millions of dollars each year on misleading advertisements in the mass media; hiring four anti-climate lobbyists for every member of the U.S. Senate and House of Representatives. (Question: Would Michael Jordan have been a star if he was covered by four defensive players every step he took on the basketball court?)

[How oil and gas companies have blocked progress on global warming](#)

This script, of course, is not entirely new: A half-century ago, when Science and Reason established the linkage between cigarettes and lung diseases, the tobacco industry hired actors, dressed them up as doctors, and paid them to look into television cameras and tell people that the linkage revealed in the Surgeon General's Report was not real at all. The show went on for decades, with more Americans killed each year by cigarettes than all of the U.S. soldiers killed in all of World War II.

This time, the scientific consensus is even stronger. It has been endorsed by every National Academy of science of every major country on the planet, every major professional scientific society related to the study of global warming and 98 percent of climate scientists throughout the world. In the latest and most authoritative study by 3,000 of the very best scientific experts in the world, the evidence was judged "unequivocal."

But wait! The good guys transgressed the rules of decorum, as evidenced in their private e-mails that were stolen and put on the Internet. The referee is all over it: Penalty! Go to your corner! And in their 3,000-page report, the scientists made some mistakes! Another penalty!

And if more of the audience is left confused about whether the climate crisis is real? Well, the show must go on. After all, it's entertainment. There are tickets to be sold, eyeballs to glue to the screen.

Part of the script for this show was leaked to *The New York Times* as early as 1991. In an internal document, a consortium of the largest global-warming polluters spelled out their principal strategy: "Reposition global warming as theory, rather than fact." Ever since, they have been

sowing doubt even more effectively than the tobacco companies before them.

To sell their false narrative, the Polluters and Ideologues have found it essential to undermine the public's respect for Science and Reason by attacking the integrity of the climate scientists. That is why the scientists are regularly accused of falsifying evidence and exaggerating its implications in a greedy effort to win more research grants, or secretly pursuing a hidden political agenda to expand the power of government. Such slanderous insults are deeply ironic: extremist ideologues — many financed or employed by carbon polluters — accusing scientists of being greedy extremist ideologues.

After World War II, a philosopher studying the impact of organized propaganda on the quality of democratic debate wrote, "The conversion of all questions of truth into questions of power has attacked the very heart of the distinction between true and false."

Is the climate crisis real? Yes, of course it is. Pause for a moment to consider these events of just the past 12 months:

- Heat. According to NASA, 2010 was tied with 2005 as the hottest year measured since instruments were first used systematically in the 1880s. Nineteen countries set all-time high temperature records. One city in Pakistan, Mohenjo-Daro, reached 128.3 degrees Fahrenheit, the hottest temperature ever measured in an Asian city. Nine of the 10 hottest years in history have occurred in the last 13 years. The past decade was the hottest ever measured, even though half of that decade represented a "solar minimum" — the low ebb in the natural cycle of solar energy emanating from the sun.
- Floods. Megafloods displaced 20 million people in Pakistan, further destabilizing a nuclear-armed country; inundated an area of Australia larger than Germany and France combined; flooded 28 of the 32 districts that make up Colombia, where it has rained almost continuously for the past year; caused a "thousand-year" flood in my home city of Nashville; and led to all-time record flood levels in the Mississippi River Valley. Many places around the world are now experiencing larger and more frequent extreme downpours and snowstorms; last year's "Snowmagedon" in the northeastern United States is part of the same pattern, notwithstanding the guffaws of deniers.
- Drought. Historic drought and fires in Russia killed an estimated 56,000 people and caused wheat and other food crops in Russia, Ukraine and Kazakhstan to be removed from the global market, contributing to a record spike in food prices. "Practically everything is burning," Russian president Dmitry Medvedev declared. "What's happening with the planet's climate right now needs to be a wake-up call to all of us." The drought level in much of Texas has been raised from "extreme" to "exceptional," the highest category. This spring the majority of the counties in Texas were on fire, and Gov. Rick Perry requested a major disaster declaration for all but two of the state's 254 counties. Arizona is now fighting the largest fire in its history. Since 1970, the fire season throughout the American West has increased by 78 days. Extreme droughts in central China and northern France are currently drying up reservoirs and killing crops.
- Melting Ice. An enormous mass of ice, four times larger than the island of Manhattan, broke off

from northern Greenland last year and slipped into the sea. The acceleration of ice loss in both Greenland and Antarctica has caused another upward revision of global sea-level rise and the numbers of refugees expected from low-lying coastal areas. The Arctic ice cap, which reached a record low volume last year, has lost as much as 40 percent of its area during summer in just 30 years.

These extreme events are happening in real time. It is not uncommon for the nightly newscast to resemble a nature hike through the Book of Revelation. Yet most of the news media completely ignore how such events are connected to the climate crisis, or dismiss the connection as controversial; after all, there are scientists on one side of the debate and deniers on the other. A Fox News executive, in an internal e-mail to the network's reporters and editors that later became public, questioned the "veracity of climate change data" and ordered the journalists to "refrain from asserting that the planet has warmed (or cooled) in any given period without IMMEDIATELY pointing out that such theories are based upon data that critics have called into question."

But in the "real" world, the record droughts, fires, floods and mudslides continue to increase in severity and frequency. Leading climate scientists like Jim Hansen and Kevin Trenberth now say that events like these would almost certainly not be occurring without the influence of man-made global warming. And that's a shift in the way they frame these impacts. Scientists used to caution that we were increasing the probability of such extreme events by "loading the dice" — pumping more carbon into the atmosphere. Now the scientists go much further, warning that we are "painting more dots on the dice." We are not only more likely to roll 12s; we are now rolling 13s and 14s. In other words, the biggest storms are not only becoming more frequent, they are getting bigger, stronger and more destructive.

"The only plausible explanation for the rise in weather-related catastrophes is climate change," Munich Re, one of the two largest reinsurance companies in the world, recently stated. "The view that weather extremes are more frequent and intense due to global warming coincides with the current state of scientific knowledge."

Many of the extreme and destructive events are the result of the rapid increase in the amount of heat energy from the sun that is trapped in the atmosphere, which is radically disrupting the planet's water cycle. More heat energy evaporates more water into the air, and the warmer air holds a lot more moisture. This has huge consequences that we now see all around the world.

When a storm unleashes a downpour of rain or snow, the precipitation does not originate just in the part of the sky directly above where it falls. Storms reach out — sometimes as far as 2,000 miles — to suck in water vapor from large areas of the sky, including the skies above oceans, where water vapor has increased by four percent in just the last 30 years. (Scientists often compare this phenomenon to what happens in a bathtub when you open the drain; the water rushing out comes from the whole tub, not just from the part of the tub directly above the drain. And when the tub is filled with more water, more goes down the drain. In the same way, when the warmer sky is filled with a lot more water vapor, there are bigger downpours when a storm cell opens the "drain.")

In many areas, these bigger downpours also mean longer periods between storms — at the same time that the extra heat in the air is also drying out the soil. That is part of the reason so many areas have been experiencing both record floods and deeper, longer-lasting droughts.

Moreover, the scientists have been warning us for quite some time — in increasingly urgent tones — that things will get much, much worse if we continue the reckless dumping of more and more heat-trapping pollution into the atmosphere. Drought is projected to spread across significant, highly populated areas of the globe throughout this century. Look at what the scientists say is in store for the Mediterranean nations. Should we care about the loss of Spain, France, Italy, the Balkans, Turkey, Tunisia? Look at what they say is in store for Mexico. Should we notice? Should we care?

Maybe it's just easier, psychologically, to swallow the lie that these scientists who devote their lives to their work are actually greedy deceivers and left-wing extremists — and that we should instead put our faith in the pseudoscientists financed by large carbon polluters whose business plans depend on their continued use of the atmospheric commons as a place to dump their gaseous, heat-trapping waste without limit or constraint, free of charge.

The truth is this: What we are doing is functionally insane. If we do not change this pattern, we will condemn our children and all future generations to struggle with ecological curses for several millennia to come. Twenty percent of the global-warming pollution we spew into the sky each day will still be there 20,000 years from now!

We do have another choice. Renewable energy sources are coming into their own. Both solar and wind will soon produce power at costs that are competitive with fossil fuels; indications are that twice as many solar installations were erected worldwide last year as compared to 2009. The reductions in cost and the improvements in efficiency of photovoltaic cells over the past decade appear to be following an exponential curve that resembles a less dramatic but still startling version of what happened with computer chips over the past 50 years.

Enhanced geothermal energy is potentially a nearly limitless source of competitive electricity. Increased energy efficiency is already saving businesses money and reducing emissions significantly. New generations of biomass energy — ones that do not rely on food crops, unlike the mistaken strategy of making ethanol from corn — are extremely promising. Sustainable forestry and agriculture both make economic as well as environmental sense. And all of these options would spread even more rapidly if we stopped subsidizing Big Oil and Coal and put a price on carbon that reflected the true cost of fossil energy — either through the much-maligned cap-and-trade approach, or through a revenue-neutral tax swap.

All over the world, the grassroots movement in favor of changing public policies to confront the climate crisis and build a more prosperous, sustainable future is growing rapidly. But most governments remain paralyzed, unable to take action — even after years of volatile gasoline prices, repeated wars in the Persian Gulf, one energy-related disaster after another, and a seemingly endless stream of unprecedented and lethal weather disasters.

Continuing on our current course would be suicidal for global civilization. But the key question is: How do we drive home that fact in a democratic society when questions of truth have been converted into questions of power? When the distinction between what is true and what is false is being attacked relentlessly, and when the referee in the contest between truth and falsehood has become an entertainer selling tickets to a phony wrestling match?

The "wrestling ring" in this metaphor is the conversation of democracy. It used to be called the "public square." In ancient Athens, it was the Agora. In the Roman Republic, it was the Forum. In the Egypt of the recent Arab Spring, "Tahrir Square" was both real and metaphorical — encompassing Facebook, Twitter, Al-Jazeera and texting.

In the America of the late-18th century, the conversation that led to our own "Spring" took place in printed words: pamphlets, newsprint, books, the "Republic of Letters." It represented the fullest flower of the Enlightenment, during which the oligarchic power of the monarchies, the feudal lords and the Medieval Church was overthrown and replaced with a new sovereign: the Rule of Reason.

The public square that gave birth to the new consciousness of the Enlightenment emerged in the dozen generations following the invention of the printing press — "the Gutenberg Galaxy," the scholar Marshall McLuhan called it — a space in which the conversation of democracy was almost equally accessible to every literate person. Individuals could both find the knowledge that had previously been restricted to elites and contribute their own ideas.

Ideas that found resonance with others rose in prominence much the way Google searches do today, finding an ever larger audience and becoming a source of political power for individuals with neither wealth nor force of arms. Thomas Paine, to take one example, emigrated from England to Philadelphia with no wealth, no family connections and no power other than that which came from his ability to think and write clearly — yet his *Common Sense* became the *Harry Potter* of Revolutionary America. The "public interest" mattered, was actively discussed and pursued.

But the "public square" that gave birth to America has been transformed beyond all recognition. The conversation that matters most to the shaping of the "public mind" now takes place on television. Newspapers and magazines are in decline. The Internet, still in its early days, will one day support business models that make true journalism profitable — but up until now, the only successful news websites aggregate content from struggling print publications. Web versions of the newspapers themselves are, with few exceptions, not yet making money. They bring to mind the classic image of Wile E. Coyote running furiously in midair just beyond the edge of the cliff, before plummeting to the desert floor far beneath him.

The average American, meanwhile, is watching television an astonishing five hours a day. In the average household, at least one television set is turned on more than eight hours a day. Moreover, approximately 75 percent of those using the Internet frequently watch television at the same time that they are online.

Unlike access to the "public square" of early America, access to television requires large amounts of money. Thomas Paine could walk out of his front door in Philadelphia and find a dozen competing, low-cost print shops within blocks of his home. Today, if he traveled to the nearest TV station, or to the headquarters of nearby Comcast — the dominant television provider in America — and tried to deliver his new ideas to the American people, he would be laughed off the premises. The public square that used to be a commons has been refeudalized, and the gatekeepers charge large rents for the privilege of communicating to the American people over the only medium that really affects their thinking. "Citizens" are now referred to more commonly as "consumers" or "the audience."

That is why up to 80 percent of the campaign budgets for candidates in both major political parties is devoted to the purchase of 30-second TV ads. Since the rates charged for these commercials increase each year, the candidates are forced to raise more and more money in each two-year campaign cycle.

Of course, the only reliable sources from which such large sums can be raised continuously are business lobbies. Organized labor, a shadow of its former self, struggles to compete, and individuals are limited by law to making small contributions. During the 2008 campaign, there was a bubble of hope that Internet-based fundraising might even the scales, but in the end, Democrats as well as Republicans relied far more on traditional sources of large contributions. Moreover, the recent deregulation of unlimited — and secret — donations by wealthy corporations has made the imbalance even worse.

In the new ecology of political discourse, special-interest contributors of the large sums of money now required for the privilege of addressing voters on a wholesale basis are not squeamish about asking for the quo they expect in return for their quid. Politicians who don't acquiesce don't get the money they need to be elected and re-elected. And the impact is doubled when special interests make clear — usually bluntly — that the money they are withholding will go instead to opponents who are more than happy to pledge the desired quo. Politicians have been racing to the bottom for some time, and are presently tunneling to new depths. It is now commonplace for congressmen and senators first elected decades ago — as I was — to comment in private that the whole process has become unbelievably crass, degrading and horribly destructive to the core values of American democracy.

Largely as a result, the concerns of the wealthiest individuals and corporations routinely trump the concerns of average Americans and small businesses. There are a ridiculously large number of examples: eliminating the inheritance tax paid by the wealthiest one percent of families is considered a much higher priority than addressing the suffering of the millions of long-term unemployed; Wall Street's interest in legalizing gambling in trillions of dollars of "derivatives" was considered way more important than protecting the integrity of the financial system and the interests of middle-income home buyers. It's a long list.

Almost every group organized to promote and protect the "public interest" has been backpedaling and on the defensive. By sharp contrast, when a coalition of powerful special interests sets out to manipulate U.S. policy, their impact can be startling — and the damage to

the true national interest can be devastating.

In 2002, for example, the feverish desire to invade Iraq required convincing the American people that Saddam Hussein was somehow responsible for attacking the United States on September 11th, 2001, and that he was preparing to attack us again, perhaps with nuclear weapons. When the evidence — the "facts" — stood in the way of that effort to shape the public mind, they were ridiculed, maligned and ignored. Behind the scenes, the intelligence was manipulated and the public was intentionally deceived. Allies were pressured to adopt the same approach with their publics. A recent inquiry in the U.K. confirmed this yet again. "We knew at the time that the purpose of the dossier was precisely to make a case for war, rather than setting out the available intelligence," Maj. Gen. Michael Laurie testified. "To make the best out of sparse and inconclusive intelligence, the wording was developed with care." Why? As British intelligence put it, the overthrow of Saddam was "a prize because it could give new security to oil supplies."

That goal — the real goal — could have been debated on its own terms. But as Bush administration officials have acknowledged, a truly candid presentation would not have resulted in sufficient public support for the launching of a new war. They knew that because they had studied it and polled it. So they manipulated the debate, downplayed the real motive for the invasion, and made a different case to the public — one based on falsehoods.

And the "referee" — the news media — looked the other way. Some, like Fox News, were hyperactive cheerleaders. Others were intimidated into going along by the vitriol heaped on any who asked inconvenient questions. (They know it; many now acknowledge it, sheepishly and apologetically.)

Senators themselves fell, with a few honorable exceptions, into the same two camps. A few weeks before the United States invaded Iraq, the late Robert Byrd — God rest his soul — thundered on the Senate floor about the pitiful quality of the debate over the choice between war and peace: "Yet, this Chamber is, for the most part, silent — ominously, dreadfully silent. There is no debate, no discussion, no attempt to lay out for the nation the pros and cons of this particular war. There is nothing."

The chamber was silent, in part, because many senators were somewhere else — attending cocktail parties and receptions, largely with special-interest donors, raising money to buy TV ads for their next campaigns. Nowadays, in fact, the scheduling of many special-interest fundraisers mirrors the schedule of votes pending in the House and Senate.

By the time we invaded Iraq, polls showed, nearly three-quarters of the American people were convinced that the person responsible for the planes flying into the World Trade Center Towers was indeed Saddam Hussein. The rest is history — though, as Faulkner wrote, "The past is never dead. It's not even past." Because of that distortion of the truth in the past, we are still in Iraq; and because the bulk of our troops and intelligence assets were abruptly diverted from Afghanistan to Iraq, we are also still in Afghanistan.

In the same way, because the banks had their way with Congress when it came to gambling on unregulated derivatives and recklessly endangering credit markets with subprime mortgages, we

still have almost double-digit unemployment, historic deficits, Greece and possibly other European countries teetering on the edge of default, and the threat of a double-dip recession. Even the potential default of the United States of America is now being treated by many politicians and too many in the media as yet another phony wrestling match, a political game. Are the potential economic consequences of a U.S. default "real"? Of course they are! Have we gone completely nuts?

We haven't gone nuts — but the "conversation of democracy" has become so deeply dysfunctional that our ability to make intelligent collective decisions has been seriously impaired. Throughout American history, we relied on the vibrancy of our public square — and the quality of our democratic discourse — to make better decisions than most nations in the history of the world. But we are now routinely making really bad decisions that completely ignore the best available evidence of what is true and what is false. When the distinction between truth and falsehood is systematically attacked without shame or consequence — when a great nation makes crucially important decisions on the basis of completely false information that is no longer adequately filtered through the fact-checking function of a healthy and honest public discussion — the public interest is severely damaged.

That is exactly what is happening with U.S. decisions regarding the climate crisis. The best available evidence demonstrates beyond any reasonable doubt that the reckless spewing of global-warming pollution in obscene quantities into the atmospheric commons is having exactly the consequences long predicted by scientists who have analyzed the known facts according to the laws of physics.

The emergence of the climate crisis seems sudden only because of a relatively recent discontinuity in the relationship between human civilization and the planet's ecological system. In the past century, we have quadrupled global population while relying on the burning of carbon-based fuels — coal, oil and gas — for 85 percent of the world's energy. We are also cutting and burning forests that would otherwise help remove some of the added CO₂ from the atmosphere, and have converted agriculture to an industrial model that also runs on carbon-based fuels and strip-mines carbon-rich soils.

The cumulative result is a radically new reality — and since human nature makes us vulnerable to confusing the unprecedented with the improbable, it naturally seems difficult to accept. Moreover, since this new reality is painful to contemplate, and requires big changes in policy and behavior that are at the outer limit of our ability, it is all too easy to fall into the psychological state of denial. As with financial issues like subprime mortgages and credit default swaps, the climate crisis can seem too complex to worry about, especially when the shills for the polluters constantly claim it's all a hoax anyway. And since the early impacts of climatic disruption are distributed globally, they masquerade as an abstraction that is safe to ignore.

These vulnerabilities, rooted in our human nature, are being manipulated by the tag-team of Polluters and Ideologues who are trying to deceive us. And the referee — the news media — is once again distracted. As with the invasion of Iraq, some are hyperactive cheerleaders for the deception, while others are intimidated into complicity, timidity and silence by the astonishing vitriol heaped upon those who dare to present the best evidence in a professional manner. Just as

TV networks who beat the drums of war prior to the Iraq invasion were rewarded with higher ratings, networks now seem reluctant to present the truth about the link between carbon pollution and global warming out of fear that conservative viewers will change the channel — and fear that they will receive a torrent of flame e-mails from deniers.

Many politicians, unfortunately, also fall into the same two categories: those who cheerlead for the deniers and those who cower before them. The latter group now includes several candidates for the Republican presidential nomination who have felt it necessary to abandon their previous support for action on the climate crisis; at least one has been apologizing profusely to the deniers and begging for their forgiveness.

"Intimidation" and "timidity" are connected by more than a shared word root. The first is designed to produce the second. As Yeats wrote almost a century ago, "The best lack all conviction, while the worst are full of passionate intensity."

Barack Obama's approach to the climate crisis represents a special case that requires careful analysis. His election was accompanied by intense hope that many things in need of change would change. Some things have, but others have not. Climate policy, unfortunately, is in the second category. Why?

First of all, anyone who honestly examines the incredible challenges confronting President Obama when he took office has to feel enormous empathy for him: the Great Recession, with the high unemployment and the enormous public and private indebtedness it produced; two seemingly interminable wars; an intractable political opposition whose true leaders — entertainers masquerading as pundits — openly declared that their objective was to ensure that the new president failed; a badly broken Senate that is almost completely paralyzed by the threat of filibuster and is controlled lock, stock and barrel by the oil and coal industries; a contingent of nominal supporters in Congress who are indentured servants of the same special interests that control most of the Republican Party; and a ferocious, well-financed and dishonest campaign poised to vilify anyone who dares offer leadership for the reduction of global-warming pollution.

In spite of these obstacles, President Obama included significant climate-friendly initiatives in the economic stimulus package he presented to Congress during his first month in office. With the skillful leadership of House Speaker Nancy Pelosi and committee chairmen Henry Waxman and Ed Markey, he helped secure passage of a cap-and-trade measure in the House a few months later. He implemented historic improvements in fuel-efficiency standards for automobiles, and instructed the Environmental Protection Agency to move forward on the regulation of global-warming pollution under the Clean Air Act. He appointed many excellent men and women to key positions, and they, in turn, have made hundreds of changes in environmental and energy policy that have helped move the country forward slightly on the climate issue. During his first six months, he clearly articulated the link between environmental security, economic security and national security — making the case that a national commitment to renewable energy could simultaneously reduce unemployment, dependence on foreign oil and vulnerability to the disruption of oil markets dominated by the Persian Gulf reserves. And more recently, as the issue of long-term debt has forced discussion of new revenue, he proposed the elimination of unnecessary and expensive subsidies for oil and gas.

But in spite of these and other achievements, President Obama has thus far failed to use the bully pulpit to make the case for bold action on climate change. After successfully passing his green stimulus package, he did nothing to defend it when Congress decimated its funding. After the House passed cap and trade, he did little to make passage in the Senate a priority. Senate advocates — including one Republican — felt abandoned when the president made concessions to oil and coal companies without asking for anything in return. He has also called for a massive expansion of oil drilling in the United States, apparently in an effort to defuse criticism from those who argue speciously that "drill, baby, drill" is the answer to our growing dependence on foreign oil.

The failure to pass legislation to limit global-warming pollution ensured that the much-anticipated Copenhagen summit on a global treaty in 2009 would also end in failure. The president showed courage in attending the summit and securing a rhetorical agreement to prevent a complete collapse of the international process, but that's all it was — a rhetorical agreement. During the final years of the Bush-Cheney administration, the rest of the world was waiting for a new president who would aggressively tackle the climate crisis — and when it became clear that there would be no real change from the Bush era, the agenda at Copenhagen changed from "How do we complete this historic breakthrough?" to "How can we paper over this embarrassing disappointment?"

Some concluded from the failure in Copenhagen that it was time to give up on the entire U.N.-sponsored process for seeking an international agreement to reduce both global-warming pollution and deforestation. Ultimately, however, the only way to address the climate crisis will be with a global agreement that in one way or another puts a price on carbon. And whatever approach is eventually chosen, the U.S. simply must provide leadership by changing our own policy.

Yet without presidential leadership that focuses intensely on making the public aware of the reality we face, nothing will change. The real power of any president, as Richard Neustadt wrote, is "the power to persuade." Yet President Obama has never presented to the American people the magnitude of the climate crisis. He has simply not made the case for action. He has not defended the science against the ongoing, withering and dishonest attacks. Nor has he provided a presidential venue for the scientific community — including our own National Academy — to bring the reality of the science before the public.

Here is the core of it: we are destroying the climate balance that is essential to the survival of our civilization. This is not a distant or abstract threat; it is happening now. The United States is the only nation that can rally a global effort to save our future. And the president is the only person who can rally the United States.

Many political advisers assume that a president has to deal with the world of politics as he finds it, and that it is unwise to risk political capital on an effort to actually lead the country toward a new understanding of the real threats and real opportunities we face. Concentrate on the politics of re-election, they say. Don't take chances.

All that might be completely understandable and make perfect sense in a world where the climate crisis wasn't "real." Those of us who support and admire President Obama understand how difficult the politics of this issue are in the context of the massive opposition to doing anything at all — or even to recognizing that there is a crisis. And assuming that the Republicans come to their senses and avoid nominating a clown, his re-election is likely to involve a hard-fought battle with high stakes for the country. All of his supporters understand that it would be self-defeating to weaken Obama and heighten the risk of another step backward. Even writing an article like this one carries risks; opponents of the president will excerpt the criticism and strip it of context.

But in this case, the President has reality on his side. The scientific consensus is far stronger today than at any time in the past. Here is the truth: The Earth is round; Saddam Hussein did not attack us on 9/11; Elvis is dead; Obama was born in the United States; and the climate crisis is real. It is time to act.

Those who profit from the unconstrained pollution that is the primary cause of climate change are determined to block our perception of this reality. They have help from many sides: from the private sector, which is now free to make unlimited and secret campaign contributions; from politicians who have conflated their tenures in office with the pursuit of the people's best interests; and — tragically — from the press itself, which treats deception and falsehood on the same plane as scientific fact, and calls it objective reporting of alternative opinions.

All things are not equally true. It is time to face reality. We ignored reality in the marketplace and nearly destroyed the world economic system. We are likewise ignoring reality in the environment, and the consequences could be several orders of magnitude worse. Determining what is real can be a challenge in our culture, but in order to make wise choices in the presence of such grave risks, we must use common sense and the rule of reason in coming to an agreement on what is true.

So how can we make it happen? How can we as individuals make a difference? In five basic ways:

First, become a committed advocate for solving the crisis. You can start with something simple: Speak up whenever the subject of climate arises. When a friend or acquaintance expresses doubt that the crisis is real, or that it's some sort of hoax, don't let the opportunity pass to put down your personal marker. The civil rights revolution may have been driven by activists who put their lives on the line, but it was partly won by average Americans who began to challenge racist comments in everyday conversations.

Second, deepen your commitment by making consumer choices that reduce energy use and reduce your impact on the environment. The demand by individuals for change in the marketplace has already led many businesses to take truly significant steps to reduce their global-warming pollution. Some of the corporate changes are more symbolic than real — "green-washing," as it's called — but a surprising amount of real progress is taking place. Walmart, to pick one example, is moving aggressively to cut its carbon footprint by 20 million

metric tons, in part by pressuring its suppliers to cut down on wasteful packaging and use lower-carbon transportation alternatives. Reward those companies that are providing leadership.

Third, join an organization committed to action on this issue. The Alliance for Climate Protection (climateprotect.org), which I chair, has grassroots action plans for the summer and fall that spell out lots of ways to fight effectively for the policy changes we need. We can also enable you to host a slide show in your community on solutions to the climate crisis — presented by one of the 4,000 volunteers we have trained. Invite your friends and neighbors to come and then enlist them to join the cause.

Fourth, contact your local newspapers and television stations when they put out claptrap on climate — and let them know you're fed up with their stubborn and cowardly resistance to reporting the facts of this issue. One of the main reasons they are so wimpy and irresponsible about global warming is that they're frightened of the reaction they get from the deniers when they report the science objectively. So let them know that deniers are not the only ones in town with game. Stay on them! Don't let up! It's true that some media outlets are getting instructions from their owners on this issue, and that others are influenced by big advertisers, but many of them are surprisingly responsive to a genuine outpouring of opinion from their viewers and readers. It is way past time for the ref to do his job.

Finally, and above all, don't give up on the political system. Even though it is rigged by special interests, it is not so far gone that candidates and elected officials don't have to pay attention to persistent, engaged and committed individuals. President Franklin Roosevelt once told civil rights leaders who were pressing him for change that he agreed with them about the need for greater equality for black Americans. Then, as the story goes, he added with a wry smile, "Now go out and make me do it."

To make our elected leaders take action to solve the climate crisis, we must forcefully communicate the following message: "I care a lot about global warming; I am paying very careful attention to the way you vote and what you say about it; if you are on the wrong side, I am not only going to vote against you, I will work hard to defeat you — regardless of party. If you are on the right side, I will work hard to elect you."

Why do you think President Obama and Congress changed their game on "don't ask, don't tell?" It happened because enough Americans delivered exactly that tough message to candidates who wanted their votes. When enough people care passionately enough to drive that message home on the climate crisis, politicians will look at their hole cards, and enough of them will change their game to make all the difference we need.

This is not naive; trust me on this. It may take more individual voters to beat the Polluters and Ideologues now than it once did — when special-interest money was less dominant. But when enough people speak this way to candidates, and convince them that they are dead serious about it, change will happen — both in Congress and in the White House. As the great abolitionist leader Frederick Douglass once observed, "Power concedes nothing without a demand. It never did, and it never will."

What is now at risk in the climate debate is nothing less than our ability to communicate with one another according to a protocol that binds all participants to seek reason and evaluate facts honestly. The ability to perceive reality is a prerequisite for self-governance. Wishful thinking and denial lead to dead ends. When it works, the democratic process helps clear the way toward reality, by exposing false argumentation to the best available evidence. That is why the Constitution affords such unique protection to freedom of the press and of speech.

The climate crisis, in reality, is a struggle for the soul of America. It is about whether or not we are still capable — given the ill health of our democracy and the current dominance of wealth over reason — of perceiving important and complex realities clearly enough to promote and protect the sustainable well-being of the many. What hangs in the balance is the future of civilization as we know it.

Seth Oster/DC/USEPA/US
09/13/2011 11:22 AM

To Richard Windsor, Bob Perciasepe, Arvin Ganesan, Scott
Fulton, Bob Sussman
cc Diane Thompson
bcc
Subject Former EPA climate director Kruger discusses future of air
rules, GHG reporting program

Haven't read it. But FYI.

EPA: Former EPA climate director Kruger discusses future of air rules, GHG reporting program

How will data from U.S. EPA's greenhouse gas reporting program change the game for industry? During today's OnPoint, Dina Kruger, principal at Kruger Environmental Strategies and the former director of EPA's climate change division, explains how the greenhouse gas reporting program, which is set to begin rolling out data at the end of this month, will affect business and public relations for participating industries. She also reacts to the Obama administration's rollback of ozone regulations.

Transcript

Monica Trauzzi: Hello and welcome to OnPoint. I'm Monica Trauzzi. Joining me today is Dina Kruger, principal at Kruger Environmental Strategies and the former director of EPA's Climate Change Division. Dina, it's great to have you here.

Dina Kruger: Nice to be here.

Monica Trauzzi: Dina, this month's decision by the Obama administration to roll back on ozone regulations has left many questions about the impact of regulations on the economy and also the future of these regulations and environmental rules. What's your take on the strategy behind the Obama administration's decision?

Dina Kruger: Well, I think that in this -- I mean in our current climate, our economic climate, we're really dealing with the challenge of can you do environmental protection and economic growth together? Now, I'm someone who believes that these two things can go hand in hand, but, as we know, there's a lot of people that don't hold that view. And I think that at the end of the day, I don't know why exactly the Obama administration made that decision, but they made a call that they were going to pull this one back. I mean I'm optimistic and hopeful that EPA is going to be able to continue forward with the other regulations that it's doing. There's a lot of really important steps that they've taken so far and I think they're on a good path.

Monica Trauzzi: There's some thinking that the ozone rule was probably the easiest one to roll back on. Is that your thinking as well?

Dina Kruger: Well, I don't know if it's the easiest, but I think that it was certainly a rule that, as the president said in his statement, that because there will be another -- there's a planned review of this ozone NACS coming up in 2013, it's not like there won't be another opportunity to move forward.

Monica Trauzzi: So, you left EPA in February after 22 years working there. With so much happening at EPA under Lisa Jackson, why did you feel compelled to leave at this time?

Dina Kruger: I really thoroughly enjoyed my time at EPA and I loved working for Administrator Jackson. We got a lot done. When I was there I was able to put out the greenhouse gas reporting rule and also manage the endangerment finding that we did. I just found after 22 years I think I was ready for change and I'm thoroughly enjoying my new opportunities as well. So, it was a good time to be there and a fine time to leave too.

Monica Trauzzi: And now you are working directly with companies and NGOs that are interested in some assistance on a Greenhouse Gas Reporting Program and we're going to start seeing data coming out of that program at the end of this month. What are the key challenges that you've encountered with these companies when it comes to preparing for the release of this data?

Dina Kruger: I think what we're finding, and the companies have been very engaged -- are very engaged in the program, but I think what we're finding is making sure that across all of the facilities that they have that they're operating consistently, that they're doing the same things for the same types of facilities, that they've got the right kind of documentation and keeping the records that they're supposed to be keeping. And then I think, as they have the data now in hand, that they have two opportunities and two challenges and to challenges with respect to how they move forward. One is understanding what it means, what they can learn from the data, from the emissions data and how they can understand sort of where their plants are fitting within their own company and within the sector and what opportunities they have to reduce emissions. And then also thinking forward about how their stakeholders are going to react when the emissions are made public by EPA.

Monica Trauzzi: There was some concern at one point about EPA potentially releasing confidential information. How have they come down on that?

Dina Kruger: Yeah, EPA put out a proposal back about a year ago and actually talked about how it was planning on dealing with confidential information and there was a lot of reaction from industry concerned that some of the data that EPA had said they thought they would release or would need to release was going to be confidential. EPA has since pulled back on that and is taking more time to work through these issues and to make sure that confidential information won't be released. So, at this point, with the information being reported at the end of this month, there aren't any problems with confidentiality.

Monica Trauzzi: Are there concerns from within the business community about how some of this data might be used, say by the media?

Dina Kruger: I haven't heard that there are major concerns, but I think that smart companies should be looking at their own data and trying to think forward about what kinds of questions or potential concerns could arise from the media, from investors, from environmental organizations, from local communities. I think that if they do that kind of planning now and they think about how they're going to explain what their emissions are and why they're emissions are where they are, they can be fully prepared.

Monica Trauzzi: So, from your experience, do companies, for the most part, feel it's fair to have to do this or is that kind of still up in the air?

Dina Kruger: From my-certainly my impression and my experience when I was working at EPA was we had really excellent engagement with-across a number of industry sectors. And this was a rule that the community seemed to like. They got their questions answered. EPA was very responsive and so I think that, at this point, there's a lot of support behind the rule. It's not a regulation. And nobody is required to install any control technology or reduce their emissions as a part of this rule.

Monica Trauzzi: But they may feel compelled to if their numbers appear higher.

Dina Kruger: Well, I think -- yeah, but I think that when -- the way to sort of look at that, most of the sectors that are reporting here, I mean the vast majority of the reporters are not in sectors that are on any kind of short list to be regulated, to have their greenhouse gas emissions regulated. So, I think what we're going to see is if the companies -- you know, presumably -- I would advise that the companies should be looking at their emissions and trying to see where they themselves have opportunities. Most of the CO2 emissions coming from these industries are from fuel combustion. So, if you can find efficiencies, you can reduce your fuel consumption and ideally save some money while you're doing that. I think that they should also be really listening to their stakeholders and trying to hear, you know, what kinds of questions they have and what sorts of concerns or suggestions do they have for moving forward. And then it's really going to be in the hands of each individual company to decide what makes sense to do, based on their own business model and where they are. So, it's not -- I think it should work, I think it has the potential to work really well for them.

Monica Trauzzi: And how does this program fit into the broader picture of regulation and all the regulations that we see coming out of EPA right now?

Dina Kruger: Well, I think this is a rule that certainly, as EPA moves forward, you know, in the future with greenhouse gas regulations or if Congress decides that it wants to do something to regulate greenhouse gases, this data is really going to be a foundation for the policymaking. I mean having a trend in emissions, understanding where they come from is going to be -- is a really critical piece and one that, prior to this rule, we didn't have in the United States.

Monica Trauzzi: OK, interesting stuff. Thank you for coming on the show, nice to see you.

Dina Kruger: Thank you.

Monica Trauzzi: And thanks for watching. We'll see you back here tomorrow.

[End of Audio]

Seth Oster/DC/USEPA/US

12/09/2010 03:21 PM

To Richard Windsor, Bob Perciasepe, Diane Thompson

cc

bcc

Subject Earthjustice column on the hill.com: A 40th birthday to remember

FYI.

A 40th birthday to remember

By Emily Enderle - 12/09/10 01:28 PM ET

This month the Environmental Protection Agency (EPA) and the Clean Air Act celebrate their 40th birthday. On Dec. 2, EPA Administrator Lisa Jackson wrote an op-ed in the Wall Street Journal noting the benefits of the Clean Air Act have outweighed costs 40:1. Further, while the air quality drastically improved over the past 40 years the GDP grew 207 percent. In light of such achievements, all signs suggested the EPA and the administration would stand strong on air rules that would continue to save lives and money.

However, the compromise tax cut extension package announced earlier this week should have served as the true signal of what was to unfold. The tax cuts envisioned by President Obama and the Republican leadership will result in Bush-era tax benefits for CEOs of major polluting corporations and a \$30 billion extension of the Section 40 corn ethanol tax credit. Remarkably the tax benefits for polluters came at the expense of clean energy tax incentives like the extension of Section 1603 Convertible Renewable Tax Incentives of the Recovery Act. This tradeoff has devastating implications for the environment, emerging clean energy industries, job creation and America's competitiveness in the global market. It's estimated if Congress were to extend Section 1603 for two years, 65,000 jobs will be created in the solar industry alone.

Those benefiting from the tax cut extension likely include Massey Energy's outgoing top executive Don Blankenship (considered by some the Darth Vader of coal). According to the Associated Press, Mr. Blankenship earned \$17.9 million in 2009 and his retirement package totals \$12 million. Back in April Massey's failure to protect their workers resulted in 29 miners losing their lives. As tax day and the one-year anniversary of that event approaches, Mr. Blankenship will likely be enjoying his continued tax break.

Yesterday the EPA publicly requested for a 15-month extension of a court deadline on an air rule that would require a small universe of major polluters to clean up their smokestacks. This rule, the "Boiler Maximum Achievable Control Technology (MACT) rule," has been litigated for more than a decade. EPA's own assessment has shown that this air rule is estimated to save \$14 billion dollars in healthcare expenses and 5,000 lives annually just by a reduction in small particle pollution that gets lodged in people's lungs (this figure doesn't even include the benefits from capturing mercury, arsenic and lead). A 15-month delay could result in the loss of 6,250 lives and at least \$17.5 billion dollars in healthcare costs.

Today the EPA announced they want to delay a smog rule for the third time that would protect the health of millions until July citing they'd like to do more consultation with the EPA's Clean Air Science Advisory Committee (CASAC). The CASAC, comprised mostly of Bush appointees, has unequivocally stated that the current standards compromise human health and recommended more stringent standard. Public health organizations including the American Lung Association, American Medical Association, American Public Health Association and

Physicians for Social Responsibility support this scientifically-based standard. EPA was scheduled to finalize those standards back in October and have now signaled delay to July 29, 2011. In EPA's own statement about the rule, better standards would help prevent up to 12,000 premature deaths, 58,000 cases of aggravated asthma and save up to \$100 billion dollars in health costs annually. If averaged over the six month delay, that means up to 6,000 premature deaths, 29,000 aggravated asthma cases and \$50 million dollars in healthcare costs. So, in "celebration" of such major environmental milestones, we've got the Obama administration waffling on following through on major planks of the Obama campaign – assistance for the renewable energy sector and protecting the American public rather than corporate bottom lines. While more money remains in the pockets of CEOs of major polluting industries, the underfunded renewable energy sector continues to languish and the lives of American kids remain at risk from toxic air pollution.

Seth Oster/DC/USEPA/US
01/21/2011 09:47 AM

To Richard Windsor, Bob Perciasepe, Diane Thompson
cc
bcc
Subject Gina

The story I referenced.

Seth

EPA MAY DELAY ADDITIONAL RULEMAKINGS TO COPE WITH POSSIBLE BUDGET CUTS | 

Inside EPA Weekly Report

Even as it moves to delay major rules addressing ozone standards and industrial boilers, EPA may seek to delay additional measures to cope with likely cuts to its budget from the Republican-controlled House, the agency's top air official says, and is asking for more breathing room from litigants suing to enforce deadlines for issuance of rules.

Regina McCarthy, head of EPA's Office of Air & Radiation, told the agency's Clean Air Act Advisory Committee (CAAAC) at a meeting in Arlington, VA, Jan. 12 that the agency is ready to ask the courts and stakeholders for additional time to complete rulemakings, in light of possible budget cuts. Republicans, now in the majority in the House, have already threatened to cut the agency's budget to 2008 levels, and many of them oppose EPA's regulatory efforts to curb greenhouse gases (GHGs), ozone and air toxics.

McCarthy underscored that both she and EPA Administrator Lisa Jackson have already met with House appropriators and their staff, and continue to do so "because you have got to do some education" on the value of EPA programs under threat from funding shortfalls for the benefit of new Congressmen in particular. "People have got to know what they are trying to stop, or encourage," she said.

In one example of such outreach, Jackson met with House Republican appropriator Steven LaTourette (OH) Jan. 7 to discuss amendments the lawmaker introduced to a spending bill in the last Congress to limit the agency's regulatory authority on GHGs, ozone standards and other issues. The amendments failed and no spending bill for fiscal year 2011 was passed, but the continuing resolution approved by the 111th Congress expires March 4, giving the Republican appropriators an early chance to press such measures again.

EPA's air office is especially vulnerable to budget cutting, McCarthy said. Republicans are hostile to several of the office's high profile programs, including GHG regulation for stationary and mobile sources, forthcoming stricter ozone standards and proposed air toxics rules for boilers.

McCarthy noted that in light of likely budget shortfalls and consequent delays in rulemakings, "flexibility that litigants give us is going to be very valuable."

Since EPA is already under a very large workload, extra time would be required to complete rulemakings, McCarthy said, although she did not specify which ones. The agency is already under fire from environmentalists for delaying its final 8-hour national ambient air quality standard for ozone from summer of 2010 to July this year, and for asking a federal court to delay the court-ordered deadline for its final maximum achievable control technology (MACT) standard for boilers by 15 months, from January 16 until April 13, 2012. EPA has suggested a new deadline of June 15 if the court refuses a 15-month delay.

EPA says it needs the boiler MACT delay in order to re-propose the rule to take into account new data and industry criticism. A judge on the U.S. Court Of Appeals for the District of Columbia Circuit said Jan 11 that the court will now take until Jan. 21 to decide whether to grant EPA's request for a delay. The

delay is opposed by environmentalist litigants who say the rule is years overdue.

McCarthy told panelists on the CAAAC that "fundamentally, we needed to make some changes in the proposal." As difficult as the boiler rulemaking is, "we will follow the science and follow the law," and therefore "we need time and we need a re-proposal."

Another high-profile rulemaking facing delay is EPA's GHG rule for the biomass sector under Clean Air Act best available control technology requirements. Jackson announced Jan. 12 that the agency will exclude biomass from its GHG permitting requirements for three years, pending a fresh consultation and rulemaking on the issue.

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Seth Oster/DC/USEPA/US

01/27/2010 03:59 PM

To Richard Windsor, Bob Perciasepe, Diane Thompson

cc

bcc

Subject PEER Press Release on C2P2

For Immediate Release: Wednesday, January 27, 2010

Contact: Kirsten Stade (202) 265-7337

http://www.peer.org/news/news_id.php?row_id=1297

**COAL ASH INDUSTRY ALLOWED TO EDIT EPA REPORTS
Reports to Congress, Brochures, "Fact Sheets" Tailored to Allay Industry Concerns**

Washington, DC — For years U.S. Environmental Protection Agency publications and reports about uses and dangers of coal combustion waste have been edited by coal ash industry representatives, according to EPA documents released today by Public Employees for Environmental Responsibility (PEER). Not surprisingly, the coal ash industry watered down official reports, brochures and fact-sheets to remove references to potential dangers and play up "environmental benefits" of a wide range of applications for coal combustion wastes – the same materials that EPA is currently deciding whether to classify as hazardous wastes following the disastrous December 2008 coal ash spill in Tennessee.

During the Bush administration, EPA entered into a formal partnership with the coal industry, most prominently, the American Coal Ash Association, to promote coal combustion wastes for industrial, agricultural and consumer product uses. This effort has helped grow a multi-billion dollar market which the industry worries would be crimped by a hazardous waste designation.

The documents obtained by PEER under the Freedom of Information Act show how this partnership gave the coal ash industry a chance to change a variety of EPA draft publications and presentations, including –

- Removal of "cautionary language" about application of coal combustion wastes on agricultural lands in an EPA brochure to be replaced with "exclamation point ! language" "re-affirming the environmental benefits...that reinforces the idea that FGD [flue gas desulfurization] gypsum is a good thing" in the word of an American Coal Ash Association representative;
- A draft of EPA's 2007 Report to Congress caused industry to lobby for insertion of language about the need for "industry and EPA [to] work together" to weaken or block "state regulations [that] are hindering progress" for greater use of the coal combustion wastes; and
- EPA fact-sheets and PowerPoint presentations were altered at industry urging to delete significant references to certain potential "high risk" uses of coal combustion wastes.

"For most of the past decade, it appears that every EPA publication on the subject was ghostwritten by the American Coal Ash Association," stated PEER Executive Director Jeff Ruch, who examined thousands of industry-EPA communications. "In this partnership it is clear that industry is EPA's senior partner."

This collaboration is not limited to publications, however. EPA staff also forewarned industry about conference calls and other intra-agency deliberations, such as growing concerns about "increased leaching of arsenic" from "increased use of fly ash" in order to let industry know

where to target its lobbying efforts. The working relationship is so close that a coal ash industry representative joked to EPA staff in an October 27, 2008 e-mail, referring to a news article about mercury contamination from coal ash:

“We are in bed with the EPA again, it looks, at least according to this article. The advocacy groups are well organized and have the ready ear of the press.”

“It is no joke – the terms of the coal ash partnership tucks EPA snugly into bed with industry for the purpose of marketing coal combustion wastes as a product,” Ruch added noting that the partnership is still in effect. “EPA is supposed to be an objective regulatory agency dedicated to protecting the public instead of protecting a gigantic subsidy for a powerful industry.”

###

[Review the EPA partnership with the coal industry](#)

[Read e-mail about replacing cautionary with exclamation point language](#)

[See industry comments on draft EPA Report to Congress](#)

[Examine alterations to EPA PowerPoint presentation](#)

[Trace industry changes to EPA “fact-sheet”](#)

[Look at EPA heads-up to industry](#)

[View the “in bed with EPA” e-mail](#)

[Revisit partnership to promote coal waste in agriculture](#)

Seth Oster/DC/USEPA/US

04/08/2011 12:29 PM

To Richard Windsor, Bob Perciasepe

cc Diane Thompson, David McIntosh, ganesan.arvin, Sarah Pallone, Adora Andy, Brendan Gilfillan

bcc

Subject THE HILL : Reid aide calls EPA-rider fight resolved; Boehner aide says not so fast

FYI.

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----- Forwarded by Seth Oster/DC/USEPA/US on 04/08/2011 12:29 PM -----

From: Eli Jacobson/DC/USEPA/US
To: Seth Oster/DC/USEPA/US@EPA, Adora Andy/DC/USEPA/US@EPA, Brendan Gilfillan/DC/USEPA/US@EPA, Betsaida Alcantara/DC/USEPA/US@EPA, Andra Belknap/DC/USEPA/US@EPA, Alisha Johnson/DC/USEPA/US@EPA, Michael Moats/DC/USEPA/US@EPA, Vicki Ekstrom/DC/USEPA/US@EPA, Dan Lindner/DC/USEPA/US@EPA, Stephanie Owens/DC/USEPA/US@EPA, Dru Ealons/DC/USEPA/US@EPA, Shira Sternberg/DC/USEPA/US@EPA
Date: 04/08/2011 12:20 PM
Subject: THE HILL : Reid aide calls EPA-rider fight resolved; Boehner aide says not so fast

Reid aide calls EPA-rider fight resolved; Boehner aide says not so fast
The Hill
Andrew Restuccia
April 8, 2011

Senate Majority Leader Harry Reid (D-Nev.) told reporters Friday that "everything" has been resolved in the ongoing showdown over government spending except a rider related to abortion rights.

That includes a fight over Environmental Protection Agency riders that would block funding for key agency regulations, Reid's spokesman clarified to The Hil.

But Michael Steel, a spokesman for House Speaker John Boehner (R-Ohio), told The Hill that there has not been a decision on EPA-related provisions in the spending plan. Steel added that "the largest issue is still spending cuts."

The House GOP's spending plan would block funding for implementation of EPA climate change rules and several other EPA policies.

The Hill's Michael O'Brien has the latest on the spending fight and the prospects for a government shutdown.

Seth Oster/DC/USEPA/US

04/08/2011 12:30 PM

To Richard Windsor, Bob Perciasepe

cc Diane Thompson, David McIntosh, ganesan.arvin, Sarah Pallone, Adora Andy, Brendan Gilfillan

bcc

Subject THE HILL : Reid aide calls EPA-rider fight resolved; Boehner aide says not so fast

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To: Seth Oster/DC/USEPA/US@EPA, Adora Andy/DC/USEPA/US@EPA, Brendan Gilfillan/DC/USEPA/US@EPA, Betsaida Alcantara/DC/USEPA/US@EPA, Andra Belknap/DC/USEPA/US@EPA, Alisha Johnson/DC/USEPA/US@EPA, Michael Moats/DC/USEPA/US@EPA, Vicki Ekstrom/DC/USEPA/US@EPA, Dan Lindner/DC/USEPA/US@EPA, Stephanie Owens/DC/USEPA/US@EPA, Dru Ealons/DC/USEPA/US@EPA, Shira Sternberg/DC/USEPA/US@EPA
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Seth Oster/DC/USEPA/US

05/26/2011 04:19 PM

To Richard Windsor, Bob Perciasepe, Gina McCarthy

cc David McIntosh, ganesan.arvin, Brendan Gilfillan, Adora
Andy, Betsaida Alcantara, Bob Sussman, Diane Thompson

bcc

Subject DOE Official's Comment About EPA Regulations

A DOE official has made some statements that you should be aware of right away. DOE is trying to figure out if the story has legs, and if so, what they will do. We're staying in close contact with them. And we've asked what they plan to do to address this, regardless of whether it "has legs."

<http://www.knoxnews.com/news/2011/may/25/epa-regulations-coal-fired-power-plants-could-forc>

EPA regulations for coal-fired power plants could force shut downs

KINGSPORT, Tenn. -- New regulations from the Environmental Protection Agency mean a lot of coal-fired power plants will shut down soon, said James Wood, deputy assistant secretary for the U.S. Department of Energy.

He said the approval of new rules for air pollution, water pollution and waste disposal could result in the retirement of between 35 and 70 gigawatts of coal-fired power generation nationwide, with EPA predicting much less and some analysts predicting much more.

“Number one, electric rates are going to go up,” he said. “Number two, whether or not construction jobs in the green industry are created, I think there’s virtually no manufacturing jobs that are likely to be created from the replacement of coal. Three ... transmission grid stability is likely to emerge as a major issue, both because of the shutdowns and because of the intermittency of renewables.”

He said the effects experienced where the plants are located could mirror those in Massachusetts, where Dominion announced this month that it would close its Salem Harbor power plant.

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05/26/2011 04:19 PM

To Richard Windsor, Bob Perciasepe, Gina McCarthy

cc David McIntosh, ganesan.arvin, Brendan Gilfillan, Adora
Andy, Betsaida Alcantara, Bob Sussman, Diane Thompson

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Seth Oster/DC/USEPA/US
04/01/2010 03:20 PM

To Richard Windsor, Bob Sussman, Diane Thompson, Bob Perciasepe
cc
bcc
Subject Fw: SENATOR BYRD RESPONSE

Great statement from Byrd.

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----- Forwarded by Seth Oster/DC/USEPA/US on 04/01/2010 03:20 PM -----

From: Adora Andy/DC/USEPA/US
To: Seth Oster/DC/USEPA/US@EPA, Allyn Brooks-LaSure/DC/USEPA/US@EPA, Stephanie Owens/DC/USEPA/US@EPA
Cc: Alisha Johnson/DC/USEPA/US@EPA
Date: 04/01/2010 03:11 PM
Subject: SENATOR BYRD RESPONSE

Sent from my Blackberry Wireless Device

From: "Jacobs, Jesse (Byrd)" [Jesse_Jacobs@byrd.senate.gov]
Sent: 04/01/2010 02:54 PM AST
To: Arvin Ganesan
Subject: fyi

News From

U.S. Senator
Robert C. Byrd
West Virginia
Phone (202) 224-3904

For Immediate Release: Thursday, April 1, 2010

**BYRD RESPONDS TO EPA GUIDELINES
ON MINING PERMIT PROCESS**

"Asked for 'clarity' of procedures to end uncertainty in coalfields"

Washington, DC – U.S. Senator Robert C. Byrd, D-W.Va., today responded to the Environmental Protection Agency's (EPA) announcement of guidelines relating to water quality

issues and the mining permit process. Byrd has met and discussed with EPA Administrator Lisa Jackson on several occasions and has asked her to clarify and develop a clear set of parameters for issuing mining permits to end uncertainty in the coalfields.

“Today’s announcement will hopefully now have everyone reading off the same page.”

“I, along with other elected officials, coal operators, the mining community, and environmentalists from West Virginia have been asking for a clearer, concise policy on moving forward with mountaintop mining permits and water quality issues.”

“I am pleased that EPA Administrator Jackson took our concerns about the need to provide clarity very seriously and has responded with these guidelines.”

###

-----Original Message-----

From: ryrivard@gmail.com [mailto:ryrivard@gmail.com] On Behalf Of Ry Rivard
Sent: Thursday, April 01, 2010 2:04 PM
To: Jacobs, Jesse (Byrd)
Subject: What does the Senator think of the new EPA standards?

EPA Administrator Jackson said, in announcing them, that, “Senator Byrd has often spoken about providing a clearer path for the future of coal...The steps we are taking today will help outline that clearer path.”

She also said the standards mean "no or very few valley fills."

-Ry

--

Ry Rivard
Reporter
Charleston Daily Mail
1001 Virginia St. E.
Charleston, WV 25301
304-348-5185 fax: 304-348-4847

Seth Oster/DC/USEPA/US

04/02/2010 02:15 PM

To Richard Windsor

cc Bob Sussman, Diane Thompson, Bob Perciasepe, Arvin Ganesan

bcc

Subject Fw: DOD Press Release - NEPA Rulemaking

FYI.

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----- Forwarded by Seth Oster/DC/USEPA/US on 04/02/2010 02:15 PM -----

From: Gregory Peck/DC/USEPA/US
To: Peter Silva/DC/USEPA/US@EPA, Nancy Stoner/DC/USEPA/US@EPA, Bob Sussman/DC/USEPA/US@EPA, Cynthia Giles-AA/DC/USEPA/US@EPA, Arvin Ganesan/DC/USEPA/US@EPA, Seth Oster/DC/USEPA/US@EPA, Adora Andy/DC/USEPA/US@EPA, Betsaida Alcantara/DC/USEPA/US@EPA
Cc: Matthew Klasen/DC/USEPA/US@EPA, Denise Keehner/DC/USEPA/US@EPA, David Evans/DC/USEPA/US@EPA, Brian Frazer/DC/USEPA/US@EPA, Timothy Landers/DC/USEPA/US@EPA, Karyn Wendelowski/DC/USEPA/US@EPA, Kevin Minoli
Date: 04/02/2010 02:06 PM
Subject: DOD Press Release - NEPA Rulemaking

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Media contact: +1 (703) 697-5131/697-5132

U.S. Army Corps of Engineers will Initiate Rulemaking Associated with Surface Coal

The Assistant Secretary of the Army for Civil Works Jo-Ellen Darcy announced today that the U.S. Army Corps of Engineers will initiate regulatory rulemaking aimed at providing better environmental protection from the impacts of Appalachian surface coal mining.

The proposed rule change, reflecting an Administration change in policy, would expand the National Environmental Policy Act (NEPA) scope of analysis to include all of the effects of proposed surface coal "fills" on downstream aquatic resources, while ensuring that future mining operations remains consistent with the Act.

This rulemaking implements, in part, a June 11, 2009, agreement between the Army, the U.S. Department of the Interior (DOI), and the Environmental Protection Agency (EPA) in which the agencies committed to developing the authorities and procedures to determine whether regulatory modifications should be proposed to address environmental and public health concerns associated with surface coal mining in Appalachia.

"Today's announcement is a major step in the direction of fulfilling this commitment. The Corps will work closely with EPA and DOI to coordinate its rulemaking effort with other administration initiatives that are focused on protecting aquatic resources from the adverse environmental impacts of surface coal mining."

Results of the Corps' rulemaking effort will be published in the Federal Register during the public comment process.

For more information, contact Army Public Affairs, David Foster at 703-697-5132 or 703-693-4987.

Gregory E. Peck
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1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

202-564-5778

Seth Oster/DC/USEPA/US
02/22/2010 11:19 AM

To Richard Windsor, Bob Sussman, Lisa Heinzerling, David
McIntosh, Diane Thompson, Bob Perciasepe, Arvin Ganesan
cc Allyn Brooks-LaSure
bcc
Subject From NY Times Blog

February 22, 2010

EPA Budget Hearings to Serve as Battleground for Climate Policies

By ROBIN BRAVENDER of Greenwire

U.S. EPA Administrator Lisa Jackson will defend the White House's request to increase funds for climate regulations when she testifies before House and Senate panels this week.

Jackson will testify tomorrow before the Senate Environment and Public Works Committee and will appear Wednesday at the House Interior Appropriations Subcommittee to discuss President Obama's \$10 billion budget request for EPA.

The fiscal 2011 request would cut the agency's total funding by about \$300 million from 2010 levels while allotting \$56 million -- including \$43 million in new funding -- for regulatory programs to curb greenhouse gas emissions (Greenwire, Feb. 1).

The recommended boost comes as EPA prepares to regulate stationary and mobile emissions of greenhouse gases an effort that has drawn the ire of many Republican and some Democratic lawmakers who say EPA climate rules will cripple the already struggling economy.

GOP lawmakers -- some of whom have been vocal critics of the Obama administration's climate policies -- are likely to use this week's budget hearings to blast the proposed spending levels.

"When the president released his EPA budget proposal, he proved that jobs aren't really his top priority," Sen. John Barrasso (R-Wyo.) said Friday in a statement. Barrasso, ranking member of the EPW Oversight Subcommittee, has been one of the Senate's leading critics of EPA climate rules.

"The more money the EPA receives, the more power it will exert to issue job-killing regulations for small businesses and other employers," Barrasso added. "If the administration is serious about addressing unemployment and reducing the deficit, it will decrease the size of the EPA."

Last year, a host of lawmakers sought to use the EPA budget as a vehicle to handcuff the agency's ability to implement new climate rules. And as EPA prepares to roll out its first climate rules next month, lawmakers are expected to pursue similar tactics.

Rep. Earl Pomeroy (D-N.D.) -- who has introduced a bill to strip EPA of its authority to regulate greenhouse gas emissions -- said earlier this month that he will fight during the appropriations process to remove any funding that would go toward curbing the heat-trapping emissions.

But Jackson and Democratic lawmakers are expected to staunchly defend the draft budget.

"The president's 2011 budget is a responsible strategy," given the economic challenges facing the country, Jackson told reporters earlier this month. "There's no moving away from a commitment to a greener, more sustainable economy, and the work EPA does is the backbone of that" (E&ENews PM, Feb. 1).

Senate Interior Appropriations Subcommittee Chairwoman Dianne Feinstein (D-Calif.) and state regulators have endorsed the White House proposal to ramp up funding for programs to curb greenhouse gas emissions (E&E Daily, Feb. 2).

Some Republicans may also challenge the overall size of EPA's budget. Rep. Mike Simpson (R-Idaho), ranking member of the House Interior Appropriations Subcommittee, last month called for cuts in some areas of the federal budget, particularly at EPA, which received a 36 percent boost in fiscal 2010 over 2009 levels (E&E Daily, Jan. 27).

Simpson added that, given the administration's agenda, he expects "that they will do all they can to protect the climate change money."

Climate, air programs

Of the president's requested \$56 million for climate regulatory programs, \$25 million would aid states as they begin to account for greenhouse gases in New Source Review and operating permits; \$7 million would go toward developing New Source Performance Standards to curb greenhouse gases from major stationary sources; \$6 million would be used to implement EPA's pending greenhouse gas standards for automobiles and developing other mobile source regulations; and \$5 million would be used to develop the best available practices and technologies for controlling emissions.

Obama also requested \$21 million to implement the agency's greenhouse gas reporting rule, which requires large facilities to monitor their emissions this year. That marks a \$4 million boost from fiscal 2010 levels. EPA plans to begin making that data publicly available by June 15, 2011.

The administration also pledged to protect air quality by working to attain national standards for ozone, particulate matter and other criteria pollutants, and to reduce regional haze by slashing regional transport of pollutants. EPA will also continue to develop and issue national technology-based and risk-based standards to reduce toxic air pollutants emitted by industrial facilities and urban sources.

Water programs

The president proposed a cut for the Clean Water and Drinking Water State Revolving Funds, which finance state and local clean water projects. The funds would get a total of \$3.3 billion, down from \$3.5 billion in the fiscal 2010 spending bill. The number still would be more than double what the programs received in fiscal 2009.

Great Lakes cleanup efforts would receive \$300 million, down from \$425 million in fiscal 2010, to continue projects to clean up contaminated sediments and toxic chemicals, fend off invasive species and curb pollution and habitat degradation. That program still has money left over from last year's allocations, Jackson said.

Chesapeake Bay restoration would get \$63 million under the proposal, up from \$50 million in fiscal 2010. Obama has marked the ecosystem for extra federal attention, issuing an executive order in May calling for a more serious cleanup effort.

The budget proposes \$17 million in new funding for the Mississippi River Basin. EPA and the Agriculture Department would use the money to target pollution runoff from farms in an effort to reduce nutrient pollution that contributes to the severely oxygen-depleted "dead zone" in the Gulf of Mexico.

Science, toxics cleanup

Obama proposed to cut the Brownfields Economic Development Initiative, which the White House said was duplicative of other programs. Instead, the budget proposes funding larger brownfield cleanup efforts, providing \$138 million for fiscal 2011, \$38 million more than Congress approved last year.

Cash for Superfund would decrease slightly from \$1.31 billion in fiscal 2010 to \$1.29 billion in the White House proposal. Funding for EPA's Office of Inspector General would remain roughly level at \$46 million, a slight increase from last year's \$45 million, as would money for EPA's leaking underground storage tank cleanup, which would receive \$113 million.

Science and technology funding would see a slight boost in fiscal 2011, from \$846 million in 2010 to \$847 million. Part of the funding would be slated for land preservation and restoration, with research focused on contaminated sediments in groundwater and the fate of nanomaterials in the environment. Funding would also be directed to the agency's healthy communities research agenda, focusing on mercury, pesticides and toxic chemicals, and nanotechnology, as well as broader human health research and risk assessments.

Senate schedule: The Senate EPW hearing is tomorrow at 10 a.m. in 406 Dirksen.

House schedule: The House Interior and Environment Appropriations Subcommittee hearing is Wednesday at 2 p.m. in B-308 Rayburn.

Witness: EPA Administrator Lisa Jackson.

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For more news on energy and the environment, visit www.greenwire.com.

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Seth Oster/DC/USEPA/US
04/06/2010 01:35 PM

To Richard Windsor, Bob Sussman, Peter Silva, Nancy Stoner,
Cynthia Giles-AA, Diane Thompson, Allyn Brooks-LaSure,
Adora Andy, Arvin Ganesan, David McIntosh, Bob
Perciasepe
cc
bcc
Subject AP -- West Virginia Mine EXPLOSION: Massey Energy Mine
Had Scores Of Safety Citations

HuffPost Social News BETA

[West Virginia Mine EXPLOSION: Massey Energy Mine Had Scores Of Safety Citations](#)

AP/Huffington Post First Posted: 04- 6-10 10:35 AM |

MONTCOAL, W.Va. -- A huge underground explosion blamed on methane gas killed 25 coal miners in the worst U.S. mining disaster in more than two decades.

Four others were missing Tuesday, their chances of survival dimming as rescuers were held back by poison gases that accumulated near the blast site, about 1.5 miles from the entrance to Massey Energy Co.'s sprawling Upper Big Branch mine.

The mine, about 30 miles south of Charleston, has a significant history of safety violations, including 57 infractions just last month for (among other things) not properly ventilating the highly combustible methane.

ABC News [reported](#):

The federal records catalog the problems at the Upper Big Branch mine, operated by the Performance Coal Company. They show the company was fighting many of the steepest fines, or simply refusing to pay them. Performance is a subsidiary of Massey Energy. [...]

The nation's sixth biggest mining company by production, Massey Energy took in \$24 million in net income in the fourth quarter of 2009. The company paid what was then the largest financial settlement in the history of the coal industry for the 2006 fire at the Aracoma mine, also in West Virginia. The fire trapped 12 miners. Two suffocated as they looked for a way to escape. Aracoma later admitted in a plea agreement that two permanent ventilation controls had been removed in 2005 and not replaced, according to published reports.

Rescuers on Tuesday had to bulldoze an access road above it so they could begin drilling three shafts over 1,000 feet each to release methane and carbon monoxide that chased them from the mine after the blast Monday afternoon, Gov. Joe Manchin said at an early morning news briefing Tuesday. Drilling and ensuring rescuers can safely go in could take up to 12 hours, meaning the search was unlikely to resume before 6 p.m. Tuesday.

"It's going to be a long day and we're not going to have a lot of information until we can get the first hole through," Manchin said.

Story continues below +

It had already been a long day for grieving relatives, some angry because they found out their loved ones were among the dead from government officials or a company Web site, not from Massey Energy executives.

"They're supposed to be a big company," said Michelle McKinney, whose father, 62-year-old Benny R. Willingham, died in the blast. She found out from a local official at a school near the mine. "These guys, they took a chance every day to work and make them big. And they couldn't even call us."

McKinney said her husband is a miner too and her 16-year-old son doesn't want him to go back to work. Willingham, who had mined for 30 years, the last 17 with Massey, was just five weeks from retiring and planned to take his wife on a cruise to the Virgin Islands next month.

"Benny was the type – he probably wouldn't have stayed retired long," said his sister-in-law, Sheila Prillaman said. "He wasn't much of a homebody."

Meanwhile, others waited for word about missing loved ones. Kevin Stricklin, an administrator for the federal Mine Safety and Health Administration, said the situation looked grim.

"All we have left is hope, and we're going to continue to do what we can," he said.

Officials hoped the four miners still unaccounted for were able to reach airtight chambers stocked with food, water and enough oxygen for them to live for four days, but rescue teams checked one of two such chambers nearby and it was empty. The buildup of gases prevented teams from reaching other chambers, officials said.

A total of 31 miners were in the area during a shift change when the explosion rocked the mine.

"Before you knew it, it was just like your ears stopped up, you couldn't hear and the next thing you know, it's just like you're just right in the middle of a tornado," miner Steve Smith, who heard the explosion but was able to escape, told ABC's "Good Morning America."

Some of those killed may have died in the blast and others when they breathed in the gas-filled air, Stricklin said. Eleven bodies had been recovered and identified, but the other 14 have not.

Names weren't released publicly, but Manchin said three of the dead are members of the same family.

He said investigators still don't know what ignited the blast, but methane likely played a part.

The death toll is the highest in a U.S. mine since 1984, when 27 died in a fire at Emery Mining Corp.'s mine in Orangeville, Utah. If the four missing bring the total to 29, it would be the most killed in a U.S. mine since a 1970 explosion killed 38 at Finley Coal Co., in Hyden, Ky.

"There's always danger. There's so many ways you can get hurt, or your life taken," said Gary Williams, a miner and pastor of New Life Assembly, a church near the southern West Virginia mine. "It's not something you dread every day, but there's always that danger. But for this area, it's the only way you're going to make a living."

Though the situation looked bleak, Manchin said miracles can happen and pointed to the 2006 Sago Mine explosion that killed 12. Crews found miner Randal McCloy Jr. alive after he was trapped for more than 40 hours in an atmosphere poisoned with carbon monoxide.

In Monday's blast, nine miners were leaving on a vehicle that takes them in and out of the mine's long shaft when a crew ahead of them felt a blast of air and went back to investigate, Stricklin said.

They found seven workers dead. Others were hurt or missing about a mile and a half inside the mine, though there was some confusion over how many. Others made it out.

Massey Energy, a publicly traded company based in Richmond, Va., has 2.2 billion tons of coal reserves in southern West Virginia, eastern Kentucky, southwest Virginia and Tennessee. It ranks among the nation's top five coal producers and is among the industry's most profitable. It has a spotty safety record.

In the past year, federal inspectors fined the company more than \$382,000 for repeated serious violations involving its ventilation plan and equipment at Upper Big Branch.

ABC News has also documented the [highly controversial relationship](#) between Massey Energy CEO Don Blankenship and a local judge who has refused to recuse himself from cases involving Massey Energy despite long fundraising and personal ties between the two men. In 2004, Blankenship physically resisted an ABC reporter trying to ask him about the matter. WATCH:

Methane is one of the great dangers of coal mining, and federal records say the Eagle coal seam releases up to 2 million cubic feet of methane gas into the Upper Big Branch mine every 24 hours, which is a large amount, said Dennis O'Dell, health and safety director for the United Mine Workers labor union.

In mines, giant fans are used to keep the colorless, odorless gas concentrations below certain levels. If concentrations are allowed to build up, the gas can explode with a spark roughly similar

to the static charge created by walking across a carpet in winter, as at the Sago mine, also in West Virginia.

Since then, federal and state regulators have required mine operators to store extra oxygen supplies. Upper Big Branch uses containers that can generate about an hour of breathable air, and all miners carry a container on their belts besides the stockpiles inside the mine. Upper Big Branch has had three other fatalities in the last dozen years.

Upper Big Branch has 19 openings and roughly 7-foot ceilings. Inside, it's crisscrossed with railroad tracks used for hauling people and equipment. It is located in a mine-laced swath of Raleigh and Boone counties that is the heart of West Virginia's coal country.

The seam produced 1.2 million tons of coal in 2009, according to the mine safety agency, and has about 200 employees.

"The federal Mine Safety and Health Administration will investigate this tragedy, and take action," U.S. Secretary of Labor Hilda L. Solis said in a statement. "Miners should never have to sacrifice their lives for their livelihood."

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Seth Oster/DC/USEPA/US
03/24/2010 04:07 PM

To Richard Windsor, David McIntosh
cc
bcc
Subject Politico -- Assume you have seen.....

Details of climate bill trickle out - POLITICO.com

By: Lisa Lerer
March 24, 2010 05:26 AM EDT

Details are beginning to leak out about the climate bill, after weeks of closed-door negotiations among key Senate lawmakers and staff. Sens. John Kerry (D-Mass.), Lindsey Graham (R-S.C.) and Joe Lieberman (I-Conn.) spent the past week presenting an eight-page outline of the bill to key business groups, including the U.S. Chamber of Commerce and the American Petroleum Institute, which have indicated tentative support for the legislation. But the bill provides a weaker cap on greenhouse gas emissions than many environmentalists had hoped. And it's chock-full of sweeteners for coal, oil, offshore drilling and nuclear power — energy sources viewed with some skepticism in the environmental community but seen as key to picking up the votes of a handful of moderate Republicans. “We’re not restricting our pool of potential votes to only Democrats,” said Kerry. Those types of trade-offs, lawmakers said, are necessary to build the political support to move the bill through the Senate. “We don’t have 60 votes to pass a strong global warming bill,” Sen. Bernie Sanders (I-Vt.) said. “The choice I suspect Sen. Kerry is wrestling with is whether it’s better to do something or nothing.” On Tuesday, the three members briefed a group of lawmakers who’ve spent months working on the various iterations of the bill. They hope to send a draft of their proposal to the Environmental Protection Agency by the end of this week. The agency needs six to eight weeks to do an economic analysis of the bill, according to administration officials. Graham told POLITICO that the proposal mirrors the Markey-Waxman legislation that passed the House last June by putting an economywide cap on greenhouse gas emissions starting in 2012 — with the goal of reducing pollution 17 percent by 2020 and 80 percent by 2050. But unlike the House bill, the Senate proposal puts different kinds of limits on different industries. Separate caps are put on utilities and manufacturers that will have to buy and trade pollution allowances from the government, according to people briefed on the bill. A “hard collar” is put on the price of the allowances to prevent them from dropping below \$10 per ton. If the price exceeds more than \$30 per ton, the government will flood the market from a strategic reserve of 4 billion credits. The price is indexed to inflation and increases at a set rate.

Manufacturers will be phased into the cap by 2016 to give fossil-fuel-intensive industries such as paper, aluminum and steel time to adjust to the new system. In a letter he sent to Kerry earlier this month, Sen. Carl Levin (D-Mich.) asked that the cap be delayed at least 10 years for manufacturers.

The legislation also tries to protect those industries from foreign competition by levying a “carbon tariff” on imports of goods from countries, such as China and India, that do not regulate emissions. The proposal was drafted by manufacturing-state Democrats, who refused to support the legislation unless it protected trade-sensitive industries from foreign competition.

The three lawmakers also accepted a proposal backed by big oil companies that will impose a carbon tax on gasoline to be passed along to consumers at the pump. The fee will be linked to the market price of carbon emissions bought and traded by utilities and other industries. The legislation also pre-empts separate state limits on emissions caps. Lawmakers said the pre-emption, opposed by some environmental groups, is necessary to give business greater certainty. “Business can’t live with 50 different standards,” said Graham. “I couldn’t support 50 states coming up with their own standards.” Environmental groups have also expressed concerns about support in the legislation for new coal technologies, nuclear power and offshore drilling. Sen. John Rockefeller (D-W.Va.) wants to include \$20 billion for carbon capture and sequestration — technology aimed at controlling greenhouse gas emissions from coal-fired power plants. And Republicans are pushing to include nuclear power under a renewable-energy standard in the bill. “If the stuff that Kerry, Graham and Lieberman are doing had been a Bush administration initiative, every environmentalist and every progressive in America would denounce it as a sellout to special interests,” said Frank O’Donnell, president of the advocacy group Clean Air Watch. One particularly contentious proposal offers coastal states that agree to offshore drilling a greater portion of the resulting royalties. The proposal is strongly backed by moderate Republicans and oil state Democrats, who said it is key to gaining their support. But liberal Democrats fiercely oppose it. Last summer, Sen. Bill Nelson (D-Fla.) threatened to filibuster any energy bill that expanded drilling in the Gulf of Mexico.

“It is clear to me that we’re not going to get a major bill done unless we have broader support,” said Sen. Ben Cardin (D-Md.), who opposes drilling off his state’s shores. “But there’s more than one way to get something done.”

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Seth Oster/DC/USEPA/US

12/14/2009 04:15 PM

To Richard Windsor, David McIntosh

cc

bcc

Subject Re: Fw: EMBARGOED: Vice President Memo Lays Out Progress on Building an American Clean Energy Economy

The call took place. The comments from Jared Bernstein and Carol were on-the-record but are embargoed until midnight EST. The focus was on jobs. They talked about the usual issues, including the cash for caulkers program, home retrofits, etc.

The one question that came up about EPA was, "How does the EPA endangerment finding impact the legislative agenda and cap-n-trade?"

Carol responded -- she said the president remains committed to getting comprehensive energy legislation through the Congress -- the marketplace and American people need certainty -- EPAZ had a responsibility under the Supreme Court decision to look at the science and to make a determination. Administrator Jackson and her folks did exactly what they were required to do. **If legislation is not enacted, EPA would have to follow through under the requirements of the Clean Air Act .** We have seen other senators now stepping forward, including Kerry and Graham, to form an interesting bipartisan coalition. We'll continue to work with them as well as any other senators that want to craft a comprehensive bill.

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Per my other email, attached is the me...

12/14/2009 03:48:29 PM

From: Seth Oster/DC/USEPA/US
To: David McIntosh/DC/USEPA/US@EPA, Richard Windsor/DC/USEPA/US@EPA, Diane Thompson/DC/USEPA/US@EPA, Bob Perciasepe/DC/USEPA/US@EPA, Charles Imohiosen/DC/USEPA/US@EPA, Lisa Heinzerling/DC/USEPA/US@EPA, Bob Sussman/DC/USEPA/US@EPA, Arvin Ganesan/DC/USEPA/US@EPA
Date: 12/14/2009 03:48 PM
Subject: Fw: EMBARGOED: Vice President Memo Lays Out Progress on Building an American Clean Energy Economy

Per my other email, attached is the memo Browner will be speaking about.

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----- Forwarded by Seth Oster/DC/USEPA/US on 12/14/2009 03:47 PM -----

From: "White House Press Office" <whitehouse-lists-noreply@list.whitehouse.gov>
To: Seth Oster/DC/USEPA/US@EPA

Date: 12/14/2009 03:44 PM
Subject: EMBARGOED: Vice President Memo Lays Out Progress on Building an American Clean Energy Economy

THE WHITE HOUSE
Office of the Vice President

EMBARGOED UNTIL MIDNIGHT EST
December 14, 2009

Attached is the memorandum referenced during today's conference call on Clean Energy Progress held by Chief Economic Adviser to the Vice President Jared Bernstein and Director of the White House Office of Energy and Climate Change Policy Carol Browner. The memorandum is from the Vice President to the President on the administration's progress in building a clean energy economy through the Recovery Act and other initiatives. The memo was produced at the request of the Vice President by the White House Office of Energy and Climate Change, the Office of the Vice President, the Council of Economic Advisors and the Department of Energy. The attached memorandum and the conference call is **embargoed until midnight EST**.

###[attachment "Vice President Memo On A Clean Energy Economy 12 14 09.pdf" deleted by Seth Oster/DC/USEPA/US]

Seth Oster/DC/USEPA/US
03/31/2011 01:37 PM

To Richard Windsor, David McIntosh
cc
bcc
Subject The Hill: White House affirms opposition to EPA riders in spending bill

<http://thehill.com/blogs/e2-wire/677-e2-wire/152997-white-house-does-little-to->

White House affirms opposition to EPA riders in spending bill

By Andrew Restuccia and Ben Geman - 03/31/11 12:17 PM ET

The White House restated its opposition Thursday to GOP spending bill riders that would thwart administration environmental policies, comments that come amid rising fear among green groups that a budget deal could block climate change rules.

“As the administration has made clear, the funding bill should not be used to further unrelated policy agendas, and we remain opposed to riders that do that, including as it relates to the environment,” said Clark Stevens, a White House spokesman.

The House GOP’s fiscal year 2011 spending plan would block funding for the Environmental Protection Agency’s implementation of greenhouse-gas rules, as well as rules to curb mercury and other emissions from cement kilns, and for federal policies related to mountaintop removal mining, among others.

Environmental groups were dismayed by an Associated Press [report](#) Wednesday evening that the White House would accept some GOP plans to restrict EPA as part of a final spending deal. The story cited an anonymous Democratic lawmaker familiar with spending talks between the White House and Congress.

A suite of environmental groups called on the White House Thursday to stand firm against provisions that would thwart EPA.

"We would like the president and the White House to send a very clear, unequivocal message on where the president stands," Natural Resources Defense Council spokesman Ed Chen told The Hill. "What we want him to say is, 'No riders, period.' We want him and members of Congress to stand up and defend public health and our health."

League of Conservation Voters President Gene Karpinski raised similar concerns.

“President Obama should squash any rumors and make crystal clear that he would veto a continuing resolution that includes riders to block the EPA from protecting public health and holding polluters accountable,” Karpinski said.

The Sierra Club, the National Wildlife Federation and the Environmental Defense Fund also called on the White House to stand up against the GOP plans as the spending talks near

endgame. Chen's comments and the other green-group statements were issued before Stevens's comment.

The House approved a spending bill, H.R. 1, in February to fund the government through the end of the fiscal year. The bill, which would cut \$61 billion from current spending levels, would also block funding for EPA climate regulations through the end of September and slash the agency's budget by \$3 billion.

Since the passage of the House spending bill, lawmakers have been trying to come up with a compromise on the measure. Lawmakers on the House and Senate Appropriations panels [have set a goal](#) of cutting \$33 billion in spending, although House Speaker John Boehner cautioned Thursday that the figure is [not a done deal](#).

But the status of key policy riders in the final compromise package remains unclear.

Sen. Charles Schumer (D-N.Y.) said Wednesday that he will [not accept](#) the EPA riders as part of the final spending package.

And an aide to a Democratic senator that opposes stripping EPA's power to curb greenhouse gases added, "We will not accept any EPA riders on the CR, despite the fact the White House has been MIA on this fight — they are sitting back expecting Senate Democrats to carry the water to defend their own agency."

Meanwhile, nearly 20 Democrats [called on Obama Wednesday](#) to reject any spending plan that includes policy riders aimed at the EPA.

But the White House was hesitant Wednesday to explicitly say that they would veto a spending package that includes policy riders.

"The position was that we do not believe that this is the proper place to insert ideologically driven agenda items or politically driven agenda items, that those debates can happen outside this process," White House press secretary Jay Carney said at the daily briefing when asked to clarify the president's position on the issue.

Asked if the president would veto a package with riders, Carney said, "[A] rider could be something that declares apple pie the favorite dessert in America. The issue here is the kind of politically charged, contentious issue that can derail this train that needs to get to the station so that the government is funded"

Carney then pointed reporters to Obama's statement of administration policy on H.R. 1., which addresses the issue only in broad terms.

Here's the relevant section:

"[T]he Administration does not support deep cuts that will undermine our ability to out-educate, out-build, and out-innovate the rest of the world. The unbalanced bill would undermine the

Nation's economic recovery and its ability to succeed in a complex global environment. If the President is presented with a bill that undermines critical priorities or national security through funding levels or restrictions, contains earmarks, or curtails the drivers of long-term economic growth and job creation while continuing to burden future generations with deficits, the President will veto the bill.”

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10/26/2010 02:43 PM

To Richard Windsor

cc David McIntosh, Bob Perciasepe

bcc

Subject Clean Energy Group: New Report Shows Electric Sector Able to Manage Tighter Environmental Standards

[October 26, 2010 12:39 PM Eastern Daylight Time](#)

New Report Shows Electric Sector Able to Manage Tighter Environmental Standards

Lead North American reliability organization report finds prompt action and proper planning can ensure proposed EPA regulations are implemented without impacting electric system reliability

CONCORD, Mass.--([BUSINESS WIRE](#))--The Clean Energy Group's Clean Air Policy Initiative, a coalition of electric power companies, released the following statement today regarding the North American Electric Reliability Corporation's (NERC's) new report on the reliability impacts of complying with U.S. Environmental Protection Agency (EPA) clean air rules:

“The NERC assessment affirms that the electric power industry can maintain electric system reliability while improving our air quality and protecting public health”

“The NERC assessment affirms that the electric power industry can maintain electric system reliability while improving our air quality and protecting public health,” said Michael Bradley, Executive Director of the Clean Energy Group. “NERC highlights the many industry and regulatory tools available to ensure reliability while the nation transitions to a cleaner generating fleet, including: careful timing of outages to install pollution control equipment, bringing new resources online, increased utilization of existing clean generation capacity, transmission system upgrades, and investing in demand-side management and energy efficiency.”

The NERC report supports many of the themes raised in a recent reliability report by M.J. Bradley & Associates LLC (MJB&A) and Sue Tierney and Paul Hibbard from the Analysis Group, which found that the electric power industry has a range of tools available to ensure that the human health benefits of EPA's air pollution regulations are achieved without affecting electric system reliability.

“The industry and its regulators welcome the release of NERC's reliability assessment,” said Sue Tierney, former Massachusetts state regulator, Department of Energy official, and a lead author of the previous reliability report. “Understanding the potential implications of EPA's forthcoming rulemakings is critical for developing good public policy and a coordinated response by federal agencies and state regulators. The industry has a strong track record of dealing with upcoming changes in ways that avoid reliability issues. Such proactive steps, including vibrant market responses, are not baked into the NERC outlook and can do the job in avoiding the concerns that NERC identifies.”

The NERC report evaluates a series of electric sector regulations proposed under the Clean Water Act, the Clean Air Act, and the Resource Conservation and Recovery Act, which will control cooling water intake, emissions of toxic air pollutants, sulfur dioxide (SO₂) and nitrogen oxides (NO_x), and coal ash disposal. To assess the range of electric system impacts, NERC analyzed a “Moderate Case”, which models the most plausible outcome of the new regulations, and a “Strict Case” representing more stringent and far less likely outcomes and higher compliance costs.

Of the four selected EPA rules, NERC finds that the Section 316(b) cooling water intake structures rule has the greatest potential impact on generation reserve margins. This is also the rule for which EPA has the most discretion in timing and scope of implementation. EPA’s air pollution rules—the utility MACT rule and the Transport Rule—are projected to have relatively modest impacts on projected retirements. For example, NERC projects that the EPA Transport Rule may result in the retirement of 5 coal-fired units (538 MW) by 2013 and 18 coal-fired units (2,740 MW) by 2015, assuming that EPA allows the flexibility of emissions trading. This is a moderate level of retirements given the industry’s demonstrated ability to bring new capacity resources on-line in a compressed period, having added more than 160,000 MW of new capacity between 2001 and 2003.

The reliability assessment prepared by MJB&A and Sue Tierney is available at http://www.mjbradley.com/news_20100809_00.html.

Contacts

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Michael J. Bradley, 978-369-5533

Seth Oster/DC/USEPA/US
09/18/2009 10:03 AM

To Richard Windsor, David McIntosh, Lisa Heinzerling, Diane Thompson, Bob Perciasepe, Gina McCarthy, Arvin Ganesan
cc Allyn Brooks-LaSure
bcc
Subject Report on Murkowski Rider

GOP Senator Considering Rider to Limit EPA Authority on Greenhouse Gases

By ROBIN BRAVENDER AND NOELLE STRAUB of [ClimateWire](#)

Sen. Lisa Murkowski (R-Alaska) may attempt to handcuff U.S. EPA's ability to regulate stationary sources of greenhouse gases with an amendment to the agency's annual spending bill.

Murkowski, ranking member of the Energy and Natural Resources Committee, may introduce an [amendment](#) (pdf) to the fiscal 2010 Interior and environment appropriations bill that would allow EPA to regulate greenhouse gas emissions only from mobile sources, and prohibit the agency from regulating heat-trapping emissions from stationary sources like power plants and industrial facilities.

"Senator Murkowski is concerned about the economic consequences of EPA command-and-control regulation of emissions," said spokesman Robert Dillon. The senator plans to file the amendment, Dillon said, adding that he did not know whether a decision has been made to press for a vote.

The Senate began debate yesterday on the \$32.1 billion spending bill for the Interior Department, EPA and Forest Service. The chamber is expected to resume consideration of the measure Monday.

Murkowski's amendment comes as EPA works to finalize its "endangerment finding," which would trigger broad regulations of greenhouse gas emissions. The endangerment finding comes in response to the 2007 *Massachusetts v. EPA* Supreme Court decision that ordered EPA to reconsider whether greenhouse gases are pollutants subject to regulation under the Clean Air Act.

Murkowski wants to fully respect the court's decision on mobile sources, Dillon said, which is why the amendment would "request a one-year timeout on money that would be spent on regulation of nonmobile sources." The moratorium would give Congress a year to come up with a legislative solution, he said.

Environmentalists assailed the amendment, saying it would basically instruct EPA to ignore the law.

"This amendment suggests that if global warming pollution comes from a power plant, it is safe, but if it comes from a car, it is harmful," said David Moulton, director of climate policy and conservation funding at the Wilderness Society. "That is a preposterous distinction that cannot be supported in either law or fact."

Frank O'Donnell, president of Clean Air Watch called the amendment "an outrageous assault on EPA's ability to interpret the Supreme Court decision."

Opponents said the amendment was particularly troubling given that it comes from a senator whose state is among the areas that could be hardest hit by climate change.

"From a senator who has talked about how her state is ground zero for climate change impacts, it is disappointing to see a move like this," said David Doniger, policy director of the Natural Resources Defense Council's climate center.

Doniger also said he feared that the amendment could wind up handcuffing EPA for more than one year. "These riders have a way of repeating themselves and becoming long-term," he said.

The tactic is not a new one. Republicans, led by then-Rep. Joseph Knollenberg (R-Mich.), successfully included language in several EPA spending bills in the late 1990s that blocked the agency from implementing any part of the Kyoto Protocol.

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Seth Oster/DC/USEPA/US
08/17/2009 04:00 PM

To Richard Windsor
cc Diane Thompson
bcc
Subject Boxer Reelection

San Jose Mercury New

Boxer could face re-election fight of her career against Fiorina

[By Mike Zapler](#)

Democrat Barbara Boxer's quest for a fourth term in the U.S. Senate may give Californians a chance to pass judgment on Washington in the Obama era: Do voters approve of the early performance of the Democratic president and Congress? Or is it time to restore more power to Republicans, in this case to a controversial former Silicon Valley CEO making her first run for elective office?

What looks increasingly likely is that Boxer will be in for the re-election fight of her career. While she has yet to announce her candidacy, all signs point to a run by Republican Carly Fiorina, the charismatic ex-chief of Hewlett-Packard who was ousted from her job in 2005 and last year served as a top surrogate for John McCain's presidential bid.

Fiorina would bring a combination of traits to the race never faced before by Boxer: She is a woman with the wherewithal to pump millions of her own dollars into her candidacy and probably raise millions more from others. And historically, the election after a president first takes office has not been kind to the party in charge at the White House. Exhibit A is 1994, when Democrats lost control of Congress halfway into President Bill Clinton's first term.

In this case, analysts say, the 2010 California Senate election is expected to be at least partly a referendum on the policies of Obama and the Democratic Congress — from health care to immigration to climate change. And as chairman of the Senate committee shaping global warming legislation in the coming months, Boxer will have little distance from the president — for better or worse.

As Obama's fortunes go over the next 14 months, in other words, so might Boxer's.

"Like almost any Democrat, she carries the burden of the party that controls the White House and Congress and the voters' pleasure, or lack thereof, in what the Democratic majority

produces," said Jennifer Duffy, senior editor of the nonpartisan Cook Political Report. "And as the Senate takes up climate change, Boxer is in something of a hot seat as chairman of the committee. That could be a blessing and a curse."

Those uncertainties notwithstanding, Boxer enters the race a solid favorite, Duffy and others say. With three terms under her belt in the Senate — going on 18 years — Boxer, 68, is both a known quantity and a staunch Democrat in a state with a growing Democratic voter edge.

She is also known as an aggressive fundraiser and campaigner and will no doubt take the fight to Fiorina, 54, whose business career and personal background have never been subjected to the scrutiny of a statewide political campaign.

During last year's presidential race, Fiorina remarked that she is personally anti-abortion and defended companies, including H-P, that sent jobs overseas to take advantage of lower taxes. She was also forced to answer questions about the severance package she received — worth tens of millions of dollars — when she was ousted at H-P in 2005 after a stormy six-year run at the iconic Silicon Valley company.

Fiorina can expect questions about those issues, and many others, to rise to a crescendo if she jumps in the race. Boxer's camp already is characterizing Fiorina's views as "right wing."

"I've heard Carly Fiorina described as a moderate, but on a woman's right to choose, (she) is out of step with most California voters," said Rose Kapolczynski, Boxer's campaign consultant.

An aide to Fiorina declined to comment on anything related to a possible campaign other than to say that the former HP chief is seriously considering running, as she has been for months. Fiorina has put off a decision as she receives treatment for breast cancer, with which she was diagnosed earlier this year. She is reportedly recovering well.

Boxer is not without her own question marks. A staunch liberal, she appeals mainly to the Democratic base — rarely have her approval ratings topped 50 percent since she was first elected senator in 1993, according to the California Field Poll.

Other factors do not bode well for Boxer. A fierce critic of George W. Bush, she won't have the former president to kick around anymore. On the flip side, Obama will not be atop the ticket to boost Democratic turnout. And the type of bare-knuckle campaigning Boxer has embraced in the past against male opponents may be trickier to pull off against Fiorina. (Republican state Assemblyman Chuck DeVore has already entered the Senate race but likely would be overwhelmed by Fiorina's fundraising advantage.)

At a more fundamental level, political analysts say Fiorina almost certainly would be a more formidable challenger than Boxer has faced before.

The senator "has been somewhat fortunate in the past in drawing candidates who are ... often too conservative" for California's left-of-center electorate, said Bruce Cain, director of the UC

Washington Center. "That has allowed her to win her races without a great deal of trouble."

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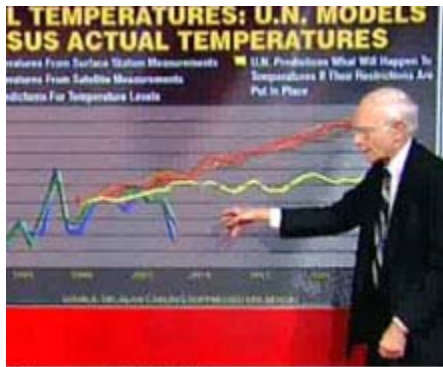
Seth Oster/DC/USEPA/US
07/01/2009 12:50 PM

To Richard Windsor
cc Diane Thompson
bcc
Subject Fw: FYI: TPM - Climate Skeptic: "I was Hoping People at EPA would Pay Attention to my work"

Worth reading.

Seth

Talking Points Memo



EPA economist Al Carlin

Climate Skeptic: "I Was Hoping People At EPA Would Pay Attention to My Work"

By Zachary Roth - July 1, 2009, 8:43AM

Conservatives are jumping up and down over a report by an EPA analyst expressing skepticism about climate change, which is a brass because it didn't conform to Obama administration orthodoxy on global warming. The story has sparked explosive coverage in various outlets, that the EPA censored scientific data for political reasons. And Monday, Sen. James Inhofe (R-OK) **called for** an official review.

But it's hard to blame EPA for not paying much attention to the study. And it's more than a little ironic that DC Republican Sen. James Inhofe is the standard-bearer in the defense of pure science against politics. Because the author, EPA veteran Al Carlin, is an economist, not a scientist, the agency solicited the report. And Carlin appears to have taken up the global warming topic largely as a hobby on his own time. **Carlin** **called** the report -- whose existence was **first publicized last week** by the industry-funded Competitive Enterprise Institute (CEI). Carlin, in a **reviewed** web pages, an unhealthy dose of sunstroke, a dash of astrology and more cherries than you can poke a cocktail stirrer into.

Still, the report's author, veteran agency economist Al Carlin, doesn't sound happy with the way things played out. In an interview, he praised some of the extraordinary effort he put into the study, and lamented the fact that, over the years, a series of skeptical climate-change reports, including one from a major initiative, he said -- have consistently been overlooked by higher-ups at the agency. "I was hoping that people at EPA would have seen too much evidence of that."

Carlin, who said he joined the EPA three months after its founding in 1971, explained that, despite working as an economist in the agency's Office of Environmental Economics (NCEE), he'd been doing research on issues of climate-change science for the last five or six years.

of this work -- which can be found on his [personal website](#) -- advocates an approach to addressing global warming which he would actually work, and it would cost three to five orders of magnitude less" than regulating carbon dioxide, he said.

True, the studies he's produced were "not specifically commissioned by the EPA," Carlin conceded. But he said his boss at that they've been published, though "not all in academic journals."

The recent controversy first emerged last week, when CEI [released emails](#) exchanged between Carlin and his bosses, conceivably in response to an EPA document on global warming. Carlin explained to TPMuckraker that EPA had circulated a draft of a report that found a finding concluded that global warming is indeed a danger to mankind and should be regulated, and, in keeping with standard EPA agency staff.

It's unclear whether Carlin was supposed to be a member of the working group of staffers whose input on the document was sought, since he was included on emails about the document, and invited to meetings on the issue. But the EPA subsequently

The topic at hand also may have strayed a bit from his core expertise. Carlin described the report he ultimately produced as "not strictly economics." Carlin is an economics PhD, but he described himself as "somewhat unique, in that I have a background in both economics and physics, citing an undergraduate degree in physics from the California Institute of Technology. "I've always sort of been on the boundary," he said.

Asked whether it was common for EPA staffers to prepare reports on subjects outside the area for which they're officially responsible, Carlin said it was "normal." But, he said it is done. And he added: "The important thing is from a federal bureaucratic viewpoint, I'm equally

In any case, Carlin felt strongly when he saw the draft document that it was on weak scientific footing. But he said he only gave a few comments. "This is not what I normally do," Carlin explained. "I normally write research papers and reports, which take six weeks. The problem of how to prepare thorough comments within a few days." Ultimately, Carlin -- who declined to give his exact age -- took all the stops to produce [his study](#) questioning the finding. "I worked very hard," he added.

But Carlin was soon told by a colleague coordinating responses to the draft that there were "reservations" about including his comments. Afterward, NCEE director Al McGartland informed Carlin that his comments would not be included. McGartland then told Carlin to contact with other EPA staff on the issue of climate change, and not to do any more work on the issue. Those emails and

Carlin indicated that the incident was in keeping with his prior experience at the agency, suggesting that his labors of love deserve the attention they deserve. That was the case, said Carlin, even before the Obama administration took over. "To the best of my knowledge, I've been followed up on my ideas," he said.

Carlin stressed that he wasn't CEI's source for the emails, saying the first he heard about the story becoming public was when he was asked to verify the emails. In fact, he said, he was chagrined that a hastily produced draft of his work was being circulated before he was concerned that, heaven knows, I didn't have time to fix all the problems -- and they still aren't fixed," he said, adding that his work has subsequently [been put out](#).

In fact, he said, he'd only been speaking to reporters at all out of a basic belief in openness and transparency. "I could find it hard to say," he said. But as a government employee, he added, "I don't think it's appropriate -- for reporters or taxpayers -- to [tell reporters] that I'm TPMuckraker, he appeared on Glenn Beck's show on Fox News, armed with a chart to demonstrate his view that warming

Before hanging up, Carlin made sure to caution that during our interview, he hadn't been speaking for his employer. "The views are EPA's," he said.

Seth Oster/DC/USEPA/US

06/24/2009 01:38 PM

To Richard Windsor

cc Diane Thompson

bcc

Subject Official Quote

This Administration and this EPA Administrator are fully committed to openness, transparency and science-based decision making. These principles were reflected throughout the development of the proposed Endangerment finding, a process in which a broad array of voices were heard and an inter agency review was conducted. In this instance, certain opinions were expressed by an individual who is not a scientist and was not part of the working group dealing with this issue. The claims that his opinions were not considered or studied are entirely false. His manager allowed his general views on the subject of climate change to be heard and considered inside and outside the EPA and presented at conferences and at an agency seminar. The individual was also granted a request to join a committee that organizes an ongoing climate seminar series, open to both agency and outside experts, where he has been able to invite speakers with a full range of views on climate science. His views were consistently found not to be grounded in science. It was only after his views were repeatedly shared both publicly and within the agency that his manager directed him to resume his responsibilities in his area of expertise – economics.

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Seth Oster/DC/USEPA/US

08/27/2009 01:48 PM

To Richard Windsor

cc Diane Thompson

bcc

Subject Reuters Story

See below story. We did not know about this story – or the report it cites – in advance. We're checking out now where it came from.

U.S. finds water polluted near gas-drilling sites

Thu Aug 27, 2009 12:56pm EDT

By [Jon Hurdle](#)

PHILADELPHIA (Reuters) - U.S. government scientists have for the first time found chemical contaminants in drinking water wells near natural gas drilling operations, fueling concern that a gas-extraction technique is endangering the health of people who live close to drilling rigs.

The Environmental Protection Agency found chemicals that researchers say may cause illnesses including cancer, kidney failure, anemia and fertility problems in water from 11 of 39 wells tested around the Wyoming town of Pavillion in March and May this year.

The report issued this month did not reach a conclusion about the cause of contamination but named gas drilling as a potential source.

Gas drilling companies say the gas drilling technique called hydraulic fracturing, or "fracking," is safe, but opponents contend it pollutes groundwater with dangerous substances.

Evidence of a link between gas drilling and water contamination would set back development of a clean-burning fuel promoted by the Obama administration as crucial to the future of U.S. energy production.

Some experts believe the United States holds more than 100 years worth of natural gas reserves. The new findings may raise questions about the process companies such as EnCana Corp, Halliburton Co and others commonly use to pump the gas from deep geological formations. Encana, Canada's biggest energy company, is drilling in Pavillion.

"There may be an indication of groundwater contamination by oil and gas activities," said the 44-page report, which received little public attention when released on August 11. "Many activities in gas well drilling (and) hydraulic fracturing ... involve injecting water and other fluids into the well and have the potential to create cross-contamination of aquifers."

Among the contaminants found in some of the wells was 2-butoyethanol, or 2-BE, a solvent used in natural gas extraction, which researchers say causes the breakdown of red blood cells, leading to blood in the urine and feces, and can damage the kidneys, liver, spleen and bone marrow.

Greg Oberley, an EPA scientist who has been testing the water samples, said the agency did not set out to prove that hydraulic fracturing caused groundwater contamination, but was responding to complaints from local residents that their well water had become discolored or foul-smelling or tasted bad.

The investigation was the EPA's first in response to claims that gas drilling is polluting water supplies, he said. Testing will continue.

LINK TO GAS INDUSTRY?

While the EPA team has not determined how the chemicals got into the water, many are associated with gas drilling, Oberley said in a telephone interview.

"The preponderance of those compounds in the area would be attributable to the oil and gas industry," he said.

In hydraulic fracturing, energy companies inject a mixture of water, sand and chemicals a mile or more underground at high pressure, causing rock to fracture and release natural gas.

Drillers such as EnCana are not required to disclose the chemicals they use because of an exemption to the federal Safe Drinking Water Act, granted to the oil and gas industry in 2005.

In the U.S. Congress, concern about the safety of fracking led to the introduction in June this year of a bill that would require disclosure of fracking chemicals.

Industry representatives say fracking chemicals are heavily diluted and are injected thousands of feet below drinking-water aquifers through steel and concrete shafts that prevent the escape of toxic substances into water supplies.

Randy Teeuwen, a spokesman for EnCana, said the substances found by the EPA had been "tentatively identified." He said many were naturally occurring and some are commonly found in household products and agricultural degreasers.

He said EnCana was working with the agency to identify possible sources of the contamination. "One of those sources could be oil and gas development," Teeuwen said.

Teeuwen said EnCana, which operates 248 wells in the area, stopped using 2-BE in spring 2009 because of concerns about its health effects.

"It's a banned substance as far as EnCana is concerned," Teeuwen said.

John Fenton, a farmer in Pavillion, a rural community of about 150 people, said residents blame gas drilling for a range of illnesses including rare cancers, miscarriages and nervous system disorders.

Families with contaminated water wells have been advised by the U.S. Centers for Disease Control and Prevention not to drink the water, which in some cases was black and oily, with a petroleum-like sheen, and a smell of gas, Fenton said.

"The stress is incredible," Fenton told Reuters. "People have built their lives and businesses here. What's it all worth now?"

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Seth Oster/DC/USEPA/US
05/25/2010 04:20 PM

To Richard Windsor, Diane Thompson
cc Allyn Brooks-LaSure, Adora Andy
bcc
Subject Politico Story -- See below

POLITICO

EPA chief headlines DSCC fundraiser

By: [Maggie Haberman](#)

May 25, 2010 03:53 PM EDT

As the Obama administration struggles to contain the massive oil spill threatening the Louisiana coast, one of its top environmental officials will be the featured attraction at a fundraiser for Senate Democrats next week in Manhattan, where donors are promised they can speak to her about their "issues of concern."

Environmental Protection Agency administrator Lisa Jackson, who served as chief of staff to former New Jersey Gov. Jon Corzine, is listed as the main attraction at the Democratic Senatorial Campaign Committee breakfast scheduled for June 4.

An email sent to potential donors and attendees by Rafi Jafri, who has raised money for Hillary Rodham Clinton and was a fundraiser for Corzine, said the event is being hosted by New Jersey p.r. man Michael Kempner.

White House officials didn't immediately respond to a request for comment. The DSCC declined comment, and sources said Jafri has no official role with it.

In an email to prospective attendees, Jafri said the breakfast "promises to be intimate, so each of you will have a real opportunity to get to know and to speak to Lisa about issues of concern to you and our nation."

"As many of you know, Lisa is on the front line of all environmental and energy policy in the United States and around the world," Jafri's email goes on to say.

"From climate change to leading the green economy, Lisa is the point person for the Obama Administration for creating a more secure, sound and robust environmental future for America...She is also widely seen as one of the great 'stars' of the Obama Administration," he says in the email.

According to her official biography on the EPA website, "Jackson lists among her priorities reducing greenhouse gas emissions, improving air quality, managing chemical risks, cleaning up hazardous waste sites, and protecting America's water."

President Barack Obama is expected to make a trip to the Gulf Coast later this week, as residents - including some Democrats - have hammered the White House over its response to the oil spill.

Republicans ripped Jackson's upcoming appearance as an example of the administration's warped priorities.

"When the oil slick first spread, we learned the Interior Department's chief of staff was rafting down the Grand Canyon, and now that it's reached our shores, the President is in California raising money for Barbara Boxer, while the head of the EPA makes plans to raise more campaign cash in New York City," said Brian Walsh, a spokesman for the National Republican Senatorial Committee

"Clearly, this Administration's priorities are grossly misplaced when vacations and campaign fundraisers are more important than focusing on one of the greatest environmental disasters in our nation's history."

Louisiana Rep. Steve Scalise said he wanted to see "more of a sense of urgency from the administration as a whole. We've been very frustrated that the president hasn't been focused properly on the requests that we've been making."



Seth Oster/DC/USEPA/US
11/23/2009 01:04 PM

To Richard Windsor, Diane Thompson, Allyn Brooks-LaSure,
Bob Perciasepe
cc
bcc

Subject Fw: RECAP: Climate Call (please note Interior's report)

I may be the only one who truly cares, but note under the Interior report for the comms call that Interior has moved from Lotus Notes to Microsoft Outlook, which has to finally dispel the myth that those on Lotus Notes are using it because of security issues with Outlook. We may be the last of the Cabinet agencies needlessly living in the technology dark ages....

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----- Forwarded by Seth Oster/DC/USEPA/US on 11/23/2009 01:01 PM -----

From: Brendan Gilfillan/DC/USEPA/US
To: Seth Oster <oster.seth@epa.gov>, Allyn Brooks-LaSure/DC/USEPA/US@EPA, Adora
Andy/DC/USEPA/US@EPA, Betsaida Alcantara/DC/USEPA/US@EPA, Michael
Moats/DC/USEPA/US@EPA
Date: 11/23/2009 11:11 AM
Subject: RECAP: Climate Call (please note Interior's report)

POTUS

Announcement of COP-15 Administration attendees could happen as soon as Tuesday or Wednesday Today - backgrounded reporters on what US has done this year to move negotiations forward and define Copenhagen accord, describe how US is bringing an aggressive domestic portfolio to Copenhagen, and that we'll have an emissions target due to House bill - more announcements in next 48 hours

ENERGY

Small business grants for green energy
Possible announcement re: ARRA funding for wind farms in SC
Tomorrow - Sec in Columbus announcing next wave of smart grid money

CEQ

quiet week

OECC

Lock down events for next week lead-up to Copenhagen

INTERIOR

Quiet week - except they've officially transitioned from Lotus Notes to Outlook!!!!

USDA

not on call

COMMERCE

not on call

OSTP

not on call

STATE

Stern back from Copenhagen - most of his remarks posted online

Announcement of COP-15 website - one stop shop for all things US-Copenhagen-climate policy - within the next two days - www.cop15.state.gov

Seth Oster/DC/USEPA/US
02/16/2010 10:26 AM

To Richard Windsor, Diane Thompson, Bob Perciasepe
cc Allyn Brooks-LaSure
bcc
Subject Fw: Energy Secretary Steven Chu, Carol Browner, Assistant to the President for Energy and Climate Change, to Hold Conference Call on Today's Nuclear Energy Announcement

FYI.

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----- Forwarded by Seth Oster/DC/USEPA/US on 02/16/2010 10:26 AM -----

From: "White House Press Office" <whitehouse-lists-noreply@list.whitehouse.gov>
To: Seth Oster/DC/USEPA/US@EPA
Date: 02/16/2010 10:24 AM
Subject: Energy Secretary Steven Chu, Carol Browner, Assistant to the President for Energy and Climate Change, to Hold Conference Call on Today's Nuclear Energy Announcement

THE WHITE HOUSE
Office of the Press Secretary

FOR IMMEDIATE RELEASE
February 16, 2010

Energy Secretary Steven Chu, Carol Browner, Assistant to the President for Energy and Climate Change, to Hold Conference Call on Today's Nuclear Energy Announcement

WASHINGTON - Following President Obama's announcement today that his Administration will be granting the first loan guarantee for the construction and operation of a nuclear reactor since the Energy Policy Act of 2005, Dr. Steven Chu, Secretary of Energy, and Carol Browner, Assistant to the President for Energy and Climate Change, will hold an on the record conference call with reporters. The call will take place at 12:30 p.m. EST. The loan guarantee will go toward the construction of two new nuclear reactors at an existing plant in Burke, GA.

The President has long believed that nuclear power should be part of our energy mix - that's why he has advocated for comprehensive energy and climate legislation that leverages all of our energy sources, including nuclear, to transition to a clean energy economy and create millions of jobs. The project he announced today is scheduled to be

the first nuclear power plant to break ground for nearly three decades and will include approximately 3,500 onsite construction jobs and approximately 800 permanent operations jobs. Approximately 550,000 residential homes and 1.4 million people will be served by the power generated at the facility.

WHAT: Conference Call on Loan Guarantee for Nuclear Plant in Georgia with
Energy Secretary Steven Chu and Carol Browner, Assistant to the President for
Energy and Climate Change

WHEN: TODAY, Tuesday, February 16, 2010
12:30 p.m. EST

DIAL-IN: Participant dial in (800) 230-1096, no code necessary.
If prompted, ask to join the "White House Call"

##

Seth Oster/DC/USEPA/US
02/22/2010 08:22 AM

To Richard Windsor, Diane Thompson, Bob Perciasepe, Lisa
Heinzerling, Arvin Ganesan, David McIntosh, Lawrence
Elworth, Bob Sussman, Scott Fulton
cc Allyn Brooks-LaSure
bcc
Subject NY Times and Wash Post Editorials -- In case you missed
them

THE NEW YORK TIMES
Editorial

Climate Change

Yvo de Boer's resignation on Thursday after nearly four tumultuous years as chief steward of the United Nations' climate change negotiations has deepened a sense of pessimism about whether the world can ever get its act together on global warming. Mr. de Boer was plainly exhausted by endless bickering among nations and frustrated by the failure of December's talks in Copenhagen to deliver the prize he had worked so hard for: a legally binding treaty committing nations to mandatory reductions in greenhouse gases.

His resignation comes at a fragile moment in the campaign to combat climate change. The Senate is stalemated over a climate change bill. The disclosure of apparently trivial errors in the U.N.'s 2007 climate report has given Senate critics fresh ammunition. And without Mr. de Boer, the slim chances of forging a binding agreement at the next round of talks in December in Cancún, Mexico, seem slimmer still.

Yet his departure is hardly the death knell for international negotiations. It is not proof that such talks are of no value or that the U.N. negotiating framework in place since 1992 should be abandoned. Even Copenhagen, messy as it was, brought rich and poor nations closer together than they had been. And more than 90 countries representing 83 percent of the world's greenhouse gases promised, at least notionally, to reduce their emissions.

But his resignation does remind us that the U.N. process is tiring, cumbersome and slow. It reinforces the notion that some parallel negotiating track will be necessary if the world is to have any hope of achieving the reductions scientists believe are necessary to avert the worst consequences of climate change.

The Copenhagen pledges, even if all of them are met, will merely stabilize global emissions by 2020. What really matters is what happens after 2020, whether the world can achieve reductions of at least 50 percent by midcentury. That won't happen without big cuts by big emitters like the United States, the European Union, China, India and Brazil.

Even before Copenhagen, global leaders were exploring parallel tracks. Former President George W. Bush brought together some of the big emitters, and President Obama has expanded on this idea with the Major Economies Forum on Energy and Climate, a group of 17 countries that plans to meet regularly. The Group of 20 has put climate change high on its agenda, and bilateral efforts — technology exchanges between China and the United States, for instance — are under discussion.

The underlying thought is that the ultimate goal is a safe planet, and that absent a top-down global treaty, that goal is probably best achieved by aggressive, bottom-up national strategies to reduce emissions. Not that these are a sure thing; the United States, embarrassingly, has no national strategy. Until it gets one, it can hardly lecture anyone else. Nor will the world stand a ghost of a chance of bringing emissions under control.

WASHINGTON POST

Monday, February 22, 2010

Climate insurance

THE EARTH is warming. A chief cause is the increase in greenhouse gases accumulating in the atmosphere. Humans are at least in part responsible, because the oil, gas and coal that we burn releases these gases. If current trends persist, it's likely that in coming decades the globe's climate will change with potentially devastating effects for billions of people.

Contrary to what you may have read lately, there are few reputable scientists who would disagree with anything in that first paragraph. Yet suddenly we're hearing that climate change is in doubt and that action to combat it is unlikely. What's going on?

First, climate science is complex, and there is much that we still do not understand. Politicians, advocates and scientists who have claimed a level of certainty unsupported by evidence -- about exactly how climate change will unfold or is unfolding -- have not helped the cause. Second, as in any research effort being conducted by thousands of scientists across many years and many countries, mistakes will be made in the research or in its collection and reporting. The mistakes that have been revealed recently -- about, most prominently, the likely melting rate of Himalayan glaciers -- need correcting. But in the overall picture, they are trivial.

Politicians nonetheless have seized on both the trivial mistakes and the complexity of the science to cast doubt on the underlying and unrefuted truth of human-caused greenhouse gas accumulation. In many cases, it is hard to know whether they are being obtuse or dishonest, and hard to know which would be worse. To see Virginia's newly elected attorney general join in this know-nothingism is an embarrassment to the state.

What's the right response? It seems to us there are two key arguments that can provide some shelter for politicians who want to do the right thing. The first is to acknowledge a level of uncertainty in the predictions and make the case for taking out an insurance policy, as would any prudent homeowner. It's true that we don't know for sure how many degrees warmer the Earth will be, on average, by 2050 or what effect this will have on the ferocity of storms or coastal flooding or starvation-inducing drought. But it's also true that, as the science has progressed, the predictions have become more dire, not less -- and that they are still as likely to be too optimistic as the reverse.

If there is action that can be taken, now, to begin to reduce the dangers, why would we not do so?

The only cogent answer we have heard is that action is hopeless: that wrenching the economy away from its dependence on oil and coal would be so expensive, and the resulting benefit so minimal, that it's not worth trying. Those who make this case in a rational way don't deny the existence of climate change, but they say that the money should be spent instead on mitigation and research into alternative technologies. Our view is that it makes no sense to give up before trying -- especially since measured government action could unleash technological innovation that in turn would make the costs far less than predicted.

And all the more so when -- and this is the second key point -- the action that would have the most beneficial effect with regard to climate change is in the national interest anyway. A gradually rising carbon tax made sense even before "global warming" entered most people's vocabulary. Almost as useful would be a simple cap-and-rebate system that required industry to pay for greenhouse-gas emissions. Either would reduce American dependence on dictators in Saudi Arabia and Venezuela while lowering air pollution of all kinds. Neither would require a complicated government bureaucracy of the kind that has understandably alarmed some people while giving others a pretext for opposition. And if politicians can't bear to stand behind an increased tax, the revenue from either proposal could all be returned in a fair and progressive way.

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Seth Oster/DC/USEPA/US
08/06/2009 11:33 AM

To Richard Windsor, Diane Thompson, Bob Sussman, Lisa Heinzerling, Gina McCarthy, Craig Hooks, Ray Spears, David McIntosh, Arvin Ganesan, Allyn Brooks-LaSure, Adora Andy, Brendan Gilfillan, Betsaida Alcantara, Scott Fulton, Eric Wachter
cc
bcc
Subject Fw: Governor signs Executive Order to Tackle Climate Change

Below is the press release from Governor Paterson in NY regarding his announcement today on reduction of greenhouse gas pollution.

Seh

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STATE OF NEW YORK | EXECUTIVE CHAMBER
DAVID A. PATERSON | GOVERNOR

For Immediate Release: August 6, 2009

Contact: Marissa Shorenstein | Marissa.Shorenstein@chamber.state.ny.us | 212.681.4640 | 518.474.8418

GOVERNOR PATERSON SIGNS EXECUTIVE ORDER TO REDUCE NEW YORK'S GREENHOUSE GAS POLLUTION

Executive Order to Tackle Climate Change by Setting Goal of Reducing Emissions by 80 Percent by 2050

Requires a Climate Action Plan on How to Reduce Greenhouse Gases

Governor David A. Paterson today signed Executive Order No. 24 setting a goal to reduce greenhouse gas emissions in New York State by 80 percent below the levels emitted in 1990 by the year 2050. The Executive Order also creates a Climate Action Council with a directive to prepare a draft Climate Action Plan by September 30, 2010. The Climate Action Plan will assess how all economic sectors can reduce greenhouse gas emissions and adapt to climate change, as well as identify the extent to which such actions support New York's goals for a clean energy economy.

"Climate change is the most pressing environmental issue of our time. By taking action, we send a signal that New Yorkers will do our share to address the climate crisis and we will do it in a way that creates opportunities for innovation and entrepreneurship to flourish," said Governor Paterson. "One way we will achieve this goal is by focusing our efforts on a clean energy economy that will create jobs for New Yorkers."

This Executive Order will build on the progress the State has made to date. Governor Paterson has already taken a number of steps to address the climate crisis in New York through innovative, cost-effective policies and programs such as the award winning Regional Greenhouse Gas Initiative (RGGI), stricter automobile greenhouse gas emission standards and the "45 by 15" program for expanding efficiency measures and renewable energy. State programs and incentives are working in concert with federal efforts to increase the use of clean energy technologies and to promote emission reductions.

Future climate change will impose significant economic burdens on New York. Heat-related mortality in the New York City metropolitan region could increase by 47 to 95 percent when compared to 1990 levels. New York's public drinking water supplies may also be compromised by changes in temperature and precipitation. In addition, a warmer climate will adversely affect the State's crucial dairy production and crops, including grain, apples and potatoes, resulting in a potential increase in the cost of food.

Though it is anticipated that reductions in greenhouse gas emissions will be paramount, the Climate Action Plan will also include adaptation measures that will safeguard people, the environment and our infrastructure from expected climatic changes.

Momentum to address climate change is building at the federal level. President Obama has set a national goal of at least an 80 percent reduction in greenhouse gas emissions by 2050. The House of Representatives recently passed the American Clean Energy and Security Act, establishing a national climate program to reduce emissions by 83 percent below 2005 levels by 2050. Governor Paterson also urges the U.S. Senate to pass comprehensive climate and energy legislation.

The Climate Action Council will consist of the Commissioners of the Departments of Agriculture and Markets, Environmental Conservation, Housing and Community Renewal and Transportation; the President and CEO of Empire State Development; the Chair of the Public Service Commission; the Presidents of the New York State Energy Research and Development Authority, Metropolitan Transportation Authority, Dormitory Authority, the New York Power Authority and the Long Island Power Authority; the Secretary of State; the Director of the Budget; the Director of State Operations; and the Counsel to the Governor. The Director of State Operations shall serve as the Chair of the Council.

The Executive Order requires that the Council hold regional public comment hearings on the draft Plan and allow at least 60 days for the submission of written public comment. Thereafter, the Council shall prepare a final Plan which shall be reviewed and, if warranted, adjusted annually by the Council.

###

The following statements were provided in support of the Executive Order:

Pete Grannis, Commissioner of the Department of Environmental Conservation, said: "Governor Paterson is leading the charge to make New York more energy independent and energy efficient. From launching the nation's first greenhouse gas allowance auctions to increasing the use of clean energy, Governor Paterson has implemented one of the most aggressive climate change and energy security programs in the nation. This new initiative is a bold step in tackling the climate crisis."

Carol E. Murphy, Executive Director of the Alliance for Clean Energy New York, said: "Changing our energy consumption to meet the challenge of global climate change is the most pressing environmental and economic dilemma we face. We applaud the Governor for confronting this challenge head on and setting an aggressive goal - a necessary one according to the scientific experts - to help move us in the right direction. We believe New Yorkers can rise to the challenge with clean, renewable technologies and

find solutions that help create a thriving green economy.”

Robert Moore, Executive Director of Environmental Advocates of New York, said: “Governor David Paterson is taking an historic step to restore New York's leadership in the arena of global warming. While opposition exists to reducing the pollution that is already changing New York's climate, the Governor recognizes that our economy and our environment will only benefit from decisive action to combat the greatest environmental threat of our generation.”

Curtis Fisher, Regional Executive Director of the National Wildlife Federation's Northeast Natural Resource Center, said: “Governor Paterson's leadership will create clean energy jobs, save individuals and businesses money on their energy bills, promote domestic security and reduce global warming pollution. It also sends the right message to members of Congress who are working on energy and climate legislation. We commend the entire Administration's efforts to safeguard communities, wildlife and our natural resources from the impacts of global warming.”

###

Additional news available at www.ny.gov/governor/press

*High resolution images available at www.ny.gov/governor/mediainages | password: paterson
New York State | Executive Chamber | press.office@chamber.state.ny.us | 212.681.4640 |
518.474.8418*

Peter M. Iwanowicz
Assistant Secretary for the Environment
Office of Governor David A. Paterson
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Please consider the environment before printing this email.

Seth Oster/DC/USEPA/US
09/22/2009 10:08 AM

To Richard Windsor, Diane Thompson, David McIntosh, Arvin Ganesan, Allyn Brooks-LaSure, Adora Andy, Lisa Heinzerling, Gina McCarthy, Bob Perciasepe
cc
bcc
Subject Murkowski Holding Press Conference on Amendment

FOR IMMEDIATE RELEASE
Office
September 22, 2009

CONTACT: Press

202-863-8614

*****MEDIA ADVISORY*****

U.S. SENATOR LISA MURKOWSKI TO HOLD PRESS CONFERENCE CALL ON CLIMATE CHANGE

WASHINGTON – Alaska Senator Lisa Murkowski will hold a press conference call today at 3:00 p.m. EDT to discuss the president's speech on climate change in New York. Details of the press conference call are as follows:

Tuesday, September 22, 2009

WHAT: Press Conference Call

WHO: Senator Lisa Murkowski (R-AK)

WHEN: 3:00 p.m. EDT

CALL-IN 1-800-369-2045
Pass Code: RNC Communications

Seth Oster
Associate Administrator
Office of Public Affairs
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Seth Oster/DC/USEPA/US
08/25/2009 06:12 PM

To Richard Windsor, Diane Thompson, Lisa Heinzerling, Gina
McCarthy
cc Allyn Brooks-LaSure
bcc
Subject Chamber of Commerce Challenge to EPA

In case you have not seen this .

Seth

NEW YORK TIMES

August 25, 2009

Chamber Threatens Lawsuit if EPA Rejects Climate Science 'Trial'

By MICHAEL BURNHAM of [ClimateWire](#)

The nation's largest business group is asking U.S. EPA to hold a public debate on climate change science -- or face litigation -- as the agency prepares to regulate greenhouse gas emissions under the Clean Air Act.

In April, EPA said it planned to declare that emissions of carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride from new automobiles and their engines contribute to air pollution that endangers public health and welfare. The proposal, which does not include any regulations, comes in response to the Supreme Court's 2007 *Massachusetts v. EPA* ruling.

The U.S. Chamber of Commerce filed a 21-page petition with EPA today, asking the agency to approve an on-the-record proceeding with an independent trier of fact who would allow EPA and environmental and business groups to engage in a "credible weighing" of the scientific evidence that global warming endangers human health.

EPA has hosted two public hearings and received more than 300,000 public comments on the matter already.

"They don't have the science to support the endangerment finding," Bill Kovacs, the chamber's vice president for environment, regulatory and government affairs, said in an interview. "We can't just take their word for it."

Kovacs envisions the EPA proceeding as a modern-day "Scopes Monkey Trial," where the science of global warming -- rather than evolution versus creationism -- would be debated. The 1925 trial, which pitted prominent defense attorney Clarence Darrow against three-time presidential candidate Williams Jennings Bryan, centered on the prosecution of John Scopes for violating a Tennessee law by teaching evolution in a high school classroom.

Much is at stake in the modern climate change debate. Declaring greenhouse gases as pollutants from automobiles would trigger Clean Air Act regulation of other emission sources, such as power plants and oil refineries, Kovacs said.

"An endangerment finding would make EPA the regulator of the U.S. economy," he warned.

EPA Deputy Press Secretary Brendan Gilfillan rejected the chamber's claims. EPA Administrator Lisa Jackson based her proposed endangerment finding on "the soundest peer-reviewed science available, which overwhelmingly indicates that climate change presents a threat to human health and welfare," he said.

"While she knows the rigorous process would stand up to any frivolous legal challenge, the administrator doesn't think a new Scopes trial is the best way to move America forward on this issue," Gilfillan added.

Litigation is a "certainty," regardless of EPA's next move, Kovacs said.

If EPA denies the chamber's petition for climate science debate, the 3-million-member business group would have 60 days to challenge the decision, Kovacs said. The chamber would have an equal amount of time in which to challenge EPA's final endangerment finding.

EPA is reviewing the public comments and preparing the final rule, Gilfillan said.

"What we're calling for is real transparency," Kovacs said. "They have taken the position that they want integrity in science."

The U.N. Intergovernmental Panel on Climate Change's 2007 assessment pegs the range of expected global average temperature increase during the next century at 2 to 4.5 degrees Celsius, with a best estimate of 3 degrees. The consequences of a warming world include harsher heat waves, deeper floods and faster glacial melting, the scientists warned.

In today's [filing](#) (pdf) with EPA, the chamber charges that "no issue should be more important in deciding whether to make an endangerment finding than the question of whether higher global temperatures will lead to higher death rates in the United States." Indeed, the business group, citing scientific data it has already submitted to EPA, contends that the IPCC's forecast temperature increases will result in lower net mortality rates in the United States.

The American Petroleum Institute and other trade groups have argued similarly in EPA filings.

"Those favoring a positive finding either ignore the data cited by the chamber and other parties who have actually examined the scientific literature in detail, or they try to divert

attention from the question of whether higher temperatures will lead to increased mortality in the United States," the chamber filing concludes.

Added Kovacs: "What we're asking for is a trial of the science."

Brenda Ekwurzel, a climate scientist with the Union of Concerned Scientists, characterized the chamber's analysis as "cherry picking" data.

A June 2009 report by 13 federal agencies, titled "Global Climate Change Impacts in the United States," does project a smaller risk of loss of life in the winter -- such as people slipping on ice or freezing to death -- in coming decades. However, warmer weather in other seasons would bring a greater risk of loss of life, Ekwurzel noted, citing the report.

"Unlike health threats caused by a particular toxin or disease pathogen, there are many ways that climate change can lead to potentially harmful health effects," the report noted. "There are direct health impacts from heat waves and severe storms, ailments caused or exacerbated by air pollution and airborne allergens, and many climate-sensitive infectious diseases."

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For more news on energy and the environment, visit www.climatewire.net .

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Seth Oster/DC/USEPA/US
09/02/2011 11:45 AM

To Richard Windsor, Gina McCarthy, Bob Perciasepe, Scott
Fulton, Avi Garbow, Bob Sussman, Laura Vaught, Sarah
Pallone, Arvin Ganesan

cc

bcc

Subject Fw: Zichal Blog Post: Cleaner Air and a Stronger Economy -
A Record of Success

Blog post by Heather on clean air act successes. Now apparently posted on WH site.

Seth

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----- Forwarded by Seth Oster/DC/USEPA/US on 09/02/2011 11:45 AM -----

From: White House Press Office <noreply@messages.whitehouse.gov>
To: Seth Oster/DC/USEPA/US@EPA
Date: 09/02/2011 11:42 AM
Subject: Zichal Blog Post: Cleaner Air and a Stronger Economy - A Record of Success

THE WHITE HOUSE
Office of the Press Secretary

FOR IMMEDIATE RELEASE

September 2, 2011

Zichal Blog Post: Cleaner Air and a Stronger Economy - A Record of Success

WASHINGTON- Heather Zichal, Deputy Assistant to the President for Energy and Climate Change, posted the following blog today on the steps the Obama Administration has taken to reduce harmful air pollution while promoting the nation's economic growth and well-being.

A link to the post can also be found online [HERE](#)

Clean Air: An Investment in Health, the Environment, and the Economy

Posted by Heather Zichal on September 02, 2011 at 10:30 AM EDT

Over the last two and a half years, the Obama Administration has taken unprecedented steps forward to protect the public health of American families by reducing harmful air pollution. Taken together, the Administration's clean air achievements will produce enormous benefits for public health and the environment - while promoting the nation's continued economic growth and well-being.

Clean air is critical to protecting public health and the environment and the evidence shows that it's a good investment. A recent report by the Environmental Protection Agency (EPA) shows that the direct benefits of the [Clean Air Act](#) – in the form of cleaner air and healthier, more productive Americans – are estimated to reach nearly \$2 trillion in the year 2020, exceeding the costs by a factor of more than 30 to one. These benefits are ultimately about the health of our families.

According to the report, in 2010 alone, the reductions in fine particle and ozone pollution from the Clean Air Act prevented:

- **160,000** premature deaths;
- More than **80,000** emergency room visits;
- **Millions** of cases of respiratory problems;
- **Millions** of lost workdays, increasing productivity;
- **Millions** of lost school days due to respiratory illness and other diseases caused or exacerbated by air pollution.

The Obama Administration's Record of Achievement

Doubling fuel efficiency for cars and light duty trucks: Shortly after taking office, President Obama directed the EPA and the Department of Transportation (DOT) to set joint fuel efficiency standards and greenhouse gas standards for cars and light-duty trucks built in 2012-2016. These groundbreaking standards, finalized in April 2010, will raise fuel efficiency to 35.5 mpg and begin saving families money at the pump this year. In July 2011, the President announced the [next round of standards](#), for Model Years 2017 – 2025, which will require performance equivalent to 54.5 mpg or 163 grams/ mile of CO₂ for cars and light-duty trucks by Model Year 2025. Together, the Administration's programs for cars and light duty trucks represent the first meaningful update to fuel efficiency standards in three decades and will save American families \$1.7 trillion dollars in fuel costs, and by 2025 result in an average fuel savings of over \$8,000 per vehicle. Additionally, these programs will dramatically cut the oil we consume, saving a total of 12 billion barrels of oil, and by 2025 reduce oil consumption by 2.2 million barrels a day. Achieving our efficiency goals will also secure demand for innovative technologies and manufacturing that will spur economic growth and create high-quality domestic jobs in cutting edge industries across America.

First-ever standards for medium and heavy-duty trucks: In addition to historic rules for light-duty vehicles, the Administration has announced the first-ever [fuel economy standards for medium- and heavy-duty trucks](#). Under the comprehensive new national program, trucks and buses built in 2014 through 2018 will reduce oil consumption by a projected 530 million barrels and greenhouse gas (GHG) pollution by approximately 270 million metric tons. The standards are expected to yield an estimated \$50 billion in net benefits over the life of model year 2014 to 2018 vehicles, resulting in significant

long-term savings for vehicle owners and operators.

Cutting pollution from power plants and industrial sources: EPA finalized additional Clean Air Act protections that will slash hundreds of thousands of tons of smokestack emissions that travel long distances through the air leading to soot and smog, threatening the health of hundreds of millions of Americans living downwind. The [Cross-State Air Pollution Rule](#) will reduce air pollution (including ozone) and is projected to prevent up to 34,000 deaths annually, producing annual estimated net benefits in excess of \$100 billion. Twenty seven states in the eastern half of the country will work with power plants to cut air pollution under the rule, which leverages widely available, proven and cost-effective control technologies. Many power plants covered by the rule have already made substantial investments in clean air technologies to reduce SO₂ and NO_x emissions.

First national standard to reduce mercury and other toxic air pollution from power plants: Power plants are the largest remaining source of several toxic air pollutants – responsible for half of mercury and more than half of acid gas emissions in the United States. In the power sector alone, coal-fired power plants are responsible for 99 percent of mercury emissions. In March of 2011, the Administration proposed [new power plant mercury and air toxics standards](#) to cut harmful emissions of mercury, arsenic, chromium, nickel and acid gases, preventing as many as 18,000 premature deaths and 11,000 heart attacks a year. These proposed standards would also prevent up to 5,300 hospitalizations for respiratory and cardiovascular diseases and up to 860,000 days of work missed due to illness. The total health and economic benefits of this standard in 2016 would be up to \$130 billion. In addition, the Administration is putting in place standards to reduce toxic pollution from cement plants, oil and gas extraction, and industrial boilers – steps which will provide large public health benefits for communities across the country.

Reducing harmful air pollution by expanding cleaner alternatives and increasing efficiency: The Recovery Act included over \$90 billion for clean energy – the largest single clean energy investment in American history. This funding supported programs that created over 224,500 American jobs and tens of thousands of domestic renewable energy projects through programs like the successful “1603” renewable energy grant program – which was successfully extended for a year as part of the December 2010 compromise tax agreement. Thanks to these concerted efforts, we are on track to double renewable energy generation by 2012.

The Administration has also demonstrated a commitment to efficiency, both in the transportation sector and in the built environment. This includes implementing more rigorous energy efficiency standards for commercial and residential appliances, including microwaves, kitchen ranges, dishwashers, light bulbs and other common appliances, and supporting building retrofits. The Recovery Through Retrofit program

is eliminating key barriers in the home retrofit industry and the Better Buildings Initiative for commercial buildings is striving to make this sector 20 percent more efficient by 2020.

Heather Zichal is the Deputy Assistant to the President for Energy and Climate Change

[Unsubscribe](#)

The White House · 1600 Pennsylvania Avenue, NW · Washington DC 20500 · 202-456-1111

Seth Oster/DC/USEPA/US
05/21/2010 11:50 AM

To Richard Windsor, Gina McCarthy, Margo Oge, Diane Thompson, Bob Perciasepe, Allyn Brooks-LaSure, Adora Andy, Brendan Gilfillan, David McIntosh, Arvin Ganesan, Sarah Pallone, Joseph Goffman, Janet McCabe
cc
bcc
Subject Fw: President Obama Directs Administration to Create First-Ever National Efficiency and Emissions Standards for Medium- and Heavy-Duty Trucks

Seth Oster
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----- Forwarded by Seth Oster/DC/USEPA/US on 05/21/2010 11:50 AM -----

From: "White House Press Office" <whitehouse-lists-noreply@list.whitehouse.gov>
To: Seth Oster/DC/USEPA/US@EPA
Date: 05/21/2010 11:46 AM
Subject: President Obama Directs Administration to Create First-Ever National Efficiency and Emissions Standards for Medium- and Heavy-Duty Trucks

THE WHITE HOUSE
Office of the Press Secretary

FOR IMMEDIATE RELEASE
May 21, 2010

President Obama Directs Administration to Create First-Ever National Efficiency and Emissions Standards for Medium- and Heavy-Duty Trucks

Calls for increased support for electric vehicles, extension of national policy for cars and light-trucks

WASHINGTON, DC - President Obama today continued to build towards a new clean energy foundation, announcing a vision for cleaner, more efficient trucks, and next-generation cars, including advanced electric vehicles.

Signing a Presidential Memorandum in the Rose Garden at the White House today, the President directed the U.S. Environmental Protection Agency (EPA) and the U.S. Department of Transportation (DOT) to create a first-ever National Policy to increase fuel efficiency and decrease greenhouse gas pollution from medium- and heavy-duty trucks for Model Years 2014-2018. Currently trucks consume more than two million

barrels of oil every day, and average 6.1 miles per gallon. They also emit 20% of greenhouse gas pollution related to transportation. Preliminary estimates indicate great potential for significant fuel efficiency gains and greenhouse gas emissions reductions for large tractor trailers, which represent half of all GHG emissions from this sector.

The President also called for an extension of the National Program for cars and light-duty trucks to Model Year 2017 and beyond.

Additionally, President Obama directed the Department of Energy to provide increased support for deployment of advanced vehicles, including electric vehicles, and directed EPA to reduce non-greenhouse-gas pollutants from motor vehicles.

The announcement lays the groundwork for a more secure energy future by reducing our dependence on oil, enhancing American competitiveness and job creation with a new generation of advanced electric vehicles, and protects the environment by reducing dangerous greenhouse gas and other pollutants.

President Obama said, "This will bring down costs for transporting goods, serving businesses and consumers alike. It will reduce pollution. And, just like the rule concerning cars, this standard will spur growth in the clean energy sector. We know how important that is. We know that our dependence on foreign oil endangers our security and our economy. We know that climate change poses a threat to our way of life - in fact we are already beginning to see its profound and costly impact. And we know that our economic future depends on our leadership in the industries of the future."

Following the President's directive today, and with the support of a wide and diverse array of stakeholders, including auto manufacturers, workers, the State of California, the environmental community, and other states, EPA and DOT will develop forthcoming rulemaking proposals to achieve these goals, and continue building a stronger foundation for a clean energy economy and the next generation of advanced vehicles.

"We want America to be home to the auto industry of the future, and this sends a clear message to our innovators, entrepreneurs and auto manufacturers that this country is committed to leading the way through 2016 and beyond," said **EPA Administrator Lisa P. Jackson**. "The fuel efficient cars and trucks of the future can cut costs for American drivers and shipping companies, while cleaning up the air we breathe. We're starting on this today so that we can be the world leaders in clean technology tomorrow."

"We need to seize the momentum following last month's historic new fuel economy and greenhouse gas emission standards and President Obama's announcement today does just that," said **DOT Secretary Ray LaHood**. "By expanding this effort to include

medium and heavy-duty trucks and encouraging the development of innovative technologies such as electric cars, we are laying the foundation for a cleaner, greener transportation sector that provides greater environmental benefits, reduces our dependence on oil and encourages American creativity.”

Today’s announcement builds upon the success of the historic new national policy President Obama set in motion one year ago, this week, increasing fuel economy and reducing greenhouse gas pollution for new cars and light-duty trucks manufactured in Model Years 2012-2016 and sold in the United States. The policy represented an unprecedented collaboration between DOT, EPA, the world’s largest auto manufacturers, the United Auto Workers, leaders in the environmental community, the State of California, and other state governments. Last month, EPA and DOT issued coordinated final rules fulfilling the President’s directive, and these regulations established, for the first time, a harmonized National Program that will save our nation 1.8 billion barrels of oil and reduce greenhouse gas emissions by nearly one billion metric tons -- equivalent to taking 50 million cars off the road -- over the lifetime of vehicles sold in Model Years 2012-2016.

###

Seth Oster/DC/USEPA/US
11/30/2010 11:02 AM

To Richard Windsor, Janet Woodka
cc "Bob Perciasepe"
bcc
Subject Re: Clips

We'll handle.
Richard Windsor

----- Original Message -----

From: Richard Windsor
Sent: 11/30/2010 11:01 AM EST
To: Janet Woodka; "Seth Oster" <oster.seth@epa.gov>
Cc: "Bob Perciasepe" <perciasepe.bob@epa.gov>
Subject: Fw: Clips

Cool. Let's ensure we send to RAs, AAs, and other staff.
Brendan Gilfillan

----- Original Message -----

From: Brendan Gilfillan
Sent: 11/30/2010 10:46 AM EST
To: Richard Windsor; Bob Perciasepe; Diane Thompson; Seth Oster <oster.seth@epa.gov>; Adora Andy; Betsaida Alcantara; David McIntosh; Arvin Ganesan; Sarah Pallone; Stephanie Owens; Dru Ealons; Bob Sussman; Lisa Heinzerling; Daniel Kanninen; Gina McCarthy; Alisha Johnson; Andra Belknap; Paul Anastas; Cynthia Giles-AA; Peter Silva; Nancy Stoner; Steve Owens; Mathy Stanislaus
Subject: Clips

All -

Below are a few noteworthy clips from yesterday. We'll also circulate additional clips from this week's 40th events late each day.

Thanks.

- Brendan

[The EPA and Lisa Jackson: What Stands Between You and Polluters
Peter Lehner](#)

Executive Director, Natural Resources Defense Council

Huffington Post, November 29, 2010 03:23 PM

I met with Lisa Jackson last week, and I was once again struck by how forcefully she fights to protect the health of American families. As the head of the Environmental Protection Agency, she is helping make our air safer to breathe and getting toxins out of everyday products.

Still, it has become commonplace these days to bash the government and to question the service of public officials--particularly Jackson.

Yet attacking Jackson is like attacking our doctors and pediatricians. Congress charged the EPA with protecting our health, and like medical professionals, Jackson and her colleagues study the science and determine affordable ways to keep people healthy--instead of treating them after they get sick.

And let's face it: If the EPA doesn't stand up for our health and set limits on the pollution that causes asthma, heart disease, and cancer, who will? Do you think BP is protecting you? Do you think the American Petroleum Institute is protecting you?

Oil companies are looking out for their own interests--that's fine, that's what businesses do. But our interests need to be represented as well.

Imagine if an oil refinery or a power plant was pumping toxic pollutants into your body--and you are left paying the medical bills and taking your child to the ER when she has an asthma attack.

It is extremely difficult for an individual to demand that a major polluter clean up its act. But Congress gave the EPA the authority to do just that. And Jackson uses this authority on behalf of you and me and our children.

Jackson first got into environmental protection because she saw it as a form of people protection. She grew up in New Orleans, the daughter of a postman, and studied chemical engineering at Tulane. During her graduate work, she realized that her training as an engineer could be used to clean up hazardous waste--or better yet, stop it from occurring in the first place.

But Jackson isn't only an engineer or a public official; she is also the mother of two sons. She wants to keep her children safe from illness just like I do and just like every other parent does.

That's why Jackson tells industry: you can conduct your business, but you have to do it without giving our kids asthma or giving our parents respiratory disease. Some lawmakers think that makes Jackson an example of government overreach. I think that means she is doing the job Congress gave her. And the job we need her to do - because no one else can or will do it.

Agency's success presents new challenges -- Jackson (11/29/2010)

Gabriel Nelson, E&E reporter

With U.S. EPA taking intense criticism from Republicans and businesses, Administrator Lisa Jackson said today her 40-year-old agency is battling a new problem: Americans are taking a healthy environment for granted.

When EPA was created in 1970, Cleveland's Cuyahoga River was so polluted that it caught fire. Pittsburgh and Los Angeles were choking on smog on a daily basis. And the widespread use of DDT and other toxic chemicals was killing off bald eagles -- the very symbol of the United States.

The nation's rivers aren't burning anymore, Jackson said. The air is clean enough that many people don't notice it. Struggling species have rebounded. But because younger people have

no memories of those days, they might not realize why the agency was created in the first place, she said.

Critics say EPA has already picked all the low-hanging fruit in the Clean Air Act and other statutes. But Jackson said there are still ways for the agency to address public health and the environment -- especially by imposing more rules on electric utilities.

"We've made enormous progress," she said. "We've gotten to the point now where we don't see the pollution as often as we did, and in some ways, that makes our job a little bit harder. It's pollution that's less easy to photograph and less easy to get people riled up about."

The talk today at the Washington, D.C., headquarters of the Aspen Institute, a think tank, kicked off a week of events commemorating EPA's creation on Dec. 2, 1970. Jackson is scheduled to tout the agency's focus on children's health tomorrow at a charter school in Atlanta and to speak Friday during a symposium on U.S. environmental policy at Harvard University.

During the series of appearances, Jackson will be playing defense as well as reflecting on the agency's past. When they take control of the House next year, the Republicans intend to increase oversight of the agency's programs and try to rein in rules they consider excessive.

They say the cost of new regulations is pushing existing jobs overseas and preventing companies from investing in costly new facilities.

The agency's regulations were challenged again today by incoming House Oversight Committee Chairman Darrell Issa (R-Calif.) and Rep. Fred Upton (R-Mich.), who is competing for the gavel of the Energy and Commerce Committee. Regulations such as the upcoming revision to the national smog standard "may devastate our economy and send us into a prolonged recession," the lawmakers said.

"Now that Republicans have recaptured the House, we think it is time for a fundamentally different approach in the defense of liberty," they wrote in a *Washington Times* op-ed. "Committees with significant oversight duties must work together to block agencies from freely passing regulations that have no regard or concern for the potential damage to job growth and the economy."

Regs won't hurt economy -- Jackson

Jackson said she is "absolutely adamant" that the government can provide a cleaner environment to Americans without stopping economic growth, especially after a quarter in which American businesses made record profits. She acknowledged that EPA's programs are less fruitful now than they were in the beginning, but the numbers still show more benefits than costs.

According to annual figures compiled by the White House Office of Management and Budget, EPA regulations produced between \$82 billion and \$533 billion in benefits between 1999 and 2009, compared with between \$26 billion and \$29 billion in costs.

Though the agency produced 30 or 40 times more benefits than costs in its earlier years, the equation still favors the programs, Jackson said.

"I don't think that this should ever be framed to people as, 'OK, it's time to choose: Do you

want a job, or do you want a clean environment?" Jackson said. "We are not there. We are nowhere near that line, and we can have both."

'The EPA is Not the Villain'

Administrator Lisa Jackson talks about working with a new GOP majority.

Newsweek Q and A

On Jan. 1, the Environmental Protection Agency is set to phase in regulations on air and water pollutants, including sulfur oxides, ozone, and, most controversial of all, carbon dioxide. House Republicans have vowed to thwart the EPA at every turn. But Lisa Jackson, the agency's administrator, says she won't be deterred. She sat down with NEWSWEEK's Daniel Stone. Excerpts:

People have said you run, and I'm quoting, a "runaway agency," with a staff that's "out of control," and have called you a "renegade." What's your response? I think we need to separate what we're doing from what we hear lobbyists and CEOs say we're doing. We laid out three ideas: we would follow the law, and we would follow science, and we would operate transparently. When I hear "renegade," it sounds like we're operating outside of the system. But this is the system. The system is designed to make sure our land and water and air are protected.

House Republicans have said they're going to subpoena you every week. What will be your defense? I can offer facts. I'll explain all the rules and proposals that are out there, what they do, and how they'll protect the environment and health of the American people. We're not doing it without being mindful that the economy is in tight straits.

Would there be room for a compromise to push all these regulations back one or two years? I'm not saying there's no accommodation that can be made with respect to time. But these regulations are designed to give time and certainty so that industry can plan. I had a CEO in here last week who thanked me for the clean-car rules. He said they were absolutely key, if not the catalyst, to make his industry expand. The irony was, in the state where those jobs are going to be, both senators were looking to pull back EPA's authority, which would have pulled back the clean-car rules.

One energy CEO in Kentucky told customers their bills would go up 20 percent with new regulations. They do those calculations by assuming the worst-case scenario. We try to work very closely with industry. It's not fair to have someone speculate about what we might do and then castigate this agency and me personally for something we haven't done.

Considering the global impact of greenhouse gases, doesn't it also matter what developing economies do? It is true that climate change is a global phenomenon. Because of the growth in the developing world—China, India, and other countries—we know that carbon emissions may go up. But there's a need for leadership, and also a need for regulatory certainty.

Clear air and water and a stable environment seem like reasonable things. Do you think you lost control of the messaging? I've got to push back on that. You need to separate what happens inside the Beltway echo chamber here with what happens in the countryside. People expect their government to take care of them and their families. Not special interests, not highly paid lobbyists. This agency plays an important role that way. I understand that people need a villain, but this agency is not the villain. My belief has always

been that you can have a clean and healthy environment and a thriving economy at the same time.

How much support have you gotten from the president? It's the other way around. I'm there to support his agenda. He has said EPA is doing its job. I feel very supported by the administration.

Seth Oster/DC/USEPA/US
03/24/2010 04:28 PM

To Richard Windsor, Mathy Stanislaus, Bob Sussman, Lisa
Heinzerling, Diane Thompson, Bob Perciasepe, Lisa Feldt,
Arvin Ganesan
cc Adora Andy, Allyn Brooks-LaSure
bcc
Subject Huffington Post -- Coal Ash Piece

March 24, 2010

HuffPost Social News ^{BETA}



[Laura Bassett](#)
lbassett@huffingtonpost.com | HuffPost Reporting

Even The Cows Have Cancer: EPA Weighs Tougher Regulation of Toxic Coal Ash



Elisa Young says she has lost at least six neighbors to cancer in the last ten years.

"I've lost neighbors to lung cancer who have never smoked," she said. "I've lost them to brain cancer, breast, throat, colon, multiple myeloma, pre-leukemia. When my son, who's in his 20s, came home to visit, he said, 'Mom, is it normal for your mouth to taste like metal?' We pulled over and he coughed until he got sick."

Young has no doubt about what she believes is causing all the cancer: coal. For the past 10 years she's lived in Meigs County, Ohio, the center of the second largest concentration of coal plants in the nation, and has become an environmental activist.

"There isn't a house on this road that hasn't been touched by cancer... I had melanoma and I currently have two more precancerous conditions for breast and thyroid cancer, none of which

are in my family," said Young, 47. "My dog died of cancer, my best friend's dog died of lymphoma. I just gave up a dog because I couldn't afford to take him into the vet. He was getting lumps on him."

Each year, coal-burning power plants release nearly 100 million tons of toxic fly ash into wet ponds, rivers and landfills, according to a [2009 report by Earthjustice](#), an environmental legal advocacy organization. A 2007 risk assessment by the Environmental Protection Agency found that people who live near one of these coal ash waste sites have as high as a 1 in 50 chance of developing cancer, as well as an increased risk of damage to the lungs, kidneys, liver and other organs as a result of exposure to toxic metals. Further, says the report, the danger to wildlife and ecosystems is "off the charts." Linking exposure to specific diseases can be difficult to prove scientifically -- it has not been definitely proven that exposure to toxic fly ash caused the sicknesses in Meigs County.

Despite these findings, the Environmental Protection Agency has deemed coal ash a "non-hazardous waste" since 1988, a classification that allows fly ash to be dumped into ponds with no protective liner and re-used as pavement, building materials, fertilizer, potting soil and even toothpaste.

In October of 2009, the EPA finally re-evaluated the dangers of toxic coal ash and proposed new rules to regulate coal waste disposal, but the proposed regulations have been stalled for five months at the White House Office of Information and Regulatory Affairs, headed by Cass Sunstein. During their deliberations over the past few months, Sunstein's staff has met with representatives of the coal and fly ash industries approximately 35 times, but has only met with a handful of citizens personally affected by coal ash. According to a press release issued by Ohio Citizen Action last week, Sunstein has not made any public trips to see the real-life effects of coal ash on some of America's poorest communities.

Story continues below +

EPA administrator Lisa Jackson told reporters in February that she hoped her agency would unveil the proposal by April. But, she said, "I can't absolutely lock it in." Sunstein's office did not return requests for comment.

Coal ash waste is being piled onto Meigs County from every part of the coal cycle: the mining, the power plants and the dumps. But the area has received very little attention from the EPA or decision-makers in the White House, environmentalists say. "Everything that could affect you with that hazardous waste is right on top of us," Young said. "Nobody's ever come through here and taken samples of our ponds and streams and pastures to see what's accumulated. They're continuing to dump more and more of this on us, and they're not even regulating what is currently making us sick."

Not everyone in Meigs County feels the way Young does about the plants--many people welcome them for their potential to bring more jobs to a county with a staggering 17.7 percent unemployment rate. In August 2008, during a public hearing related to a new coal-burning power plant and landfill being proposed for Meigs County, Jim Phillips of *Athens News* reported:

"Most people who attended the hearing favored the project as a desperately needed source of jobs - a fact brought out when Meigs County Commissioner Mick Davenport asked all supporters in the room to stand, and most people promptly got to their feet." Davenport did not return several calls for comment.

(The proposed plant never came, according to an Ohio Citizen Action press release.)

Young thinks electric companies target poor, rural towns because they know the people are desperate for jobs. "They consider us to be the most worthless, powerless population they could find," Young said. "That's why they set up here."

Guy Rose, a farmer in Meigs County, Ohio, said he tried but failed to get a job at one of the four power plants in the area. Having lived on a large piece of farmland in the area for his entire life, Rose said he has lost a number of cattle to cancer, which he says is a very unusual way for cattle to die. He has also had a few health concerns of his own.

"It sure is getting tough to breathe around here," Rose said. "I've had this cough for about three or four years now, but I've never been to doctor. The insurance is so darn high I can't afford it."

Environmental advocacy organizations share Young's concern that the coal industry targets America's poorest and most politically powerless communities as sites for their plants and waste dumps.

"Many studies have shown that toxic waste disposal in the U.S. places a disproportionate burden on poor communities and communities of color," said Lisa Evans, Senior Administrative Counsel for Earthjustice. "Clearly, the facts that these communities have less political power and may already be suffering from environmental and economic blight are factors that make their communities more likely targets for coal ash disposal. For off-site disposal facilities, like the Arrowhead Landfill in Perry County, Alabama, or the coal ash dump in Gambrills, Maryland, I believe this is particularly true."

After a major coal spill in Kingston, Tennessee, in 2008, the Tennessee Valley Authority (TVA) was charged with the responsibility of cleaning up the toxic coal ash and moving it to a landfill that could accept the waste. A spokesperson for the TVA said they made the decision to dump the waste into the Arrowhead Landfill in Perry County, Alabama, a poor, predominantly African-American town, "based on cost, being able to move the material by rail, and the ability of the landfill to accept the waste." She added that the decision was a positive one for Perry County because it would "supply additional jobs to the community," which has long suffered from high unemployment rates.

When Perry County won the contract for the coal ash disposal, Commissioner Albert Turner, Jr., son of the prominent civil rights leader, testified before Congress: "The contract between TVA and the Arrowhead Landfill has provided the county with an economic boost, unseen since the state of Texas struck oil.... In plain words, we have transformed one of the poorest counties per capita in Alabama into one of the wealthiest counties in Alabama."

Turner added, "Now, more than 96% of the residents of Perry County will have clean, fresh drinking water," and repeatedly called the landfill "environmentally safe" throughout his testimony.

But since TVA began moving the coal ash to Perry County in July of 2009, the unemployment rate has actually increased from 19.3 percent to 19.6 percent, according to Department of Labor statistics. And the town's groundwater has consistently tested high for arsenic and other health-threatening toxins. John Wathen, an environmental investigator and clean water advocate for Perry County, says the toxic ash is being very sloppily handled at its new site.

"Literally within 100 feet of people's homes, they're dumping coal ash on the ground, allowing it to blow around," Wathen said. "In Kingston, where the disaster occurred, they're taking meticulous care to make sure none of that stuff becomes airborne on the transfer to Perry. Then they dump it on the ground here, the plastic bags are all over the place, the train cars that are unloaded have to be washed out before they get back to Kingston. So they wash the ash out into a ditch that leads directly into a creek. It's criminal."

Wathen said that anyone who claims that coal waste is non-hazardous hasn't had to stand near it. "I'm a healthy man and I literally break down and throw up every time I'm exposed to it," he said. "And these people are expected to live in it. The federal government, community officials and TVA clearly conspired to take advantage of them."

Dora Williams, who lives with her grandson about 200 feet from the landfill, agrees.

"It's miserable," said Williams, 62. "It affects everything around here -- fruit, trees, cars, trucks, furniture... You can't open your windows. I had a garden; I ain't got one now. The smell, it makes you real weak and sick. When it starts smelling real strong, sometimes I get up at five in the morning and just leave until it lightens up a bit."

Williams says her grandson, who is 26, was unable to get a job at the landfill. "We went to the town meeting, they tell us a bunch of lies, talking about jobs and whatnot. But my grandson went over there and they didn't give him one. They give who they want a job, that's what it looks like."

Some Perry County residents feel like they've been misrepresented by their elected officials, who lobbied for the waste to come to the Arrowhead Landfill because of the lucrative deal involved. Ruby Holmes, 80, says the town members have yet to see any of the money or jobs they were promised, and that none of their opinions were taken into consideration when the decision was made.

"I know we need somewhere to put our garbage, but I didn't thought they would put it this close in front of my door," she said. "We wasn't treated fair. We elect our commissioners to look out for the welfare of our community, and they took things in their own hands. We didn't know anything about this landfill coming in here until it was a done deal, and that's what make me very, very angry. When I talk about it, it upsets me and it run my blood pressure up."

Travis Vaughn, a reporter for the *Perry County Herald* who's been covering the coal ash situation since July, called Commissioner Turner's comments before Congress "asinine and ridiculous," and reiterated that Perry County was being taken advantage of by the government and the coal industry.

"We're politically insignificant, but more than that, our leaders are so eager to get their hands on money that they don't give a damn about what the people want," Vaughn said.

"They promise us all these benefits, and then nothing happens. They don't listen to us. They won't even show us any records. Two of our commissioners were elected based on their opposition to the landfill, and now they're two of the biggest cheerleaders for the stuff. It's the overall culture of corruption that breeds distress."

From the local level to the national level, many poor communities that are polluted with coal ash waste are concerned that they have very little political representation, and that Cass Sunstein's upcoming decision on the new EPA proposals will be influenced by coal industry lobbyists and representatives.

The coal industry has taken the position that the White House Office of Management and Budget should reject the EPA's proposals and continue to regulate coal ash as "non-hazardous" on the grounds that a "hazardous" classification would limit the beneficial uses of coal ash.

"We don't believe it's necessary to regulate coal ash as a hazardous waste, and that would cause a lot of issue with the fact that coal ash is being used for beneficial purposes, such as the construction of roads and bridges," said Tammy Ridout, a spokesperson for American Electric Power (AEP), which owns two major power plants near Meigs County. "It's used for mine reclamation, it's used in a lot of different applications that allow that ash not to be put in a landfill. So the benefits can outweigh the costs."

But AEP is certainly not unaware of the health risk posed by its plants, as it asked many residents living near its power plants to sign medical waivers.

"People were getting nose bleeds, headaches, acid burns on their faces from the emissions," Elisa Young told HuffPost. "So AEP said they hadn't done anything wrong, but they offered them three times their property value to leave and made people sign medical waivers saying they'd never be allowed to sue for medical problems."

AEP directed questions about health risks and coal ash toxicity to Jim Roewer, a registered lobbyist and executive director of the Utility Solid Waste Activities Group, a trade organization for the coal industry. Roewer said: "The metals that are in coal, some of them are captured in the ash when it's burned. The question of toxicity is one that relates to exposure to the ash. I don't know what kinds of cancers these people have had, and I'm not familiar with incidences of public health damages that have been attributed with exposure to coal ash. But hazardous waste regulations would affect a variety of stakeholders and their ability to use coal ash in beneficial ways."

Roewer has met with the White House Office of Management and Budget twice to discuss the ways that coal ash should be regulated, but he says that allegations that coal industry representatives have had more of an opportunity to influence the EPA and White House decisions than the people being affected by the coal ash are "bizarre."

It is not clear exactly what the new proposed regulations include or whether they are likely to pass, as Cass Sunstein and the White House have remained silent on the issue. The EPA would only discuss the proposal in general terms, releasing a statement that says: "Administrator Jackson is committed to ensuring the protection of public health and the environment regarding coal ash. This rule continues to be under review and we expect to issue a proposed rule in the near future."

The EPA has not yet taken up Elisa Young and Ohio Citizen Action on their invitation to visit Meigs County.

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Seth Oster/DC/USEPA/US
12/17/2009 01:09 PM

To Richard Windsor, Mathy Stanislaus, Diane Thompson, Bob Sussman, Bob Perciasepe, Arvin Ganesan, David McIntosh
cc
bcc
Subject Coal Ash -- Industry report on effects of possible EPA rule

Assume others are aware of, and/or have seen this report that was cited in Inside EPA this morning.

Seth

Draft Study Finds ‘Hazardous’ EPA Ash Rules Could Shutter Coal Utilities

Preliminary findings by a key electric power research organization find that between 190 and 411 coal-fired power plants could be shuttered if EPA’s pending coal ash disposal rules regulate the waste as hazardous, which could boost an increasingly aggressive 11th-hour push by the utility industry to block any hazardous waste designation.

The Electric Power Research Institute (EPRI), a research organization that does not advocate for particular policy outcomes, is studying the possible impacts on coal-fired power plants if EPA designates coal ash as hazardous in its upcoming, first-time Resource Conservation & Recovery Act (RCRA) rules for the waste. Utility lobbyists fear a hazardous designation would be a “game changer” that would boost costs and cause plant closures.

EPRI’s preliminary findings show a hazardous waste rule for coal ash could shutter from 190 to 411 coal-fired generation units in the Midwest, Mid-Atlantic, Texas and Southeast regions, Ken Ladwig, EPRI senior research manager, told a Dec. 10 House Energy & Commerce Committee environment panel hearing.

Additionally, Regional Transmission Organizations (RTOs) that move electricity across several states would see drops of between 4 and 19 percent in generation capacity, according to Ladwig’s testimony at the hearing.

The largest RTO -- PJM Interconnection LLC which serves parts of Delaware, Illinois, Ohio, 11 other states and the District of Columbia -- would experience a 12 to 19 percent drop in generation capacity, the preliminary findings show. Texas

would suffer a 7 to 14 percent loss, the RTO for the Midwest would lose between 5 and 8 percent of its capacity, and the Southeast regulated areas could face between a 4 and 9 percent drop in capacity, Ladwig said.

Ladwig was among a number of stakeholders at the hearing, where environment subcommittee Chairman Edward Markey (D-MA) urged EPA to include first-time restrictions on the beneficial reuse of coal combustion waste as part of its pending RCRA coal ash proposal, warning that some beneficial reuses of coal ash can result in heavy metals within the ash leaching out and contaminating water supplies (*see related story*).

While Ladwig cautioned that the findings are preliminary, EPRI has presented some early results to the White House Office of Management & Budget (OMB), which is reviewing EPA's coal waste proposal, expected later this month. The results focus on the specific impacts on coal-fired power plants if they were required under a hazardous waste designation to switch from "wet" coal ash disposal in surface impoundments and other ponds to dry coal ash storage, for example in a landfill. Environmentalists say EPA's rules should ban any future wet disposal of coal ash.

EPRI has also had discussions with staff in the Federal Energy Regulatory Commission's (FERC) Office of Reliability about its report and the focus of future coal ash studies. A source with the Edison Electric Institute (EEI), which represents investor-owned utilities, says FERC wants to see a final report from EPRI before taking any action, but in the meantime the energy commission is coordinating with industry including EEI to examine the potential impacts on electricity reliability in the event EPA opts to regulate coal ash as hazardous (*Inside EPA* , Dec. 11).

While EPRI's draft findings that hazardous coal waste rules could shutter more than 400 coal-fired power plants are preliminary, the power industry could nevertheless get a boost from the findings in its opposition to EPA issuing any RCRA hazardous waste rules for coal ash.

Sources with EEI have previously said that any type of hazardous designation could be a negative "game changer" for the coal-fired power plant industry and raise the specter of power plants having to close down due to being unable to handle the massive new regulatory costs that such a designation would create.

EEI has pursued an aggressive effort to have its industry members send letters to EPA opposing hazardous waste rules for coal ash and is also engaging in last-minute lobbying with OMB, the White House Council on Environmental Quality and other key Obama administration offices to try and win their opposition to hazardous waste rules.

EPA is pursuing first-time RCRA rules for the disposal of coal waste in the wake of a massive coal ash spill at a Tennessee Valley Authority (TVA) facility in December 2008. Environmentalists argue that the spill shows that industry is inadequately handling the waste and that it highlights the dangers of wet disposal of coal ash. One informed source says that EPA may issue its proposal on Dec. 22, the first anniversary of the TVA spill.

EEI argues that EPA should adopt new federal non-hazardous waste regulations under RCRA for waste management facilities where coal ash is stored, according to EEI documents. EEI has argued that regulating coal ash as non-hazardous waste is consistent with EPA's 2000 regulatory determination that "coal ash does not warrant regulation as a hazardous waste," according to both EEI statements made earlier this year and sources with the trade association.

Various industry groups have also held a number of meetings with OMB in recent weeks, including the Portland Cement Association which met with OMB and EPA officials Nov. 17 to warn about negative associations a hazardous waste designation would have on coal ash, which could harm the beneficial reuse industry. Several power companies including American Electric Power, First Energy and Duke Energy have also recently met with OMB and EPA.

The informed source says there is reportedly significant opposition to EPA's preferred approach of regulating coal ash through a hybrid approach that would designate some coal ash disposal as hazardous and other types as non-hazardous solid waste, due to concerns about costs and minimal benefits. The source says that in addition to industry, other agencies may be raising concerns with EPA, but the agency appears hesitant to drop the hybrid plan.

EPRI is now internally reviewing a draft version of its report into how hazardous EPA waste rules for coal ash could impact power generation and grid reliability, expected for release sometime next year.

EPA is expected to declare at least some forms of coal ash, including those stored in wet impoundments, as hazardous waste subject to strict storage and handling requirements.

Once the research organization makes its report final next year it will formally submit the findings to EPA, FERC and OMB. A related ongoing EPRI report could emerge in 2010 providing an in-depth analysis of the cost of hazardous waste disposal, and wet-to-dry conversion of fly ash and bottom ash handling systems.

One of the barriers to a more detailed analysis before 2010 is uncertainty about the pending EPA regulations, Ladwig told the hearing. A more detailed analysis is a complicated undertaking that requires a specialized modeling system to assess the cost impacts from a change in regulation. For now, the report focuses on the preliminary results of how reliability would be impacted under potential EPA regulatory changes for coal-fired power plants.

Ladwig noted in his testimony that, "The magnitude of potential shutdowns in terms of lost capacity (resource adequacy) is only a partial picture of the regulatory impacts."

Ladwig added that EPRI's data is a preliminary analysis and that other metrics had not been examined, including electricity price impacts, job losses, "distributional equity (i.e., identification of who would benefit and who would bear the costs)," and secondary market impacts, such as impacts on coal mining, natural gas production and the "beneficial use markets" for coal ash, including concrete manufacturing and the construction industry. In a list of possible subjects to evaluate in the future, Ladwig also noted "transmission security impacts due to unit closures."

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Subject NY Times Editorial -- Coal Ash

The New York Times

January 20, 2010

Editorial

The Coal Ash Case

Just more than a year ago, one billion tons of toxic coal sludge broke loose from a containment pond belonging to the Tennessee Valley Authority, burying hundreds of acres of Roane County in eastern Tennessee and threatening local water supplies and air quality. The Environmental Protection Agency immediately promised new national standards governing the disposal of coal ash to replace a patchwork of uneven — and in many cases weak — state regulations.

The agency's recommendations, which have not been made public, are now the focus of a huge dispute inside the Obama administration, with industry lobbying hard for changes that would essentially preserve the status quo. The dispute should be resolved in favor of the environment and public safety.

America's power plants produce 130 million tons of coal ash a year, enough to fill a train of boxcars stretching from the District of Columbia to Australia. Some of this is usefully, safely and profitably recycled to make concrete and other construction materials. Much of it winds up in lightly regulated landfills, some as big as 1,500 acres, where toxic pollutants like arsenic and lead can leach into the water table.

One internal E.P.A. proposal suggested reclassifying coal ash as a hazardous material subject to federal regulation. It also recommended national standards requiring safe, sturdy disposal facilities. Industry counterattacked, arguing that the hazardous designation would ruin the recycling market and could trigger burdensome new investments. It also argued for continued state control, with the federal government providing "guidance."

These arguments do not hold up. The recycling market will not disappear. Materials that are responsibly recycled are not, typically, designated as hazardous. The real problem is the 60 percent or so of the coal ash that winds up in porous landfills. Evidence suggests that tough but carefully tailored rules could encourage even more recycling, protecting the environment while yielding income to help pay for more secure landfills.

This debate is being conducted behind closed doors, mainly at the Office of Management and Budget, where industry usually takes its complaints and horror stories. A better course would be to let the E.P.A. draft a proposal, get it out in the open and offer it for comment from all sides.

The Obama administration promised that transparency and good science would govern decisions like these.

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10/27/2010 11:38 AM

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cc

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Subject Frontline Story from Last Night on BP and Debarment

All,

Here is the link to the Frontline story that ran last night about BP, which focused heavily on the debarment issue. The link below will lead you to the site with the piece that aired. The story below also captures it.

Seth

http://www.pbs.org/wgbh/pages/frontline/the-spill/?utm_campaign=viewpage&utm_medium=grid&utm_source=grid

Furious Growth and Cost Cuts Led To BP Accidents Past and Present

by [Abrahm Lustgarten](#)

ProPublica

26 October 2010

Jeanne Pascal turned on her TV April 21 to see a towering spindle of black smoke slithering into the sky from an oil platform on the oceanic expanse of the Gulf of Mexico. For hours she sat, transfixed on an overstuffed couch in her Seattle home, her feelings shifting from shock to anger.

Pascal, a career Environmental Protection Agency attorney only seven weeks into her retirement, knew as much as anyone in the federal government about BP, the company that owned the well. She understood in an instant what it would take others months to grasp: In BP's 15-year quest to compete with the world's biggest oil companies, its managers had become deaf to risk and systematically gambled with safety at hundreds of facilities and with thousands of employees' lives.

"God, they just don't learn," she remembers thinking.

Just weeks before the explosion, President Obama had announced a historic expansion of deep-water drilling in the Gulf, where BP held the majority of the drilling leases. The administration considered the environmental record of drilling companies in the Gulf to be excellent. It didn't ask questions about BP, and it didn't consider that the company's long record of safety violations and environmental accidents might be important, according to Carol Browner, the White House environmental adviser.

They could have asked Jeanne Pascal.

For 12 years, Pascal had wrestled with whether BP's pattern of misconduct should disqualify it from receiving billions of dollars in government contracts and other benefits. Federal law empowers government officials to "debar"—ban from government business—companies that commit fraud or break the law too many times. Pascal was a senior EPA debarment attorney for the Northwest, and her job was to act as a sort of behind-the-scenes babysitter for companies facing debarment. She worked with their top management, reviewed records and made sure they were good corporate citizens entitled to government contracts.

At first, Pascal thought BP would be another routine assignment. Over the years she'd persuaded hundreds of troubled energy, mining and waste-disposal companies to quickly change their behavior. But BP was in its own league. On her watch she would see BP charged with four federal crimes—more than any other oil company in her experience—and demonstrate what she described as a pattern of disregard for regulations and for the EPA. By late 2009 she was warning the government and BP executives themselves that the company's approach to safety and environmental issues made another disaster likely.

A close look by ProPublica and PBS FRONTLINE at BP's explosive growth corroborated and expanded on Pascal's concerns. The investigation found that as BP transformed itself into the world's third largest private oil company it methodically emphasized a culture of austerity in pursuit of corporate efficiency, lean budgets and shareholder profits. It acquired large companies that it could not integrate smoothly. Current and former workers and executives said the company repeatedly cut corners, let alarm and safety systems languish and skipped essential maintenance that could have prevented a number of explosions and spills. Internal BP documents support these claims.

A ProPublica analysis of state and federal records revealed that BP has fared far worse in the United States than the rest of the industry in terms of spills and serious safety violations.

In Alaska, home to one of BP's longest-standing and most important business units, the company produced nearly twice as much oil as ConocoPhillips, the other major company operating there, but since 2000 it has also recorded nearly four times as many large spills of oil, chemicals or waste. In the Gulf of Mexico, BP had more spills than Shell between 2000 and 2009, even though Shell produced more oil there.

BP's workers also appear to be more at risk. In Alaska, it has had 52 worker-safety violations since 1990, compared with ConocoPhillips' seven. Nationally, according to an extensive analysis of data from the Occupational Safety and Health Administration, BP had 518 safety violations over the last two decades, compared with 240 for Chevron and even fewer for its other competitors. Since those statistics were compiled, in 2009, OSHA has announced 745 more violations at two BP refineries, one near Toledo, Ohio, and the other in Texas City, Texas, where 15 people were killed and 170 injured in a 2005 explosion.

"They just weren't getting it," Jordan Barab, OSHA's deputy assistant secretary of labor, told ProPublica and FRONTLINE. In the last decade, OSHA records show that BP has been levied 300 times more in fines for refinery violations than any other oil company.

"BP's cost-cutting measures had really cut into their plant maintenance, into their training, into their

investment in new and safer equipment,” Barab said. “When you start finding the same problems over and over again, I think you are pretty safe in saying they've got a systematic problem.”

According to documents obtained exclusively by ProPublica and FRONTLINE, some of the inspectors BP was using to monitor its pipelines in Alaska, where two serious spills occurred in 2006, weren't properly certified or trained.

Even today, four years after former CEO Tony Hayward pledged to keep a “laser-like” focus on safety, maintenance on the massive turbines that run the company's Alaska plants has been deferred. Many of these facilities operate without fire and gas detectors, because theirs are outdated and are expensive to replace. Workers in Alaska told ProPublica they fear another deadly BP accident could happen at any moment.

The pattern extended to BP's Gulf of Mexico operations. BP's flagship \$1 billion Thunder Horse drilling platform nearly sank in 2005 after engineers installed ballast valves backward. And a federal lawsuit over safety concerns on another BP rig, Atlantis, was making its way through the courts even as the Deepwater Horizon exploded.

BP declined repeated requests for comment and for an interview with its new CEO, Robert Dudley. When sent a list of more than 30 questions, it replied with a three-paragraph statement saying that BP will establish a new safety division reporting directly to the CEO. Monday, in a press conference in London, Dudley said that he did not believe that BP is an unsafe company, and warned that the ProPublica and FRONTLINE report would be unflattering.

For Pascal, the explosion in the Gulf heightened the frustration she'd felt in the last months of her job. BP's Prudhoe Bay and Texas City units had been automatically blocked from government work on her watch—that's the minimum debarment action after a prominent air or water pollution crime in the United States—but she'd never been able get the company to change. She'd used all the normal tools to bring BP into what the government calls “compliance.”

The only thing she hadn't done was bring down the big hammer: the EPA's power to ban an entire company from doing business with the federal government.

Many companies have been debarred, but never has one as large as BP, or as important to the U.S. economy and security. Debarment would have severed BP's contracts with the American military and jeopardized the company's long-term access to reserves that generated nearly \$16 billion in revenue for the company last year. BP's stock price would likely have gone into a tailspin.

Now, with the Deepwater Horizon disaster unfolding on her TV screen, Pascal believed such a move was finally warranted.

Curious for more news, she called her old office in downtown Seattle. But the EPA was already in lockdown. Just weeks out of a 26-year EPA career, she was told she couldn't talk to her old team. She'd have to call the public affairs office if she wanted information.

Pascal then dialed another number, for Scott West, a retired EPA criminal investigator who had also worked the BP case. He, too, was enraged by what he saw happening in the Gulf, and reporters were pressing both of them for information. Together they decided they had an obligation to tell people

what they knew about the company at the core of this unfolding tragedy. If the public had known sooner, Pascal thought, perhaps the Deepwater Horizon disaster might have been prevented.

BP's Historic Ambition

BP's ascent to the top tiers of the oil industry hit full stride in 1995, when John Browne became CEO. The company was founded as the Anglo Persian Oil Company in 1909 but languished after Middle Eastern countries nationalized their oil in the 1970s. By the time Browne took over, it was so far behind Exxon and Shell, the world's largest independent oil companies, that it could hardly feel their tailwind.

Browne was an engineer who had practically been raised in BP's business. But with a passion for art and the London Opera, he was hardly a typical oilman. He did, however, have a vision for a bigger, sleeker BP.

In 1998 he put together what was at the time the largest merger in corporate history—the \$61 billion buyout of Amoco Corporation. By mid-2001 he had also bought ARCO and four other companies.

“We'll be the largest producer of oil in the non-OPEC world,” Browne said when he announced the ARCO merger.

On paper, the company quadrupled in value and became a huge global competitor overnight. Browne was hailed in Britain as the “Sun King,” and in 1999 BP's stock soared to what was then an all-time high.

BP's next challenge was not only to integrate its thousands of new employees and numerous industrial facilities, but to do it without increasing the company's already-significant debt.

Fadel Gheit, a managing director at the investment bank Oppenheimer, said that during the time of the mergers BP's debt ratio was at least 10 percentage points higher than was normal for the company.

"BP has historically maintained higher debt levels and debt ratios than its peers," he said. "It believed that debt is the cheapest source of capital." In contrast, he said, "U.S. majors Exxon and Chevron believe in low debt, or even no debt, and investors seem to like that."

Browne, with little wiggle room, brought the companies into the fold by slashing jobs and cutting costs. He squeezed out \$2 billion in savings from the Amoco merger alone.

At the same time he steamed ahead with extracurricular projects that Tony Hayward would later describe as distractions. Browne delivered speeches on climate change. He rebranded the company from British Petroleum to BP and added the “Beyond Petroleum” tagline to put it in a more cosmopolitan, ecological light.

But Browne and other senior managers weren't deeply engaged in the day-to-day operations of their facilities, and the disparate corporations they acquired were never fully integrated. More than a decade later, employees still identified themselves as ARCO, or Amoco, or wherever else they came from. And each of those cultures approached safety and maintenance differently.

“Growth creates challenges to management,” said Ronald Freeman, a former managing director for Salomon Smith Barney. “BP in this case just grows beyond its management ability to watch everything they need to watch when they need to watch it.”

While Browne reveled in the spotlight—he was even knighted by Queen Elizabeth—cracks began to appear in his burgeoning company, cracks that Jeanne Pascal would be among the first to spot.

The Government Was Warned

Pascal was assigned to BP in 1998, when the company’s Alaska division was settling a criminal case involving a contractor who had illegally dumped hundreds of gallons of toxic waste back into a well hole. It was the company’s first federal felony, Pascal’s first assignment to BP and the first dot in a crude portrait of what would shape up to look like a repeat offender.

Pascal was 49 at the time. An affable woman, with carefully coiffed hair and residual southern charm, she grew up in Tennessee and got a law degree from University of Memphis. After graduation she landed a job as a prosecutor in a small town north of Seattle and married a sheriff’s deputy.

But Pascal wanted to “make a difference,” and she decided to move into environmental law. She set her sights on getting a job with the EPA, and after sending her resume to the agency every month for a year, she was finally hired in 1984.

“I actually put the memo of hiring into a scrapbook,” she said.

By the time she was assigned to the BP case, Pascal had handled at least 600 EPA cases against large and small companies, usually juggling 25 to 50 at a time.

Almost any time a company is convicted of a crime it faces the possibility of a ban on federal contracts, or debarment. When debarment kicks in—or in some cases to avoid it in the first place—companies reach a settlement with the EPA that establishes benchmarks they must meet, so the government can eventually lift the sanctions.

In Pascal’s experience, most companies settled quickly and in good faith, and at first BP seemed to be following that path. After pleading guilty to felony charges, it avoided debarment by signing a settlement agreeing to five years of probation and promising to institute a “revised corporate attitude.” It pledged not to punish employees who reported environmental concerns and said it would spend \$15 million on an environmental management program for its operations in Alaska, Texas and the Gulf.

As part of the agreement, BP Exploration, the company’s Alaska division, also agreed that its Health, Safety and Environment director would report directly to the division president, so top executives couldn’t avoid hearing about serious safety concerns. The EPA identified this as one of the most important things BP could do to reform its safety culture in Alaska.

For several years, BP appeared to be complying with the agreement.

The monthly reports it sent to Pascal detailed the success of its maintenance and safety programs. Senior managers assured her personally of the company's progress when they met in the conference room of Seattle's Fairmont Hotel. There were a couple of accidents, but executives blamed irresponsible employees or assured her the problems had been fixed.

Then, in early 2004, Pasal was sitting at her desk at the EPA when she got a phone call from a BP mechanic who was a member of the United Steelworkers Union on Alaska's North Slope.

"There are awful things happening on this oilfield," Marc Kovac told her.

Kovac was referring to the facilities where he was working near the shore of the Arctic Ocean.

He described serious corrosion in some sections of pipeline and said BP was manipulating environmental inspection reports to show that the pipelines were fine. He told her that workers who complained about the problems had been fired. And he said that a leak—or worse, an explosion—could happen any day.

"I'm scared for my life," Pascal recalls Kovac telling her. "If you have a case against BP Alaska you don't want to let them go."

Pascal's phone kept ringing, and workers began sending her documents and internal company e-mails to support their claims. Among them were documents from the mid 1990s describing BP's decision to put off or cancel corrosion maintenance in order to save money and meet John Browne's budget targets. Other documents showed that BP had delayed replacing the gas detectors that warn of a potential explosion.

Pascal learned that a BP oil worker, Don Shugak, had been severely burned in 2002 after a well exploded in his face—and that BP had misled investigators about the cause of the accident. And she discovered that in 2003 the company had failed to report a small oil spill until after it had begun cleaning it up.

The BP case was turning into a case unlike any other she had handled. "I'd had whistleblowers come forth before, like one or two, maybe three," she said. "I've never had 35 to 40 people come before me."

Pascal was furious. It appeared that BP had deliberately misled her and had violated its compliance agreement, but she needed an investigation to find out for sure.

"I tend to take people at face value," she said. "One of the hardest moments of my life with BP was in the first six months of 2004 when I realized that I had been managed, and that I had been so easily manageable. They lied. I had swallowed their line hook, line and sinker."

Losing trust in BP was a hard lesson for Pascal, and the events of 2004 changed the way she approached the company in the six years that followed. For the first time she thought she might have to actually debar this company.

Pascal demanded that BP investigate the workers' claims. In a meeting in Seattle in late 2004, the

company's lawyers from the firm Vinson & Elkins showed the EPA an internal investigation that—while critical of BP in some aspects—dismissed many of the concerns.

“We did not find any evidence that the allegations regarding data fraud in the CIC program had merit,” the report stated, referring to the corrosion maintenance program.

Pascal remained convinced that an accident was inevitable. She shared her fears with the EPA's Criminal Investigation Division but said she was told that until an accident occurred, there was nothing to investigate.

Pascal then took her material to the Department of Justice.

“I said I had documents which showed the pipelines were in bad shape and that sooner or later there was going to be some kind of a failure,” she said.

An agent from the Federal Bureau of Investigation traveled to the North Slope to poke around but found nothing that could be knitted into a prosecution. The federal government, Pascal was again told, didn't have jurisdiction to interfere with oil and gas infrastructure unless a crime had been committed or an accident had already happened.

In the meantime BP's five-year probation period had run out, taking most of Pascal's leverage with it.

“I explored that with all kinds of people and I couldn't find a jurisdictional way in, other than to let it happen,” she said. “So we had to wait.”

A Deadly Disaster in Texas

It didn't take long for the disaster to happen—it just happened 4,600 miles from Prudhoe Bay.

On March 23, 2005 a tower used to boil hydrocarbons at BP's sprawling 1,200-acre Texas City refinery was overfilled as the system was being restarted. Fumes, and then volatile liquid, filled an antiquated “blow down drum” meant to catch the overflow and spewed from the top like a geyser. When the fumes reached the engine of a truck idling nearby, the place blew up.

The blast obliterated a nearby office trailer. Fifteen people died.

That night, in her quiet country home outside Seattle, Jeanne Pascal broke down in tears. This accident could have been avoided, she told her husband, Dallas Swank.

“She was fairly certain that when the dust settled that they were going to find out that this was due to lack of maintenance and all the same things happening in Alaska,” he said.

Pascal was right.

Though Texas City was a refinery, not a production field, the circumstances were nearly identical. The BP executive responsible for refining at the time, John Manzoni, was managing maintenance issues in Alaska in the 1990s, when some of the cost cutting described in the e-mails that workers

had sent to Pascal took place.

Texas City had been operating under budget cuts since BP took it over from Amoco in 1999. Workers—including the plant’s manager—had explicitly warned top corporate executives that they didn’t have the equipment or the resources to prevent a deadly explosion.

An internal BP safety report completed just months before the explosion said executives were “not in control of management of major hazards. The cost cutting has gotten to an extremely critical stage ... there is not any slack in the system.” It continued: “There is an exceptional degree of fear of catastrophic incidents.”

Manzoni, now the chief executive of Talisman Energy, based in Calgary, Alberta, declined to comment. BP also declined to answer questions.

Investigators later found that Texas City’s isomerization unit—the refining tower that ignited—was relying on what is called a “blow-down drum,” a piece of equipment that was considered state of the art in the 1950s, to catch overflowing fuel. Amoco had been told to replace the drums as far back as 1977 but hadn’t acted. BP considered switching them out in 2002 but held off because of the \$150,000 cost.

“Capital expenditure is very tight,” said an internal BP e-mail from management about the decision at the time. “Bank \$150k in savings now.”

The Texas City blast was the largest industrial disaster in the United States in decades. Former Secretary of State James Baker, who led an investigation into the accident on BP’s behalf, said: “BP has not adequately established process safety as a core value.”

The explosion knocked BP, and John Browne, off their meteoric trajectory.

“BP gets it, and I get it too,” Browne would later say. “This has happened on my watch, and as chief executive I have a responsibility to learn from what has occurred. I recognize the need for improvement.”

The Largest Spill Ever on Alaska’s North Slope

BP was still coming to terms with what had happened in Texas when disaster struck again, this time in Alaska.

At 5:58 a.m. on March 2, 2006, an Alaskan field operator radioed in an emergency “code black.” He had discovered an oil leak—a melted pool in a drift of pure white snow—near the central pipeline that gathers oil from the western half of the Prudhoe Bay oil field. Some 212,000 gallons—the largest spill ever on the North Slope—had leaked from a dime-sized hole in the line over three days. The pipeline’s spill-detection alarm system had malfunctioned, failing to alert BP.

BP revealed that it had not “pigged” the line—the standard maintenance process, in which a bullet-shaped robot is run through the pipe to clean it and measure corrosion—in eight years, in part to save money.

Congressional investigators turned up a set of e-mails—including some of the same documents Pascal had taken to the Justice Department—explaining that BP had also stopped using chemical corrosion inhibitors on the pipelines, even though it knew that would increase the chance of a spill.

“Due to budget constraints, the decision has been made to discontinue the PW inhibitor,” a manager with BP’s corrosion program wrote in 1999. “The GC2 bulk tank should run out within the next two days and it will not be refilled.”

Three days later, a colleague responded, “I thought the PW lines were the ones in least control and therefore the ones we are most worried about.”

In an April 2005 exchange, BP’s corrosion management team discussed three ways to meet budget cuts: stop pigging, stop using chemicals to control corrosion or cut back inspections.

“We have huge infrastructure that is hanging on with no margin for error,” wrote Kip Sprague, a corrosion manager. “Bitch, bitch, bitch ... I will try to wrestle down some middle ground between the reality of the situation and some feel-good placeholders.” Sprague declined to comment on his e-mail.

Experienced oil workers said the Alaska spill was years in the making. Conditions in the 330-square mile drilling field are unusually harsh. Drilling operations are based in the town of Deadhorse, an industrial hashmark scratched out of the barren permafrost. It has an airport and thousands of temporary workers, but almost no year-round residents. In the winter, the sun never rises; in the summer, it never sets.

In the last miles before the shoreline of the Arctic Ocean, roughly 8 percent of America’s oil supply flows through an extraordinary network of oil wells and pipelines and dozens of factory-sized facilities, down through the TransAlaska Pipeline, south to the port of Valdez. From there, it is shipped to California and beyond.

The drilling rigs and pipelines on the North Slope were built in the 1970s, when it was expected the field would last maybe 15 years. But the oil deposits were much larger than expected, and BP has reaped unforeseen profits by pushing existing equipment to handle production for decades longer than was ever intended.

Marc Kovac, one of the mechanics who first complained to Pascal, told ProPublica that the company follows what he called a policy of “run to failure”—minimizing maintenance as it tries to squeeze the maximum possible production from each link in its chain of facilities. Now that the output of the North Slope has peaked, Kovac said BP managers see little incentive to upgrade equipment that will eventually be sold or abandoned.

The March 2006 spill jolted BP into crisis mode. In August Browne flew to Alaska to do damage control, touring the field with reporters and showing them how BP was attending to the mess.

But just two days later, a second smaller leak was discovered in the field’s major eastern oil artery. That pipe hadn’t been pigged since 1991, and an investigation found that 16 miles of it were severely corroded and could leak at any time.

As a precaution, the company cut off the entire flow of oil from the North Slope overnight, sinking BP's stock and sending oil prices skyward.

"Shutting down the whole oilfield seemed a little extreme," Browne wrote in *Beyond Business*, his memoir. "I knew the repercussions would be massive. ... I did not think things could get much worse."

Pascal was horrified—but not surprised—by what was unfolding. She also saw the opportunity she had been waiting for to help the North Slope whistleblowers.

"If a catastrophe has to occur to get others to belly up to the plate, it's regretful, but it may be necessary before real change will take place," she had written to Marc Kovac a year earlier. "I think this is win-able—the issue is at what cost."

Now that a spill had occurred in Alaska, the EPA could formally begin a criminal investigation of the workers' complaints. With Pascal's help, Scott West and the EPA's criminal investigation division quietly began work. Texas City was outside Pascal's jurisdiction at the time, but a separate criminal investigation had begun there, too.

Bob Malone, the newly appointed president of BP's American operations, told Congress there were "similarities" between the spills in Alaska and the Baker report on the explosion in Texas City. He acknowledged that the Prudhoe Bay spills were the result of "extreme" budget pressures and cost cutting that had discouraged preventative maintenance. He promised to create an independent ombudsman office so workers throughout the nation could communicate anonymously with management about safety concerns.

By the beginning of 2007, however, BP's board was growing impatient with Browne's now-numerous blunders. The scathing Baker report about the Texas City explosion came out just a week after BP learned that Browne had been having an affair with a man. According to news accounts and Browne's memoir, the company had already decided to replace him the following summer with Tony Hayward, a longtime BP executive who had worked closely with Browne for years. But before the switch could be made, news broke that Browne had lied under oath about meeting his partner through London's premier male escort service. He resigned the next day.

Years later, Browne wrote in his book that he still couldn't understand how the Alaskan oil transit lines had deteriorated so badly: "We had inspected the line regularly, so why had the corrosion accelerated so rapidly?"

BP's Inspectors May Not Have Been Qualified

One answer to Browne's question might lie in information that BP hadn't shared with Pascal, the public or congressional panels in 2006 and 2007: The inspection program the company relied on to check its pipelines was in disarray.

E-mails and letters obtained by ProPublica show that the main contractor BP was using to check its facilities, Acuren, employed inspectors who weren't certified to perform their jobs and may not have been properly trained. The certification issues affected at least 19 inspectors responsible for more

than 13,000 locations along the line and were serious enough that they were reported to BP's board of directors in London.

Concerns about the inspectors were raised in early 2007 by Acuren's training supervisor, Marty Anderson, according to an e-mail last year from BP's deputy ombudsman. Acuren had hired Anderson after the 2006 spill, first to oversee the inspection program and later to audit the program's overall effectiveness.

"He revealed a significant quality control breakdown in everything from the company's procedures ... to inadequate record keeping ... to having actually unqualified inspectors in the field performing inspections," Billie Garde, BP's deputy ombudsman, wrote to BP's general counsel. "The concerns were serious, and although people try to downplay the significance of the issues, they reveal a complete breakdown."

Anderson, who has more than 20 years' experience and has worked with companies including Shell and Chevron, couldn't tell ProPublica about his findings because he signed a confidentiality agreement with Acuren. But he confirmed that the company had, indeed, employed uncertified inspectors, and he explained in general terms why this was significant.

"The worst problem is to be certified but not qualified, because that means the person did not meet the qualification standard but yet someone testified that they did," Anderson said. "To me, that's fraud and could be a criminal offense."

BP and Acuren didn't respond to Anderson's complaints until he contacted the ombudsman's office.

"The procedure did not move quickly enough or with enough rigor at the beginning both on our side and on Acuren's side," said an internal BP memo.

Pascal also learned of Anderson's complaint. But since the ombudsman's office had already taken on the issue, she decided to sit back to observe how BP would respond.

In October 2007—14 months after the shutdown and seven months after Anderson first reported his findings—Doug Suttles, BP Alaska's president at the time and now the executive responsible for drilling in the Gulf of Mexico, began to act. BP hired an independent auditor and launched a three-part review of Acuren's inspection program that confirmed Anderson's claims. Acuren re-inspected more than 10,000 locations along the line. It also transferred two senior executives.

BP declined to answer questions about the inspection program, but BP later assured members of Congress that its inspectors were properly certified. Acuren did not respond to calls for comment.

Garde, the BP deputy ombudsman, said Acuren inspectors weren't responsible for the exact sections of the line that leaked in 2006 and that most of them were competent to perform their jobs. But she was troubled that BP hadn't uncovered the problems that Anderson found when it vetted the Acuren contract.

"BP has oversight responsibility of all of its contractors, and it should have identified these issues without the need for a worker to come forward and speak about them," Garde said. "It would be a

rare occasion to have another Marty Anderson in other contracts, and you can't rely upon that.”

Garde was also concerned about how Anderson was treated after he reported the problem. Instead of being praised for his vigilance, he suddenly had trouble finding another job.

“Marty became the subject of both overt and subtle retaliation by Acuren and BPXA personnel,” Garde wrote in a letter to BP’s general counsel. “There is no question that there remains a high degree of hostility toward Marty by Acuren for ‘getting them in trouble.’”

BP was “Too Top Down, Too Directive, and Not Good at Listening”

By late 2007, BP’s internal problems were no secret. They had helped push the company’s celebrity CEO out of his job, and Browne’s replacement, Tony Hayward, minced few words about why.

“We diagnosed ... a company that was too top down, too directive, and not good at listening,” he said in a speech to business students at Stanford.

“We failed to recognize we're an operating company. We had too many people that were working to save the world,” he continued, in a clear jab at Browne’s speeches on climate change.

Most famously, Hayward promised to turn the company around and to maintain a “laser-like focus” on safety. But it was unclear how he planned to do that.

In fact, soon after Hayward became CEO, BP’s Alaska division made a bold change that deemphasized safety and was a direct affront to Jeanne Pascal and the EPA: It removed the division’s Health, Safety and Environment director from a vice presidential position and dropped it several tiers down in the management hierarchy.

In Pascal’s first settlement with BP Alaska back in 1999, the company had agreed that the HSE director would report directly to the division president. But now HSE was being put into what the company calls a “technical directorate”—a group tasked with corrosion management and balancing maintenance with budget priorities.

“When you have environment and health and safety reporting to a business unit, what do you think gets the first attention?” Pascal said recently. “Business.”

Several former BP executives and managers say the move created a conflict because it meant that the person responsible for raising profits was also responsible for deciding how much to invest in safety. It also sent a clear message to employees that, in practice, safety was less important.

“Symbolism's important. The big stick's gone,” said a former BP executive. Like other executives and managers interviewed for this story he declined to be named because he did not want to be seen as working against BP.

A spokesman for BP Alaska told ProPublica that the reorganization was meant to clarify leadership authority at the top of the organization, improve efficiency and emphasize safety rather than diminish it.

“For someone to look at a line on an org chart and determine that we had devalued the importance of HSE—that would just be wrongheaded,” said the spokesman, Steve Rinehart. “I don’t think that anybody could spend much time working around BP Alaska and not see pretty clearly how focused that organization is on safety and HSE.”

In an October 2008 letter to BP’s attorneys, Pascal and Carson Hodges, her junior co-counsel on the BP case, demanded that the HSE group be placed back under the president. They also wanted a specific BP staff member selected as their liaison in ensuring that the company complied with an eventual debarment agreement—a guarantee to Pascal that she wouldn’t be duped again.

BP rebuffed the government’s demands.

“BP was very recalcitrant,” Pascal said. “It was turning into a major impasse.”

The HSE issue was critical because the communication gap between BP’s senior executives and its operational managers had caused problems for the company before.

“Good news traveled instantly and bad news didn’t travel at all,” Tony Hayward joked in that critical speech at Stanford.

When Bob Malone, the president of BP America, testified before Congress in late 2006, he swore that cost-cutting measures in Alaska hadn’t been a factor in the pipeline spill. He looked sheepish six months later when he testified again and had to admit that he hadn’t been aware of the extent of the cost-cutting program and that budget pressures had indeed compromised the pipeline.

After the Texas City explosion, BP’s head of worldwide refining, John Manzoni, gave a sworn statement that he, too, had been unaware of the cost-cutting pressures on the Texas City refinery and that he hadn’t been informed of the risks.

Pascal was beginning to wonder whether BP could be trusted to do business not just in Alaska but anywhere in the United States. A nationwide debarment had always been a possibility, but now it seemed it might actually be warranted. Such a move would cancel the billions of dollars in fuel contracts BP gets from the Department of Defense and prohibit BP from taking out new leases to drill on federal lands or waters. Since 39 percent of BP’s oil and gas production comes from U.S. territory, a nationwide debarment would have a critical impact on the company.

But Pascal wrestled with the implications. BP paid the federal government more than \$674 million in royalties in 2009 for its government leases, and it provides nearly 12 percent of the U.S. military’s fuel supply.

“The question is does the environmental damage outweigh the government’s need for and reliance on BP’s oil and gas?” she said.

BP Focused on Safety but Didn’t Make Things Safe

On the surface, BP appeared to be getting safer in the years leading up to the Deepwater Horizon disaster.

Signs went up warning workers to hang onto handrails. Employees were forbidden to run in icy conditions. Meetings started with safety sermons. And each time a BP employee parked a pickup truck, he had to place a small yellow raft under the drive train in case a drop of oil fell from the gear box.

The number of recordable safety incidents dropped. Even as its profits increased, BP managed to achieve an exceptional safety record in terms of lost man-hours, said Robert Bea, an industry veteran and engineering professor at the University of California, Berkeley, who is independently investigating the Gulf spill.

But something was missing.

In Alaska, many of the same system-wide maintenance issues the company had been criticized for ignoring in 2001 remained unfixed. The conditions of the pipelines were as much a concern to workers as they were before the Prudhoe Bay spill.

“Everything was around lost work days, or recordables,” said one former senior executive. “That was what the board wanted.”

While BP was focusing on slips, trips and falls it wasn’t paying enough attention to “low-probability, high-consequence systems failures lurking in the background,” Bea said.

Texas City was a good example, said Don Holmstrom, who headed an investigation into the refinery blast for the Chemical Safety Board, a government agency that investigates industrial accidents. In the months before the disaster there—just as on the Deepwater Horizon rig—BP had achieved an excellent safety record as measured by recordable injuries and lost man-hours. But after the blast—and after “safety” became the company’s staple refrain—the dangers persisted at Texas City. Four more workers have died in accidents there since 2005.

“Citing personal safety statistics as an indicator,” Holmstrom said, does “not necessarily speak to how well one is doing.”

If the safety stats touted in annual reports were mostly window dressing, then the maintenance and reinvestment in the performance of BP’s facilities—in what the company calls “operational performance”—were the structural studs holding up the business, and they were neglected.

Former BP executives say the company’s top management made too many maintenance decisions while peering into a spreadsheet and that it was difficult for them to justify to their bosses making long-term, preventative investments.

“It’s been a struggle,” said a former BP executive who asked not to be identified because he still works in the industry. “I’m not going to make more money this quarter, but I have to increase spending in order to have a long-term viable business. That’s hard. I was just always explaining or trying to explain what we were trying to do in a language that is not purely financial.”

Nowhere were the risks created by underinvestment as palpable as at the company’s Prudhoe Bay operations.

In September, 2008, Karl Massera was walking along a high-pressure gas pipeline when it suddenly blew apart. There was no fire, but a 28-foot-long section of steel vaulted through the air, landing with a thud on the Alaskan tundra a fifth of a mile away. Massera hit the ground, expecting to die, as the 10-ton steel pipeline whipped through the air like a wild snake. Shouting over the roar of the leaking gas, he radioed the control center to warn them not to shut down the field's electricity, because if they did, a spark could kill him. An electrical spark had once ignited an explosion in a similar incident and burned several nearby facilities to the ground.

Just 30 minutes after Massera radioed for help, another unrelated leak occurred on a separate line a couple of miles away.

A little more than a year later, a staging valve stuck closed at a large central compressor plant in Prudhoe Bay. Gas backed up, enveloping the facility in flammable fumes. Although flares had been installed to prevent a disaster like the one in Texas City, they weren't lit and didn't function. So the gas built up and spread around the plant. Sleeping barracks were nearby, and just a spark of static electricity in the bone-dry arctic air could have ignited an explosion that could kill hundreds of workers and shut down Alaskan oil production for years. That it never happened was just sheer luck.

Then, in November 2009, ice built up in a 25-year-old pipeline to the Alaska division's Lisburne Production Center—a facility so large that it dominates the horizon at the edge of the Arctic Ocean. The frozen line eventually split open, dumping nearly 46,000 gallons of crude oil, toxic wastewater and natural gas onto the frozen ground. BP had been warned by workers months before the spill that numerous problems at Lisburne were increasing the risk of such an accident.

The incidents enflamed Pascal's distrust, and she began to ratchet up her demands that BP agree to a set of rigid checks in order to fend off debarment. BP's progress reports on its maintenance projects were no longer good enough. Now she demanded receipts.

"I was no longer willing to accept their word," she said. "Show me, what did you maintain? I want to see what you paid, who you paid. What did you replace? I wanted the details."

"They did not like that at all," she added.

ProPublica gave BP a detailed list of questions about each of these incidents and asked for examples of how the company had strengthened operational safety in Alaska since 2001. But BP's response did not address the incidents or the Alaska safety issues.

The End of the Line

By the end of the decade Pascal again began to think that the only way to make the company improve was to debar the entire corporation. "There comes a point where the events conspire to basically show federal regulators that a particular company, for whatever reason, has no intent of complying with U.S. law and regulations," she said.

The company now had three criminal convictions—in Endicott Bay, Texas City and Prudhoe Bay—and a deferred criminal conviction in a price-fixing scandal. It also had a record of ongoing problems and employee harassment.

Pascal began carrying the completed debarment papers tucked under her arm as she made her way into work. Yet she still held to one last hope that a compromised compliance agreement could be reached.

By 2009 her demands included extra regulations and oversight of BP operations not just in Texas and Alaska, but also in the Gulf. It included moving the HSE group back up in the company command.

Pascal, at this point, was on the verge of retirement—she had promised herself she would leave at the age of 60. But she postponed her departure several times in order to see the BP case through. She said company executives acted confident—“arrogant”—as if they believed BP was so important that the U.S. government would never dare to debar it. “BP told me multiple times that they had direct access to the White House and they would go there.”

In a last-ditch effort, she decided to call the company’s bluff. If BP thought the Defense Department needed it so badly it would never allow debarment, Pascal would show them they were wrong.

In the spring of 2009 she called a meeting with BP’s new general counsel, Jack Lynch, at the Fairmont in Seattle to show him an e-mail her office had received from the Defense Department. In it, an official with the Defense Logistics Agency, the division responsible for BP’s fuel contracts, offered unconditional support for debarment.

“You could do anything you wanted to BP and we could deal with it,” the official, Normand Lussier, wrote, adding that he didn’t think defense concerns should play into Pascal’s judgment.

The message was clear. The government was united in its concern about BP. Now the company needed to act.

Pascal thought she had reached a turning point with BP. Lynch was new to his job, and she said he seemed genuinely intent on reaching a resolution.

But months passed, and still the agreement wasn’t signed. Pascal began to suspect that BP was waiting her out.

Her concern grew when she learned that Marty Anderson, the inspection supervisor who had raised the alarm about BP’s pipeline inspection program in Alaska, was accusing the company of blacklisting him. Here she was, working out a final agreement that pivoted around open safety communication between workers and their managers, and the company appeared to be punishing the man who had raised a flag about one of its worst spills in a decade.

“It appears that BP, regardless of its code of conduct and statements to the government, will do whatever is necessary to cover up the improper actions of its senior managers,” she and Hodges, her junior co-counsel, wrote in an e-mail to Lynch and BP Alaska’s new president, John Minge, on January 19, 2010. “This promotes intimidation, retaliation, blackballing and unethical behavior in the management ranks, and a culture of fear and lack of ethics in the employee ranks.”

“Nothing has been done in TWO YEARS,” the letter continued. “This is a current graphic example of why EPA does not trust BP.”

When she wrote that letter, Pascal had all but made up her mind. If BP didn't sign the settlement agreement soon, she would double back on her case, make sure the documents behind her claims were rock solid and send the debarment papers up the flagpole for a final signature from the EPA's suspension and debarment official.

Two days later, Pascal was walking into the elevator at the EPA's downtown Seattle offices when her foot caught on an uneven lip at the door. She fell, hard, and was taken to a hospital, her face bruised, her rotator cuff so badly torn that her doctor said it was one of the worst shoulder injuries he'd seen.

For a few weeks, she tried to work from home. But she needed surgery and faced a six-month recovery period before she would be able to resume her full workload. She couldn't type. She couldn't drive. She couldn't even raise her arm to put a dish in the microwave.

On March 1, Jeanne Pascal submitted her retirement papers, leaving the BP case she had worked on for nearly 12 years unresolved.

The decision about whether or not to finally debar BP now falls to Carson Hodges, Pascal's former junior co-counsel. The EPA confirmed to ProPublica that it suspended its settlement negotiations with BP after the Gulf disaster and that it will add whatever findings result from the Gulf investigations to any future settlement. Neither Hodges or the EPA would comment for this story.

Pascal, for what it's worth, has finally reached her decision.

“I have to conclude that BP has a corrupt culture, and had I arrived at that conclusion while I was handling the case I would have immediately debarred them,” she said last week. “I would have just let the chips fall where they may.”

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Seth Oster/DC/USEPA/US

05/06/2011 01:54 PM

To Richard Windsor

cc "Adora Andy"

bcc

Subject Re: Fw: My apologies

Thanks.

Seth Oster
Associate Administrator
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Richard Windsor

Fyi ----- Original Message -----

05/06/2011 01:39:08 PM

From: Richard Windsor/DC/USEPA/US
To: "Seth Oster" <oster.seth@epa.gov>, "Adora Andy" <Andy.Adora@epamail.epa.gov>
Date: 05/06/2011 01:39 PM
Subject: Fw: My apologies

Fyi

----- Original Message -----
From: Mathy Stanislaus
Sent: 05/06/2011 01:34 PM EDT
To: Richard Windsor
Subject: Fw: My apologies

This relates to the Rolling Stone article

----- Original Message -----
From: Lisa Feldt
Sent: 05/06/2011 01:04 PM EDT
To: Mathy Stanislaus; Barry Breen
Subject: Fw: My apologies

Lisa Evans e-mail

----- Original Message -----
From: Lisa Evans [levans@earthjustice.org]
Sent: 05/05/2011 03:15 PM MST
To: Lisa Feldt
Subject: My apologies

Lisa--

I want you to know that I sincerely appreciate the time and effort that you have dedicated to the coal ash rule. I believe Emily has spoken with Dru and explained how I was misquoted by Jeff Goodell in his Rolling Stone blog today. I have contacted Jeff, and I am hoping that he will publish a clarification. While I stated in a brief email to Jeff, in response to his query, that EPA was working hard to complete the rule, I also relayed your statement that completion this year was unlikely-- not that the rule would not be completed until 2013.

I hope that we can continue to have frank conversations and work together productively on this important issue. I regret any problems this blog created.

Sincerely,
Lisa

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*please consider the environment before printing

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Seth Oster/DC/USEPA/US

02/08/2011 08:22 AM

To windsor.richard

cc

bcc

Subject Final Speech -- in full

Administrator Lisa P. Jackson

Good Jobs Green Jobs

February 8, 2011

As prepared for delivery.

Thank you for inviting me and my administration colleagues who will be here to speak with you. We are deeply appreciative for the opportunity to weigh in on some of the critical issues we're facing.

As you all know...as President Obama has said many times...as anyone in any community in America will tell you, the top priority of this administration is to spark the creation of good jobs for American workers.

Today I want to talk about why protecting human health and the environment is an important part of that broad effort.

The fact is that updating environmental standards – which we do to protect American families from mercury, acid gases and other toxic pollutants that cause asthma and lung disease especially in children – create a good economic climate for investment and good jobs for American workers.

Since EPA's inception, we have heard concerns that the costs of meeting reasonable health standards hurt bottom lines and prevent job creation.

But in truth updating environmental standards not only close pollution loopholes but level the playing field and provide certainty to business.

In fact, we have reaped widespread economic benefits by facing our health and environmental challenges. And we have the opportunity to continue to do so today.

Take an obvious example like energy efficiency. A 2009 study estimated that \$520 billion invested in energy efficiency today would net \$1.2 trillion dollars in energy cost savings through 2020^[1].

\$2 in savings for every dollar invested.

That is one reason President Obama visited Penn State last week, where they're working to make America home to the most energy efficient buildings in the world.

There, the President announced the "Better Buildings Initiative," which aims to achieve a 20 percent improvement in energy efficiency by 2020.

That initiative – which will significantly reduce pollution in our air – is set to reduce companies' and business owners' energy bills by about \$40 billion per year.

It will save energy by reforming outdated incentives and challenging the private sector to act. And when we talk about "challenging the private sector to act," we're talking about creating good jobs.

For those reasons and more, we want to make environmental protection and environmental technology a central piece of our effort to win the future.

Along with some very difficult spending cuts, the President is calling for investments in our schools and teachers, our innovators and small businesses, and the infrastructure that keeps our economy running – essential ingredients to a robust green economy.

Like any good business, we want to invest in the places that will bring the highest return.

To win the future we need the best-educated workforce – like the students I just met at St. Philips College in San Antonio, Texas.

This community college is training students in cutting edge clean energy technology and putting it to work to help power their school – all to prepare for the clean energy jobs we can help create.

To win the future, we need the strongest infrastructure – like across the state of Texas in El Paso, where they are pioneering the installation of charging stations for electric vehicles.

That kind of infrastructure is going to be critical to meet this Administration's goal to have one million advanced technology vehicles on the road by 2015.

And of course, that's just the beginning. We will need the best roads, bridges and airports to carry products and people.

We will need a reliable smart grid to efficiently carry clean energy.

We will need a robust information infrastructure to connect students and teachers, innovators and entrepreneurs, companies and consumers – and to unleash the possibilities of collaboration and exploration.

And while we're at it, it's critical that we have a modern environmental infrastructure to safeguard clean water and air, and protect the lands where we build homes and schools and businesses.

Winning the future also means winning the race for innovation.

The history of environmental protection has been a history of innovation. Innovation made everything we do cleaner, healthier and more efficient – and led to the creation of good jobs.

The catalytic converters that are manufactured to reduce toxic air pollution from our cars, the invention of more effective water treatment mechanisms to free our drinking water of lead, or smoke stack scrubbers that are installed to keep sulfuric acid pollution out of the air we breathe mean new orders for American companies and jobs for American workers.

Innovation is our future as well. I saw that on display a few weeks ago in Cincinnati, where I joined Administrator Karen Mills from the US Small Business Administration to announce a Water Technology Innovation Cluster – a partnership between EPA's labs and a cluster of local entrepreneurs and businesses working on water technology innovation that will address contaminants and better protect our health.

It's what I saw the next day too, when I traveled to Ann Arbor with the CEO of Chrysler to announce that EPA is teaming up with the auto maker to develop hydraulic hybrid technology in American vehicles – an innovation that can increase fuel economy by 35 percent – not to mention decrease air pollution.

EPA's plays an important role in each of these efforts. But we have another unique and important role in job creation.

Our most fundamental responsibility is protecting the health of the American people. And it's something they would refuse to do without.

When people turn on the shower or make a cup of coffee, they want their water protected from industrial pollution and untreated sewage. They want to be able to drive without breathing dangerous lead pollution. When each of us sits down to eat lunch, I'm sure we prefer our food with more, not less, protection from pesticides.

Those health protections mean a more productive workforce....fewer sick days for employees...and consumers that are spending less on medical bills and more on the economy.

The Clean Air Act alone – just one signature environmental and health law – has provided trillions of dollars in health benefits to the American people. And since its inception, air pollution has dropped over the last 40 years while our national GDP has risen by 207 percent.

The total benefits of the Clean Air Act amount to more than 40 times the costs of regulation. For every one dollar we have spent, we get more than \$40 of benefits in return.

Say what you want about EPA's business sense, but we know how to get a return on an investment.

The irony is that one of the most economically successful programs in American history is also one of the most economically maligned. It is a perfect example of why we must shift this conversation.

In a time of such polarized debates, we need to take a step back and recognize that environmental protection and economic growth can – and do – go hand in hand.

At this very moment, EPA scientists and technicians are working side-by-side with innovative small businesses in Cincinnati and developing technology in collaboration with one of Detroit's Big Three.

EPA thrives on the innovation and entrepreneurship of our open markets, which have given us products like the catalytic converter and smokestack scrubbers. Rather than harming growth, EPA's health standards help create opportunities and certainty for business to grow and thrive.

This is not just a theoretical idea. Recent EPA research on a number of reputable economic studies has shown a clear connection between reasonable health safeguards and job creation.

Our research indicates that environmental protection – in the form of safeguards and standards that protect our health, and that the American people demand – is responsible for net positive job gains all across the country.

In other words, environmental protection creates jobs – 1.7 million of them as of 2008.^{[121](#)}

The environmental protection industry has grown steadily between 2000 and 2008, yielding approximately \$300 billion in revenues.^{[131](#)}

Recognizing these job creating possibilities is critical in this moment.

It is important as special interests try to gut safeguards – like the Clean Air Act – that EPA has worked under for decades - and find loopholes for big polluters to skirt other commonsense health protections.

It is important to recognize these possibilities at a time when American companies have a record amount of cash holdings and liquid assets.

The Wall Street Journal recently reported that number as \$1.93 trillion dollars.

Even a portion of those funds invested in developing and installing new pollution control technology would result in good jobs for American workers.

But we know companies need regulatory certainty before they will invest and create those jobs.

It's something we've seen before. A 2010 study from the Institute of Clean Air Companies estimated that since 2003 the implementation of CAIR Phase 1 resulted in 200,000 jobs in the air pollution control industry alone^[4].

The number of boilermakers in the United States increased by 6,700 – 35 percent – from 1999 to 2001 as a result of the EPA's standards to implement the Clean Air Act.^[5]

Or consider the auto industry. For many years they faced a patchwork of state regulations, with little long-term clarity.

President Obama brought together all the stakeholders – from the auto companies and autoworkers to the environmental groups and state governments – to find a path forward.

And now, the clean cars program will result in cleaner air, savings at the gas pump for American drivers and certainty for auto companies.

Not long ago, Chrysler committed to adding 1,000 new engineers and technicians to work

on small and midsize cars. General Motors plans to hire 1,000 people in Michigan to develop low-emission electric vehicles.

That could be the story across any number of sectors of our economy. Many American CEOs have made clear that they don't object to sensible standards out of hand. But if they don't know where and when to invest their dollars, they will hold back job-creating resources.

The alternative is to provide that certainty, and encourage the hiring of new workers to build, install, maintain and operate clean technology.

And let me say a few words about the jobs that are created.

First, the labor-intensive jobs installing, maintaining and operating pollution control technology at American facilities can't be sent overseas.

Second, they create opportunities for individuals with a wide range of skills. Workers that will be needed in everything from research, design and engineering to construction, installation and maintenance. There will be opportunities for laboratory scientists, as well as pipefitters, welders and iron workers.

One study explained that environmental protection resulted in broad economic stimulus, including "standard jobs for accountants, engineers, computer analysts, clerks, factory workers."^[6]

Third, many of the facilities that would invest in upgrades are located in industrial centers – communities where good jobs are needed most.

Investments in clean tech for those facilities would create opportunities for the unemployed and under-employed in many struggling communities.

Finally, creating those jobs on our shores can help us sell new technology overseas. Huge markets await firms that develop and produce innovative clean tech.

The annual world market for environmental goods and services has been estimated above \$700 billion, making it comparable with the aerospace and pharmaceutical industries. ^[1]

America currently leads the world in this industry. We should not forfeit that lead and miss out on the extraordinary opportunities to supply the world with environmental technology stamped "Made in the USA."

The bottom line is this: we can protect the health of millions of American families and do so in a way that will benefit the economy.

We can do that by out-educating, out-building and out-innovating our competitors. And by using commonsense regulations to spark innovation, reduce toxic pollution, and put people to work protecting our health and our environment.

Thank you for all you've done and are doing in this effort. I look forward to continuing our work together. Thank you.

[1] McKinsey Global Energy and Materials. "Unlocking Energy Efficiency in the US Economy: Executive Summary" pg 2 "If executed at scale, a holistic approach would yield gross energy savings worth more than \$1.2 trillion, well above the \$520 billion needed through 2020 for upfront investment in efficiency measures (not counting program costs)."
http://www.mckinsey.com/client-service/electric-power-natural-gas/downloads/US_energy_efficiency_exc_summary.pdf

[2] Environmental Business International (EBI), Inc., San Diego, CA. Environmental Business Journal, monthly (copyright).
<http://www.ebiusa.com/> EBI data taken from the Department of Commerce International Trade Administration Environmental Industries Fact Sheet from April 2010:
<http://web.ita.doc.gov/ete/eteinfo.nsf/068f3801d047f26e85256883006ffa54/4878b7e2fc08ac6d85256883006c452c?OpenDocument>.

[3] Ibid.

[4] Letter to Senator Carper from Institute of Clean Air Companies

[5] http://www.epa.gov/oar/caa/CAA_1990_amendments.pdf

[6] "Environmental protection, the economy, and jobs: National and regional analyses"

References and further reading may be available for this article. To view references and further reading you must [purchase](#) this article.

Roger H. Bezdek, Robert M. Wendling and Paula DiPerna, [Journal of Environmental Management Volume 86, Issue 1](#), January 2008, Pages 63-79. The authors use a broader definition of environmental employment than other studies that ITA/DOC.

[7] Network of Heads of the European Environment Protection Agencies. 2005. "The Contribution of Good Environmental Regulation to Competitiveness."
[http://www.foeeurope.org/activities/sustainable_europe/Environment
t Competitiveness European Environment Protection Agencies.pdf](http://www.foeeurope.org/activities/sustainable_europe/Environment%20Competitiveness%20European%20Environment%20Protection%20Agencies.pdf).

Seth Oster/DC/USEPA/US

01/07/2010 01:00 PM

To windsor.richard

cc David McIntosh, Adora Andy, Marcus McClendon

bcc

Subject Final Statement on West Virginia Announcement -- Being Issued Now

STATEMENT FROM EPA ADMINISTRATOR LISA P. JACKSON

"Today's announcement from West Virginia's State government is a critical acknowledgement of the substantial environmental, water and health impacts that result from mountaintop mining operations. EPA's responsibility under the Clean Water Act is to ensure that mining activities do not degrade water quality used by communities, and we intend to ensure this requirement is met.

"The most effective path forward now is to work together to develop mining policies that protect the environment, ensure public health, and are cost-effective. The approval earlier this week of the Hobet 45 permit in West Virginia is an example of what can be achieved when mining operators work with EPA to develop their plans. The Hobet 45 mine permanently protects streams, maximizes coal recovery and reduces costs.

"Today's announcement from West Virginia puts us on a path towards closer coordination and dialogue among key stakeholders, from federal and state authorities to industry to environmentalists. EPA is committed to working with all parties to ensure that our country's energy, including coal based generation, is produced in a safe, healthier, and sustainable manner. That is the future of energy and the right future for coal. EPA will continue to rely on the best available science to evaluate mining projects and we strongly encourage West Virginia officials to work in conjunction, not apart, from EPA to develop future mining policy proposals that seek to protect water quality."

Seth Oster
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Seth Oster/DC/USEPA/US

01/29/2011 10:20 AM

To windsor.richard

cc Lozano.Jose

bcc

Subject Background on Salt Lake Mayor and Filmmaker Coming Today

Mayor Becker of Salt Lake City is confirmed for the event and so is Bill Haney, the filmmaker behind the anti-mountain top mining film, "The Last Mountain." A bio for Becker and the Hollywood Reporter's review of the film are below. What's important to know about the film is that, through its exhibition here at Sundance, it's been "picked up" by a company called Dada, which will release the film theatrically this coming June. I'm still trying to get a copy for us to take home.

Mayor Ralph Becker Biography

Over 30 years ago, Salt Lake City Mayor Ralph Becker was taken by the same allure that brought many residents to Utah's Capital City, drawn by the area's unique mix of geographic beauty, metropolitan energy and year-round recreational opportunities.

Ralph earned two graduate degrees at his new home's University of Utah – a Master's in Planning and a JD – after completing undergraduate work at the University of Pennsylvania in 1973. He served as the Utah State Planning Coordinator under Governor Scott Matheson and then went on to launch his own Salt Lake City-based consulting firm, Bear West, specializing in community planning, environmental assessment, public lands use and public involvement before acting on his long-held desire to serve the public.

Elected to the Utah State Legislature in 1996, Ralph was a member of the House of Representatives for 11 years and battled for the issues most important to his Avenues constituents. He served in legislative leadership positions for most of that tenure, including five years as House Minority Leader.

In 2008, Ralph brought this considerable body of education, experience and engagement with local issues to his new office of Mayor of Salt Lake City.

In the first three years of his first term, Mayor Becker has greatly expanded transportation options for the City's residents and visitors, with a special focus on public transit, trails and bikeways. He also championed the state's first municipal protections in the areas of employment and housing for the City's LGBT community – an effort that has since been replicated by Salt Lake County and over a dozen local governments throughout Utah. Under Mayor Becker's leadership, City government has become much more transparent, and new opportunities have been created for residents to engage and participate in the decision making process.

Mayor Becker is a leader who has made, and will continue to make, collaboration and partnerships an essential element in his efforts to see Salt Lake City as an even more vibrant, liveable and sustainable community for its current residents and into the future.

Mayor Becker is an avid outdoorsman who, when he is away from work, can be found backcountry skiing, river running or backpacking. He is also the proud father of two sons and a 17-year-old granddaughter.

HOLLYWOOD REPORTER REVIEW OF "THE LAST MOUNTAIN"

PARK CITY — (U.S. Documentary Competition) In the tradition of great advocacy documentaries, "The Last Mountain" makes a powerful case against the coal mining industry in West Virginia. Films like this are largely preaching to the choir -- opponents are unlikely to go near it. But its importance cannot be underestimated.

As a call to arms for sympathetic viewers, the film is informative, stirring, and most importantly, inspiring, and should resonate for a likeminded audience.

This is a documentary with a point of view and director **Bill Haney** makes no bones about trying to be fair and balanced. The visuals and facts speak eloquently for themselves. In the valleys of Appalachia, big coal companies like Massey Energy are blowing the tops off mountains to enhance profits, leaving the once lush forests looking like a lunar landscape. In this unfortunate region, Coal Mountain is the last mountain.

Robert F. Kennedy, Jr. serves as kind of an environmental host as he gets involved in the case to save Coal Mountain and goes around meeting local activists and confronts the president of the West Virginia Coal Association. It is encouraging to witness the commitment of ordinary West Virginians like Maria Gunnoe and Bo Webb who have seen too much to stand by any longer.

Mountaintop removal has destroyed 500 Appalachian mountains, decimated 1 million acres of forest, and buried 2000 miles of streams. Flashing the figures on the screen in bold graphics is a bit distracting, but there is no denying their impact. Haney and his team have rounded up an impressive collection of academics, writers, and organizers from around the country, but it is the locals who tell the story most powerfully.

The flattening of mountains is not just an aesthetic disaster; it destroys the area's eco-system, pollutes the water, spreads toxic silicon dust, and adversely affects the health of children. In one heartbreaking scene, a resident walks around and points out the homes of six of her neighbors who died of brain tumors. Equally moving is the story of Ed Wiley, a former Massey contractor who turned activist when he saw the damage being done to his granddaughter. Together they make a trip to plead with Democratic Governor **Joe Manchin**, who is proud to be a "friend of coal."

As the film demonstrates, the fight against big coal is not a popular struggle in West Virginia and often pits neighbors against neighbors. Almost everyone here has ties to the mining industry, and for many it's inconceivable to bite the hand that feeds them. Which makes the struggle of these rag tag crusaders even more heroic.

The film is strongest when it stays local, and side trips to Pennsylvania and Rhode Island seem like unnecessary digressions. But as Haney and his co-writer (and editor) **Peter Rhodes** point out, coal accounts for half of the electricity produced in the U.S. and it is a national environmental issue. The Last Mountain admirably presents the truth for anyone who wants to see it.

Venue: Sundance Film Festival, U.S. Documentary competition (DADA Films)

Uncommon Productions

Director: Bill Haney

Screenwriter: Bill Haney, Peter Rhodes

Producer: Clara Bingham, Eric Grunebaum, Bill Haney

Executive producer: Tim Disney, Tim Rockwood

Director of photography: Jerry Risius, Stephen McCarthy, Tim Hotchner

Music: Claudio Ragazzi

Editor: Peter Rhodes

No rating, 94 minutes

Seth Oster/DC/USEPA/US

07/27/2009 09:14 AM

To windsor.richard

cc "Allyn Brooks-LaSure", Thompson.Diane, "Michael Moats",
"David McIntosh", Arvin Ganesan, "Lisa Heinzerling", "Bob
Sussman"

bcc

Subject Fw: EMBARGOED: Remarks of President Obama at the
U.S.-China Strategic and Economic Dialogue

From: "White House Press Office" [whitehouse-lists-noreply@list.whitehouse.gov]
Sent: 07/27/2009 09:10 AM AST
To: Seth Oster
Subject: EMBARGOED: Remarks of President Obama at the U.S.-China Strategic and
Economic Dialogue

THE WHITE HOUSE
Office of the Press Secretary

EMBARGOED UNTIL DELIVERY

July 27, 2009

**Remarks of President Barack Obama – As Prepared for Delivery
U.S.-China Strategic and Economic Dialogue
Washington, DC
July 27, 2009**

Good morning. It's an honor to welcome you to the first meeting of the Strategic and Economic Dialogue between the United States and China. This is an essential step forward in advancing a positive, constructive, and comprehensive relationship between our countries. I'm pleased that President Hu shares my commitment to a sustained dialogue to enhance our shared interests.

President Hu and I both felt that it was important to get our relationship off to a good start. Of course, as a new President and as a basketball fan, I have learned from the words of Yao Ming, who said – "No matter whether you are new or an old team member, you need time to adjust to one another." Well, through the constructive meetings that we have already had, and through this dialogue, I am confident that we will meet Yao's standard.

I want to acknowledge the remarkable American and Chinese leaders who will Co-Chair this effort. Hillary Clinton and Tim Geithner are two of my closest advisors, and they both have extraordinary experience working with China. I know that they will

have extremely capable and committed Chinese counterparts in State Councilor Dai and Vice Premier Wang.

I also look forward to the confirmation of an outstanding U.S. Ambassador to China, Governor Jon Huntsman. Jon has deep experience living and working in Asia, and – unlike me – he speaks fluent Mandarin Chinese. He also happens to be a Republican who co-chaired Senator McCain’s campaign. I think that demonstrates Jon’s commitment to serving his country, and the broad, bipartisan support for positive and productive relations between the United States and China.

Today, we meet in a building that speaks to the history of the last century. It houses a national memorial to President Woodrow Wilson, a man who held office when the 20th century was still young, and America’s leadership in the world was emerging. It is named for Ronald Reagan, a man who came of age during two World Wars, and whose presidency helped usher in a new era of history. And it holds a piece of the Berlin Wall, a decades-long symbol of division that was finally torn down, unleashing a rising tide of globalization that continues to shape our world.

One hundred years ago – in the early days of the 20th century – it was clear that there were momentous choices to be made – choices about the borders of nations and the rights of human beings. But in Woodrow Wilson’s day, no one could have foreseen the arc of history that led to a wall coming down in Berlin, nor could they have imagined the conflict and upheaval that characterized the years in between. For people everywhere – from Boston to Beijing – the 20th century was a time of great progress, but that progress also came with a great price.

Today, we look out on the horizon of a new century. And as we launch this dialogue, it is important for us to reflect upon the questions that will shape the 21st century. Will growth be stalled by events like our current crisis, or will we cooperate to create balanced and sustainable growth, lifting more people out of poverty and creating a broader prosperity? Will the need for energy breed competition and climate change, or will we build partnerships to produce clean power and to protect our planet? Will nuclear weapons spread unchecked, or will we forge a new consensus to use this power for only peaceful purposes? Will extremists be able to stir conflict and division, or will we unite on behalf of our shared security? Will nations and peoples define themselves solely by their differences, or can we find the common ground necessary to meet our common challenges, and to respect the dignity of every human being?

We cannot predict with certainty what the future will bring, but we can be certain about the issues that will define our times. And we also know this: the relationship between the United States and China will shape the 21st century, which makes it as important as any bilateral relationship in the world. That reality must underpin our partnership. That

is the responsibility we bear.

As we look to the future, we can learn from our past – for history shows us that both our nations benefit from engagement that is grounded in mutual interests and mutual respect. During my time in office, we will mark the 40th anniversary of President Nixon's trip to China. At that time, the world was much different than it is today. America had fought three wars in East Asia in just thirty years, and the Cold War was in a stalemate. China's economy was cut off from the world, and a huge percentage of the Chinese people lived in extreme poverty.

Back then, our dialogue was guided by a narrow focus on our shared rivalry with the Soviet Union. Today, we have a comprehensive relationship that reflects the deepening ties among our people. Our countries have now shared relations for longer than we were estranged. Our people interact in so many ways. And I believe that we are poised to make steady progress on some of the most important issues of our times.

My confidence is rooted in the fact that the United States and China share mutual interests. If we advance those interests through cooperation, our people will benefit, and the world will be better off – because our ability to partner with each other is a prerequisite for progress on many of the most pressing global challenges.

First, we can cooperate to advance our mutual interest in a lasting economic recovery. The current crisis has made it clear that the choices made within our borders reverberate across the global economy – and this is true not just of New York and Seattle, but Shanghai and Shenzhen as well. That is why we must remain committed to strong bilateral and multilateral coordination. And that is the example we have set by acting aggressively to restore growth, prevent a deeper recession and save jobs for our people.

Going forward, we can deepen this cooperation. We can promote financial stability through greater transparency and regulatory reform. We can pursue trade that is free and fair, and seek to conclude an ambitious and balanced Doha Round agreement. We can update international institutions so that growing economies like China play a greater role that matches their greater responsibility. And as Americans save more and Chinese are able to spend more, we can put growth on a more sustainable foundation – because just as China has benefited from substantial investment and profitable exports, China can also be an enormous market for American goods.

Second, we can cooperate to advance our mutual interest in a clean, secure, and prosperous energy future. The United States and China are the two largest consumers of energy in the world. We are also the two largest emitters of greenhouse gases in the world. Let's be frank: neither of us profits from a growing dependence on foreign oil, nor can we spare our people from the ravages of climate change unless we cooperate.

Common sense calls upon us to act.

Both of our countries are taking steps to transform our energy economies. Together we can chart a low carbon recovery; we can expand joint efforts at research and development to promote the clean and efficient use of energy; and we can work together to forge a global response at the Climate Change Conference in Copenhagen and beyond. And the best way to foster the innovation that can increase our security and prosperity is to keep our markets open to new ideas, new exchanges, and new sources of energy.

Third, we can cooperate to advance our mutual interests in stopping the spread of nuclear weapons. Make no mistake: the more nations acquire these weapons, the more likely it is that they will be used. Neither America nor China has an interest in a terrorist acquiring a bomb, or a nuclear arms race breaking out in East Asia. That is why we must continue our collaboration to achieve the denuclearization of the Korean peninsula, and make it clear to North Korea that the path to security and respect can be traveled if they meet their obligations. And that is why we must also be united in preventing Iran from acquiring a nuclear weapon, and urging the Islamic Republic to live up to its international obligations.

This is not about singling out any one nation – it is about the responsibility of all nations. Together, we must cooperate to secure all vulnerable nuclear materials around the world, which will be a focus of our Global Nuclear Summit next year. And together, we must strengthen the Nuclear Non-Proliferation Treaty by renewing its basic bargain: countries with nuclear weapons will move toward disarmament; countries without nuclear weapons will not acquire them; and all countries can access peaceful nuclear energy. A balance of terror cannot hold. In the 21st century, a strong and global regime is the only basis for security from the world's deadliest weapons.

And fourth, we can cooperate to advance our mutual interests in confronting transnational threats. The most pressing dangers we face no longer come from competition among great powers – they come from extremists who murder innocents; from traffickers and pirates who pursue their own profit at the expense of others; from disease that knows no borders; and from suffering and civil wars that breed instability and terror. These are the threats of the 21st century. And that is why the pursuit of power among nations must no longer be seen as a zero-sum game. Progress – including security – must be shared.

Through increased ties between our militaries, we can diminish causes for dispute while providing a framework for cooperation. Through continued intelligence-sharing, we can disrupt terrorist plots and dismantle terrorist networks. Through early warning and coordination, we can check the spread of disease. And through determined diplomacy, we must meet our responsibility to seek the peaceful resolution of conflict –

and that can begin with a renewed push to end the suffering in Darfur, and to promote a comprehensive peace in Sudan.

All of these issues are rooted in the fact that no one nation can meet the challenges of the 21st century on its own, nor effectively advance its interests in isolation. It is this fundamental truth that compels us to cooperate. I have no illusions that the United States and China will agree on every issue, nor choose to see the world in the same way. But that only makes dialogue more important – so that we can know each other better, and communicate our concerns with candor.

For instance, the United States respects the progress that China has made by lifting hundreds of millions of people out of poverty. Just as we respect China's ancient culture and remarkable achievements, we also strongly believe that the religion and culture of all peoples must be respected and protected, and that all people should be free to speak their minds. That includes ethnic and religious minorities in China, as surely as it includes minorities within the United States.

Support for human rights and human dignity is ingrained in America. Our nation is made up of immigrants from every part of the world. We have protected our unity and struggled to perfect our union by extending basic rights to all our people. Those rights include the freedom to speak your mind; to worship your God; and to choose your leaders. These are not things that we seek to impose – this is who we are. It guides our openness to one another, and to the world.

China has its own distinct story that shapes its own worldview. And Americans know the richness of China's history because it has helped to shape the world. We know the talent of the Chinese people because they have helped to shape America – my own cabinet contains two Chinese Americans. And we know that despite our differences, America is enriched through deeper ties with a country of 1.3 billion people that is at once ancient and dynamic – ties that can be forged through increased exchanges among our people, and constructive bilateral relations between our governments. That is how we will narrow our divisions.

Let's be honest: we know that some are wary of the future. Some in China think that America will try to contain China's ambitions; some in America think that there is something to fear in a rising China. I take a different view. I believe in a future where China is a strong, prosperous and successful member of the community of nations; a future when our nations are partners out of necessity, but also out of opportunity. This future is not fixed, but it is a destination that can be reached if we pursue a sustained dialogue like the one that you will commence today, and act on what we hear and what we learn.

Thousands of years ago, the great philosopher Mencius (men-shus) said: "A trail

through the mountains, if used, becomes a path in a short time, but, if unused, becomes blocked by grass in an equally short time." Our task is to forge a path to the future that we seek for our children – to prevent mistrust or the inevitable differences of the moment from allowing that trail to be blocked by grass; to always be mindful of the journey that we are undertaking together.

This Dialogue will help determine the ultimate destination of that journey. It represents a commitment to shape our young century through sustained cooperation, not confrontation. I look forward to carrying this effort forward through my first visit to China, where I hope to come to know better your leaders, your people, and your majestic country. Together, I am confident that we can move steadily in the direction of progress, and meet our responsibility to our people, and to the future that we will share. Thank you.

##

Seth Oster/DC/USEPA/US
09/23/2009 09:08 AM

To windsor.richard, "Diane Thompson", "Allyn Brooks-LaSure",
"Lisa Heinzerling", Gina McCarthy, "Bob Perciasepe", Arvin
Ganesan, David McIntosh

cc

bcc

Subject Politico Story -- Quotes Browner

:Climate speech's tepid reception
By: Josh Gerstein
September 22, 2009 10:28 AM EST

President Barack Obama's closely watched climate change speech at the United Nations got a mixed reaction Tuesday: Some world leaders saluted his rhetoric, but environmental activists expressed disappointment that he didn't commit to a timeline to pass cap-and-trade legislation in the Senate.

"After too many years of inaction and denial, there is finally widespread recognition of the urgency of the challenge before us. We know what needs to be done," Obama told fellow heads of state gathered for a climate change summit called by U.N. Secretary-General Ban Ki-moon. "The House of Representatives passed an energy and climate bill in June that would finally make clean energy the profitable kind of energy for American businesses and dramatically reduce greenhouse gas emissions," Obama said. "One committee has already acted on this bill in the Senate, and I look forward to engaging with others as we move forward."

Many diplomats and environmentalists were hoping that Obama would detail his strategy to move House-approved carbon-emissions-trading legislation through the Senate and onto his desk to be signed into law ahead of a key climate change conference this December in Copenhagen.

But the president made only a vague pledge to continue pushing for the measure. "The Obama speech was a missed opportunity," said Annie Petsonk, international counsel for Environmental Defense Fund. "Leaders want him to lay out a game plan to get a bill through the Senate, to give some timeline, some commitment to do it on a timely basis. ... They didn't get it."

Environmental activists are particularly concerned that U.S. influence and leadership in the climate issue are dwindling ahead of Copenhagen, with the issue of global warming getting pushed further and further down the presidential agenda by other pressing concerns, such as health care reform, the recession and Afghanistan.

Former Vice President Al Gore gave a warm, but not effusive, reception to Obama's remarks. "I thought that he was simply recognizing the reality of the situation that this legislation is still pending," Gore said at a U.N. press briefing. "I welcome his promise to get personally engaged in the work of the Senate committees." Gore said it would be "far better" for the climate change treaty talks set for Copenhagen in December if the U.S. Senate acted by then. "I would encourage the Senate to take up the climate and energy legislation immediately upon conclusion of the pending health care debate, if not before," Gore said. "I interpret President Obama's statement about getting involved in that process to mean that he will urge them to do exactly that."

Asked about the decision not to set a timeline, White House climate czar Carol Browner said the Senate's pace was not under Obama's control. "The Senate is hard at work," Browner said. "Health care has obviously taken up more time than was originally anticipated. ... At the end of the day, [Senate Majority Leader] Harry Reid does set the schedule for the Senate, and we have to be mindful of that."

Obama said little about the resistance in the Senate but indicated the recent economic slump has left some lawmakers reluctant to impose emissions changes that could affect a weakened economy. "We

seek sweeping but necessary change in the midst of a global recession, where every nation's most immediate priority is reviving their economy and putting their people back to work.

And so all of us will face doubts and difficulties in our own capitals as we try to reach a lasting solution to the climate challenge," Obama said. "But I'm here today to say that difficulty is no excuse for complacency. Unease is no excuse for inaction."

The president insisted his administration has taken a series of important, groundbreaking actions to fight global warming, such as increasing fuel economy standards and directing stimulus funds and tax credits to energy efficiency. "These steps represent an historic recognition on behalf of the American people and their government," he said. "We understand the gravity of the climate threat. We are determined to act. We will meet our responsibility to future generations."

Seth Oster/DC/USEPA/US

09/16/2009 06:47 AM

To windsor.richard, "Diane Thompson", "Lisa Heinzerling", "Bob Sussman", David McIntosh, Gina McCarthy, "Bob Perciasepe", Arvin Ganesan

cc "Allyn Brooks-LaSure", Adora Andy

bcc

Subject

Below is an editorial in today's NY Times. Bob Semple (who authored it) told me they wanted to make the point that there is a parallel regulatory process to legislation now well underway). This will be helpful to our efforts to place an oped on Monday.

Seth

NEW YORK TIMES

Editorial

Some Bad Climate News and Some Good Senators Barbara Boxer and John Kerry have delayed the introduction of their long-awaited climate change bill until the end of this month – one more sign that Congress will be hard pressed to get a bill to President Obama's desk before the international summit on global warming in Stockholm in December. The chances of action this year, never all that good, are even slimmer now that the White House and the Senate leadership have pretty much agreed to keep controversial issues – and a bill limiting greenhouse gas emissions certainly falls into that category – on the back burner until the health care debate is resolved. Though smart politics, it is a disappointment to everyone who hoped that the United States would be able to go to Stockholm with a clear strategy in hand. All is not lost. The Environmental Protection Agency is rolling out rules that, when fully effective, could place limits on at least half the greenhouse gas emissions emitted in this country. On Tuesday, the E.P.A. and the Department of Transportation jointly proposed standards to improve fuel economy and reduce carbon dioxide and other greenhouse gas emissions in all new cars and light trucks beginning with the model year 2012. The E.P.A. has already sent the White House preliminary proposals involving the regulation of carbon dioxide from large stationary sources, including refineries and power plants. The agency also continues to fine-tune its finding formally declaring that carbon dioxide and other greenhouse gases constitute a danger to human health and welfare. Under the Clean Air Act, an "endangerment finding" must be made before final rules limiting emissions can take effect. Nobody, including the E.P.A. administrator, Lisa Jackson, believes that one agency can address the complex problem of climate change. Ultimately, Congress will have to produce robust legislation authorizing major public investments in alternative energy sources and putting a price on carbon to unlock private investment. That is just what the climate change bill approved by the House aims to do and what Senators Boxer and Kerry eventually hope to do with their bill. In the meantime, however, smart regulation can get the ball rolling and, we hope, goad Congress into action

Seth Oster/DC/USEPA/US
09/15/2011 10:22 PM

To "Bob Perciasepe", "Lisa Jackson"
cc
bcc
Subject Fw: Houston Chronicle about Gina: "EPA official defends new emissions rule"

----- Original Message -----

From: Al Armendariz
Sent: 09/15/2011 09:16 PM CDT
To: Brendan Gilfillan; Seth Oster; Gina McCarthy; Joseph Goffman; David Bloomgren
Cc: David Gray
Subject: Houston Chronicle about Gina: "EPA official defends new emissions rule"

<http://www.chron.com/business/energy/article/EPA-official-defends-new-emissions-rule-2173244.php>

EPA official defends new emissions rule
By PUNEET KOLLIPARAX, WASHINGTON BUREAU
Updated 08:17 p.m., Thursday, September 15, 2011

WASHINGTON - A top EPA official on Thursday rebuffed concerns that some Texas power plants could shut down because they might not have enough time to prepare for a new federal limit on toxic emissions that cross state lines.

Gina McCarthy, EPA's top air quality official, told a House panel that power plants have until March 2013 to comply with the new emissions limit without facing penalties. Power plants had previously expressed concerns about having to comply by early January, the program's official start date.

"So let me assure you, we do not want and we will not in anyway force the lights to go out or the air conditioning to not be available within the state of Texas or anywhere else as a result of these rules," McCarthy told the House Science and Technology Committee.

The EPA may ease Texas' required emissions limits in response to concerns from state officials and power providers, McCarthy said in written testimony without going into specifics. Texas must reduce sulfur-dioxide emissions by 47 percent in 2012 as the rule stands now, according to the state's Railroad Commission.

McCarthy added that the EPA is meeting with companies and government officials and "has not ruled out any potential solution to the concerns being raised."

Her comments come after Texas' electricity-grid operator said Wednesday that it may need more time to assess how the new rule will affect the risk of service outages and whether the state can reduce any resulting losses in power capacity.

The rule will require 27 states, including Texas, to reduce emissions of sulfur dioxide and nitrous oxide that the EPA says can travel across state

lines and harm public health.

Costing workers?

Texas Republicans have said the rule would cost jobs and increase the risk of electricity disruptions, citing Luminant Generation Co., which announced Monday it would cut 500 jobs and close units at one of its coal power plants because it couldn't meet the new standards in time. House Republicans have taken aim at a host of EPA regulations, with a panel voting Tuesday to block rules reducing emissions from industrial boilers and cement plants.

Existing technologies

EPA revealed in a letter before the Luminant announcement that it had tried working with the company to prevent plant closures. A study also showed that Luminant could have used existing technologies more often and purchased emissions credits at a cost of \$15 million to meet the rule's emissions standards.

Republicans continued the economic line of attack. "EPA may not be in the business of creating jobs, but with more than 9 percent unemployment, it certainly should not be in the business of destroying them either, which is what will happen if this rule goes into effect the way you have planned," Rep. Ralph Hall, R-Texas, committee chairman, said in prepared remarks.

McCarthy said power providers can choose among options in meeting the new emissions limit. They can use lower-sulfur coal, install more scrubbers and boilers, switch fuels or keep emissions-reducing equipment on if it's currently used only part of the time, she said.

"The options you've stated are not feasible, so what else do you have to offer, if anything?" Hall asked.

McCarthy replied: "Actually Mr. Chairman, we believe that all of those options are quite feasible and can be done to achieve the requirements by the time the first compliance period is required to be met."

Addressing accusations that the EPA had blindsided Texas by including the state in its rule, McCarthy said EPA had followed the "spirit of the law" in including the state.

puneethearstdc.com

Al Armendariz
Regional Administrator
Environmental Protection Agency
Region 6
Dallas, Texas
armendariz.al@epa.gov
office: 214-665-2100
twitter: @al_armendariz

Seth Oster/DC/USEPA/US

10/03/2011 10:45 PM

To "Bob Perciasepe", "Lisa Jackson"

cc

bcc

Subject Fw: W-A100311-01 Notice of Suspension of Operations -
Luminant Monticello Units 1 and 2

FYI.

From: Al Armendariz

Sent: 10/03/2011 07:33 PM EDT

To: Gina McCarthy; Joseph Goffman; Sam Napolitano; David Bloomgren; Seth Oster; Brendan Gilfillan

Cc: "Sussman, Bob" <sussman.bob@epa.gov>; "Edlund, Carl" <edlund.carl@epa.gov>; "Gray, David" <gray.david@epa.gov>; "Mann, Chrissy" <mann.chrissy@epa.gov>; Karl Brooks

Subject: Fw: W-A100311-01 Notice of Suspension of Operations - Luminant Monticello Units 1 and 2

Colleagues,

The enviro community now has the specifics of the luminant filing with ercot. We are undoubtedly going to get questions tomorrow at the regional office.

I am not aware that EFH or the state agencies are actively pushing for press at this hour (this could change any minute).

Al

Al Armendariz
Regional Administrator
U.S. EPA - Region 6
armendariz.al@epa.gov
214-665-2100
twitter: @al_armendariz

From: Tom Smith [smitty@citizen.org]

Sent: 10/03/2011 05:53 PM EST

To: Al Armendariz; Chrissy Mann; David Gray

Subject: FW: W-A100311-01 Notice of Suspension of Operations - Luminant Monticello Units 1 and 2

From: David Power
Sent: Monday, October 03, 2011 5:26 PM
To: Ilan Levin; Tom Smith
Cc: 'Karen Hadden'; Powis, Jennifer; Elena Saxonhouse (Elena.Saxonhouse@sierraclub.org); Cyrus Reed (Cyrus.Reed@sierraclub.org)
Subject: RE: W-A100311-01 Notice of Suspension of Operations - Luminant Monticello Units 1 and 2

[This looks in line with their press release earlier this month](#)

“Operational Response Plan

To ensure compliance in this extremely compressed time frame, production and operational changes will have to be made at two of the company's large power plant and mining complexes. Under the Electric Reliability Council of Texas's protocol, these decisions must be communicated to the Council by October 3 so they can adequately prepare for 2012.

At the Monticello Power Plant and supporting Thermo and Winfield mines in Northeast Texas, the following steps will be necessary:

- Monticello Units 1 and 2 will be idled. These units have a capacity of approximately 1,200 megawatts.
- Monticello Unit 3 will cease using Texas lignite for fuel and begin to operate on 100 percent Powder River Basin coal.
- Thermo and Winfield mines will cease mining Texas lignite with the idling of Monticello units 1 and 2 and the fuel switching at Monticello Unit 3, but Luminant will continue reclamation activities at these sites.

At Big Brown Power Plant and its supporting mine in Freestone County, the following steps will be necessary:

- Big Brown units 1 and 2 will cease using Texas lignite for fuel and begin to operate on 100 percent Powder River Basin coal.
- The Big Brown/Turlington Mine will cease mining Texas lignite, but Luminant will continue reclamation activities there.”

From: Ilan Levin [mailto:ilevin@environmentalintegrity.org]
Sent: Monday, October 03, 2011 5:16 PM
To: David Power; Tom Smith
Cc: 'Karen Hadden'; Powis, Jennifer; Elena Saxonhouse (Elena.Saxonhouse@sierraclub.org); Cyrus Reed (Cyrus.Reed@sierraclub.org)
Subject: RE: W-A100311-01 Notice of Suspension of Operations - Luminant Monticello Units 1 and 2

Huh? I don't know what this means. Is this just Luminant milking their story? What does this have to do with RMR status? I assume all Luminant plants are designated RMR??

Ilan Levin
Environmental Integrity Project
1303 San Antonio St., Ste. 200
Austin, Texas 78701
Direct: 512.637.9479
Cell: 512.619.7287

Fax: 512.584.8019

From: David Power [mailto:dpower@citizen.org]
Sent: Monday, October 03, 2011 5:12 PM
To: Tom Smith
Cc: 'Karen Hadden'; Ilan Levin
Subject: FW: W-A100311-01 Notice of Suspension of Operations - Luminant Monticello Units 1 and 2

From: Notice_Operations [mailto:NOTICE_OPERATIONS@LISTS.ERCOT.COM] **On Behalf Of** ERCOT Client Services
Sent: Monday, October 03, 2011 4:43 PM
To: NOTICE_OPERATIONS@LISTS.ERCOT.COM
Subject: W-A100311-01 Notice of Suspension of Operations - Luminant Monticello Units 1 and 2

NOTICE DATE: October 3, 2011

NOTICE TYPE: W-A100311-01 Operations

SHORT DESCRIPTION: Notification of Suspension of Operations for Luminant Generation Company LLC, Monticello Units 1 and 2

INTENDED AUDIENCE: ERCOT Market Participants

DAY AFFECTED: Comments due October 17, 2011

LONG DESCRIPTION: ERCOT has received Notification of Suspension of Operations for the following Generation Resources:

- Luminant Generation Company LLC – MNSES_UNIT1
- Luminant Generation Company LLC – MNSES_UNIT2

The Notification of Suspension of Operations is posted on the ERCOT Market Information System (MIS) Secure Area on the Grid/Generation page under Reliability Must Run at <https://mis.ercot.com/pps/tibco/mis/Pages/Grid+Information/Generation>. An ERCOT digital certificate is required to access the MIS.

ACTION REQUIRED: Please send any comments you may have regarding this Notification to RMRcomments@ercot.com, with "Luminant Monticello NSO Application" in the subject line. Comments are due no later than October 17, 2011. Reliability Must Run Market Comments will be posted to the MIS at the URL stated above.

CONTACT: If you have any questions, please contact your ERCOT Account Manager. You may also call the general ERCOT Client Services phone number at (512) 248-3900 or contact ERCOT Client Services via email at ClientServices@ercot.com.

If you are receiving email from an ERCOT distribution list that you no longer wish to receive, please follow this link in order to unsubscribe from this list: <http://lists.ercot.com>.

dh

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Version: 10.0.1410 / Virus Database: 1520/3935 - Release Date: 10/03/11

Seth Oster/DC/USEPA/US
09/14/2011 08:36 AM

To "Bob Perciasepe", "Lisa Jackson"
cc "Diane Thompson"
bcc
Subject Fw: AP - Luminant

David Gray

----- Original Message -----

From: David Gray
Sent: 09/14/2011 07:33 AM CDT
To: David Gray
Cc: Brendan Gilfillan; Al Armendariz; Andra Belknap; Bob Sussman; David Bloomgren; David Cohen; John Millett; Joseph Goffman; Laura Vaught; Michael Moats; Seth Oster
Subject: AP - Luminant

Lawmakers defiant over federal clean air rule

By APRIL CASTRO

AUSTIN, Texas

A threat by one of the state's largest energy companies to shut down generators and layoff hundreds of workers over stricter pollution standards came one day after the EPA issued a letter assuring the company a plan could be worked out to help it comply with the standards.

The new rules are designed to significantly reduce smog and soot pollution by requiring 27 states, including Texas, to decrease smokestack emissions, mostly at coal-fired power plants.

But Luminant and other agencies insist it is logistically impossible to comply with the new regulation by January without decreasing production.

"We continue to believe there are options to explore that would bring your company into compliance with this rule -- a rule that EPA was under court order to finalize and that will have significant public health benefits in Texas and numerous downwind states," wrote Bob Perciasepe, deputy administrator for the EPA, in a letter to Luminant CEO David Campbell.

"We stand ready to continue working with you to ensure that you have explored all the available options to achieve the necessary pollution reductions under the Clean Air Act without having to idle or shut down these operations and put these jobs at risk."

Cambell said that while discussions with the EPA are ongoing, "the reality is that there are no easy paths for reducing emissions by 64 percent this fast."

The letter was delivered to a panel of lawmakers who slammed the EPA Tuesday over a new pollution rule they say will cause electricity shortages and cost hundreds of jobs, including 500 layoffs announced this week, despite the federal agency's attempts to work closely with energy providers to prevent problems.

The legislative hearing came a day after Luminant, Texas' largest energy provider, announced it would shut down generators and lay off 500 jobs to comply with the new set of rules that goes into effect in January.

Reiterating accusations made by Gov. Rick Perry, a leading GOP presidential candidate, Republican Sen. Troy Fraser called the rule a job killer and suggested the Obama Administration is unfairly targeting Texas because it is heavily Republican.

"We are in an election season and surely an agency wouldn't be political in this, but the seven most affected states were all very red states," said Fraser, chairman of the Senate Natural Resources Committee.

"One does question the motive behind some of the actions," said chairman of the Texas Commission on Environmental Quality Bryan Shaw, a Perry appointee.

Perry has used the Cross-State Air Pollution Rule as fodder in his long-standing accusation that the EPA under President Barack Obama meddles in state affairs, lays down expensive regulations during tough economic times and is forcing companies to cut jobs to offset the cost of complying with environmental rules. Texas has requested a delay in the requirement.

The defiant panel of lawmakers also scoffed at a list of options presented by environmentalists, who say the federal requirement can be met without causing power shortages.

"There are a bunch of rules that are pending, protocols, executive orders that could be issued, we think would really help," said Tom "Smitty" Smith, Texas director for the watchdog organization Public Citizen.

He said energy efficiency programs, new building codes and more solar and wind power could help the state comply with the federal regulation and "keep the lights on."

"If we put as much energy into getting these rule-making packages out the door as we have complaining about the EPA, we might actually be able to keep the lights on," he said.

"'Might' be able to?" Fraser asked. "That's not very encouraging ... that's a pretty strong statement coming from an environmental group."

Texas, faced with a growing population, few new energy sources and hot summers, has been vocal in its opposition to the regulation since it was announced in July. Texas has 19 coal-fired power plants, more than any other state, and plans to build nine more.

Nearly all of Texas' Congressional representatives have signed letters expressing concern about the impact the rule will have on jobs.

Seth Oster/DC/USEPA/US
03/03/2010 04:07 PM

To "Bob Perciasepe", "Lisa Jackson"
cc "Diane Thompson", Bob Sussman, Arvin Ganesan
bcc
Subject Fw: DEP News - WVDEP Seeking Input on Narrative Criteria Protocol

Michael Kulik

----- Original Message -----

From: Michael Kulik
Sent: 03/03/2010 04:02 PM EST
To: Seth Oster; Bob Sussman; Arvin Ganesan
Subject: Fw: DEP News - WVDEP Seeking Input on Narrative Criteria Protocol

I am forwarding the release issued this afternoon by WVDEP which we received shortly before its official distribution. We expect to see it in the press very quickly.

----- Forwarded by Michael Kulik/R3/USEPA/US on 03/03/2010 03:58 PM -----

From: Jessica Greathouse/R3/USEPA/US
To: Garvin.Shawn@epamail.epa.gov, Kulik.Michael@epamail.epa.gov, "William Early" <Early.William@epamail.epa.gov>, "John Pomponio" <Pomponio.John@epamail.epa.gov>, "Stefania Shamet" <Shamet.Stefania@epamail.epa.gov>, "Catherine Libertz" <Libertz.Catherine@epamail.epa.gov>, "Daniel Ryan" <Ryan.Daniel@epamail.epa.gov>
Date: 03/03/2010 03:53 PM
Subject: Fw: DEP News - WVDEP Seeking Input on Narrative Criteria Protocol

Jessica H. Greathouse
State and Congressional Liaison
U.S. Environmental Protection Agency
304.224.3181

----- Original Message -----

From: [dep.online@wv.gov]
Sent: 03/03/2010 03:40 PM EST
To: Jessica Greathouse
Subject: DEP News - WVDEP Seeking Input on Narrative Criteria Protocol

The following was sent to you because you are a
Member of the DEP News List mailing list.

=====
Wednesday, March 3, 2010 @ 3:40 PM
=====

For More Information
Kathy Cosco, 304-926-0440

WVDEP Seeks Input On Narrative Criteria Protocol

The West Virginia Department of Environmental Protection's Cabinet Secretary, Randy Huffman, spoke to the Senate Committee on Energy, Industry and Mining today. He was asked to give a report on the status of mining permits that are currently undergoing review by the Environmental Protection Agency.

During his presentation to the committee, Huffman announced that the agency is in the process of establishing a protocol for implementing and enforcing the state's narrative water quality criteria.

The lack of a solid plan for enforcing the narrative standard is the main criticism the EPA has had with the state of West Virginia's regulation of mountaintop mining activities over the past year. However, Huffman pointed out to the committee that the standard doesn't apply to just surface mining or mining in general, but has implications across all types of industrial activities.

As part of the process for establishing a state protocol, the DEP is researching what other states are doing as well as seeking input from interested parties within the state.

"Water quality has become the main topic of conversation across all types of industry, and there is a great deal of debate about what is or should be considered impairment," Huffman said. "Our goal is to take into consideration the ideas of others as we develop our plan for implementing and enforcing the narrative standard.

"I'm not looking for data and reports, I have that," he said. "Nor do I intend to debate the pros and cons of coal mining. What I am looking for are well-thought-out ideas on how we can measure aquatic life impacts and tie those impacts back to the problem where we can then fix it, using the tools of the Clean Water Act.

"The protocol we establish will be our own, but we want to give those who want to propose a solution the opportunity to have their ideas considered," Huffman said.

Those who would like to submit ideas or scientific theories for how the agency should implement and enforce the narrative water quality standard are invited to do so by March 26. Submissions can be emailed to DEP.comments@wv.gov or mailed to:

The Department of Environmental Protection
601 57th Street SE
Charleston, WV 25304

All submissions will be placed on the agency's website for public review.

- 30 -

=====
To Unsubscribe from this Mailing List, login at:
<http://apps.dep.wv.gov/MLists/>

Seth Oster/DC/USEPA/US
12/18/2009 10:14 AM

To "Diane Thompson", Gina McCarthy, "Lisa Jackson", David
McIntosh, "Shalini Vajjhala", "Michelle DePass"
cc
bcc
Subject Fw: Remarks by the President at the Morning Plenary
Session of the United Nations Climate Change Conference

From: "White House Press Office" [whitehouse-lists-noreply@list.whitehouse.gov]
Sent: 12/18/2009 08:21 AM EST
To: Seth Oster
Subject: Remarks by the President at the Morning Plenary Session of the United Nations Climate Change Conference

THE WHITE HOUSE
Office of the Press Secretary

For Immediate Release December 18, 2009

REMARKS BY THE PRESIDENT
AT THE MORNING PLENARY SESSION
OF THE UNITED NATIONS CLIMATE CHANGE CONFERENCE

Bella Center
Copenhagen, Denmark

12:32 P.M. CET

THE PRESIDENT: Good morning. It is an honor for me to join this distinguished group of leaders from nations around the world. We come here in Copenhagen because climate change poses a grave and growing danger to our people. All of you would not be here unless you -- like me -- were convinced that this danger is real. This is not fiction, it is science. Unchecked, climate change will pose unacceptable risks to our security, our economies, and our planet. This much we know.

The question, then, before us is no longer the nature of the challenge -- the question is our capacity to meet it. For while the reality of climate change is not in doubt, I have to be honest, as the world watches us today, I think our ability to take collective action is in doubt right now, and it hangs in the balance.

I believe we can act boldly, and decisively, in the face of a common threat. That's why I come here today -- not to talk, but to act. (Applause.)

Now, as the world's largest economy and as the world's second largest emitter, America bears our responsibility to address climate change, and we intend to meet that responsibility. That's why we've renewed our leadership within international climate change negotiations. That's why we've worked with other nations to phase out fossil fuel subsidies. That's why we've taken bold action at home -- by making historic investments in renewable energy; by putting our people to work increasing efficiency in our homes and buildings; and by pursuing comprehensive legislation to transform to a clean energy economy.

These mitigation actions are ambitious, and we are taking them not simply to meet global responsibilities. We are convinced, as some of you may be convinced, that changing the way we produce and use energy is essential to America's economic future -- that it will create millions of new jobs, power new industries, keep us competitive, and spark new innovation. We're convinced, for our own self-interest, that the way we use energy, changing it to a more efficient fashion, is essential to our national security, because it helps to reduce our dependence on foreign oil, and helps us deal with some of the dangers posed by climate change.

So I want this plenary session to understand, America is going to continue on this course of action to mitigate our emissions and to move towards a clean energy economy, no matter what happens here in Copenhagen. We think it is good for us, as well as good for the world. But we also believe that we will all be stronger, all be safer, all be more secure if we act together. That's why it is in our mutual interest to achieve a global accord in which we agree to certain steps, and to hold each other accountable to certain commitments.

After months of talk, after two weeks of negotiations, after innumerable side meetings, bilateral meetings, endless hours of discussion among negotiators, I believe that the pieces of that accord should now be clear.

First, all major economies must put forward decisive national actions that will reduce their emissions, and begin to turn the corner on climate change. I'm pleased that many of us have already done so. Almost all the major economies have put forward legitimate targets, significant targets, ambitious targets. And I'm confident that America will fulfill the commitments that we have made: cutting our emissions in the range of 17 percent by 2020, and by more than 80 percent by 2050 in line with final legislation.

Second, we must have a mechanism to review whether we are

keeping our commitments, and exchange this information in a transparent manner. These measures need not be intrusive, or infringe upon sovereignty. They must, however, ensure that an accord is credible, and that we're living up to our obligations. Without such accountability, any agreement would be empty words on a page.

I don't know how you have an international agreement where we all are not sharing information and ensuring that we are meeting our commitments. That doesn't make sense. It would be a hollow victory.

Number three, we must have financing that helps developing countries adapt, particularly the least developed and most vulnerable countries to climate change. America will be a part of fast-start funding that will ramp up to \$10 billion by 2012. And yesterday, Secretary Hillary Clinton, my Secretary of State, made it clear that we will engage in a global effort to mobilize \$100 billion in financing by 2020, if -- and only if -- it is part of a broader accord that I have just described.

Mitigation. Transparency. Financing. It's a clear formula -- one that embraces the principle of common but differentiated responses and respective capabilities. And it adds up to a significant accord -- one that takes us farther than we have ever gone before as an international community.

I just want to say to this plenary session that we are running short on time. And at this point, the question is whether we will move forward together or split apart, whether we prefer posturing to action. I'm sure that many consider this an imperfect framework that I just described. No country will get everything that it wants. There are those developing countries that want aid with no strings attached, and no obligations with respect to transparency. They think that the most advanced nations should pay a higher price; I understand that. There are those advanced nations who think that developing countries either cannot absorb this assistance, or that will not be held accountable effectively, and that the world's fastest-growing emitters should bear a greater share of the burden.

We know the fault lines because we've been imprisoned by them for years. These international discussions have essentially taken place now for almost two decades, and we have very little to show for it other than an increased acceleration of the climate change phenomenon. The time for talk is over. This is the bottom line: We can embrace this accord, take a substantial step forward, continue to refine it and build upon its foundation. We can do that, and everyone who is in this room will be part of a historic endeavor -- one that makes life

better for our children and our grandchildren.

Or we can choose delay, falling back into the same divisions that have stood in the way of action for years. And we will be back having the same stale arguments month after month, year after year, perhaps decade after decade, all while the danger of climate change grows until it is irreversible.

Ladies and gentlemen, there is no time to waste. America has made our choice. We have charted our course. We have made our commitments. We will do what we say. Now I believe it's the time for the nations and the people of the world to come together behind a common purpose.

We are ready to get this done today -- but there has to be movement on all sides to recognize that it is better for us to act than to talk; it's better for us to choose action over inaction; the future over the past -- and with courage and faith, I believe that we can meet our responsibility to our people, and the future of our planet. Thank you very much. (Applause.)

END

12:43 P.M. CET

Seth Oster/DC/USEPA/US
09/01/2011 12:19 PM

To "Lisa Jackson"
cc
bcc
Subject ERCOT News Release: Reviews Impact of Cross State Air
Pollution Rule

From: Al Armendariz
Sent: 09/01/2011 12:11 PM EDT
To: Seth Oster; Bob Perciasepe; "Sussman, Bob" <sussman.bob@epa.gov>; Gina McCarthy
Subject: Fw: News Release: ERCOT Reviews Impact of Cross State Air Pollution Rule

Al Armendariz
Regional Administrator
U.S. EPA - Region 6
armendariz.al@epa.gov
214-665-2100
twitter: @al_armendariz

From: Rob Lawrence
Sent: 09/01/2011 11:59 AM EDT
To: Carl Edlund; David Gray; Al Armendariz; James Yarbrough; Lawrence Starfield; Thomas Diggs; William Luthans
Subject: Fw: News Release: ERCOT Reviews Impact of Cross State Air Pollution Rule
FYI

From: "Gage, Theresa" [tgage@ERCOT.COM]
Sent: 09/01/2011 03:38 PM GMT
To: NEWS_BULLETINS@LISTS.ERCOT.COM
Subject: News Release: ERCOT Reviews Impact of Cross State Air Pollution Rule

NewsRelease

September 01 2011

ERCOT Reviews Impact of Cross State Air Pollution Rule

The Electric Reliability Council of Texas (ERCOT), the state grid operator and manager of the wholesale electric market, released today an evaluation of the potential impacts of the Environmental Protection Agency's (EPA) Cross State Air Pollution Rule on generation facilities in ERCOT, as requested by the Public Utility Commission in July 2011.

The report, "Impacts of the Cross-State Air Pollution Rule on the ERCOT System," is available on www.ercot.com in the News/Reports and Presentations section under Operations and System

Planning.

Based on the information provided by the resource owners, ERCOT developed three scenarios of potential impacts from CSAPR:

- The first scenario, derived directly from the compliance plans of individual resource owners, indicates that ERCOT will experience a generation capacity reduction of approximately 3,000 MW during the off-peak months of March, April, October and November, and 1,200 – 1,400 MW during the other months of the year, including the peak load months of June, July and August.
- Scenario 2, which incorporates the potential for increased unit maintenance outages due to repeated daily dispatch of traditionally base-load coal units, results in a generation capacity reduction of approximately 3,000 MW during the off-peak months of March and April; 1,200 – 1,400 MW during the remainder of the first nine months of the year; and approximately 5,000 MW during the fall months of October, November and possibly into December.
- Scenario 3 includes the impacts noted for Scenario 2, along with potential impacts from limited availability of imported low-sulfur coal. This scenario results in a generation capacity reduction of approximately 3,000 MW during the off-peak months of March and April; 1,200 – 1,400 MW during the remainder of the first nine months of the year; and approximately 6,000 MW during the fall months of October, November and possibly into December.

When the CSAPR rule was announced in July, it included Texas in compliance programs that ERCOT and its resource owners had reasonably believed would not be applied to Texas. In addition, the rule required implementation within five months – by January 2012. The implementation timeline provides ERCOT an extremely truncated period in which to assess the reliability impacts of the rule, and no realistic opportunity to take steps that could even partially mitigate the substantial losses of available operating capacity described in the scenarios examined in this report. In short, the CSAPR implementation date does not provide ERCOT and its resource owners a meaningful window for taking steps to avoid the loss of thousands of megawatts of capacity, and the attendant risks of outages for Texas power users.

The Electric Reliability Council of Texas, Inc., (ERCOT) manages the flow of electric power to approximately 23 million Texas customers - representing 85 percent of the state's electric load and 75 percent of the Texas land area. As the Independent System Operator for the region, ERCOT schedules power on an electric grid that connects 40,500 miles of transmission lines and more than 550 generation units. ERCOT also manages financial settlement for the competitive wholesale bulk-power market and administers customer switching for 6.6 million Texans in competitive choice areas. ERCOT is a membership-based 501(c)(4) nonprofit corporation, governed by a board of directors and subject to oversight by the Public Utility Commission of Texas and the Texas Legislature.

Contact

Theresa Gage 512-225-7074

To unsubscribe from the NEWS_BULLETINS list, click the following link:
http://lists.ercot.com/SCRIPTS/WA-ERCOT.EXE?SUBED1=NEWS_BULLETINS&A=1

Seth Oster/DC/USEPA/US

07/05/2011 11:27 PM

To "Lisa Jackson"

cc

bcc

Subject E.P.A. Chief Stands Firm as Tough Rules Loom E.P.A. Chief Stands Firm as Tough Rules Loom NY Times: "E.P.A. Chief Stands Firm as Tough Rules Loom" EPA Chief Stands Firm as Tough Rules Loom:

July 5, 2011

E.P.A. Chief Stands Firm as Tough Rules Loom

By [JOHN M. BRODER](#)

WASHINGTON — In the next weeks and months, [Lisa P. Jackson](#), the [Environmental Protection Agency](#) administrator, is scheduled to establish regulations on smog, mercury, carbon dioxide, mining waste and vehicle emissions that will affect every corner of the economy.

She is working under intense pressure from opponents in Congress, from powerful industries, from impatient environmentalists and from the Supreme Court, which just [affirmed the agency's duty](#) to address [global warming](#) emissions, a project that carries profound economic implications.

The new rules will roll out just as [President Obama](#)'s re-election campaign is getting under way, with a White House highly sensitive to the probability of political damage from a flood of government mandates that will strike particularly hard at the manufacturing sector in states crucial to the 2012 election.

No other cabinet officer is in as lonely or uncomfortable a position as Ms. Jackson, who has been left, as one adviser put it, behind enemy lines with only science, the law and a small band of loyal lieutenants to support her.

Ms. Jackson describes the job as draining but says there are certain principles she will not compromise, including rapid and vigorous enforcement of some of the most far-reaching health-related rules ever considered by the agency.

"The only thing worse than no E.P.A. is an E.P.A. that exists and doesn't do its job — it becomes just a placebo," she said last week in an hourlong interview in Houston. "We are doing our job."

Although she has not met with the president privately since February, Ms. Jackson said she was confident that he would back her on the tough decisions she had to make. "All of us are mindful that he has a lot of things to do," she said.

Attacks on her and her agency have become a central part of the Republican playbook, but she said she wanted no sympathy.

"Any E.P.A. director sits at the intersection of some very important issues — air pollution,

clean water, and whether businesses can survive," said Ms. Jackson, a chemical engineer trained at Tulane and Princeton Universities and a former director of the New Jersey Department of Environmental Protection. "No one knows this job unless they've sat in the seat."

Ms. Jackson said she intended to go forward with new, tougher air- and water-quality rules, including those that address climate change, despite Congressional efforts to override her authority and even a White House initiative to weed out overly burdensome regulations.

The first of these new rules is expected to be announced Thursday, imposing tighter restrictions on soot and smog emissions from coal-burning power plants in 31 states east of the Rockies. The regulation is expected to lead to the closing of several older plants and will require the installation of scrubbers at many of those that remain in operation. One former E.P.A. administrator, [William K. Reilly](#), who served under the first President George Bush, is a sometime adviser to Ms. Jackson. He said she was taking fire from all sides.

"She's got three very large challenges," Mr. Reilly said. "First, she's got to administer the [Clean Air Act](#) to try to accomplish something for which it was never designed, the control of carbon dioxide, a difficult regulatory challenge in itself. Second, she has to do that and cope with all these other regulations which are not of her making and have come to land on her desk in a climate of intense political polarization and economic distress."

"And the third challenge," he continued, "is that the White House — any White House — doesn't want to hear an awful lot from the E.P.A. It's not an agency that ever makes friends for a president. In the cabinet room, many of the secretaries got along with each other, but they all had an argument with me. It's the nature of the job."

Mr. Reilly said the White House had left Ms. Jackson out on a limb when it failed to push hard for the [cap-and-trade climate change bill](#) that passed the House in 2009 but stalled in the Senate last year. Administration officials had argued that legislation was far superior to agency regulation as a means of addressing climate-altering emissions. But when the bill ran up against bipartisan opposition in the Senate, Mr. Reilly said, "the White House didn't lift a finger," an assertion administration officials dispute.

The White House said that it fully supported the agency's aggressive standards for a variety of pollutants to protect public health and the environment and denied that it was resisting further regulatory action for political reasons.

"It's simply a matter of choosing the health and safety of the American people over polluters," Clark Stevens, a White House spokesman, said in an e-mailed statement, "and doing so in a common-sense way that allows us to protect public health while also growing the economy — which will continue to be a shared goal of this entire administration."

One of Ms. Jackson's most vocal critics is [Representative Edward Whitfield](#), Republican of Kentucky and chairman of the energy and power subcommittee of the House Energy and Commerce Committee. He has held several hearings at which Ms. Jackson served as target practice for opponents of E.P.A. regulation of carbon dioxide and other pollutants. Ms. Jackson said that was the roughest treatment she had gotten in her two and a half years in Washington.

Mr. Whitfield, who has never met privately with Ms. Jackson, was unapologetic.

"It is unprecedented the number of major regulations this administration is putting out," he said, "and I can't tell you how many calls and meetings and letters I have asking, 'Is there

any way to slow E.P.A. down?' "

"What's troubling to us," Mr. Whitfield continued, "is that President Obama on the one hand is saying we have to be really careful about these regulations and consider the impact on jobs and the economy, but over at the agency they're just going full speed ahead with minimal attention or analysis on job impact."

One hot spot where Ms. Jackson can count on friendly treatment is "The Daily Show," where she has [appeared](#) three times in two years. Questioning from the host, Jon Stewart, was gentle, to say the least, referring in a recent show to the agency's "unassailable successes" in dealing with air and water pollution and to the "tremendous corporate interests" arrayed against her.

Even those most supportive of Ms. Jackson say that the agency has taken on a virtually unmanageable set of challenges across the range of policy, from mountaintop-removal coal mining to wetlands preservation to the control of toxic emissions from power plants and refineries. She is also in charge of federal restoration efforts in the Gulf of Mexico after the BP [oil spill](#).

"Have they bitten off more than they can chew?" asked Jason S. Grumet, president of the [Bipartisan Policy Center](#), who has close ties to the White House and the agency. "Yes. But that's a testament to their aspirations, and now reality is setting in."

The reality being that there is often political fallout whenever tough policy decisions are made, and that the timing of Ms. Jackson's rule setting could not be more inopportune for Mr. Obama. "It's always the case that there are conflicts between good policy and good politics, and the E.P.A. is often the crucible of those challenges," Mr. Grumet said.

One of the toughest pending decisions, he said, concerns a standard for permissible levels of smog-causing compounds including [ozone](#). The agency's scientific advisory panel has recommended setting a high bar that could put hundreds of counties out of compliance with the law, forcing them to take action to reduce emissions, even though the pollutants may be generated beyond their jurisdiction.

The law requires that E.P.A. make such decisions based solely on the health effects of the pollution, not on the possible cost of compliance, creating a huge political problem.

"Telling a government that has to stand for re-election that it should make decisions with no consideration of cost is understandably going to create great agita in the political offices," Mr. Grumet said.

Seth Oster
Associate Administrator
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Seth Oster/DC/USEPA/US
10/09/2010 07:38 PM

To "Lisa Jackson"
cc
bcc
Subject Fw: An interesting article from The Washington Post: US, China blame each other for slow climate talks

Worth a quick read.

Seth

From: Mark Kasman
Sent: 10/09/2010 05:38 PM EDT
To: Michelle DePass; Scott Fulton; Seth Oster; Shalini Vajjhala
Subject: Fw: An interesting article from The Washington Post: US, China blame each other for slow climate talks

FYI...

From: Justin [justin98120002000@yahoo.com]
Sent: 10/09/2010 05:20 PM AST
To: Mark Kasman
Subject: An interesting article from The Washington Post: US, China blame each other for slow climate talks
US, China blame each other for slow climate talks

TIANJIN, China -- Modest progress at U.N. climate talks Saturday was overshadowed by a continuing deadlock between China and the United States, clouding prospects for a major climate conference in Mexico in less than two months' time.

Read the entire story here: _

<http://www.washingtonpost.com/wp-dyn/content/article/2010/10/09/AR2010100901571.html>

Sent from my iPhone

Seth Oster/DC/USEPA/US

05/26/2010 04:45 PM

To "Lisa Jackson"

cc

bcc

Subject Fw: another similar take today

David Cohen

----- Original Message -----

From: David Cohen

Sent: 05/26/2010 04:39 PM EDT

To: Seth Oster

Subject: another similar take today

again, fyi in case you've not seen:

POLITICO

Obama under fire for BP spill response

By: [Glenn Thrush and Josh Gerstein and Manu Raju](#)

May 26, 2010 03:28 PM EDT

[President Barack Obama](#) is sticking with his philosophy of presidential multi-tasking, refusing to scrub his schedule of events that seem peripheral — even trivial — compared to the unfolding catastrophe in the Gulf.

As [oozing oil fouls Louisiana's marshes](#), Obama has committed to maintaining the semblance of a regular schedule, adhering to his walk-and-chew-gum style of [crisis management](#) even as criticism of his administration mounts.

That includes a sit-down to talk hoops with Marv Albert, events touting the stimulus and Duke's basketball team, a Memorial Day parade appearance in Illinois and a pair of fundraisers in California that roughly overlapped with a memorial service for 11 workers killed in the April 20 explosion on the Deepwater Horizon platform.

The White House is standing behind its walk-and-chew-gum-at-the-same-time mantra — but allies and enemies are puzzled over why Obama isn't projecting more of a sense of urgency and outrage.

"I think this is one of the great lost political opportunities I've ever seen,"

says former [Clinton adviser James Carville](#), a Louisiana native who sharply criticized the Obama administration's response to the spill.

Obama earned high marks — and perhaps the presidency — for keeping his cool during the 2008 financial crisis, but that same determination to maintain an even keel during the Gulf disaster may be backfiring, with even allies saying he's coming off as cold and uncharacteristically tone-deaf.

"There are times and places where his cool, technocratic mastery is a great blessing ... [B]ut, ideology aside, what do you think [President Ronald] Reagan would have done in this situation? He'd be down there. [Look at \[Louisiana Gov. Bobby\] Jindal](#) ... It is puzzling, the detachment," said one veteran Democratic strategist, a frequent defender of Obama.

"I just cringe at the specter of the president doing a political fundraiser in San Francisco during the memorial service or instead of going to the memorial service," the person added. "He was sure there for the coal miners in West Virginia; he spoke at their funerals. That juxtaposition can't be good."

Republicans — smarting over criticism that President George W. Bush delegated his response to [Hurricane Katrina](#) to incompetent subordinates — are seizing on the fiddle-while-Rome-burns theme with relish.

Sean Hannity, speaking on his Fox News show, encapsulated a new GOP talking point Tuesday night, when he said, "Throughout this catastrophe, let's see, President Obama has found time to play golf, political fundraisers, state dinners."

The [National Republican Senatorial Committee](#) e-mail blasted a press release — "President Delays Gulf Coast Spill Recovery Efforts for San Francisco Fundraiser with Oil Heirs" — on the eve of Obama's West Coast fundraisers, which netted \$1.7 million.

Administration staffers say such criticism is deeply unfair and that Obama is focused on the spill, to the point of being obsessed. Having the president personally involved in every public event on the spill would be distracting and "wouldn't move the ball forward," said a White House official.

And despite Obama's commitment to keep prior scheduling commitments, he's carved out time for a day trip to the Louisiana Gulf Coast on Friday and a Q & A with the White House press corps to answer questions about the disaster — in addition to a constant stream of briefings on BP's progress.

Even without the Gulf crisis, Obama's plate was overflowing. Obama has spent much of his time focusing on a sequence of major crises: a knife's edge military confrontation on the Korean peninsula, continuing concerns about the sovereign debt crisis in Europe, a tricky compromise on repeal of the "don't ask, don't tell" policy and high-stakes final negotiations over the financial regulatory bill.

Obama spoke repeatedly about the Gulf during his West Coast events Tuesday and Wednesday, which included a tour of a plant that produces components of solar panels — and a pair of fundraisers for the party and Sen. Barbara Boxer (D-Calif.).

"This situation in the Gulf is heartbreaking," Obama declared at his first fundraisers Tuesday. "And the day that it was reported to me that this riser and the drilling situation had blown, I said to my team, 'We've got to put every bit of energy, time, all the resources we've got to make sure that we deal with this.' And we've now got over a 1,000 people from the federal government deployed down there. We are doing everything we can to contain the damage."

"There's not a person who has just felt that sense of despair in watching the broadcasts about oil spill down in the Gulf. Nobody is more upset than me, because ultimately, like any president, when this happens on your watch, then every day you are thinking, how does this get solved?" Obama said at a later event.

"I think they would criticize the president no matter what he did. And I guess the question is, should the president just not go anywhere until this well is capped? I mean, I think he needs to have a schedule," said Boxer.

"The president gets criticized for the color of the suit he wears. I mean, everything is political. I think he's going there on Friday, and he'll go there as many times as he feels he should go there because he knows he's dispatched 1,000 people."

Republicans now are leading the criticism. "The president has remained disengaged; he's only now going for the weekend to do a press event," says California Rep. Darrell Issa, the ranking minority member of the House Oversight and Government Reform Committee and a frequent Obama critic. "Getting down there to get briefed is fine ... But if we're not in charge, and he's not overseeing our cleanup, then I question whether it's important for us to go down ... For 35 days he hasn't used the full force of our government."

Former Bush press secretary Dana Perino — who has expressed sympathy with Obama's plight — sees something of a double standard. Her boss was pilloried by the media and Democrats — including then-Sen. Barack Obama — for taking a hands-off approach to the Hurricane Katrina response, while Obama is being cut slack.

"I call it the battered press syndrome," she wrote in an e-mail to POLITICO, "They keep trying to win his favor, but it's not returned." Democrats, for the most part, have stuck with Obama.

"I think there's going to be a concerted effort to [criticize Obama]," said Michigan Sen. Debbie Stabenow. "It's really not about Bush vs. Obama. To me, it's about a philosophy that says deregulate, step back and let Wall Street do whatever they want; step back and let the oil companies control everything."

Boxer on Wednesday defended Obama's action, noting that his visit to the solar-panel plant highlights the need to move the nation away from fossil fuels — and the risk of such underwater catastrophes.

"I think they would criticize the president no matter what he did. And I guess the question is, should the president just not go anywhere until this well is capped? I mean, I think he needs to have a schedule," Boxer said. "I think he's going there on Friday, and he'll go there as many times as he feels he should go there because he knows he's dispatched 1,000 people. And I think he's doing every single thing that he can. . ."

Sen. Byron Dorgan (D-N.D.) said the administration has been "pretty aggressive" and said Obama was simply at the mercy of events — and a seemingly uncappable well a mile below the surface.

"I think all of us have a lot of angst about the fact that this happened and it hasn't been stopped for over a month," he said. "I understand the politics of this moment is that [Obama's foes] will try to say this administration bears responsibility. But I think that's at odds with the facts, and I think this president has done everything he can to try to address this."

Meredith Shiner contributed to this report.

Seth Oster/DC/USEPA/US

05/07/2010 12:31 PM

To "Lisa Jackson"

cc

bcc

Subject Fw: AP: Graham says 'impossible' to pass climate bill now

Betsaida Alcantara

----- Original Message -----

From: Betsaida Alcantara

Sent: 05/07/2010 12:29 PM EDT

To: Seth Oster; Allyn Brooks-LaSure; Adora Andy; Brendan Gilfillan; Alisha Johnson; Michael Moats; Vicki Ekstrom

Subject: AP: Graham says 'impossible' to pass climate bill now

Graham says 'impossible' to pass climate bill now

FREDERIC J. FROMMER | May 7, 2010 12:20 PM EST |

WASHINGTON — A key Republican senator negotiating with Democrats on a climate change bill said Friday it's "become impossible" to pass the legislation now because of disagreements over offshore drilling and immigration reform.

Sen. Lindsey Graham of South Carolina said that Congress needs to move forward in a political climate that gives proponents the best chance for success.

"Regrettably, in my view, this has become impossible in the current environment," he said in a statement. "I believe there could be more than 60 votes for this bipartisan concept in the future. But there are not nearly 60 votes today and I do not see them materializing until we deal with the uncertainty of the immigration debate and the consequences of the oil spill."

Sixty votes are required in the Senate to overcome filibusters.

Last month, Graham threatened to withhold his support for the climate and energy legislation because he was angry that Democrats said they would take up a rewrite of immigration policy. That forced his partners, Sen. John Kerry, D-Mass., and Joe Lieberman, I-Conn., to postpone the long-awaited unveiling of the legislation, which aims to cut emissions of carbon dioxide and other greenhouse gases 17 percent below 2005 levels by 2020.

To win over Republicans, the bill calls for expansion of offshore drilling, which some Democrats have said they now oppose because of the Gulf spill.

"Some believe the oil spill has enhanced the chances energy legislation will

succeed. I do not share their view," Graham said. While he respects the positions of Democrats who don't want to see more offshore drilling, he said he still believes that it's needed for the country to become energy independent.

"When it comes to getting 60 votes for legislation that includes additional oil and gas drilling with revenue sharing, the climb has gotten steeper because of the oil spill," the senator said.

He said it makes sense to find out what happened in the Gulf spill, take steps to prevent future accidents and build a consensus for expanded offshore drilling.

Just two days ago, Graham told The Associated Press that the oil spill does not necessarily rule out passage of a comprehensive energy bill this year – although he noted it's always difficult to round up 60 votes.

Neither Kerry nor Lieberman had an immediate comment on Graham's statement. But they aren't likely to agree that it's best to wait. Kerry told an environmental gathering Wednesday that this year is "perhaps our last, best chance to pass comprehensive climate and energy legislation."

And Senate Majority Leader Harry Reid, D-Nev., told reporters this week that the oil spill should be incentive to act on legislation. "We have to take care of this issue," he said.

Seth Oster/DC/USEPA/US

To "Lisa Jackson"

06/02/2010 05:35 PM

cc

bcc

Subject Fw: CAMPAIGN 2010: Palin backs Murkowski primary challenger

Wow.

David McIntosh

----- Original Message -----

From: David McIntosh

Sent: 06/02/2010 05:25 PM EDT

To: Richard Windsor; Diane Thompson; Bob Perciasepe; Arvin Ganesan; Seth Oster

Subject: CAMPAIGN 2010: Palin backs Murkowski primary challenger

CAMPAIGN 2010: Palin backs Murkowski primary challenger

(Wednesday, June 2, 2010)

Alex Kaplun, E&E reporter

Former Alaska Gov. Sarah Palin (R) today threw her support behind Sen. Lisa Murkowski's (R-Alaska) primary opponent, describing the incumbent senator as "part of the big government problem" and attacking Murkowski's stance on climate change science.

In a lengthy Facebook message, Palin writes that there is no "bad blood" between her and Murkowski but said that the challenger, attorney Joe Miller, is a "true commonsense constitutional conservative" willing to buck the political establishment.

"I share Joe's belief that we are at a critical time in our nation's history and the status quo will no longer do," Palin wrote. "Unfortunately, Lisa Murkowski and much of the political establishment have recently evolved into being a bigger part of the big government problem in Washington, and they've strayed from the principles upon which they had espoused."

Palin reportedly once had an interest in challenging Murkowski herself, but she quelled those rumors last year and donated \$5,000 to Murkowski's re-election campaign.

"I've always wished her well, but it is my firm belief that we need a bold reformer who is not afraid to stand up to special interests and take on the tough challenges of our time," Palin wrote.

Palin and Murkowski have long been at odds, with Palin repeatedly characterizing the Murkowski family and their allies as part of the political establishment that controlled Alaska politics. Palin defeated Murkowski's father, then-Gov. Frank Murkowski (R), in the 2006 GOP primary.

When Palin resigned from the governorship last year, Murkowski was highly critical of the move and described it as an abandonment of the state and its residents.

Palin's endorsement runs through a number of positions on which she believes Murkowski has broken from conservative principles, including climate change.

"Joe is against cap and trade (Obama's new job-killing energy scheme that I call cap and tax)," Palin writes. "Lisa believes Al Gore's insistence that man-made global warming is fact, so she's on record as being open to cap and trade legislation to address weather changes."

While Palin's endorsement is certain to bring some attention to Miller's campaign, it remains to be seen if it has enough weight to give Miller the momentum he needs to topple Murkowski. Palin is popular among many conservatives, but Murkowski was not the only Alaska official to take her to task for resigning from office, and polls shortly before her departure showed her with mediocre approval ratings in her home state.

Miller has run for political office only once before, narrowly losing an election for state representative. Murkowski will also figure to have a major fundraising advantage over Miller.

The Alaska primary is Aug. 24.

Seth Oster/DC/USEPA/US

To "Lisa Jackson"

01/21/2010 07:48 PM

cc

bcc

Subject Fw: Clean Air Act Under Attack as New Poll Shows Strong Support for EPA Action

Betsaida Alcantara

----- Original Message -----

From: Betsaida Alcantara

Sent: 01/21/2010 07:14 PM EST

To: Gina McCarthy; Steve Owens; Cynthia Giles-AA; Mathy Stanislaus; Michelle DePass; Bob Perciasepe; Scott Fulton; Barbara Bennett; Paul Anastas; Peter Silva; Lisa Heinzerling; David McIntosh; Arvin Ganesan; Sarah Pallone; Heidi Ellis; Katharine Gage; Marcus McClendon; Clay Diette; Daniel Gerasimowicz; Sarah Dale; Megan Cryan; Bob Sussman; Charles Imohiosen; Eric Wachter; Marygrace Galston; Diane Thompson; Wyatt Rockefeller; Christopher Busch; Seth Oster; Allyn Brooks-LaSure; Adora Andy; Brendan Gilfillan; Betsaida Alcantara; Stephanie Owens; Shira Sternberg; Lawrence Elworth; Craig Hooks; Janet McCabe; Robert Verchick; Michael Moats; Lisa Garcia; Avi Garbow; Ray Spears; Shakeba Carter-Jenkins; Chuck Fox; Shalini Vajjhala; Robert Goulding; Heidi Ellis

Subject: Clean Air Act Under Attack as New Poll Shows Strong Support for EPA Action

FOR IMMEDIATE RELEASE: January 21, 2010

CONTACT: Josh Dorner, 202.675.2384

Clean Air Act Under Attack As New Poll Shows
Strong Public Support for EPA Action to Reduce Emissions:
Attacks Protect Dirty Coal, Big Oil at Expense of Clean Energy,
Natural Gas

Washington, D.C.--A new poll of battleground states conducted by the Benenson Strategy Group on behalf of the Clean Energy Works campaign underscores strong public support for both EPA and Congressional action to promote clean energy and reduce emissions. The poll was released today amid renewed efforts by big polluters and their allies in the Senate to attack the Clean Air Act.

"Big polluters and their allies in the Senate have launched an unprecedented assault on the Clean Air Act," said Carl Pope, Sierra Club Executive Director. "Not only have these big polluters stymied efforts to pass comprehensive clean energy and climate legislation in spite of strong public support for it, they are also trying to tie President Obama's hands by gutting the popular and effective laws we already have on the books. Instead of further delay and distractions, it's time for the Senate to get serious about passing legislation that reduces emissions, slashes our dependence on oil, and creates new clean energy jobs."

New poll: Strong public support for action by EPA, Congress to reduce emissions

The new battleground states poll released today by the Clean Energy Works campaign demonstrates strong public support for the

Environmental Protection Agency's plans to reduce emissions and fight global warming using its existing powers under the Clean Air Act. Fifty-nine percent of those polled agree and just 39 percent disagree that "if Congress doesn't pass this energy bill, the Environmental Protection Agency should take action to regulate carbon polluters. Among Independents, support for EPA action is even stronger: 61 percent agree and only 37 percent disagree. The poll also showed strong support (58 percent support, just 37 percent opposed) for comprehensive clean energy and climate legislation--support which has not wavered over the past several months, even in face of an unprecedented misinformation campaign led by polluters.

"Those who wish to avoid any limits on global warming pollution whatsoever are using lies and scare tactics to distract Congress and the American public from the important task at hand," said Pope. "Fortunately, the public sees right through these arguments and strongly supports plans to reduce emissions--one way or another. The American people understand what's at stake and know that we don't have any more time to waste when it comes to creating new clean energy jobs, reducing our dangerous dependence on oil, and slashing emissions."

Attacks protect Big Oil, Dirty Coal while blocking clean energy, natural gas

Big polluters and their allies are attempting to maintain the dirty energy status quo by blocking both legislative and common-sense regulatory measures designed to promote affordable clean energy and reduce global warming emissions. Moving forward with efforts to limit emissions will protect public health, create clean energy jobs, promote renewable energy, and encourage the use of cleaner burning, appropriately produced natural gas instead of continuing our dangerous dependence on oil and dirty coal.

"Not only do these misguided efforts from big polluters strike at the heart of the Clean Air Act, they are stalling efforts to build the clean energy economy," said Bruce Nilles, Director of Sierra Club's Beyond Coal campaign. "By stopping progress, this assault would not only slow our transition to a clean energy economy, it will also continue to protect Dirty Coal at the expense of renewable energy and cleaner burning natural gas. States like Arkansas, Louisiana, and Alaska have tremendous natural gas reserves that--along with clean energy--could help renew their state economies and reduce emissions--but only if we start to tackle global warming and get serious about a transition to clean energy."

The full Benenson Strategy Group memo can be viewed at:
<http://action.sierraclub.org/site/R?i=G61dXkYaM11UWOTPrGa0UA..>

#

Seth Oster/DC/USEPA/US

10/15/2010 04:25 PM

To "Lisa Jackson"

cc

bcc

Subject Fw: Corbin Hiar/Huff Post: A Ray of Light in China? EPA Administrator Attempts to Defuse Climate Standoff

Brendan Gilfillan

----- Original Message -----

From: Brendan Gilfillan

Sent: 10/15/2010 04:22 PM EDT

To: Seth Oster <oster.seth@epa.gov>; Adora Andy; Betsaida Alcantara; Alisha Johnson; Michael Moats; Vicki Ekstrom

Subject: Corbin Hiar/Huff Post: A Ray of Light in China? EPA Administrator Attempts to Defuse Climate Standoff

[A Ray of Light in China? EPA Administrator Attempts to Defuse Climate Standoff](#)

Huffington Post

The climate talks in Tianjin last week did [very little to improve the prospects for a binding international treaty](#), which would reduce the greenhouse gas (GHG) emissions that are warming the globe. In the wake of the disappointing meeting, Lisa Jackson, the administrator of the US Environmental Protection Agency (EPA), made her first official visit to China. During the trip, which began Saturday as Tianjin talks came to a close and ended yesterday, Jackson and her Chinese counterpart, Environmental Protection Minister Zhou Shengxian, renewed a bilateral environmental "[memorandum of understanding](#)" that had expired in 2008. Will this pact help defuse the superpowers' climate standoff?

Tensions in Tianjin

The frustrating UN Framework Convention on Climate Change (UNFCCC) meeting again made clear the gulf of understanding between the US and China. Like painful repeat of the 2009 Copenhagen climate summit, the Tianjin talks stalled when China refused to consider America's call for all pledges made by developing countries to be independently monitored and verified. Claiming this would violate the Kyoto Protocol's principle of differentiated responsibilities for rich and poor countries, [Chinese negotiator Huang Huikang said](#), "I want to emphasize on our side no compromise on the two track process and no compromise on the interests of developing countries."

The Times of India offered further insight into [why developing giants like China are so opposed to independent monitoring](#): "The US stance of demanding equal level of scrutiny of mitigation actions of emerging economies is considered a backdoor route of converting the voluntary actions of countries like China, India, Brazil and South Africa into international commitments."

US climate change envoy Todd Stern, who was not even at Tianjin, further entrenched Chinese

resistance to the American proposal. In a speech at the University of Michigan Law School, he alleged that China was acting as if the Copenhagen Accord "never happened." Su Wei, a senior Chinese climate change delegate at the talks, responded in a press conference by [comparing the US to a vain pig](#). "[The US] has no measures or actions to show for itself, and instead it criticizes China, which is actively taking measures and actions," Su huffed. "The developed countries are trying every means possible to avoid discussion of the essential issue--that is, emission reductions."

Other nations watched helplessly as the political posturing of the world's two largest climate polluters prevented movement on the [other policies the negotiators had hoped to address in Tianjin](#). Dessima Williams, Grenada's UN ambassador and the chair of the Alliance of Small Island States, [suggested to Bloomberg](#) that the US and China "have negotiations inside the negotiations." She described their squabbling as a "brinkmanship game... if you don't jump, I won't jump."

Limits of bilateral diplomacy

So is this week's US-China environmental pact a hop in the right direction? Although it addresses climate change, Jackson and Zhou studiously avoided the contentious issue of increasing verified emissions cuts. The [15-page memorandum](#) pledges in the driest of legalese to collaborate on the prevention of air pollution like GHGs and on the development, implementation, and enforcement of international law such as the hotly negotiated international climate agreement that the UN hopes will take effect in 2012, when the first Kyoto commitment period ends.

The EPA's Jackson tried to put a optimistic spin on the agreement: "China and the United States share a number of environmental challenges, from improving the air our citizens are breathing at the local level to fighting climate change that affects our entire planet, and we must take on these challenges while continuing to expand opportunity at home and abroad," she said in an [intentionally vague statement](#). "This was an important step in our collaboration to protect our environment and increase prosperity for generations to come."

Mother Nature Network blogger [Andrew Shenkel hesitantly agrees](#) with Jackson: "This pact could be a tiny small step towards combating this game of apathetic brinkmanship." He thinks the symbolism of environmental cooperation with China could prove valuable in the effort to convince American legislators to enact or sign onto climate protection regimes. Perhaps. But what is more urgently required of Jackson, the Obama administration, and US negotiators is a credible domestic emissions reduction plan that they can bring to the negotiating table at the big UNFCCC summit in Cancun at the end of November.

With the failure of the US climate bill, the government's capacity to reduce GHG emissions is greatly limited. An [analysis from the World Resources Institute](#) released shortly after the bill died in the Senate shows that, if the administration and state governments were to aggressively use every GHG pollution prevention tool they have available to them, the US would come close to-but still fall short of-the small 5% emission cut from 1990 levels that it promised in Copenhagen. US negotiators need to be able to deliver at least that much in at the Cancun

climate summit.

Bilateral environmental diplomacy isn't a bad thing, it's just inadequate for dealing with the worldwide threat posed by climate change. It'd be better that Jackson spent her time getting the US climate and energy policy in order instead of trying to coordinate and influence Chinese policymakers. China's government, which recently [invested \\$11.7 billion in Chinese solar firms](#) and [controls 43% of the global market for solar panels](#), is already light years ahead.

Seth Oster/DC/USEPA/US
03/31/2011 08:22 PM

To "Lisa Jackson"
cc
bcc
Subject Fw: DEP Release: Christie Administration Wins Battle for
EPA Action on Polluting PA Power Plant

Gov Christie has officially commended you. Congratulations.

----- Original Message -----

From: Judith Enck
Sent: 03/31/2011 07:12 PM EDT
To: mccabe.janet@epa.gov; Seth Oster
Subject: Fw: DEP Release: Christie Administration Wins Battle for EPA
Action on Polluting PA Power Plant

Sent by EPA Wireless E-Mail Services

----- Original Message -----

From: Barbara Finazzo
Sent: 03/31/2011 07:10 PM EDT
To: Kevin Bricke; Joann Brennan-McKee; Raymond Werner; William Baker; Judith
Enck; George Pavlou; Lisa Plevin; Bonnie Bellow
Subject: Fw: DEP Release: Christie Administration Wins Battle for EPA
Action on Polluting PA Power Plant

FYI

Sent by EPA Wireless E-Mail Services

----- Original Message -----

From: "depnews depnews" [depnews@dep.state.nj.us]
Sent: 03/31/2011 04:39 PM AST
To: <depnews@listserv.state.nj.us>
Subject: DEP Release: Christie Administration Wins Battle for EPA
Action on Polluting PA Power Plant

IMMEDIATE RELEASE:
March 31, 2011

Contact: Lawrence Ragonese (609) 292-2994
Lawrence Hajna (609) 984-1795

CHRISTIE ADMINISTRATION WINS BATTLE FOR EPA ACTION ON
POLLUTING PENNSYLVANIA POWER PLANT

(11/P43) TRENTON - The federal Environmental Protection Agency accepted New Jersey's Clean Air Act petition that seeks to force a Pennsylvania coal-fired power plant to dramatically reduce harmful air pollutants that drift over the Delaware River and into North Jersey, and which has caused longstanding public health concerns for residents living in that region, DEP Commissioner Bob Martin announced today.

The EPA, in accepting the State's petition, has proposed a rule to require the power plant, operated by GenOn Energy (formerly Reliant or RRI Energy) in Portland, Pa., to cut its sulfur dioxide (SO₂) emissions by 81 percent over a three-year period, significantly reducing pollutants that can aggravate asthma and cause other respiratory difficulties.

"It is a priority of this Administration to achieve improved air quality for all residents of New Jersey," said Governor Christie. "Targeting out-of-state air pollution that negatively impacts our State is just one of many initiatives we are undertaking to benefit the public health and improve our environment."

"I commend the federal government for taking positive action on the State's petition," said Commissioner Martin. "Most important, this is a win for the public health and welfare of North Jersey residents, and especially people in Knowlton Township and Warren County, who have long been directly in the path of these unhealthy emissions. That situation is not acceptable."

Commissioner Martin vowed to ensure that the federal process - prompted by the State's filing of a Section 126 Clean Air Act petition -- continues to move along as quickly as possible. He plans to testify in person at a public hearing which has been scheduled by the EPA on April 27 in Oxford, Warren County.

The DEP had pressed for a public hearing in Warren County to afford the greatest opportunity for the residents most affected by the air emissions to relate the effects of GenOn Energy plant's pollution on their lives.

The 126 Petition filed by the DEP in 2010 included evidence to show that damaging sulfur dioxide pollution produced by the GenOn power plant adversely impacts most of Warren County and sections of Sussex, Morris and Hunterdon counties, as well as at least three counties in Pennsylvania. The sulfur dioxide coming from the plant is known to cause a variety of adverse health effects, including asthma and respiratory failure, and environmental impacts such as acid rain.

RRI's power plant emitted more than 30,000 tons of sulfur dioxide in 2009, which is more than all seven of New Jersey's coal-fired power plants combined in that year.

The DEP believes modern air pollution controls, including a scrubber, should be installed to substantially reduce the Portland plant's emissions. Improved sulfur dioxide and particle control also would reduce other hazardous air pollutant emissions, including hydrochloric acid, lead and mercury.

In addition to the 126 Petition to limit air pollution from this plant, the State also has an ongoing legal action against GenOn to reduce emissions of nitrogen oxides, as well as sulfur dioxide, at the Portland facility.

Also, the State is battling out-of-state air pollution in two ongoing pending federal court cases. The DEP is attempting to require Pennsylvania-based Allegheny Energy Inc. and subsidiaries to reduce emissions of sulfur dioxide and nitrogen oxide at three power plants in western Pennsylvania. The Department also is seeking to substantially cut the amount of sulfur dioxide

pollution pouring from the massive Homer City Station power plant in western Pennsylvania.

Those emissions, in the form of nitrogen oxides and fine particulate matter, are carried eastward by prevailing winds towards New Jersey, causing ozone smog pollution, visible haze and acid rain.

EPA will accept written comments on the State's 126 Petition until May 27. For more information on the petition and the scheduled April 27 public hearing visit: <http://www.epa.gov/ttn/oarpg/new.html>

Full text of New Jersey's 126 petitions on the Portland/RRI issue can be found at:
<http://www.nj.gov/dep/baqp/petition/126petition.htm>

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This message has been sent by the New Jersey Department of Environmental Protection. To unsubscribe from this list, please go to:
<http://www.nj.gov/dep/newsrel/unsub.htm>

Seth Oster/DC/USEPA/US

12/08/2009 10:25 AM

To "Lisa Jackson"

cc

bcc

Subject Fw: Derrick Jackson, Boston Globe: Finally, US leads on environment

Good editorial.
Brendan Gilfillan

----- Original Message -----

From: Brendan Gilfillan

Sent: 12/08/2009 10:11 AM EST

To: Seth Oster <oster.seth@epa.gov>; Allyn Brooks-LaSure; Adora Andy; Betsaida Alcantara; Michael Moats

Subject: Derrick Jackson, Boston Globe: Finally, US leads on environment
Don't think I saw this column in the clips...

Finally, US leads on environment

By Derrick Z. Jackson | December 8, 2009

IN A CRITICAL demonstration of backbone on global warming, the Obama administration yesterday declared carbon dioxide a dangerous pollutant. Saying the country “will not ignore science and the law any longer,” Lisa Jackson, the administrator of the Environmental Protection Agency, said her findings and declaration “cement 2009’s place in history as the year when the United States government began addressing the challenge of greenhouse gas pollution.”

In a news briefing, Jackson rattled off the predicted effects of unabated climate change, based on “overwhelming amounts of scientific study.” The effects range from melting polar ice caps to droughts and from disease to hotspots for military conflict. Her ruling covered six top contributing gases to climate change. Other gases included methane, nitrous oxide, and hydrofluorocarbons. “We know that skeptics have and will continue to try to sow doubts about the science,” Jackson said. “It’s no wonder that many people are confused. But raising doubts - even in the face of overwhelming evidence - is a tactic that has been used by defenders of the status quo for years. . . . It’s time that we let the science speak for itself.”

After the briefing, Jackson flew to Copenhagen, where she will be the first of several administration officials to address the international climate change summit. The last official will be President Obama on Dec. 18. The fact that the EPA administrator and the president are the two American bookends at Copenhagen is the strongest signal yet of a new American attitude on the environment.

Still, the summit does not have a global agreement to reduce greenhouse gas emissions. American business lobbyists and fossil fuel-state politicians have thus far kept federal climate change legislation from getting out of the Senate. The United States, about 6 percent of the world’s population, consumes about a quarter of the world’s energy and in turn is responsible for

a quarter of world's greenhouse gases.

This cloud is a hangover from the Bush administration, going back to when EPA Administrator Christine Todd Whitman issued a report in 2002 saying that human activities were responsible for the greenhouse gases of global warming. President Bush brushed off the report as an irrelevant document "put out by the bureaucracy." Whitman later resigned. America became a global pariah in environmental circles.

With the EPA now fully in command of the message of a more well-intended administration, there is hope that the Copenhagen summit, whether it does or does not itself end with a binding agreement, will be a springboard, not a dead end. Jackson's command of the message was on display last week in a Senate environmental hearing. For several minutes, she was badgered by the Senate's leading disbeliever of global warming, Republican James Inhofe of Oklahoma. Inhofe tried to play up the recent story of e-mails showing the process of how scientists have debated, in some cases unprofessionally, the findings of climate change.

Jackson responded by saying, "While I would absolutely agree that these e-mails show a lack of interpersonal skills . . . I have not heard anything that causes me to believe that [the] overwhelming consensus that climate change is happening and that man-made emissions are contributing to it, have changed." When Inhofe pressed for Jackson to delay her endangerment finding, Jackson stood firm and said, "Senator, I believe that what we should be looking for are any changes in the consensus opinion of scientists around the world about climate change."

Having seen no changes, Jackson officially announced that the gases do endanger us. Congress now has a clock ticking on regulations, with Jackson herself saying the nation would be better served by congressional legislation beyond the powers of the EPA. Obama now has leverage with other large polluting nations, leading by a fresh, unprecedented example at home. One of the high points of the early Obama administration has been letting Jackson deliver the president's message. Now Obama needs to deliver it himself.

Seth Oster/DC/USEPA/US

09/29/2010 01:25 PM

To "Lisa Jackson"

cc

bcc

Subject Fw: FORTUNE: EPA's Jackson: The new face of tough regulation

Alisha Johnson

----- Original Message -----

From: Alisha Johnson

Sent: 09/29/2010 12:09 PM EDT

To: Adora Andy; Seth Oster; Brendan Gilfillan; Betsaida Alcantara; Michael Moats; Vicki Ekstrom

Cc: Dominique Benns

Subject: FORTUNE: EPA's Jackson: The new face of tough regulation

FORTUNE: Brainstorm Green

EPA's Jackson: The new face of tough regulation

http://money.cnn.com/2010/09/29/news/companies/EPA_Lisa_Jackson_fracking.fortune/

By Shelley DuBoisSeptember 29, 2010: 11:56 AM ET

FORTUNE -- The Environmental Protection Agency has only recently had a face. That face has taken the form of Lisa Jackson -- the first African-American EPA administrator, appointed by Barack Obama in 2009. The landmark appointment caused a media stir, not for her race, but for the clean break with the recent past EPA administrators that her appointment represented.

Since then, Jackson has maintained a place in the spotlight and media circuit. Not only has she been a regular figure in the headlines, but she has brought the agency with her. (She's also #6 on Fortune's Most Powerful Woman D.C. Power List.)

0Email Print CommentRecently, the EPA has been front and center in the northeast because it's stepping in to a controversy about natural gas drilling, or fracking. The agency has scheduled hearings across the country where locals could voice their concerns about a fracking to a panel of four EPA members. The hearings brought policy-makers to the people.

Jackson seems keen to do that across the EPA's entire mandate. She's tech-savvy and transparent compared to other people who have been in her position. You can follow her through all kinds of social media, and many of the EPA's activities posted on the webpage call for public participation. She's been on David Letterman and the Daily Show with Jon Stewart. According to the EPA webpage, she's given 125 official speeches and public addresses since she joined the last year. Her predecessor Stephen Johnson made under 90 during his entire four-year term.

0:00 /3:23'Fracking' threatens local water supply

Jackson's credentials have probably prepped her to be more media savvy. Like Johnson, Jackson worked for the EPA before being appointed administrator. But she has also been in the political game-she worked as chief of staff for New Jersey Senator John Corzine, and served as commissioner for the state's Department of Environmental Protection.

She has a science background, which is actually surprisingly new for the administration. The first professional scientist ever hired to head the EPA was Johnson, who made his mark with his work against legislative efforts to curb greenhouse gas emissions. Before him, Michael Leavitt was head administrator. Leavitt served as governor of Utah for a while, and worked as the CEO of an insurance company. He replaced Christine Todd Whitman, who left the EPA mid-term, allegedly because of former Vice President

Dick Cheney's push to exempt companies from the pollution standards of the Clean Air Act.

Compared to her predecessors, Jackson has been a strong voice for policy to address climate change-although she's had some major setbacks, too, thanks to the frosty legislative climate. Probably her biggest has been the carbon cap-and-trade bill that Democratic leaders in the Senate threw out this past summer.

The bill would have been a big win for Jackson and the EPA, which would have been tapping into its ability to regulate greenhouse gasses via the Clean Air Act. Now the agency has to figure out how to cut emissions while keeping the industry happy, and re-think its strategy for navigating a sluggish Congress.

The stumble illustrates what may be the downside of being an accessible, even likable EPA leader. Jackson has positioned herself so prominently that she takes much of the heat from environmentalists when the agency falters, and faces resistance from industries to regulation that could actually break ground. It's a problem that has pervaded the entire Obama administration's tenure, as progressive goals repeatedly run into the political realities of doing business in Washington.

Yet with all eyes on Lisa Jackson, she could give the EPA some muscle that it's never had before. Or, if the administration can't get even compromise versions of its signature environmental agenda through Congress, she could end up, even in the eyes of environmentalists who lives through the Bush years, in the unfortunate and unfair role of scapegoat.

Seth Oster/DC/USEPA/US
10/13/2010 10:01 AM

To "Lisa Jackson"
cc
bcc
Subject Fw: From today's LA Times

This story incorrectly reports you were at the tainjin talks. I'm working now to get it corrected.

Seth
Mark Kasman

----- Original Message -----

From: Mark Kasman
Sent: 10/13/2010 09:07 AM EDT
To: Seth Oster; Michelle DePass; Shalini Vajjhala
Subject: Fw: From today's LA Times

Fyi...
Gary Waxmonsky

----- Original Message -----

From: Gary Waxmonsky
Sent: 10/13/2010 08:58 AM EDT
To: Mark Kasman; Luis Troche; Suzanne Giannini-Spohn; Justin Harris; shalinichina@gmail.com
Cc: Maurice LeFranc; Neilima Senjalia; Walker Smith; Elle Beard; Breck Milroy
Subject: From today's LA Times

latimes.com/sns-ap-as-china-us-climate-change,0,2705548.story

latimes.com

US environment chief says hope for progress on emissions despite friction over climate change

ELAINE KURTENBACH

Associated Press Writer

12:27 AM PDT, October 13, 2010

Advertisement



Shockwave Flash
Object

SHANGHAI (AP) — China and the U.S. are working together on cutting greenhouse gas emissions despite the deadlock over a broader global agreement on fighting climate change, the head of the U.S. Environmental Protection Agency said Wednesday.

"My hope is that we will see continued progress on the issues. They are vitally important," EPA Administrator Lisa P. Jackson, said in Shanghai after attending U.N. climate talks in northern China's Tianjin last week.

Modest progress at the Tianjin talks was eclipsed by the acrimonious standoff between China and the U.S. over monitoring and verification of efforts by developing nations to curb the greenhouse gas emissions that are blamed for global warming.

Countries remain at odds over how to split the burden of emission cuts and how to verify them.

The U.S. wants China and other developing countries to commit to mandatory, rather than just voluntary goals. Beijing, meanwhile, accuses the U.S. and other wealthy countries of failing to make cuts in carbon dioxide emissions — created in part by burning fossil fuels like oil and coal — commensurate with their massive historical contribution to the problem.

China's 2011-16 five-year-plan, a national economic planning blueprint now being drafted, calls for reducing the amount of energy used per dollar of GDP by 17 percent and for cutting fossil-fuel emissions by about 20 percent from 2010 levels, the newspaper Shanghai Securities News reported Wednesday, citing a source involved in drafting the plan.

The country has shut down thousands of heavily polluting power plants, smelters and steel mills as part of its effort to meet a goal of cutting carbon-based emissions per unit of GDP by 40 to 45 percent by 2020. But at the same time, the fast-growing country of 1.3 billion has become the world's biggest emitter.

Jackson said that despite a barrage of complaints from China and other developing countries that the U.S. and other wealthy nations are failing to commit to substantial reductions in greenhouse gas emissions, American society is making clear progress.

"Part of the message I've hopefully conveyed to my counterparts and the other people I've met during this trip is that the U.S. is already started on reducing carbon emissions," Jackson told reporters.

"We regulate greenhouse gases in the U.S. We monitor and require emissions to be reported in the U.S. We have rules that are phasing in, slowly, regulations for reducing emissions from stationary sources," she said.

Despite acrimony at the diplomatic level, those working on China's own environmental protection are keen to move ahead on cooperation aimed at improving the country's heavily polluted air, water and soil, Jackson said.

"I have found nothing but interest and enthusiasm among my counterparts for making further gains. It's simply because of the fact that China cannot be fully sustainable on the track it is on without considering issues related to air and water quality," she said, noting the daunting challenges also faced in the U.S.

Jackson was due later Wednesday to visit a joint air quality monitoring project in Shanghai, which aims to monitor and measure real-time emissions data, which she described as "crucial for goal setting," as China works to improve its own air quality.

Jackson did not elaborate, however, on any details of specific progress that might help to bridge the logjam over climate change goals before next month's meeting in Cancun, Mexico, which aims to secure a binding deal to curb greenhouse gases.

The talks are meant to craft a replacement for the Kyoto Protocol, which legally mandated modest emissions reductions and expires in 2012. The U.S. never ratified that treaty.

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Seth Oster/DC/USEPA/US

06/14/2010 02:15 PM

To "Lisa Jackson"

cc

bcc

Subject Fw: Greenwire: Clinton-Era Secretary Blasts Interior;
Scientists Say Salazar Should Quit

See below.

Betsaida Alcantara

----- Original Message -----

From: Betsaida Alcantara

Sent: 06/14/2010 02:08 PM EDT

To: Seth Oster; Allyn Brooks-LaSure; Adora Andy; Brendan Gilfillan; Alisha Johnson; Michael Moats; Vicki Ekstrom

Subject: Greenwire: Clinton-Era Secretary Blasts Interior; Scientists Say Salazar Should Quit

See EPA mention in bold

June 14, 2010

Clinton-Era Secretary Blasts Interior; Scientists Say Salazar Should Quit

By PATRICK REIS of Greenwire

The Interior Department is under attack from a former department chief who said it is incapable of overseeing offshore drilling and from a group of scientists and environmental groups calling for its current head to be fired.

Bruce Babbitt, Interior secretary under President Clinton, said Interior's Minerals Management Service **lacks the tools to provide adequate environmental oversight of offshore oil and gas operations and the job should instead fall to U.S. EPA.**

"The Interior Department can supervise collecting the money and giving the licenses but we need an absolutely independent regulator, and I think EPA is the logical choice," Babbitt said yesterday on the TV program "Platts Energy Week."

Last month, Interior Secretary Ken Salazar ordered a massive overhaul of MMS, breaking the agency into three separate offices responsible for issuing permits of offshore drilling, collecting revenue from those operations and enforcing safety regulations.

MMS is under fire for cozy relationships with industry and reports of sex, pornography viewing and drug use, as well as approving offshore drilling operations -- including BP PLC's exploration plan for the area where oil is now gushing into the Gulf -- by way of a "categorical exclusion," a streamlined environmental review intended to be applied only to routine projects.

Babbitt said Salazar's reorganization plan does not go far enough. "I think Salazar is basically

rearranging the chairs on the deck of the Titanic," he said.

Babbitt said the industry has "essentially been self-regulating" for years, across both Democratic and Republican administrations but that the more serious problems did not take hold until President George W. Bush took office. "The corruption that has crept into the agency is a relatively recent phenomenon coming out of the deregulatory ethic that crept up during the Bush administration," he said.

Enviro groups want change at top

A coalition of 101 environmental groups and scientists said today that Salazar has failed to reform that corruption and should be fired for it.

"Today we know that real reform at MMS never happened," the coalition wrote in a [letter](#) (pdf) to President Obama asking him to demand Salazar's resignation. "MMS continued its reckless lack of oversight of the oil and gas industry, this time in the form of rubberstamping offshore oil and gas development."

The letter, whose signatories include national and regional wildlife groups and a handful of former Interior scientists, is also critical of Salazar's efforts on restoring scientific integrity, protecting endangered species and overseeing the coal industry.

Interior spokeswoman Kendra Barkoff defended Salazar's efforts following the Gulf spill and his plan to restructure MMS.

"Secretary Salazar has ordered a fundamental restructuring of MMS that will be systemic and not cosmetic because he is well aware that we need to clean up the troubled agency and restore balance to the development of our nation's offshore energy resources," she said.

Along with the creation of a body within MMS dedicated exclusively to inspecting energy operations, Salazar is asking Congress to boost funding for the inspections.

The Interior chief is also asking Congress to triple its 30-day deadline for MMS to respond to exploration plans submitted by oil and gas companies, saying that a 90-day review period would provide time for additional environmental and safety reviews.

"The secretary is devoting 100 percent of his time to the fight to protect the Gulf Coast from BP's oil spill and will not rest until the leak is stopped, the affected communities are made whole and the Gulf Coast is restored," Barkoff added.

Seth Oster/DC/USEPA/US

10/15/2010 04:26 PM

To "Lisa Jackson"

cc

bcc

Subject Fw: HUFFPO: A Ray of Light in China? EPA Administrator Attempts to Defuse Climate Standoff

The actual piece.
Alisha Johnson

----- Original Message -----

From: Alisha Johnson

Sent: 10/15/2010 04:23 PM EDT

To: Seth Oster; Adora Andy; Betsaida Alcantara; Brendan Gilfillan; Michael Moats; Vicki Ekstrom

Subject: HUFFPO: A Ray of Light in China? EPA Administrator Attempts to Defuse Climate Standoff
Huffington Post

A Ray of Light in China? EPA Administrator Attempts to Defuse Climate Standoff
October 15, 2010
Corbin HiarJournalist at UN Dispatch and PBS MediaShift

The climate talks in Tianjin last week did very little to improve the prospects for a binding international treaty, which would reduce the greenhouse gas (GHG) emissions that are warming the globe. In the wake of the disappointing meeting, Lisa Jackson, the administrator of the US Environmental Protection Agency (EPA), made her first official visit to China. During the trip, which began Saturday as Tianjin talks came to a close and ended yesterday, Jackson and her Chinese counterpart, Environmental Protection Minister Zhou Shengxian, renewed a bilateral environmental "memorandum of understanding" that had expired in 2008. Will this pact help defuse the superpowers' climate standoff?

Tensions in Tianjin

The frustrating UN Framework Convention on Climate Change (UNFCCC) meeting again made clear the gulf of understanding between the US and China. Like painful repeat of the 2009 Copenhagen climate summit, the Tianjin talks stalled when China refused to consider America's call for all pledges made by developing countries to be independently monitored and verified. Claiming this would violate the Kyoto Protocol's principle of differentiated responsibilities for rich and poor countries, Chinese negotiator Huang Huikang said, "I want to emphasize on our side no compromise on the two track process and no compromise on the interests of developing countries."

The Times of India offered further insight into why developing giants like China are so opposed to independent monitoring: "The US stance of demanding equal level of scrutiny of mitigation actions of emerging economies is considered a backdoor route of converting the voluntary actions of countries like China, India, Brazil and South Africa into international commitments."

US climate change envoy Todd Stern, who was not even at Tianjin, further entrenched Chinese resistance to the American proposal. In a speech at the University of Michigan Law School, he alleged that China was acting as if the Copenhagen Accord "never happened." Su Wei, a senior Chinese climate change delegate at the talks, responded in a press conference by comparing the US to a vain pig. "[The US] has no measures or actions to show for itself, and instead it criticizes China, which is actively taking measures and actions," Su huffed. "The developed countries are trying every means possible to avoid discussion of the essential issue--that is, emission reductions."

Other nations watched helplessly as the political posturing of the world's two largest climate polluters prevented movement on the other policies the negotiators had hoped to address in Tianjin. Dessima

Williams, Grenada's UN ambassador and the chair of the Alliance of Small Island States, suggested to Bloomberg that the US and China "have negotiations inside the negotiations." She described their squabbling as a "brinkmanship game... if you don't jump, I won't jump."

Limits of bilateral diplomacy

So is this week's US-China environmental pact a hop in the right direction? Although it addresses climate change, Jackson and Zhou studiously avoided the contentious issue of increasing verified emissions cuts. The 15-page memorandum pledges in the driest of legalese to collaborate on the prevention of air pollution like GHGs and on the development, implementation, and enforcement of international law such as the hotly negotiated international climate agreement that the UN hopes will take effect in 2012, when the first Kyoto commitment period ends.

The EPA's Jackson tried to put a optimistic spin on the agreement: "China and the United States share a number of environmental challenges, from improving the air our citizens are breathing at the local level to fighting climate change that affects our entire planet, and we must take on these challenges while continuing to expand opportunity at home and abroad," she said in an intentionally vague statement. "This was an important step in our collaboration to protect our environment and increase prosperity for generations to come."

Mother Nature Network blogger Andrew Shenkel hesitantly agrees with Jackson: "This pact could be a tiny small step towards combating this game of apathetic brinkmanship." He thinks the symbolism of environmental cooperation with China could prove valuable in the effort to convince American legislators to enact or sign onto climate protection regimes. Perhaps. But what is more urgently required of Jackson, the Obama administration, and US negotiators is a credible domestic emissions reduction plan that they can bring to the negotiating table at the big UNFCCC summit in Cancun at the end of November.

With the failure of the US climate bill, the government's capacity to reduce GHG emissions is greatly limited. An analysis from the World Resources Institute released shortly after the bill died in the Senate shows that, if the administration and state governments were to aggressively use every GHG pollution prevention tool they have available to them, the US would come close to-but still fall short of-the small 5% emission cut from 1990 levels that it promised in Copenhagen. US negotiators need to be able to deliver at least that much in at the Cancun climate summit.

Bilateral environmental diplomacy isn't a bad thing, it's just inadequate for dealing with the worldwide threat posed by climate change. It'd be better that Jackson spent her time getting the US climate and energy policy in order instead of trying to coordinate and influence Chinese policymakers. China's government, which recently invested \$11.7 billion in Chinese solar firms and controls 43% of the global market for solar panels, is already light years ahead.

This piece was originally posted at UN Dispatch.

Seth Oster/DC/USEPA/US
03/03/2010 04:23 PM

To "Lisa Jackson"
cc
bcc
Subject Fw: Ken Ward Reporting on Conversation with Randy Huffman - "WVDEP trying to head off EPA on mining limits?"

Gregory Peck

----- Original Message -----

From: Gregory Peck
Sent: 03/03/2010 04:12 PM EST
To: Nancy Stoner; Seth Oster; Bob Sussman; Shawn Garvin
Cc: Denise Keehner; David Evans; Kevin Minoli; Matthew Klasen
Subject: Ken Ward Reporting on Conversation with Randy Huffman - "WVDEP trying to head off EPA on mining limits?"

WVDEP trying to head off EPA on mining

March 3, 2010 by Ken Ward Jr.



West Virginia's [Department of Environmental Protection](#) just announced plans to seek public input on how the state's [water quality standards](#).

But is this all just part of an effort to avoid any federal government crackdown on mountaintop removal, or is [WVDEP](#) [plan to reduce the impacts itself](#)?

WVDEP is going to start accepting public comments on implementation of what's known as the narrative standard [Tattoo](#), that standard prohibits:

... Any other condition that adversely alters the integrity of the waters of the state ... no significant adverse impact on the physical, chemical, or biological components of aquatic ecosystems shall be allowed.

Of course, that standard is one of the major legal triggers the federal Environmental Protection Agency has cited [regulators](#) and the state's coal industry to reduce the impacts of mountaintop removal.



WVDEP Secretary Randy Huffman called me this afternoon to tip me off that this formal announcement he was nice enough to do the same thing two months ago, [when WVDEP first announced plans to come up with a narrative standard](#). Oddly, though, Randy told me today that WVDEP is not putting out a proposed guidance document. WVDEP is just going to ask anyone who is interested to submit ideas for what such a document might look like.

It's not a comment period, because it's not a standards issue.

But, he added:

That seems to be a big gap in the water regulatory program right now. it's necessary for us to do this.

Randy said he doesn't want stacks of studies, reports or data, but actual suggestions for how to integrate science into the regulatory process.

I'm not looking for data and reports. I have that. Nor do I intend to debate the pros and cons of coal mining. We need ideas on how we can measure aquatic life impacts and tie those impacts back to the problem where we can then regulate under the Clean Water Act.

Comments can be sent to WVDEP's office at 601 57th Street SE
Charleston, WV 25304. Or, you can [e-mail them](#).

Still, why is WVDEP doing this comment period now, rather than drafting its proposed policy and guidance?

Well, Randy explained that he was just on a conference call earlier this week with environmental protection officials from EPA Region 4 (which includes Kentucky and Tennessee) about a federal report that was worried because of reports out of EPA Region 4 (which includes Kentucky and Tennessee) about a federal report that said what the current science says about the [levels of water conductivity or salinity that are causing serious problems](#).

According to Randy, that EPA report was putting the figure at between 280 and 350. Typically, conductivity is measured in [microsiemens per centimeter \(µS/cm\)](#). And Randy and other state regulators were none too happy about this EPA report.

You can't do anything with that. You can't clean off a parking lot with that. There is just no way.

We've all been waiting for months for the results of [another in-depth EPA examination of mountaintop removal impacts](#). A journal Science published a peer-reviewed paper that found the impacts to be "[pervasive and irreversible](#)." And EPA has produced two reports, one a more general examination of mountaintop removal and another more narrow study on the impacts of mountaintop removal on water quality.

So it's a little confusing now for WVDEP to be seeking comment without even giving the public a draft proposal focused on the narrative standard, instead of proposing numeric water quality standards that would give the coal industry a clear target. And, why did the WVDEP's news release try to draw attention away from the coal industry, the coal industry's impact on water quality, and the need for a narrative standard?

*Water quality has become the main topic of conversation across all types of industry, and there is a great deal of
considered impairment. Our goal is to take into consideration the ideas of others as we develop our plan for improved
standard.*

The goal of the as-yet unreleased EPA conductivity study was to figure out what level of pollution from mountaintop removal
— so regulators could then set a standard and write permit limits meant to avoid that harm. Why not wait and see what
regulations accordingly?



Gregory E. Peck
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202-564-5778

Seth Oster/DC/USEPA/US

06/17/2011 07:20 AM

To "Lisa Jackson"

cc

bcc

Subject Fw: NAT'L JOURNAL: Power Company Contradicts Itself on EPA Rules

Alisha Johnson

----- Original Message -----

From: Alisha Johnson

Sent: 06/17/2011 06:34 AM EDT

To: Seth Oster; Adora Andy; Brendan Gilfillan; Betsaida Alcantara; Andra Belknap; Shira Sternberg; Dru Ealons; Stephanie Owens; Michael Moats; Vicki Ekstrom

Subject: NAT'L JOURNAL: Power Company Contradicts Itself on EPA Rules
Power Company Contradicts Itself on EPA Rules
National Journal

By Amy Harder

Wednesday, June 15, 2011 | 9:06 p.m.

American Electric Power, one of the nation's biggest coal utilities, downplayed the impact of EPA regulations to its investors while forecasting a doom-and-gloom outcome for Washington policymakers.

AEP has come under scrutiny after announcing on June 9 that it would have to close five of its coal-fired power plants and post a net loss of 600 jobs because of Clean Air Act regulations.

Other utilities employ this strategy, too. Investors have different concerns than average Americans and lawmakers, after all. But the seemingly contradictory comments are drawing renewed scrutiny as EPA Administrator Lisa Jackson works to finalize a slew of controversial standards for major polluters that could potentially change the economy. EPA plans to regulate everything from mercury to greenhouse gases. Republicans have attacked those regulations and introduced legislation to curb the agency's power.

"Because of the unrealistic compliance timelines in the EPA proposals, we will have to prematurely shut down nearly 25 percent of our current coal-fueled generating capacity, cut hundreds of good power-plant jobs, and invest billions of dollars in capital to retire, retrofit, and replace coal-fueled power plants," AEP chairman and CEO Mike Morris said in a statement last week. "The sudden increase in electricity rates and impacts on state economies will be significant at a time when people and states are still struggling."

A week earlier, Morris had sought to allay investors' concerns about the plant closures and their effect on AEP's bottom line at a June 1 investors conference.

"On balance, we think that is the appropriate way to go," Morris said of the closures. "Not only to treat our customers, but also to treat our shareholders, near and long term, with that small amount of the fleet going off-line."

Most of what AEP said it will have to shutter is spare capacity, used when it's very hot or cold. (The plants were used, for example, during last week's Midwestern heat spell.) That fact was not included in the company's release, but Morris made sure to remind investors.

"As you know, those are high-cost plants and dispatch infrequently," Morris said. He went on to add that most of them didn't run at all in 2009 because natural-gas prices were so low.

AEP spokeswoman Melissa McHenry told National Journal Daily that the plants slated for closure haven't been used much in recent years because of low natural-gas prices, but that having them available for use in times of extreme temperatures seems crucial.

McHenry said costs made closing plants a better alternative than retrofitting them. Consumers would still face surging electricity prices because of the time frame, which AEP and many other coal utilities say is unrealistic. Companies must comply with two of EPA's major set of rules by 2015. AEP wants the compliance time frame extended to 2020.

Southern Co., another major coal utility, also fights EPA's regulations and tries to walk a fine line. CEO Tom Fanning told investors in the first-quarter earnings statement that he remains "confident or optimistic perhaps that we've been able to work through some tough complex issues in the past." He also said that extending the compliance timeline to 2018 would make him "feel a lot more comfortable about being able to run our portfolio."

EPA's Jackson was not impressed with the AEP announcement last week. She said after a hearing on Wednesday that it was "misleading at best, scare tactics at worst."

Southern's Fanning, meanwhile, had positive words to say about the agency's administrator.

"In my constructive conversations with Lisa Jackson, she, I think, recognizes that the EPA—last thing they want us to create [is] reliability crises," he said in the earnings statement.

Seth Oster/DC/USEPA/US
07/06/2011 07:34 AM

To "Lisa Jackson"
cc
bcc
Subject Fw: NY Times: "EPA Chief Stands Firm as Tough Rules Loom"

From: Shawn Garvin
Sent: 07/06/2011 12:01 AM EDT
To: Seth Oster
Subject: Re: NY Times: "EPA Chief Stands Firm as Tough Rules Loom"

Seth - Thank you. I am very proud to work for our Administrator and our Agency.

Shawn

Sent by EPA Wireless E-Mail Services

From: Seth Oster
Sent: 07/05/2011 11:48 PM EDT
To: Bob Perciasepe; Janet Woodka; Diane Thompson; Scott Fulton; Barbara Bennett; "Paul Anastas" <anastas.paul@epa.gov>; Craig Hooks; Mathy Stanislaus; Lisa Garcia; "Michelle DePass" <depass.michelle@epa.gov>; Steve Owens; Daniel Kanninen; "Eric Wachter" <wachter.eric@epa.gov>; Bob Sussman; Arvin Ganesan; Laura Vaught; Sarah Pallone; Bicky Corman; Michael Goo; Gina McCarthy; Cynthia Giles-AA; Nancy Stoner; Charles Imohiosen; Christopher Busch; "Aaron Dickerson" <dickerson.aaron@epa.gov>; "Gladys Stroman" <stroman.gladys@epa.gov>; Jose Lozano; Heidi Ellis; Stephanie Owens; Dru Ealons; Lawrence Elworth; Avi Garbow; Malcolm Jackson; Curt Spalding; Judith Enck; Shawn Garvin; Gwendolyn KeyesFleming; Susan Hedman; Al Armendariz; "Jared Blumenfeld" <blumenfeld.jared@epa.gov>; "Dennis McLerran" <mclerran.dennis@epa.gov>; Joel Beauvais; Alex Barron; Ryan Robison
Cc: "Betsaida Alcantara" <alcantara.betsaida@epa.gov>; Adora Andy; Brendan Gilfillan; Shira Sternberg; Alisha Johnson; "David Cohen" <cohen.david@epa.gov>; Andra Belknap; Michael Moats; Vicki Ekstrom
Subject: NY Times: "EPA Chief Stands Firm as Tough Rules Loom"

All,

Wednesday's New York Times will have a lengthy story about EPA and Administrator Jackson. The story is pasted below and this is the link to it online.

<http://www.nytimes.com/2011/07/06/science/earth/06epa.html?pagewanted=2&hpw>

Seth

Seth Oster
Associate Administrator
Office of External Affairs and Environmental Education
Environmental Protection Agency
(202) 564-1918
oster.seth@epa.gov

July 5, 2011

E.P.A. Chief Stands Firm as Tough Rules Loom

By [JOHN M. BRODER](#)

WASHINGTON – In the next weeks and months, [Lisa P. Jackson](#), the [Environmental Protection Agency](#) administrator, is scheduled to establish regulations on smog, mercury, carbon dioxide, mining waste and vehicle emissions that will affect every corner of the economy.

She is working under intense pressure from opponents in Congress, from powerful industries, from impatient environmentalists and from the Supreme Court, which just [affirmed the agency's duty](#) to address [global warming](#) emissions, a project that carries profound economic implications.

The new rules will roll out just as [President Obama](#)'s re-election campaign is getting under way, with a White House highly sensitive to the probability of political damage from a flood of government mandates that will strike particularly hard at the manufacturing sector in states crucial to the 2012 election.

No other cabinet officer is in as lonely or uncomfortable a position as Ms. Jackson, who has been left, as one adviser put it, behind enemy lines with only science, the law and a small band of loyal lieutenants to support her.

Ms. Jackson describes the job as draining but says there are certain principles she will not compromise, including rapid and vigorous enforcement of some of the most far-reaching health-related rules ever considered by the agency.

"The only thing worse than no E.P.A. is an E.P.A. that exists and doesn't do its job – it becomes just a placebo," she said last week in an hourlong interview in Houston. "We are doing our job."

Although she has not met with the president privately since February, Ms. Jackson said she was confident that he would back her on the tough decisions she had to make. "All of us are mindful that he has a lot of things to do," she said.

Attacks on her and her agency have become a central part of the Republican playbook, but she said she wanted no sympathy.

"Any E.P.A. director sits at the intersection of some very important issues – air pollution, clean water, and whether businesses can survive," said Ms. Jackson, a chemical engineer trained at Tulane and Princeton Universities and a former director of the New Jersey Department of Environmental Protection. "No one knows this job unless they've sat in the seat."

Ms. Jackson said she intended to go forward with new, tougher air- and water-quality rules, including those that address climate change, despite Congressional efforts to override her authority and even a White House initiative to weed out overly burdensome regulations.

The first of these new rules is expected to be announced Thursday, imposing tighter restrictions on soot and smog emissions from coal-burning power plants in 31 states east of the Rockies. The regulation is expected to lead to the closing of several older plants and will require the installation of scrubbers at many of those that remain in operation. One former E.P.A. administrator, [William K. Reilly](#), who served under the first President George Bush, is a sometime adviser to Ms. Jackson. He said she was taking fire from all sides.

"She's got three very large challenges," Mr. Reilly said. "First, she's got to administer the [Clean Air Act](#) to try to accomplish something for which it was never designed, the control of carbon dioxide, a difficult

regulatory challenge in itself. Second, she has to do that and cope with all these other regulations which are not of her making and have come to land on her desk in a climate of intense political polarization and economic distress.”

“And the third challenge,” he continued, “is that the White House – any White House – doesn’t want to hear an awful lot from the E.P.A. It’s not an agency that ever makes friends for a president. In the cabinet room, many of the secretaries got along with each other, but they all had an argument with me. It’s the nature of the job.”

Mr. Reilly said the White House had left Ms. Jackson out on a limb when it failed to push hard for the [cap-and-trade climate change bill](#) that passed the House in 2009 but stalled in the Senate last year. Administration officials had argued that legislation was far superior to agency regulation as a means of addressing climate-altering emissions. But when the bill ran up against bipartisan opposition in the Senate, Mr. Reilly said, “the White House didn’t lift a finger,” an assertion administration officials dispute.

The White House said that it fully supported the agency’s aggressive standards for a variety of pollutants to protect public health and the environment and denied that it was resisting further regulatory action for political reasons.

“It’s simply a matter of choosing the health and safety of the American people over polluters,” Clark Stevens, a White House spokesman, said in an e-mailed statement, “and doing so in a common-sense way that allows us to protect public health while also growing the economy – which will continue to be a shared goal of this entire administration.”

One of Ms. Jackson’s most vocal critics is [Representative Edward Whitfield](#), Republican of Kentucky and chairman of the energy and power subcommittee of the House Energy and Commerce Committee. He has held several hearings at which Ms. Jackson served as target practice for opponents of E.P.A. regulation of carbon dioxide and other pollutants. Ms. Jackson said that was the roughest treatment she had gotten in her two and a half years in Washington.

Mr. Whitfield, who has never met privately with Ms. Jackson, was unapologetic.

“It is unprecedented the number of major regulations this administration is putting out,” he said, “and I can’t tell you how many calls and meetings and letters I have asking, ‘Is there any way to slow E.P.A. down?’ ”

“What’s troubling to us,” Mr. Whitfield continued, “is that President Obama on the one hand is saying we have to be really careful about these regulations and consider the impact on jobs and the economy, but over at the agency they’re just going full speed ahead with minimal attention or analysis on job impact.”

One hot spot where Ms. Jackson can count on friendly treatment is “The Daily Show,” where she has [appeared](#) three times in two years. Questioning from the host, Jon Stewart, was gentle, to say the least, referring in a recent show to the agency’s “unassailable successes” in dealing with air and water pollution and to the “tremendous corporate interests” arrayed against her.

Even those most supportive of Ms. Jackson say that the agency has taken on a virtually unmanageable set of challenges across the range of policy, from mountaintop-removal coal mining to wetlands preservation to the control of toxic emissions from power plants and refineries. She is also in charge of federal restoration efforts in the Gulf of Mexico after the BP [oil spill](#).

“Have they bitten off more than they can chew?” asked Jason S. Grumet, president of the [Bipartisan Policy Center](#), who has close ties to the White House and the agency. “Yes. But that’s a testament to their aspirations, and now reality is setting in.”

The reality being that there is often political fallout whenever tough policy decisions are made, and that the timing of Ms. Jackson’s rule setting could not be more inopportune for Mr. Obama. “It’s always the case that there are conflicts between good policy and good politics, and the E.P.A. is often the crucible of

those challenges," Mr. Grumet said.

One of the toughest pending decisions, he said, concerns a standard for permissible levels of smog-causing compounds including [ozone](#). The agency's scientific advisory panel has recommended setting a high bar that could put hundreds of counties out of compliance with the law, forcing them to take action to reduce emissions, even though the pollutants may be generated beyond their jurisdiction.

The law requires that E.P.A. make such decisions based solely on the health effects of the pollution, not on the possible cost of compliance, creating a huge political problem.

"Telling a government that has to stand for re-election that it should make decisions with no consideration of cost is understandably going to create great agita in the political offices," Mr. Grumet said.

Seth Oster/DC/USEPA/US

To "Lisa Jackson"

07/06/2011 10:45 PM

cc

bcc

Subject Fw: NY Times: "EPA Chief Stands Firm as Tough Rules Loom"

From Susan.
Susan Hedman

----- Original Message -----

From: Susan Hedman

Sent: 07/06/2011 08:10 PM CDT

To: Seth Oster

Subject: Re: NY Times: "EPA Chief Stands Firm as Tough Rules Loom"

Terrific article.

Susan Hedman
Regional Administrator - Region 5
Great Lakes National Program Manager
U.S. Environmental Protection Agency
77 West Jackson, 19th Floor
Chicago, IL 60604

Seth Oster

All,

07/05/2011 10:48:06 PM

From: Seth Oster/DC/USEPA/US

To: Bob Perciasepe/DC/USEPA/US@EPA, Janet Woodka/DC/USEPA/US@EPA, Diane Thompson/DC/USEPA/US@EPA, Scott Fulton/DC/USEPA/US@EPA, Barbara Bennett/DC/USEPA/US@EPA, "Paul Anastas" <anastas.paul@epa.gov>, Craig Hooks/DC/USEPA/US@EPA, Mathy Stanislaus/DC/USEPA/US@EPA, Lisa Garcia/DC/USEPA/US@EPA, "Michelle DePass" <depass.michelle@epa.gov>, Steve Owens/DC/USEPA/US@EPA, Daniel Kanninen/DC/USEPA/US@EPA, "Eric Wachter" <wachter.eric@epa.gov>, Bob Sussman/DC/USEPA/US@EPA, Arvin Ganesan/DC/USEPA/US@EPA, Laura Vaught/DC/USEPA/US@EPA, Sarah Pallone/DC/USEPA/US@EPA, Bicky Corman/DC/USEPA/US@EPA, Michael Goo/DC/USEPA/US@EPA, Gina McCarthy/DC/USEPA/US@EPA, Cynthia Giles-AA/DC/USEPA/US@EPA, Nancy Stoner/DC/USEPA/US@EPA, Charles Imohiosen/DC/USEPA/US@EPA, Christopher Busch/DC/USEPA/US@EPA, "Aaron Dickerson" <dickerson.aaron@epa.gov>, "Gladys Stroman" <stroman.gladys@epa.gov>, Jose Lozano/DC/USEPA/US@EPA, Heidi Ellis/DC/USEPA/US@EPA, Stephanie Owens/DC/USEPA/US@EPA, Dru Ealons/DC/USEPA/US@EPA, Lawrence Elworth/DC/USEPA/US@EPA, Avi Garbow/DC/USEPA/US@EPA, Malcolm Jackson/DC/USEPA/US@EPA, Curt Spalding/R1/USEPA/US@EPA, Judith Enck/R2/USEPA/US@EPA, Shawn Garvin/R3/USEPA/US@EPA, Gwendolyn KeyesFleming/R4/USEPA/US@EPA, Susan Hedman/R5/USEPA/US@EPA, Al Armendariz/R6/USEPA/US@EPA, "Jared Blumenfeld" <blumenfeld.jared@epa.gov>, "Dennis McLerran" <mclerran.dennis@epa.gov>, Joel Beauvais/DC/USEPA/US@EPA, Alex Barron/DC/USEPA/US@EPA, Ryan Robison/DC/USEPA/US@EPA

Cc: "Betsaida Alcantara" <alcantara.betsaida@epa.gov>, Adora Andy/DC/USEPA/US@EPA, Brendan Gilfillan/DC/USEPA/US@EPA, Shira Sternberg/DC/USEPA/US@EPA, Alisha Johnson/DC/USEPA/US@EPA, "David Cohen" <cohen.david@epa.gov>, Andra Belknap/DC/USEPA/US@EPA, Michael Moats/DC/USEPA/US@EPA, Vicki Ekstrom/DC/USEPA/US@EPA

Date: 07/05/2011 10:48 PM

Subject: NY Times: "EPA Chief Stands Firm as Tough Rules Loom"

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Seth

Seth Oster
Associate Administrator
Office of External Affairs and Environmental Education
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(202) 564-1918
oster.seth@epa.gov

July 5, 2011

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over at the agency they're just going full speed ahead with minimal attention or analysis on job impact."

One hot spot where Ms. Jackson can count on friendly treatment is "The Daily Show," where she has [appeared](#) three times in two years. Questioning from the host, Jon Stewart, was gentle, to say the least, referring in a recent show to the agency's "unassailable successes" in dealing with air and water pollution and to the "tremendous corporate interests" arrayed against her.

Even those most supportive of Ms. Jackson say that the agency has taken on a virtually unmanageable set of challenges across the range of policy, from mountaintop-removal coal mining to wetlands preservation to the control of toxic emissions from power plants and refineries. She is also in charge of federal restoration efforts in the Gulf of Mexico after the BP [oil spill](#).

"Have they bitten off more than they can chew?" asked Jason S. Grumet, president of the [Bipartisan Policy Center](#), who has close ties to the White House and the agency. "Yes. But that's a testament to their aspirations, and now reality is setting in."

The reality being that there is often political fallout whenever tough policy decisions are made, and that the timing of Ms. Jackson's rule setting could not be more inopportune for Mr. Obama. "It's always the case that there are conflicts between good policy and good politics, and the E.P.A. is often the crucible of those challenges," Mr. Grumet said.

One of the toughest pending decisions, he said, concerns a standard for permissible levels of smog-causing compounds including [ozone](#). The agency's scientific advisory panel has recommended setting a high bar that could put hundreds of counties out of compliance with the law, forcing them to take action to reduce emissions, even though the pollutants may be generated beyond their jurisdiction.

The law requires that E.P.A. make such decisions based solely on the health effects of the pollution, not on the possible cost of compliance, creating a huge political problem.

"Telling a government that has to stand for re-election that it should make decisions with no consideration of cost is understandably going to create great agita in the political offices," Mr. Grumet said.

Seth Oster/DC/USEPA/US

12/08/2009 10:33 AM

To "Lisa Jackson"

cc

bcc

Subject Fw: NYT: THE ENDANGERMENT FINDING

Wow. Semple.....congrats, Lisa.
Adora Andy

----- Original Message -----

From: Adora Andy

Sent: 12/08/2009 10:23 AM EST

To: Richard Windsor; Bob Perciasepe; Diane Thompson; Bob Sussman; Seth Oster; Allyn Brooks-LaSure; David McIntosh; Arvin Ganesan; Gina McCarthy; Lisa Heinzerling

Cc: Brendan Gilfillan; Betsaida Alcantara; Michael Moats

Subject: NYT: THE ENDANGERMENT FINDING

NEW YORK TIMES

December 8, 2009

Editorial

The Endangerment Finding

The Environmental Protection Agency formally declared on Monday that carbon dioxide and other greenhouse gases constitute a threat to human health and welfare. The move empowers the agency to regulate these emissions and gives President Obama an important tool if Congress fails to pass legislation to reduce global warming emissions.

Mr. Obama and the E.P.A. administrator, Lisa Jackson, have said repeatedly that they would much prefer a comprehensive legislative approach. But while the House has passed a broad climate change bill, the prospects in the Senate are uncertain. The threat of regulation gives Congress extra incentive to act; regulation would provide a strong backstop if it does not.

The E.P.A.'s declaration — known as an “endangerment finding” — is a necessary precondition under the Clean Air Act to regulatory action. Earlier this year, the administration proposed new rules limiting greenhouse gas emissions from cars and light trucks. Those rules, which have been broadly accepted by industry and will be accompanied by big increases in fuel-economy standards, will now be finalized.

The finding also allows the E.P.A. to regulate emissions from stationary sources including power plants, refineries and factories. So far, Ms. Jackson has offered no specific proposals — though she is working on them — beyond a “tailoring rule” that would limit any new regulations to big operations that produce 25,000 tons or more a year of carbon emissions.

Even so, the mere prospect of regulation has inspired something approaching panic, with industry groups like the Chamber of Commerce railing against “top-down, command-and-control” regulation. The House, in an otherwise admirable climate change bill, included a provision restricting the E.P.A.'s authority to control emissions.

This is utterly wrongheaded. The Supreme Court ruled two years ago that the E.P.A. has clear authority under the Clean Air Act to regulate greenhouse gases. It should be retained as both a goad and a backstop.

There is one obvious way to keep the E.P.A. from having to use this authority on a broad scale. And that is for Congress to pass a credible and comprehensive bill requiring economywide cuts in emissions.

No one would be cheering louder than Ms. Jackson, who has neither the resources nor the ambition to regulate what would amount to 70 percent of the American economy. If Congress fails to act, she will have no choice.

Adora Andy
Press Secretary
U.S. Environmental Protection Agency
Office of Public Affairs
202-564-2715
andy.adora@epa.gov

Seth Oster/DC/USEPA/US

04/20/2010 01:19 PM

To "Lisa Jackson"

cc

bcc

Subject Fw: The Hill: Browner sees enough votes to block bills that scuttle EPA climate rules

Brendan Gilfillan

----- Original Message -----

From: Brendan Gilfillan

Sent: 04/20/2010 12:54 PM EDT

To: Seth Oster <oster.seth@epa.gov>; Allyn Brooks-LaSure; Adora Andy; Betsaida Alcantara; Michael Moats; Alisha Johnson; Vicki Ekstrom

Subject: The Hill: Browner sees enough votes to block bills that scuttle EPA climate rules

Browner sees enough votes to block bills that scuttle EPA climate rules

By Ben Geman - 04/20/10 11:29 AM ET

White House climate adviser Carol Browner said Tuesday that legislation to block EPA regulation of greenhouse gas emissions is unlikely to pass.

Sen. Lisa Murkowski (R-Alaska) has 40 co-sponsors – including three centrist Democrats – for her plan to overturn EPA’s “endangerment finding” that greenhouse gases threaten humans. The finding is the legal underpinning for regulating emissions.

Sen. Jay Rockefeller (D-W.Va.) has floated a less sweeping plan that would block planned regulation of emissions from industrial plants for two years.

The Obama administration opposes stripping EPA authority. Asked whether there are enough votes to block legislation that hamstring EPA, Browner replied “I think so.”

The White House says its first choice is for Congress to approve a broad climate change and energy bill, but warns that EPA is prepared to act under its current powers if Congress remains deadlocked.

Murkowski’s plan – if it comes to the floor – would not be subject to filibuster. But Browner expressed confidence that even if it passed the Senate, it would face widespread resistance in the House.

Murkowski’s plan would upend a recently finalized EPA-Transportation Department rule that created joint greenhouse gas and mileage standards for cars and light trucks. Automakers support the rule because it will prevent them from being subject to multiple state-based emissions rules.

“You have got a lot of people in the House who think the car rule is a good rule, it’s the right

thing to do, whether it be the members from California or the members from Michigan,” Browner said. She spoke at an energy forum hosted by the National Journal Group.

Seth Oster/DC/USEPA/US

To "Lisa Jackson"

05/26/2010 05:35 AM

cc

bcc

Subject Fw: tx sip: press story sampler

David Cohen

----- Original Message -----

From: David Cohen

Sent: 05/26/2010 12:23 AM EDT

To: Bob Sussman; Seth Oster

Cc: David Gray

Subject: tx sip: press story sampler

San Antonio

AUSTIN – In another push to change the way Texas regulates air pollution, the U.S. Environmental Protection Agency said Tuesday it's taking over the issuance of an operating permit for a Corpus Christi refinery and could step in at some 39 other refineries, chemical plants and other facilities.

"I think the writing will be on the wall – unless we start seeing better permits that address our objections, we are very likely to begin federalizing others," Al Armendariz, EPA regional administrator, said in a telephone interview. "The state is not following federal Clean Air Act requirements."

Tuesday's action on a Flint Hills Resources refinery in Corpus Christi means the facility must submit an application with detailed information to the federal agency, which could approve or deny a permit. The company said it was evaluating the letter.

The list of facilities that could come next include many manufacturers and refiners in the Houston area. "We've never objected to 40 permits issued by a state permitting authority, and we've not federalized a permit in a state in this manner before unless we were requested to do so by a state or a particular facility," Armendariz said. "The action we're taking today, together with the 40 objections, is unprecedented."

The Texas Commission on Environmental Quality, which issues permits, in response released a letter from TCEQ Executive Director Mark R. Vickery to EPA that lays out state agency efforts and communication with EPA and said it "remains committed to reaching resolution of Title V (operating permit) objections."

"We still have significant differences in opinion on a number (of) issues, but processes for moving forward have been developed," Vickery wrote. "A collaborative effort will continue to be beneficial for both agencies' limited resources and the continued protection of the environment and public health."

Under the Clean Air Act, states must develop plans to meet federal

requirements aimed at protecting public health. EPA officials have been meeting with the state agency and representatives of industry and environmental groups to discuss what the EPA calls deficiencies with air emission permits. It barred another state rule earlier this year.

One main point of contention is the state's use of a so-called flexible permit, which sets an air emissions cap for an entire facility but allows leeway for various units within that facility. Regulators and environmental groups say that hinders enforcement of clean-air rules, and Armendariz said that type of permit has never been federally approved.

The EPA also objects to a process that allows a facility to make changes without going through a formal permitting process, meaning the public and the federal government are left in the dark, Armendariz said. In addition, the federal agency wants all requirements to be detailed within a permit, rather than just having a reference to where the requirements can be found, he said.

"I think it's another step in requiring some of the biggest air pollution sources in Texas to get permits that comply with the Clean Air Act," said Kelly Haragan, director of the University of Texas' environmental law clinic, which has been representing "environmental justice" groups in Houston and Corpus Christi on air permitting issues.

Reuters:

HOUSTON, May 14 (Reuters) - The Environmental Protection Agency is working to bring a Texas regulatory agency into compliance with federal law, which could affect dozens of major refiners, power plants and chemical facilities in the state that cannot meet current emission standards.

The Environmental Protection Agency has disapproved a number of key modifications made over the years by the Texas Commission on Environmental Quality (TCEQ) to its clean-air permitting programs.

Changes made in key Texas programs under which dozens of oil refineries, chemical and power plants operate mean some permits may no longer comply with the federal Clean Air Act, the EPA said.

"We will have federally consistent permits issued in Texas soon," Al Armendariz, administrator of the U.S. Environmental Protection Agency's Region 6, told a Gulf Coast Power Association utility conference last month.

Texas has about 1,500 facilities classified as major air pollution sources under the Clean Air Act. Texas refineries account for 26 percent of the nation's refining capacity.

The EPA has begun filing objections to some recent TCEQ-issued operating permits, an action that puts those companies "between a rock and a hard place," said the state's top environmental regulator.

Objections have been filed against permits issued to operating units at Exxon Mobil's <XOM.N> Beaumont refinery, ConocoPhillips' <COP.N> Sweeny refinery and Dow Chemical <DOW.N> facilities.

Bryan Shaw, TCEQ chairman, said he remains optimistic that the two agencies can settle many of the disputes. However, he warned that TCEQ is limited by Texas law on some issues.

"I'm encouraged that through our discussions we have been able to clarify some misperceptions EPA had about our program," Shaw said.

Tom "Smitty" Smith, executive director of Public Citizen in Texas, said environmental groups welcomed the EPA's crackdown on the Texas agency.

"For more than a decade, TCEQ has been ignoring federal law in the permitting process," Smith said. "The regional office is making clear that substantial changes are going to have to be made or there will be some changes in who's issuing permits in Texas."

The EPA dispute over TCEQ's "flexible permit" program will be the most difficult of the remaining issues to resolve, said TCEQ's Shaw.

"Our program is not broken, it's just misunderstood," he said.

The "flexible permit" program allows companies to lump emissions from multiple sources under a single "cap" rather than individually by equipment source, which complicates the inspection process and has raised complaints from environmental groups, the EPA said.

While there are only 150 or so flexible permits issued, they include large refiners, a liquefied natural gas plant, chemical plants, some coal-fired power plants and companies that manufacture plastic, soup, glass and air conditioners.

The Texas program brought older plants that were "grandfathered" by state law -- and not subject to emission controls -- into the permit world, significantly reducing dangerous emissions, Shaw said.

"To undo the program now could allow emissions to rise, Shaw said. "I don't want to lose the environmental benefits associated with the flexible program."

Shaw said new TCEQ draft rules will be put out for public comment soon, with board action set for June.

Houston Chronicle:

AUSTIN — Objecting to how Texas regulates air pollution, the U.S. Environmental Protection Agency said Tuesday it is taking over the issuance of an operating permit for a Corpus Christi refinery and could step in at some 39 other major facilities across the state.

"I think the writing will be on the wall — unless we start seeing better permits that address our objections, we are very likely to begin federalizing others," EPA Regional Administrator Al Armendariz said in a telephone interview. "The state is not following federal Clean Air Act requirements."

Tuesday's unprecedented action affected a Flint Hills Resources refinery in Corpus Christi. The EPA's action means the facility must submit an application with detailed information to the federal

agency, which could approve or deny a permit.

The company said it was evaluating a letter from the EPA notifying plant officials of the move.

The list of facilities that could come next the include chemical plants, refineries and other facilities, such as the Goodyear Tire & Rubber plants in Bayport and Houston, the Motiva Enterprises Houston terminal, Rhodia Inc.'s Houston plant, the Chevron Phillips Cedar Bayou facility and Valero's Texas City facility. Other company permits that have drawn scrutiny from the EPA include Exxon Mobil, Dow Chemical Co. and Formosa Plastics.

"We've never objected to 40 permits issued by a state permitting authority, and we've not federalized a permit in a state in this manner before unless we were requested to do so by a state or a particular facility," Armendariz said. "The action we're taking today, together with the 40 objections, is unprecedented."

The Texas Commission on Environmental Quality, which issues permits, released a letter from Executive Director Mark R. Vickery to the EPA that lays out the state agency's efforts and communication with the EPA and said it "remains committed to reaching resolution of Title V (operating permit) objections."

"We still have significant differences in opinion on a number (of) issues, but processes for moving forward have been developed," Vickery wrote. "A collaborative effort will continue to be beneficial for both agencies' limited resources and the continued protection of the environment and public health."
Flexible permit at issue

Under the Clean Air Act, states must develop plans to meet federal requirements aimed at protecting public health. The EPA has been meeting with the TCEQ and representatives of industry and environmental groups to discuss what the federal agency calls deficiencies with air emission permits.

A major point of contention is the state's use of a so-called flexible permit, which sets an air emissions cap for an entire facility, but allows leeway for various units within that plant. Regulators and environmental groups say that hinders enforcement of clean-air rules, and Armendariz said that type of permit never has been federally approved.

The EPA also objects to a process that allows a facility to make changes without going through a formal permitting process, Armendariz said.

"I think it's another step in requiring some of the biggest air pollution sources in Texas to get permits that comply with the Clean Air Act," said Kelly Haragan, director of the University of Texas' environmental law clinic, which has been representing "environmental justice" groups in Houston and Corpus Christi on air permitting issues. "Hopefully, those permits will include clear emission limits and better monitoring so that the public and the agencies can track compliance and take enforcement action if facilities aren't complying."
Strong objections

Business and industry groups called the EPA action wrongheaded.

"EPA has either been told or been convinced by environmental groups that the permitting program that Texas operates is somehow deficient or not completely consistent with federal law. Our position, and the position of both the chemical manufacturers and refineries that are covered by these state permits, is that those allegations are completely false and without any foundation," said Stephen Minick, of the Texas Association of Business.

Minick called it "a complete waste" and "very expensive" for companies to have to submit applications to the EPA, predicting that at the end of the process, the federal agency would find they met all applicable requirements.

Hector L. Rivero, Texas Chemical Council president and chief executive officer, said, "This is the first time we are aware of EPA demanding a Texas facility apply directly to the federal government for a Title V (operating) permit. . . . We are incredulous that EPA would encroach on a state regulatory program that has a proven track record of success."

Armendariz said if TCEQ wants to retain authority over the rest of the permits at issue, state officials must "demonstrate to me in very short order . . . that these permits they are going to issue are going to be consistent with the Clean Air Act."

"Some agency has to be issuing permits that are complying with the Clean Air Act," he said. "If the state of Texas won't do it, then I have the legal obligation to assume that role."

AP:

HOUSTON — The Environmental Protection Agency moved Tuesday to end a long-running dispute with Texas over how the state regulates emissions, including cancer-causing toxins such as benzene and butadiene, from dozens of refineries that produce a third of the nation's gasoline and billions of dollars of petrochemicals.

In a step it called unprecedented, the agency barred Texas from issuing an operating permit to a refinery in Corpus Christi — a power it has traditionally delegated to state regulators. The EPA said it would do the same in dozens of other cases in which it believes the state's permits violate the Clean Air Act, and could potentially do so statewide by June 30.

"For me, July 1 is a very important day," Al Armendariz, an EPA regional director, told The Associated Press. "The state of Texas has to let me know if they can issue permits that are consistent with federal requirements, and if they can't, then we will."

The decision comes after months of unsuccessful talks between the EPA and the state over how Texas issues permits that stipulate how companies should measure pollution from refineries and other petrochemical plants. It is also the latest dispute between the EPA and a state that leads the nation in the emissions of greenhouse gases and industrial pollutants.

"It is deeply troubling that unelected federal bureaucrats are

willing to kill Texas jobs and derail one of the strongest economies in the country because they are more focused on process than achieving clean air," said a statement issued by the office of Texas Gov. Rick Perry.

At issue are the emissions from the refining of crude oil into gasoline, kerosene, polymers and other plastic-related chemicals. The Clean Air Act requires limits on pollution from each of the dozens of individual production units inside a plant or refinery. But since 1994, Texas has instead issued plants a "flexible permit" that provide a general ceiling on emissions from an entire facility.

Whether the use of flexible permits leads to more pollution is unknown, and environmentalists and the EPA say that's the problem.

Kelly Haragan, director of the environmental clinic at the University of Texas School of Law in Austin, said the flexible permits mean a production unit near a plant's perimeter could be emitting far more toxins than allowed by law, but the violation would be hidden by the plant-wide cap. In some refinery towns, homes, schools and playgrounds sit just yards away from such fence lines.

"There's no way for you to contest that they're not reporting their emissions correctly," Haragan said. "If it didn't have a flexible permit, there would be real emission limits and we would be able to bring enforcement action if they weren't complying with the permits."

Among the plants operating with a flexible permit is the nation's largest oil refinery, a massive Exxon Mobil plant in Baytown outside Houston, and facilities run by oil companies Chevron Corp. in Port Arthur, Citgo Petroleum Corp. in Corpus Christi and BP PLC in Pasadena.

The agency has for years failed to stop Texas from issuing flexible permits, even though it warned the state such permits might violate the law. Perry on Tuesday called the EPA's decision to pick a fight with the state after 16 years of inaction "baffling."

"The Clean Air Act authorizes the delegation of permitting authority to the states," Perry's statement said. "Texas has had our flexible permitting program in place ... for nearly two decades. However, under the Obama Administration there has been a concerted effort to transfer power away from the states to the federal government."

The Texas Commission on Environmental Quality declined to comment on EPA's decision. Instead, it referred to a letter dated May 24 and signed by the commission's executive director, Mark Vickery. In the letter, he indicated the agency was frustrated by the dialogue with the EPA and said his agency "recognizes that certain companies' business needs ... may necessitate issuance of ... permits by EPA."

Armendariz said Tuesday the EPA will issue its own permit for the independently owned Flint Hills Corpus Christi East Refinery, and in the coming days begin to do the same for 39 other plants, including facilities owned by Exxon Mobil, Chevron, ConocoPhillips and Dow Chemical Co.

"The time for delay and for partnership and for compromise is very quickly coming to an end and we have to get the Clean Air Act implemented in the state of Texas," Armendariz said.

Seth Oster/DC/USEPA/US

10/14/2011 06:57 PM

To "Lisa Jackson"

cc

bcc

Subject Fw: WEEKEND GUIDANCE AND PRESS SCHEDULE FOR SATURDAY, OCTOBER 15, 2011 AND SUNDAY, OCTOBER 16, 2011

You going to the afternoon reception at the WH on Sunday after the ceremony? You should.

From: White House Press Office [noreply@messages.whitehouse.gov]

Sent: 10/14/2011 05:47 PM EST

To: Seth Oster

Subject: WEEKEND GUIDANCE AND PRESS SCHEDULE FOR SATURDAY, OCTOBER 15, 2011 AND SUNDAY, OCTOBER 16, 2011

THE WHITE HOUSE
Office of the Press Secretary

FOR IMMEDIATE RELEASE

October 14, 2011

**WEEKEND GUIDANCE AND PRESS SCHEDULE FOR
SATURDAY, OCTOBER 15, 2011 AND SUNDAY, OCTOBER 16, 2011**

On Saturday, the President has no public events scheduled.

On Sunday, the President will deliver remarks at the Martin Luther King, Jr. memorial dedication on the National Mall. The memorial commemorates the life and work of Dr. Martin Luther King, Jr. and his contributions to world peace through non-violent social change. The First Family, the Vice President, and Dr. Biden will also attend. The President's remarks are open to pre-credentialed media.

Later in the afternoon, the President and the First Lady will host a reception at the White House in honor of Dr. Martin Luther King, Jr. and the King Family with members of the civil rights community. This reception is closed press.

Saturday's In-Town Travel Pool

Wires: AP, Reuters, Bloomberg

Wire Photos: AP, Reuters, AFP

TV Corr & Crew: CNN

Print: Politico

Radio: Sirius

Sunday's In-Town Travel Pool

Wires: AP, Reuters, Bloomberg
Wire Photos: AP, Reuters, AFP
TV Corr & Crew: FOX
Print: Regional Reporters
Radio: Talk Radio

Saturday, October 15, 2011

EDT

11:30AM Pool Call Time

Sunday, October 16, 2011

EDT

9:30AM Pool Call Time

11:05AM THE PRESIDENT delivers remarks at the Martin Luther King, Jr. memorial dedication; THE FIRST FAMILY, THE VICE PRESIDENT, and DR. BIDEN also attend

National Mall

Open to Pre-Credentialed Media (In-Town Pool Gather Time 9:55AM – North Doors of the Palm Room)

3:00PM THE PRESIDENT and THE FIRST LADY host a reception at the White House in honor of Dr. Martin Luther King, Jr. and the King Family

Blue Room

Closed press

Schedule for Week of October 17, 2011

On Monday, the President will travel to Asheville, North Carolina to begin his three-day American Jobs Act bus tour where he will discuss jobs and the economy. On the first day of the tour, the President will deliver remarks at the Asheville Regional Airport and at West Wilkes High School in Millers Creek, North Carolina. The President will overnight in the Greensboro area.

On Tuesday, the President will be in North Carolina and Virginia for the second day of his American Jobs Act bus tour. The President will make stops in Jamestown, North Carolina, Emporia, Virginia, and overnight in Hampton, Virginia.

On Wednesday, the President will be in Virginia for the third day of his American Jobs Act bus tour. On the third day of the tour, the President and the First Lady will hold an event at Langley Air Force Base in Hampton, Virginia where they will discuss the importance of hiring American veterans. The President will visit other Virginia locations before returning to Washington.

On Thursday, the President will welcome to the White House the 13 recipients of the 2011 Presidential Citizens Medal, the nation's second-highest civilian honor. Later, the President will host Prime Minister Jens Stoltenberg of Norway for a meeting in the Oval Office. The President met the Prime Minister in December 2009 and welcomes the opportunity to reciprocate the warm hospitality that both he and the First Lady received during that visit. The United States and Norway are not only close NATO allies, but also partners who cooperate in a wide variety of endeavors all around the world. The President looks forward to thanking the Prime Minister personally for Norway's important contribution to the NATO mission in Libya and to consulting with him on issues of common interest, including Afghanistan, Middle East peace, the Arctic, global health, climate change, the famine in Somalia and support for the new democracies in North Africa.

On Friday, the President will attend meetings at the White House.

###

[Unsubscribe](#)

Seth Oster/DC/USEPA/US

07/12/2011 08:06 AM

To "Lisa Jackson"

cc

bcc

Subject Gore Project

Just FYI.

Former Vice President Gore and The Climate Reality Project (formerly the Alliance for Climate Protection) today will announce "a new global campaign to broadcast the reality of the climate crisis and mobilize citizens to help solve it. The campaign kicks off with '24 Hours of Reality,' a worldwide, live-streamed event Sept. 14-15. Scientists, celebrities, business leaders and concerned citizens ... will connect the dots between recent extreme weather events and ... manmade pollution ... From Tonga to Cape Verde and Mexico City to Beijing, the event will be live online over 24 hours, in 24 time zones and in multiple languages. Joining the campaign to bring a fresh perspective to the cause is Alex Bogusky, Adweek's 'Creative Director of the Decade.' Bogusky is an architect of the anti-teen-smoking Truth campaign."

Seth Oster/DC/USEPA/US

To "Lisa Jackson"

02/27/2010 12:44 PM

cc

bcc

Subject Interesting Daily Beast Piece

Hi. Interesting piece by Joel Kotkin in the Daily Beast. All that matters anymore is the economy. A challenge for us in so many ways.....

Seth

Obama's Middle-Class Meltdown by

Joel Kotkin

Joel Kotkin is Distinguished Presidential Fellow in Urban Futures at Chapman University in Orange, California and an adjunct fellow with the Legatum Institute in London.

February 26, 2010 | 9:51pm

"By cozying up to Wall Street and pushing climate change, the president is playing to the coasts—and losing middle America.

Joel Kotkin on the Dems' disconnect—and the GOP's problems exploiting it.

"The rapid decline in public support for Democrats and President Obama represents one of the most breathtaking political collapses in modern times. Little over a year from a huge electoral triumph, President Obama's level of support has dropped from around 65% to under 50%. The Democrats in Congress, who held as much as a 10% edge over the Republicans last spring, actually are losing a "generic" vote.

Many Republicans and conservatives may think this represents a confirmation of their values. Yet in reality, the Democratic meltdown has less to do with belated admiration for the GOP—their support as a party remains at historically low levels—than a question of a massive disconnect between the people in power and the large, middle-class majority. The Great Disconnect reflects a growing chasm between the normative "wisdom" within political parties and their aligned media, academic and policy cadres. The Disconnect in part derives from the tendency of politicians and their associates to converse mostly with each other—and not develop much of a direct feel for that vast, and increasingly complex, country beyond the Beltway.

As President, Barack Obama's Great Disconnect seems most obvious. Although he occasionally uses populist middle-class rhetoric, both Obama's priorities and body language suggest his inspiration comes largely from the rarified world of the universities and Democratic Party contributors.

Not surprising then that he started with a stimulus package that, although one was needed, offered little to private sector Main Street businesses. Instead, the primary beneficiaries turned out to be Wall Street grandees, whose high salaries he variously denounces and excuses, and public employee unions.

Obama's move was encouraged by the aging leadership of the Democratic Party, shaped by places like Nancy Pelosi's San Francisco and Henry Waxman's lushly affluent Beverly Hills. It has little to do with the views of the middle class who reside generally in smaller towns and less-than-tonsy suburbs—but some of the wealthiest, and most privileged, populations on earth.

President Obama's other key constituency lies in the public sector unions, whose power in his home state of Illinois now rivals and perhaps surpasses that of Daley machine. Even as middle-class voters see their pensions dwindle along with their housing prices and jobs, the public sector has waxed into something resembling the Blue Meanie in Yellow Submarine who consumes everything in sight, and ultimately itself.

Perhaps nothing so illustrates the Great Disconnect than the president and the congressional lions embrace of the radical green climate change agenda. Still popular in upper-class urban areas and university towns, this agenda is notably less well-supported in middle and working class communities, particularly in the middle of the country.

Even before the Climategate revelations—which led to one top warmist figure admitting to the BBC that there had been in fact “no statistically significant” warming over the past fifteen years—the agenda was losing support, ranking it dead last among 20 priorities in a Pew survey last year. Now they are becoming openly skeptical, with support for the notion of primarily human-caused warming falling since April from 47 top 35%.

President Obama must realize that prioritization of the climate agenda, along with other coastal liberal priorities, undermines Democratic support in the Great Plains and the Great Lakes, where the party recently has been making some significant gains. The recent withdrawals of Senators Byron Dorgan and Evan Bayh reflect the Democrats' growing vulnerability in these regions. Recent polls in Iowa, where Obama won his signature primary victory in 2008, show the president's popularity at less than 50 percent, in large part to losses among independent voters.

Yet if Americans have been departing the Democrats, does it follow that they will shift en masse to the GOP? There is reason for skepticism here as well. After all, this is the same party that, along with the Democrats, supported massive spending under George Bush and actively promoted the disastrous de-regulation of the financial markets. The prescience of the likes of former Majority Leader Dick Army—a co-conspirator in the Bush era's profligacy—at the forefront of the Tea Parties should worry even the most credulous small-government activist.

The Republican claim to the populist mantle is even more suspect. Republicans like House Minority Leader John Boehner have cozied up to Wall Street, hoping to take advantage of rising “buyer's remorse” among the grandees. Suggesting Republicans could shield the financial sector from even modest Democrat efforts to make them face consequences for their loathsome and disastrous folly, they unintentionally show that their critique of the president's “crony capitalism” largely involves shifting the identity of the cronies.

The Republicans also have a bit of a demographic problem. Their Neanderthal stance on social issues varies radically from the rising millennial generation, and threatens to alienate them permanently. And perhaps even more seriously, the strong nativist wing of the party, epitomized by Tea Party keynoter former Representative Tom Tancredo, represent a threat to the other large emerging voting block, immigrants and their offspring.

If you want to see an illustration of what this means, just examine the plummeting GOP registration levels in increasingly multi-racial California. For the first time in modern history, according to veteran political observer Allan Hoffenblum, there is not a single congressional, state Senate or Assembly district in the state with a majority Republican registration.

Although the Republicans are riding high now, do not overestimate their ability to seize the field now so ineptly being vacated by the Democrats. It may well turn out that President Obama still may overcome the Great Disconnect before the GOP does. Obama's ability to change direction already can be seen in such things as his new-found enthusiasm for nuclear power and more drilling on public lands. His most recent jobs bill also has more of a focus on promoting private employment growth than past efforts.

Ultimately, the party that wins in 2010 and beyond will be the one that addresses the real issues of this age—the battle for private sector jobs and upward mobility—that matter to the vast majority of Americans. It

is on those issues, not global warming, ethnic purity or gay marriage that the political future will now turn.

Joel Kotkin is a Distinguished Presidential Fellow in Urban Futures at Chapman University and an adjunct fellow with the London-based Legatum Institute. His new book, *The Next Hundred Million*, is available now from the Penguin Press

Seth Oster/DC/USEPA/US
05/24/2010 07:25 AM

To "Lisa Jackson"
cc Adora Andy
bcc

Subject Fw: POLITICO Playbook, presented by Microsoft -- Dems: 'Worm has turned' -- GOP meets Xbox -- Anchors to Gulf -- White House to tutor scribes on spill -- Hillary to succeed Gates? -- Junger's 'War' -- Howie on Chuck Todd -- NYT on press charters

From: Mike Allen [mallen@politico.com]

Sent: 05/24/2010 06:11 AM AST

To: Undisclosed recipients:

Subject: POLITICO Playbook, presented by Microsoft -- Dems: 'Worm has turned' -- GOP meets Xbox -- Anchors to Gulf -- White House to tutor scribes on spill -- Hillary to succeed Gates? -- Junger's 'War' -- Howie on Chuck Todd -- NYT on press charters

BULLETIN -- President Obama today will propose an alternative to the line-item veto, sending Congress the Reduce Unnecessary Spending Act of 2010. Under this new expedited procedure, the president would submit a package of rescissions shortly after a spending bill is passed. Congress would be required to consider these recommendations as a package, without amendment, and with a guaranteed up-or-down vote within a specified timeframe. The White House bills this as part of a larger effort the president has undertaken to rein in wasteful spending.

--Look for a mid-morning conference call by the OMB high command of Peter Orszag and Acting Deputy Director Jeff Liebman. On Wednesday, Liebman, in his Obama administration Capitol Hill debut, will make the case to Senator Feingold's Judiciary Subcommittee on the Constitution. This expedited rescission authority would replace Part C of the Impoundment Control Act of 1974 -- the line-item veto provisions struck down by the Supreme Court in 1998.

EXCLUSIVE -- The administration will get visibly tougher on BP this week. A senior EPA official tells the debut edition of POLITICO's "Morning Energy": "EPA was not satisfied with the response it received from BP and has demanded several meetings with the company since then, including one. where their scientists were instructed to brief EPA and other scientists from the federal government about some of what was included in their letter. It appears BP may be more interested in defending their initial decisions regarding dispersant use than in doing an honest assessment about the options available at this point."

<http://www.politico.com/morningenergy/>

OIL SPILL 101 for the White House press corps, as incident commander Thad Allen joins Robert Gibbs for today's briefing to walk reporters through what has been done, and why the federal government can't just "take over." **Look for Allen to do some ed. boards and meet with pundits:** The White House is frustrated at comments by talking heads suggesting the administration has stumbled.

KATIE COURIC and DIANE SAWYER do their shows from the Louisiana coast tonight. Katie, who'll be in Grand Isle, took a chopper tour with Rear Adm. Mary Landry, the on-scene response coordinator, and flew over the rig storing oil being sucked up with the straw technique. Also went out on a boat with an SMU oceanographer. **Brian Williams doesn't have travel plans,** but has been to the region 15 times since Katrina.

SENATE will appoint conferees on Wall Street reform today, putting bill on track to go to the president by July 4, with a signing ceremony when lawmakers return after that.

ADDED TO NYT A1 BETWEEN EDITIONS: "Tensions escalated sharply Monday on the Korean peninsula, as South Korean President Lee Myung-bak said that his nation would sever nearly all trade with North Korea ... and ask the United Nations Security Council to punish the North for what he called the deliberate sinking of a South Korean warship two months ago."

--White House statement at 1 a.m. -- "Statement by the Press Secretary on the Republic of Korea: President Obama fully supports President Lee in his handling of the ROKS Cheonan incident and the objective investigation that followed. ... Specifically, we endorse President Lee's demand that North Korea immediately apologize."

**** A message from Microsoft:** At Microsoft, we're committed to providing the technology people need to live and work creatively and productively. This includes helping people gain the skills needed to navigate a more technologically complex world. **

Good Monday morning. SPOTTED: Country-music lover Nick Shapiro, lifting weights backstage with Brad Paisley before Saturday's show at Jiffy Lube Live (née, Nissan Pavilion). *Paisley's roadies take the weights to every show .*

"THE GATES-CLINTON AXIS," by Ben Smith and Jen DiMascio and Laura Rozen: "Their close relationship has been central to the unusual degree of agreement on critical issues, most notably the Afghan surge but also a range of other initiatives, from increasing the size of the State Department's foreign aid budget to imposing new sanctions on Iran. ... Gates, known inside the White House as 'Yoda,' is unquestionably the most powerful member of the Obama Cabinet — the only one with the muscle to push back. Clinton, meanwhile, is the most popular, her approval ratings cruising well above Obama's own. ... Clinton, with her hawkish image and ties to Gates and to military brass, would be his most logical successor — and some of her most senior allies have begun quietly to float the notion." <http://bit.ly/9fqLtU>

GAME CHANGE? DEMS SAY THEY'RE BACK ON OFFENSE -- A Democratic official close to the White House: "We're on offense now. Republicans are questioning their loss in PA-12, they are questioning their leadership in Washington, they are questioning their candidate in Kentucky, and they are questioning their strategy of all-or-nothing opposition after failing to stop or even weaken Wall Street reform in the Senate. **The worm is turning. ... We're on offense across mediums -- on Kagan, on Wall Street reform, on Citizens United** [the campaign-finance Supreme Court opinion] -- and Republicans are going to be forced to explain how they handed us a country in peril. We've pulled it back from the brink and they didn't lift a finger to help."

--A Democratic official: "We can't stop from losing some seats. But we know now that we can

make this a choice, and that we can hold down our losses. And, as PA-12 showed, Republicans can't just run against Obama, Pelosi and health care - even in districts like PA-12, won by McCain and where Republicans expect to win. The problem for Republicans is that the only thing they have is opposition to Democrats and Obama, because everything they were for over the past decade -- tax breaks for the wealthy and big oil, trickle-down economics, 'free market' solutions to health care and energy, privatizing Social Security, deregulating Wall Street -- was all a failure that drove our country to the brink of disaster. Republicans can't win on what they believe, so they'll run against us. We aren't going to let them get away with it."

--GOP pushback: "Look at the results more closely: They lost a seat in Hawaii (note: Hawaii has never thrown out an incumbent member of Congress), they retained a 2-1 House seat only by stacking the deck with it being the same day as the primary and having a candidate run as an anti-Obama Dem. And how did the primaries turn out? All three were close. Conway's margin [Ky. Dem. Senate nominee] was razor thin. Blanche Lincoln is in a runoff. And Pennsylvania Democrats repudiated the President, nominating a candidate who has repeatedly said he was offered a job to stay out of the race."

THIS WEEK'S MOVES:

--Senate has a supplemental spending bill on the floor this week. Jim Manley, Spokesman/Senior Communications Advisor, Senate Majority Leader Harry Reid: "Last week, virtually the entire Republican Party voted to stand up for Wall Street -- just like they've stood up for health insurance companies, tobacco companies and credit card companies. This week, we'll see whether Republicans will join with Democrats in standing up for our troops, instead of just standing up for special interests all the time."

--Republicans tells us they'll keep hammering the White House (and pushing reporters to do the same) on claims by Rep. Joe Sestak, Pa. Dem. Senate nominee, that he was offered administration job (Secretary of Navy?) not to primary Specter. On "Meet" yesterday, he repeated the claim, but wouldn't say which job.

EXCLUSIVE -- House Republicans have an Xbox-like component to the interactive "America Speaking Out" campaign, launching tomorrow to gather input for a "Contract with America"-style agenda for the fall. In addition to the expected Facebook and Twitter elements, GOPers added a competition aspect to make it fun. Plus you can order stuff.

KAGAN FIGHT SHAPING UP AS SNOOZE: White House notes Sen. Cornyn, one of the more partisan Judiciary Committee Republicans, wasn't asked about her on "Meet" yesterday. In a Friday letter, Clinton library says it'll be providing the Judiciary Committee with the requested by June 4, and "on a rolling basis thereafter." Hearing begins June 28. *See the letter* <http://politi.co/akZIIK>

--N.Y. Daily News' James Gordon Meek staked out Cornyn, who "said he was baffled by Kagan's views on the Citizens United ruling." <http://bit.ly/dqNk5O> *Looking at polls and focus groups, White House LOVES that as a chief attack point.*

BIRTHDAY: Randall Baker Whitestone is 4-9 (hat tip: Keil).

POLITICO in print p.1 <http://politi.co/9gdLMA> **USA Today p. 1** <http://politi.co/b1206W>
Times of London p. 1 <http://politi.co/cpduun>

WHAT WE'RE READING: "WAR," by Sebastian Junger, which describes the U.S. fight in Afghanistan in hauntingly raw terms. *Divided into three "books":*

--" BOOK ONE: FEAR": "The Korengal valley is sort of the Afghanistan of Afghanistan: too

remote to conquer, too poor to intimidate, too autonomous to buy off. ... A few [soldiers] had 'INFIDEL' tattooed in huge letters across their chests. ('That what the enemy calls us on their radios,' one man explained, 'so why not?') ... **Pretty much everyone who died in this valley died when they least expected it, usually shot in the head or throat, so it could make the men weird about the most mundane tasks.** ... Medics are renowned for their bravery, but the ones I knew described it more as **a terror of failing to save the lives of their friends.** ... I wore a body armor vest like the soldiers did ... and a helmet, which they called a 'Kevlar.' Together those weighed around thirty pounds. I had a five-pound video camera, five pounds of water in a CamelBak, and maybe another twenty pounds of food and clothing if we were going out overnight. I could walk all day with fifty or sixty pounds on my back but I couldn't run more than a hundred yards at a time – no one could – and few people could run uphill more than a few steps. ... Patrols on hot days came down to water versus distance: you didn't want to go dry, but neither did you want to carry ten extra pounds if you were going to have to run anywhere. ... **Giving in to fear or exhaustion were ways in which a soldier could fail his platoon."**

--**"BOOK TWO: KILLING"**: "Combat is a series of quick decisions and rather precise actions ... much more like football than, say, like a gang fight. The unit that choreographs their actions best usually wins ... **The choreography always requires that each man make decisions based not on what's best for him , but on what's best for the group. If everyone does that, most of the group survives. If no one does, most of the group dies.** That, in essence, is combat."

--**"BOOK THREE: LOVE"**: "Combat fog obscures your fate – obscures when and where you might die – and from that unknown is born a desperate bond between the men ... **[N]o one can figure out whether the Americans are actually winning or if the enemy just decided not to fight for a while.** ... Sergeant Ryan Pitts, the platoon forward observer, was pinned down and badly wounded ... **He'd gotten a tourniquet onto his shattered leg and started throwing hand grenades over the top of the sandbags.** Between explosions he got through to the command post by radio and told them that they were getting overrun." *\$14.84 on Amazon*
<http://amzn.to/9GEIMo>

CHUCK TODD ON "STYLE" SECTION COVER -- Howard Kurtz: "Covering the White House these days is no longer a matter of hanging around the briefing room ... It is an all-consuming assignment in which reporters are expected to be multimedia performers ... Todd, 38, is NBC's chief White House correspondent, the network's political director, an MSNBC anchor, a blogger on its 'First Read' tip sheet and a prolific voice on Twitter. He and [Savannah] Guthrie, also 38, share the beat [and co-anchor MSNBC's 9 a.m. "The Daily Rundown"]. ... 'Chuckie T,' as he's sometimes called, is an unabashed political junkie from Miami who fed his habit during 15 years at the news digest Hotline. ... Todd, who left George Washington University six credits short of graduation, was hired by the late Tim Russert three years ago. He was brought in as a backstage numbers-cruncher who would get an on-air tryout. He proved to be a natural ... With his goatee, infectious grin and steady stream of pop-culture references, Todd doesn't look or sound like a classic television correspondent ... 'We're trying to bring news back to cable,' Guthrie says. She shoots a glance at a publicist: 'Am I allowed to say that?'"
Article <http://bit.ly/cSkuPw> *See the Style cover* <http://bit.ly/7vwqmw>

FEWER PRESS CHARTERS FOR PRESIDENTIAL TRIPS -- NYT Business front,

“When the President Travels, It’s Cheaper for Reporters to Stay Home,” by Brian Stelter: “[T]he press flights [for reporters not on Air Force One, where press seats are filled by rotation] have been sharply curtailed in recent months ... ‘The sole reason is money,’ said Edwin Chen, the senior White House correspondent for Bloomberg News and the president of the White House Correspondents’ Association, who called the cutbacks alarming. ... When Mr. Obama visits San Francisco on Tuesday and Wednesday, for fund-raisers and a tour of a solar panel company, there will be no charter. ... Presidential trips cost the press about \$18 million last year ... When the networks choose not to travel in a pack, reporters of all stripes have to ... buy tickets on commercial flights and hope they make it to the presidential event in time. ... Domestically, some 30 to 40 people fly on the charters when they are still ordered. ... [P]enny-pinching put 11 members of the press corps on a bus to a commencement speech delivered by Mr. Obama in southern Virginia early this month. When the networks vetoed a charter plane for the trip, ‘I suggested it out of sheer frustration and sarcasm,’ Mr. Chen ... ‘The networks said, “Hey, not a bad idea.”’” <http://nyti.ms/dq29by>

2010 -- BLUMENTHAL INTERNAL has him +15 over Linda McMahon, World Wrestling exec endorsed by state GOP. Dem memo: “Blumenthal has withstood the attacks of the past week very well.” *Dems’ “Interested Parties” memo (doesn’t mention Rob Simmons, who says he’s still in the GOP’s Aug. 10 primary)* <http://politi.co/cR0GeS>

--NYT A1, “Republicans See Big Chance, But Worry About Wasting It,” by Jeff Zeleny and Carl Hulse: “Republicans remain confident of making big gains in the fall elections, but as the midterm campaign begins in earnest, they face a series of challenges that could keep the party from fully capitalizing on an electorate clamoring for change in Washington. ... Republicans are working to find a balance between simply running against Democrats and promoting a specific alternative agenda. And they are struggling with how to integrate the passions of the Tea Party movement ... into the Republican Party apparatus.” <http://nyti.ms/a2VFg1>

SPOTTED, in National Airport: Charlie Nichols, wearing a CBS News cap, a gift from “Auntie” Sonya McNair.

WEDDINGS:

--Katie Levinson married top fund manager David Burke at the Harvard Club in New York City. In attendance were friends and family, including politicians (none of whom actually went to Harvard, as far as we can tell) Steve Schmidt, Matt McDonald, Joe Scarborough, Larry Kudlow, Taylor Griffin, Todd Harris, Adam Levine, Ed Skyler, Jennifer Yuille, Tim Burger, Nina Bradley Clarke, Melinda Arons, Matt David and **Rich Lowry, last seen dancing to Lady Gaga.** Did we mention the dress code of black tie and boots? That's right. *Times announcement, w/photo* <http://nyti.ms/aNHfPa>

--Ken Vogel back from his one-day honeymoon -- The Times: “Danielle Brody Rosengarten and Kenneth Paul Vogel were married ... on the rooftop of 101 Constitution Avenue ... Rabbi Jack Moline officiated. The bride, 31, is a counsel and legislative assistant in Washington for Sen. Joseph I. Lieberman, independent of Connecticut; she advises him on climate change

legislation. ... The bridegroom, 34, is a **senior staff writer ... for Politico** ... The couple met in May 2006, when Ms. Rosengarten began a summer law clerkship ... with the House ... Committee on Homeland Security. Mr. Vogel was finishing a 10-month journalism fellowship ... during which he, too, worked for the committee ... They sat in adjoining cubicles in the Ford House Office Building. During her first week, they bonded over lunch in the cafeteria when they discovered a shared love of Ethiopian food and kosher pastrami, and a fascination with federal campaign finance rules. ... **'He has shockingly blue eyes and the most adorable dimples I have ever seen. He loves campaign finance reform, that was all I needed to know.** We knew instantly that we were intellectually attracted to each other.' ... [T]hey admittedly annoyed committee staff members who sat nearby with their steady stream of banter over their shared cubicle wall." <http://nyti.ms/bPrSv0>

POOL REPORT -- HOWARD DEAN'S DNC ALUMNI PARTY -- A 50-state (alumni) party: About 50 of us packed the Takoma Park home of former Democratic official (and current executive director of National Employment Law Project) Chris Owens and Sandy Newman. Spotted alongside Gov. Dean, who rocked a casual Hawaiian shirt, were former Chief of Staff Leah Daughtry, former executive director Tom McMahan, soon-to-be Chrysler VP of external affairs Jody Trapasso, former spokesmen Damien LaVera and Luis Miranda, web gurus Josh McConaha and Kombiz Lavasany, uber-lawyer Joe Sandler, voting rights protector Anna Martinez, a host of finance and political alumni, and dozens of spouses. Also spotted running around the Indian food buffet: a veritable day care of young children.

POPPING ON THE BLOGS -- "The Teachers' Unions' Last Stand," by Steven Brill, on the Obama administration's "Race to the Top" competitive education grants: "By late March, ... [t]housands of local news stories across the country speculated about how particular states were faring, some of them breathlessly referring to the 'March Madness' as governors, state legislators and bureaucrats rushed to consider reforms that might improve their chances. ... Fifteen [states], including such union strongholds as California, Ohio and Michigan, passed laws or revised regulations aimed at boosting their chances. **Before [Arne] Duncan had dispensed a nickel, the country had seen more school reform than it had in decades.**" <http://nyti.ms/9e0wXk>

--Cover image, "How Obama's Race To The Top Could Revolutionize Public Education" <http://politi.co/daawwB>

--On her education blog, WashPost's Valerie Strauss takes issues with the article's contention that a charter school gets better results, for less money, than an adjoining public school that's separated a fire door: "The student bodies aren't the same. ... At the Harlem Success Academy, 49% of the students are poor--a difference of 32 percentage points. Only 2% of the students are English Language Learners (compared to 13% at P.S. 149 --more than six times as many)." <http://bit.ly/9YNug4>

--The American Federation of Teachers (AFL-CIO) reacts: "This outdated perspective labels all public school teachers as bad and caricatures contract negotiations ... Randi Weingarten has negotiated many more labor contracts than Brill. While labor and management in our schools rarely agree on everything, more often than not we share the same end goal of providing children

with a great education.”

--**AFT** flags Valerie’s post, claiming “shortcomings” in Brill. <http://politi.co/9f5iQF>

SPORTS BLINK -- Playbook Playoff Tracker, by Tim Alberta -- NBA: Phoenix beat Los Angeles, 118-109, and now trail the series 2-1.

--**NHL: Chicago** disposed of San Jose, 4-2, sweeping the series and advancing to the Stanley Cup Finals for the first time since 1992.

--**NATS WIN BELTWAY BATTLE – WaPo’s Thomas Boswell:** “Liquor may loosen lips, but in baseball, nothing does the trick quite like a win as exciting as the Nats' 4-3 triumph over the Orioles on Sunday. Josh Willingham's 10th-inning smash into the visitor's bullpen moved Washington back above .500 at 23-22. And start the dreaming.” <http://bit.ly/aJzXOM>

DESSERT -- AFP: “**The Rolling Stones scored their first British number one album in 16 years** Sunday after re-releasing one of their classic records, ‘**Exile on Main Street.**’ The aging rockers held off dance band Faithless to grab the top spot in the album chart, the first such achievement for the band since 1994's ‘**Voodoo Lounge.**’ ‘Exile on Main Street,’ which features tracks such as ‘**Tumbling Dice**’ and ‘**Rocks Off,**’ made it to number one when initially released in May, 1972 and contains eclectic influences from blues and soul to calypso. A documentary about the making of album was given its world premiere at the Cannes film festival during the week.”

SPOILER ALERT -- THE LAST “LOST” -- AP: “The series ended where it began six seasons ago after the plane crash: with a close-up of Jack's eye opening as he lay on the ground. But this time, his eye was open and it shut.”

**** A message from Microsoft:** At Microsoft, we’re committed to providing people with the technology and tools they need to live and work creatively and productively. This includes helping people gain the insight and experience to navigate a more technologically complex world.

That’s why we created Elevate America, a program enabling Microsoft to partner with local governments and organizations to offer free or low-cost technology training.

We’re committed to helping people get the critical skills they’ll need to get back to work, adapt to today’s changing economy and keep America competitive and thriving into the next century. Learn more here. Microsoft.com/citizenship. **

Seth Oster/DC/USEPA/US
12/14/2009 01:10 PM

To "Lisa Jackson", Arvin Ganesan, "Lisa Heinzerling", Bob Sussman, "Charles Imohiosen", David McIntosh, "Diane Thompson", "Bob Perciasepe"

cc

bcc

Subject Fw: TODAY: Jared Bernstein and Carol Browner to Hold Conference Call on Vice President Biden's Memo to the President on Clean Energy Progress

Just FYI.

From: "White House Press Office" [whitehouse-lists-noreply@list.whitehouse.gov]
Sent: 12/14/2009 01:06 PM EST
To: Seth Oster
Subject: TODAY: Jared Bernstein and Carol Browner to Hold Conference Call on Vice President Biden's Memo to the President on Clean Energy Progress

THE WHITE HOUSE
Office of the Vice President

FOR IMMEDIATE RELEASE
December 14, 2009

TODAY: Jared Bernstein and Carol Browner to Hold Conference Call on Vice President Biden's Memo to the President on Clean Energy Progress
Call is Embargoed for 12:00 AM EST

WASHINGTON – **TODAY** at 3:45pm ET, Chief Economic Adviser to the Vice President Jared Bernstein and Director of the White House Office of Energy and Climate Change Policy Carol Browner will hold a conference call with reporters to discuss the Vice President's memo to the President on Administration progress building a clean energy economy through the Recovery Act and other initiatives. The memo was produced at the request of the Vice President by the White House Office of Energy and Climate Change, the Office of the Vice President, the Council of Economic Advisors and the Department of Energy.

WHO: Jared Bernstein, Chief Economic Adviser to the Vice President
Carol Browner, Director of the White House Office of Energy and Climate Change Policy

WHAT: Conference Call on Vice President's memo to the President on Clean Energy Progress

WHEN: TODAY, 3:45pm ET
EMBARGOED FOR 12:00 PM ET

HOW: Reporters wishing to join this call should use the call information below. No pass code is necessary.

United States: (800) 230-1092
International: (612) 234-9959

##

Seth Oster/DC/USEPA/US

08/17/2011 08:42 PM

To "Lisa Jackson", Bob Perciasepe, Diane Thompson, Bob Sussman, Scott Fulton, Lisa Garcia, Bicky Corman, Michael Goo, Daniel Kanninen, Barbara Bennett, Laura Vaught, arvin.ganesan, Sarah Pallone, Mathy Stanislaus, Steve Owens, Malcolm Jackson, Gina McCarthy, Regional Administrators, Janet Woodka, "Paul Anastas", Cynthia Giles-AA, Charles Imohiosen, Avi Garbow, Janet McCabe, Matt Bogoshian, "Michelle DePass", Joseph Goffman, Lisa Feldt

cc Betsaida Alcantara, Brendan Gilfillan, David Bloomgren, Stephanie Owens, Shira Sternberg, Andra Belknap, Alisha Johnson, Michael Moats, Vicki Ekstrom, Christopher Busch

bcc

Subject Harsh Words for E.P.A. From Most G.O.P. Candidates NY Times: "Harsh Words for EPA From Most G.O.P. Candidates

All,

The story below will run in the NY Times tomorrow.

Seth

Seth Oster
Associate Administrator
Office of External Affairs and Environmental Education
Environmental Protection Agency
(202) 564-1918
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NEW YORK TIMES

August 17, 2011

Harsh Words for E.P.A. From Most G.O.P. Candidates

By **JOHN M. BRODER**

WASHINGTON — The [Environmental Protection Agency](#) is emerging as a favorite target of the Republican presidential candidates, who portray it as the very symbol of a heavy-handed regulatory agenda imposed by the Obama administration that they say is strangling the economy.

Representative [Michele Bachmann](#) of Minnesota wants to padlock the E.P.A.'s doors, as does former Speaker Newt Gingrich. Gov. [Rick Perry](#) of Texas wants to impose an immediate moratorium on environmental regulation.

Representative [Ron Paul](#) of Texas wants environmental disputes settled by the states or the courts. Herman Cain, a businessman, wants to put many environmental regulations in

the hands of an independent commission that includes [oil](#) and gas executives. Jon M. Huntsman Jr., the former Utah governor, thinks most new environmental regulations should be shelved until the economy improves.

Only [Mitt Romney](#), the former Massachusetts governor, has a kind word for the E.P.A., and that is qualified by his opposition to proposed regulation of carbon dioxide and other gases that contribute to [global warming](#).

Opposition to regulation and skepticism about climate change have become tenets of Republican orthodoxy, but they are embraced with extraordinary intensity this year because of the faltering economy, high fuel prices, the [Tea Party](#) passion for smaller government and an activist Republican base that insists on strict adherence to the party's central agenda.

But while attacks on the E.P.A., climate-change science and environmental regulation more broadly are surefire applause lines with many Republican primary audiences, these views may prove a liability in the general election, pollsters and analysts say. The American people, by substantial majorities, are concerned about air and water pollution, and largely trust the E.P.A., national surveys say.

"Not only are these positions irresponsible, they're politically problematic," said David Jenkins of [Republicans for Environmental Protection](#), a group that believes that conservation should be a core value of the party. "The whole idea that you have to bash the E.P.A. and run away from climate change to win a Republican primary has never been borne out. Where's the evidence?"

But the leading Republican candidates are all linking environmental regulation to jobs and the economy, suggesting that the nation cannot afford measures that impose greater costs on businesses and consumers. Mrs. Bachmann drew loud applause 10 days ago at a [rally in Iowa](#) when she declared: "I guarantee you the E.P.A. will have doors locked and lights turned off, and they will only be about conservation. It will be a new day and a new sheriff in Washington, D.C."

In an earlier debate she said the agency should be renamed the "job-killing organization of America." She has called global-warming science a hoax.

The White House disputes the accusation that it is burdening the economy with regulations. It says that it issued fewer new rules in its first two years than the George W. Bush administration issued in its final two years.

"This administration has shown a clear commitment to taking steps to protect our families from dangerous pollution, while at the same time ensuring those steps are implemented in a way that minimizes costs, maximizes flexibility and does not impede our economic recovery," said Clark Stevens, a White House spokesman.

Mr. Perry has been at war with the E.P.A. almost since the day he took office as governor. He is leading a group of states in a [lawsuit](#) seeking to block the agency from putting in place rules limiting greenhouse gas emissions from power plants, refineries and other large sources.

On Monday, Mr. Perry called on Mr. Obama to [halt all regulations](#) because, Mr. Perry said, "his E.P.A. regulations are killing jobs all across America."

In his book, "[Fed Up, Our Fight to Save America from Washington](#)," Mr. Perry described global-warming science as "one contrived phony mess that is falling apart under its own weight" and a "secular carbon cult" led by false prophets like Al Gore.

Such regulatory and financial sentiments are shared by many Republicans in Congress and are encouraged by industries that are reliable financial supporters of Republican candidates — the petroleum industry, utilities, [coal](#) companies, heavy manufacturers and the U.S. Chamber of Commerce. Republican presidential candidates cross these interests at their peril.

"It remains to be seen of course, but my guess is that in order to get the nomination you're going to have to be pretty solid on these issues," said Myron Ebell, of the [Competitive Enterprise Institute](#), a libertarian research and advocacy organization in Washington. "It's going to be a litmus test or shorthand way for voters to see how the candidate thinks about not only big issues like global warming and energy rationing policies, but it's indicative of other things as well."

Mr. Ebell said that Mr. Romney, Mr. Gingrich and Mr. Huntsman, who have all said that global warming is real and at least tentatively attributed it to human actions, would suffer for it in the Republican primaries.

Mr. Perry's anti-E.P.A. stance has been popular with Republicans in Texas and could carry him far in the primaries, said Ken Kramer, director of the [Texas chapter of the Sierra Club](#). It may prove a liability in a general election, Mr. Kramer said.

"That kind of rhetoric is popular with a certain segment here," he said. "But a lot of other Texans, especially those in major cities with air pollution problems, are not necessarily supportive of the governor's war on the E.P.A."

He added, "My sense is there's definitely a difference between what plays well in Texas from a political standpoint and what plays well in other parts of country."

Mr. Paul holds rather more complex views of the environment and regulation. He generally favors a hands-off approach to federal regulation, although he has backed some tax incentives for clean energy development.

He opposes tax breaks for oil and gas companies but supports Arctic drilling. He is skeptical about climate change but said in 2008 that there were [unexplained anomalies](#) in global temperatures.

Mr. Romney's position may be the most complicated of all. In Massachusetts, he proposed plans to reduce greenhouse gas emissions and was a sponsor of a regional [carbon cap-and-trade](#) program. He has mostly backed away from those positions, but he says there is still an important place for regulation.

"I believe we should keep our air and our water clean," Mr. Romney said at [a town hall-style meeting](#) in New Hampshire last month.

"Do I support the E.P.A.?" he said. "In much of its mission, yes; but in some of its mission, no."

Despite a Supreme Court ruling to the contrary, Mr. Romney said the federal law did not give the agency authority to regulate carbon emissions. "I don't think that was the intent of the original legislation," he said, "and I don't think carbon is a pollutant in the sense of harming our bodies."

Seth Oster/DC/USEPA/US

11/21/2009 02:13 PM

To "Lisa Jackson"

cc Bob Sussman

bcc

Subject Fw: WSJ - EPA Tangles With Texas in Battle Over Air Quality

You've probably seen this already but wanted to be sure. It's a very balanced piece, but I think is quite nice for EPA. It's also worth noting it's the first national story on the Texas SIP issue -- which is a bit surprising. -- but probably means this starts to get more attention. I think we're ready for it.

David Gray

----- Original Message -----

From: David Gray

Sent: 11/21/2009 08:36 AM CST

To: Seth Oster; Allyn Brooks-LaSure; Adora Andy; Arvin Ganesan; David McIntosh

Subject: WSJ - EPA Tangles With Texas in Battle Over Air Quality

U.S. NEWS

NOVEMBER 21, 2009

EPA Tangles With Texas in Battle Over Air Quality

Agency Takes Activist Stance on Pollution, Calling Local Rules Lax; State Officials Complain

By [ANA CAMPOY](#)

A more assertive Environmental Protection Agency is demanding tighter pollution rules, drawing the ire of companies and some of the state's officials. At the heart of the dispute is an EPA threat to void some of the state's air quality regulations, which it says break federal law. The agency also is targeting oil refineries -- of which Texas has many -- emit dangerous amounts of

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EPA

Alfredo Armendariz, left, recently hired by the Environmental Protection Agency, has been criticized by the energy industry over his past research on emissions from the cement and natural-

Texas is the top carbon-dioxide-emitting state in the nation. States that have built a system that simplifies the permitting process, for example, by allowing emissions from entire facilities, rather than smokestack by smokestack, have been criticized. Environmental activists and city officials call the system too lax. But Texas has produced a cleaner environment, including a 22% drop between 2005 and 2010 in the level of ozone, which is blamed for respiratory problems. The state's program encourages industry to adopt greener technology.

"Our results speak louder than bureaucratic meddling," said Katherine M. O'Connell, spokeswoman for Gov. Rick Perry, a Republican.

The EPA has emerged as one of the most aggressive regulatory agencies in the federal administration. It has moved to regulate carbon-dioxide emissions from power plants, set tougher limits on mercury emissions from coal- or oil-burning power plants, and approved dozens of permit applications for coal-mining projects in Central Appalachia. It also has concerns about water quality.

EPA Administrator Lisa Jackson has said the agency's moves will be justified by improving public health and has pointed to the administration's success in saving billions of dollars in government spending to subsidize electric vehicles and renewable energy grid.

But business groups, including the U.S. Chamber of Commerce and the National Association of Manufacturers, say the agency also is saddling companies with costly regulations that drive jobs outside the U.S.

The EPA this month appointed Alfredo Armendariz to head the office in Texas and four other states. While all states must follow the same federal

to develop their own implementation strategies, which are subject to EPA review. Mr. Armendariz had previously called the state's regulations inadequate. Air-quality fights are especially heated in Texas. Officials in the big city of Houston are particularly vocal. The Texas Commission on Environmental Quality, which enforces federal rules, is not strict enough. Dallas and Houston have been in violation of federal rules for years.

"The whole thing is wrong from start to finish," said state Rep. Lou Loudermilk, who represents Fort Worth and serves on the environmental regulation committee of the Texas House of Representatives. "They permit almost anything." Houston has been petitioning the federal government to toughen limits on sulfur dioxide emissions. In response, the EPA said last month it was withdrawing a rule at the end of the Bush administration that found the emissions posed no health risk. Environmentalists welcome the changes in EPA policies. "I've been waiting for this to happen," said Neil Carman, an air-quality specialist at the Southern Environmental Law Center. But companies are unhappy. [Texas Industries Inc.](#), a cement maker, is changing EPA rules when it withdrew its request for a state permit to expand its kilns, which it says would have reduced emissions.

Texas Industries is committed to clean air, said spokesman David Smith. Problems happen when the requirements go beyond that and get to a point where they create problems for companies that ultimately don't result in any net benefit. But others disagree with the company's assessment, said EPA spokesman Robert Anderson. There is no room for neighbors and community members to give feedback on the rules. "The Texas air permitting process needs to be transparent to the public." The energy industry hasn't spoken publicly on the appointment of Mr. Armendariz, an environmental engineer and an associate professor at Southern Methodist University in Dallas. He is the author of several scathing studies and memos on air quality in the cement and natural-gas industries, and has been a consultant to environmental groups fighting the companies.

He declined to comment on EPA policy issues until he completed his current assignment job.

The Barnett Shale Energy Education Council, a group representing environmentalists, attacked Mr. Armendariz's past reports. Recently, executives at natural-gas giant [Chesapeake Energy Corp.](#) criticized Mr. Armendariz for producing

misleading research.

Mr. Armendariz has said his work is based on government-issued data that are consistent with those of regional regulators.

Earlier this year, the EPA said it was seeking to invalidate the state rule, contending that it allows companies to skirt federal rules under the Clean Air Act. The agency is expected to announce a decision on certain parts of the rule by the end of this month.

"Our system is not broken," said Bryan Shaw, chairman of the Texas Air Quality Commission. "It's just misunderstood."

—Stephen Power and Ben Casselman contributed to this article.

Write to Ana Campoy at ana.campoy@dowjones.com

Seth Oster/DC/USEPA/US

12/07/2009 05:18 PM

To "Lisa Jackson", David McIntosh

cc

bcc

Subject Fw: reax: gop; boxer; pershing

David Cohen

----- Original Message -----

From: David Cohen

Sent: 12/07/2009 04:03 PM EST

To: Seth Oster

Subject: reax: gop; boxer; pershing

EPA Issues Greenhouse Gas Warning Despite Concerns Over Leaked E-Mails

In the face of GOP opposition, the EPA on Monday declared greenhouse gases a danger to public health in a move that could pave the way for future regulation.

In the face of GOP opposition, the EPA on Monday declared greenhouse gases a danger to public health in a move that could pave the way for future regulation.

The administration also waved off concerns about the controversy surrounding leaked e-mails at a British climate research center, with the U.S. envoy to the international climate change conference in Copenhagen dismissing the flap as a "small blip."

EPA Administrator Lisa Jackson said in a written statement that the finding, which declares carbon dioxide and five other greenhouse gases a threat to public health, marks the start of a U.S. campaign to tackle greenhouse gas emissions.

"These long-overdue findings cement 2009's place in history as the year when the United States Government began addressing the challenge of greenhouse-gas pollution and seizing the opportunity of clean-energy reform," she said.

The meticulously timed announcement comes on the opening day of the Denmark conference, and could boost the administration's argument that the United States is taking action to combat global warming -- though Congress has yet to pass climate legislation.

But Republicans since last week had called on Jackson to withdraw the finding pending an investigation into whether the science behind the decision has been compromised. They raised their concerns following the leak of e-mails from the

University of East Anglia's Climatic Research Unit which appeared to show scientists discussing the manipulation of climate data.

Rep. Darrell Issa, R-Calif., ranking Republican on the House Oversight and Government Reform Committee, told FoxNews.com the EPA is rushing to a decision that may not be based on sound science.

"It's certainly reckless considering the underlying science now has been very much called into question," Issa said Monday. "The inconvenient truth is not Al Gore's movie. The inconvenient truth is that people who had an agenda destroyed the facts to get an outcome."

Issa said he's not a global warming skeptic, but thinks the underlying research needs to be more closely examined to make sure billions of dollars are not wasted in the course of complying with new regulations.

While administration officials have said they would prefer Congress take action on regulating greenhouse gas emissions, Republicans fear the EPA is prepared to act unilaterally to do so, buoyed by its latest finding. And they question the timing of the announcement.

"They are finalizing the finding just in time for President Obama to travel to Copenhagen. The EPA claims its process is dictated by science, however, it's conveniently timed to push its politics," Rep. Jim Sensenbrenner, R-Wis., ranking Republican on the House Select Committee on Energy Independence and Global Warming, said in a written statement.

The EPA signaled last April that it was inclined to view heat-trapping pollution as a threat to public health and welfare and began to take public comments under a formal rulemaking. The action marked a reversal from the Bush administration, which had declined to aggressively pursue the issue.

Business groups have strongly argued against tackling global warming through the regulatory process of the Clean Air Act. Any such regulations are likely to spawn lawsuits and lengthy legal fights.

Democrats, though, claimed that the announcement Monday only strengthens the argument for government action.

"It is now clear that if we take our responsibility seriously to protect and defend our people from this threat, the Senate has a duty to act on climate change legislation," Sen. Barbara Boxer, D-Calif., said in a statement. "In light of the EPA endangerment finding, the president's appearance in Copenhagen will carry even more weight, because it shows that America is taking this issue very seriously and is moving forward."

Jonathan Pershing, U.S. deputy special envoy for climate change, said in Copenhagen that the United States is not expecting any legally binding treaty in Denmark this month, but will pursue a "political arrangement" that could lead to one in the future.

He dismissed the controversy over the leaked e-mails.

"I think it will have virtually no effect at all," he said. "The science is incredibly robust. And as we look forward, I worry much, much more about not acting urgently than what will ultimately be a small blip on the history of this process."

Asked about the remark, Issa said: "Richard Nixon said that about what Deep Throat had outed about the break-in."

Seth Oster/DC/USEPA/US
12/06/2009 09:57 AM

To "Lisa Jackson", David McIntosh, "Michelle DePass", "Lisa
Heinzerling", Gina McCarthy

cc

bcc

Subject AP: UN climate chief: hacked e-mails are damaging

UN climate chief: hacked e-mails are damaging

By ARTHUR MAX and KARL RITTER, Associated Press Writers Arthur Max And Karl Ritter, Associated Press Writers 15 mins ago

COPENHAGEN - The U.N.'s top climate official on Sunday conceded that hacked e-mails from climate scientists had damaged the image of global warming research but said evidence of a warming Earth is solid.

In an interview with The Associated Press ahead of the U.N. climate summit starting Monday, Yvo de Boer said the e-mails pilfered from a British university fueled skepticism among those who believe the science is manipulated to exaggerate global warming."

I think a lot of people are skeptical about this issue in any case," de Boer said. "And then when they have the feeling that scientists are manipulating information in a certain direction then of course it causes concern in a number of people to say 'you see I told you so, this is not a real issue.'"

E-mails stolen from the climate unit at the University of East Anglia appeared to show some of world's leading scientists discussing ways to shield data from public scrutiny and suppress others' work. Those who deny the influence of man-made climate change have seized on the correspondence to argue that scientists have been conspiring to hide evidence about global warming.

"This correspondence looks very bad," de Boer said. "But I think both the university is looking into this (and) I believe there is a police investigation going on whether the e-mails were leaked or stolen."

De Boer noted that the head of the U.N.'s expert panel on climate change, Rajendra Pachauri, had also announced that he would investigate the matter.

De Boer defended the rigorous review process by some 2,500 scientists of climate change research as solid and thorough. "I think this is about the most credible piece of science that there is out there," he said.

Climate negotiators and world leaders from 192 nations are meeting in Copenhagen in the next two weeks, seeking to agree on an all-encompassing package to combat global warming and help its victims. A key issue is cutting the greenhouse emissions that scientists say are to blame for the warming in average global temperatures observed in recent decades. U.S. climate negotiator Jonathan Pershing called the science on global warming "very robust, very substantial." He told the AP that the controversy surrounding the leaked e-mails came at an "unfortunate" time, just before the long-awaited U.N. talks, "but has no fundamental bearing on the outcome."

"Many of us have been exposed to those kind of events" where e-mails have been unintentionally published, he said. "All of us are adults. all of us are aware that there are consequences to writing e-mails, that the Internet is a very fluid place."

Climate skeptics meeting in downtown Copenhagen for a panel discussion organized by a Danish nationalist party said the leaked e-mails highlighted the limitations of global warming research.

"There has been a lot of this kind of activity going on, there has been suppression of view points," said Roger Pielke, Jr., a professor of environmental studies at the University of Colorado. Negotiators in

Copenhagen are trying to set targets for controlling emissions of carbon dioxide and other global-warming gases, including by the leading contributors, China and the United States. They will also seek agreement on how much rich countries should pay to help poor nations to deal with climate change. "Those are the two key issues," de Boer said. "And if those can be unlocked I think the rest will come together as well."

De Boer said he didn't think the conference would fail because key nations have already made pledges on emissions and financial assistance – even though they are still short of what experts say is needed."

It's going to be two weeks of thorough negotiation to try and get the ambition level up and to get the financial specifics on the table," de Boer said.

Seth Oster/DC/USEPA/US

12/08/2009 04:20 AM

To "Lisa Jackson"

cc David McIntosh, "Michelle DePass", "Shalini Vajjhala"

bcc

Subject A selection of Quotes from Both Sides of the Endangerment Issue

Emily Figdor, director for Environment America's federal global-warming program. "This is the most significant step the federal government has taken on global warming. The stage is now set for [the] EPA to hold the biggest global-warming polluters accountable."

Senate Minority Leader Mitch McConnell (R., Ky.)

"With double-digit unemployment and over 3.5 million jobs already lost this year, the administration inexplicably continues to push for a job-killing national energy tax—either through legislation or regulation."

Dan Riedinger, a spokesman for the utility industry group Edison Electric Institute, pointed to cost predictions for federal legislation as a guide to the cost. Estimates for legislation vary between \$100 a year to \$1,000 a year extra for families, and such legislation is specially designed to moderate costs. "The only certainty is that EPA regulation would be far more expensive than congressional-designed legislation."

Jeff Holmstead, a former EPA air administrator under the George W. Bush administration and now head of the Bracewell & Giuliani Environmental Strategies Group -- this is the first time the agency has ever made a standalone endangerment finding. He thinks it was a political decision. "It's clearly designed to set the stage for the Copenhagen conference,"

Kevin Book, managing director at ClearView Energy Partners -- "The administration appears to be playing for keeps here,"

U.S. Chamber of Commerce President and CEO Thomas J. Donohue -- "An endangerment finding from the EPA could result in a top-down command-and-control regime that will choke off growth by adding new mandates to virtually every major construction and renovation project. The devil will be in the details, and we look forward to working with the government to ensure we don't stifle our economic recovery."

American Petroleum Institute President Jack Gerard -- "This action poses a threat to every American family and business if it leads to regulation of greenhouse gases under the Clean Air Act. Such regulation would be intrusive, inefficient, and excessively costly. It could chill job growth and delay business expansion."

House Minority Leader Rep. John Boehner -- said EPA's announcement is a misguided preamble to what he believes is ahead --:"Today's EPA announcement paves the way for Washington Democrats' 'cap-and-trade' national energy tax, a bureaucratic nightmare that would make households, small businesses and family farms pay higher prices for electricity, gasoline, food and virtually every product made in America. One independent analysis determined that this national energy tax would cost our economy millions of jobs each year for the foreseeable future. What's more, the timing of this announcement is yet another indication President Obama is preparing to unilaterally commit the United States to mandatory emissions cuts at the UN Climate Change Conference in Copenhagen. If the President truly believes these job-killing mandates are in the nation's best interests, he should slow down

and first seek the advice and consent of the people's elected representatives.

Seth Oster/DC/USEPA/US

11/13/2009 02:15 PM

To "Lisa Jackson"

cc "Allyn Brooks-LaSure"

bcc

Subject Fw: Greenwire: If air chief loves a brawl, she's come to the right place

Per our conversation.....
Brendan Gilfillan

----- Original Message -----

From: Brendan Gilfillan

Sent: 11/13/2009 01:36 PM EST

To: Seth Oster <oster.seth@epa.gov>; Allyn Brooks-LaSure; Adora Andy; Betsaida Alcantara; Michael Moats

Subject: Greenwire: If air chief loves a brawl, she's come to the right place

EPA: If air chief loves a brawl, she's come to the right place (11/13/2009)

Robin Bravender, E&E reporter

U.S. EPA air chief Gina McCarthy has a thick Boston accent, a shock of cropped white hair and a penchant for a good fight.

"I cannot shy away from controversy," she told a panel of EPA advisers recently. "I don't know if it's my Irish blood, but I love it. I love disagreements. I love the democratic process. If I'm in a room where everybody agrees, I start to nod off."

That is lucky for McCarthy, 55, whose job as the nation's top air regulator has her in what may be the world's hottest spot: the center of a political free-for-all over climate regulation and other air pollution policies.

As President Obama's nominee for the air office post, McCarthy got a whiff of how contentious her new job could be before she was even confirmed by the Senate. Republican Sen. John Barrasso of Wyoming stalled the vote on her confirmation for nearly a month last spring to protest EPA's movement toward using the Clean Air Act to regulate greenhouse gases. Barasso's "hold" prevented McCarthy from being present at the White House Rose Garden in May when Obama announced the first-ever national greenhouse gas emissions standard on cars and truck in May.

"I was at home awaiting confirmation, really ticked off that it was my opportunity to meet the president, and I was not in that garden," she said.

"So much got done before I got here. I finally called up [EPA Administrator] Lisa Jackson, and I said, 'If you don't get these people off my back, I'm never coming there, because you are making all these commitments and dumping them on my lap, and I'm supposed to implement them. I'm supposed to at least get the pleasure of the announcement.'"

McCarthy quickly made up for lost time when she finally moved in June into her fifth-floor office at EPA headquarters, the Ariel Rios Building on Pennsylvania Avenue.

McCarthy and her staff quickly rolled out several climate policies in response to the Supreme Court's 2007 *Massachusetts v. EPA* decision, which gave the agency the authority to regulate greenhouse gases as air pollutants.

Environmentalists have hailed the proposals, which they say were long overdue, while conservative lawmakers and many industry groups have accused EPA of attempting to impose new regulations that would cripple a struggling economy.

But McCarthy, a veteran regulator and a pioneer in a Northeastern regional program to curb global warming emissions, has taken criticism and praise in stride.

"Even if there's controversy, I'm going to make the decision, and people are going to be happy in one instance and unhappy in the next," she said in an interview. "But that's the job I've been given and the job I'm going to embrace."

'I definitely challenge people'

McCarthy has a long to-do list.

At the top of the list are redoing a series of Bush-era rules that were tossed out in court, pioneering a national program to curb greenhouse gas emissions and keeping pace with federal deadlines for pollution programs -- deadlines the agency has consistently failed to meet in the past.

To have a shot at getting it all done, she will need the loyalty of EPA's career staffers, many of whom were disenchanted with the Bush administration's controversial air policies.

"What a breath of fresh air," said an EPA air employee who was not authorized to speak to the press and spoke on background. "She comes to us with much greater knowledge than most of the people that have been in that position recently."

The employee continued, "The most obvious difference is that she takes seriously the mission of the agency to protect public health and the environment. That is her agenda -- it's not to minimize the burden on industry, it's to protect people and the environment, and that makes all the difference in the world."

Diane Chisnall Joy, assistant director of the Connecticut Department of Environmental Protection's Bureau of Outdoor Recreation, called McCarthy -- who had led the state DEP -- a leader who values the opinions of her staff and works tirelessly. "She was always there to support the work that we did and never, ever failed to thank us," she said.

McCarthy admits she's "somewhat demanding" of her staff.

"I definitely challenge people," she said. "But hopefully, I am working harder than anybody else, and so people won't resent the fact that I want them to work hard, as well."

Working 12-hour days is not unusual for her. She typically arrives at the office around 8 a.m. When her husband is in town, she gets up early to walk their two dogs -- Tyson, a golden retriever, and Emma, whom she describes as a "little, poopy dog" her daughter handed off when she went to college. Tyson, who would chew on the family's ears when she was a puppy, was named after the ear-biting heavyweight boxer Mike Tyson.

McCarthy usually leaves the office around 8 or 9 p.m. She goes home to the Pentagon City neighborhood of Arlington, Va., eats dinner and starts plugging away to make sure she's caught up on her e-mails, she said.

She finds it remarkable that her boss, Jackson, is just as work-obsessed as she is. "I will e-mail her at 11 o'clock at night, and at 11:01 I'll get an answer," McCarthy said.

McCarthy's staff can also expect to get those late-night notes.

"I've told them that they must stop returning my e-mails at 2 in the morning, because it creeps me out," she said.

New England roots

McCarthy grew up in Canton, just outside of Boston, in a working-class Irish Catholic family.

She still lives in Canton and has found it hard to tear herself away from her native Massachusetts, no matter where her work takes her.

McCarthy studied social anthropology as an undergraduate at the University of Massachusetts, Boston. She went to Tufts University for graduate work, receiving joint degrees in science and environmental health engineering and planning and policy. McCarthy spent 25 years working on environmental issues in her home state in a variety of positions at the state and local levels. She moved to Connecticut in 2004 when Gov. Jodi Rell (R) appointed her commissioner at the state DEP. She got a studio apartment a few blocks from her office in Hartford, but she went home at least once during the week and during the weekend. "I realized," she said, "that I just wasn't gonna move."

When McCarthy took the EPA post in Washington, "for the most part, I started out going home every weekend," she said. Her husband, Kenneth McCarey, works from home as a wholesale floral salesman, so he sometimes comes to visit for stretches of several weeks.

"I like having him here, but I'm still lonely to go home," she said. The couple has three grown children -- ages 22, 23 and 25 -- who all live in the Boston area. "Every time I go home, it's an occasion for me and somewhat of an occasion for them," she said. "They like Sunday dinner."

McCarthy likes to cook for her kids when they come home. "I come from ... many generations of Irish people. We're meat and potato people, so I don't think that I'm the most creative cook, but I do love the 'Barefoot Contessa,'" she said, referring to the Food Network cooking show. "I could watch her endlessly."

But with two kids who are vegetarians and another who only eats chicken if she eats any meat, cooking can get complicated. "So for a meat and potato person, I have to get creative when my kids come," she said.

Passion for public health

You can learn a lot about McCarthy by looking at her early jobs, said Seth Kaplan, vice president for climate advocacy at the New England-based Conservation Law Foundation who worked extensively with McCarthy during her work at the state level.

She started her career in 1980 as the first full-time health agent in Canton. In 1984, she began working for the board of health in the neighboring town of Stoughton and eventually became the town's first environmental officer.

"She fundamentally has been on the ground thinking about and caring about and trying to take care of the public health of citizens," Kaplan said.

He compared her path to that of someone who started out driving a bus and ended up running the transit agency. "There's a special kind of knowledge that comes from having been the line person that I think infuses what she does."

When she was in graduate school, McCarthy gravitated toward health policy courses more than environmental work. "I've always been interested in health consequences," she said. "I see that as being the primary driver for my interest in environmental work, which is why air quality stuff as well as climate interests me tremendously -- because I see those as having really direct and very large health consequences associated with them."

In 1985, Massachusetts Gov. Michael Dukakis (D) appointed McCarthy to serve as a member of a state hazardous waste safety council responsible for reviewing and permitting hazardous waste facilities. From there, she began working her way up in the Massachusetts government, holding key environmental posts under Republican Govs. William Weld, Paul Cellucci, Jane Swift and Mitt Romney.

Reputation

McCarthy's federal appointment was met with broad acclaim from state regulators and environmentalists and with cautious optimism from many industry leaders.

As the head of Connecticut's DEP, McCarthy helped coordinate a multi-state effort to create the

Regional Greenhouse Gas Initiative (RGGI), the nation's first mandatory cap-and-trade program. She also won praise for her work on the state's No Child Left Inside program, as well as her efforts to restore the Long Island Sound and Connecticut's parks and forests.

Connecticut environmentalists were sad to see her go.

"We really were disappointed and ticked off when she left," said John Calandrelli, state program director of Connecticut's Sierra Club chapter. "She's very smart, has very good, high energy. She's a spark plug."

Although her tenure in Connecticut was short, she did very well working under tight budget constraints, said Calandrelli, adding that he wouldn't mind seeing her return to resume her job at DEP someday. "We were making big progress when Gina was here," he said.

A March editorial in the *Hartford Courant* said, "There's no other way to put this: Gina McCarthy will be a big loss."

DEP under McCarthy did come under fire in 2007 after a *Courant* article accused the agency of consistently lagging on enforcement action against chronic water polluters.

"We're trying to make that turn" toward stronger enforcement, then-Commissioner McCarthy told the *Courant*, "but we have some serious backlogs to contend with."

The March editorial noted that McCarthy inherited some of those enforcement problems and called her a "pragmatist who tried to bring companies into compliance without putting them into bankruptcy."

McCarthy has a reputation for being honest and straightforward when dealing with industry.

In Connecticut, McCarthy dealt with industry "very fairly," said Eric Brown, associate counsel for the Connecticut Business and Industry Association. She's "very genuine," Brown said. "The person you sit down with is the person she is."

Mary Beth Gentleman, an industry attorney at Foley Hoag's Boston office, spent time negotiating across the table from McCarthy when she was a Massachusetts official.

"In the negotiations that I participated in with Gina, the outcome was workable, practical, somewhat painful," Gentleman said, "but she got both environmental advocates and the company I was representing -- moved us from a deadlock position to a solution."

McCarthy has shown a willingness to listen to and understand industry's legitimate concerns, said Jeff Holmstead, former EPA air chief under the George W. Bush administration and now an industry lawyer. But, he added, "I wouldn't necessarily characterize her as industry-friendly. There's no doubt she believes in fairly aggressive regulation of industry."

McCarthy doesn't see herself that way.

"I never really thought of myself as a regulator," McCarthy said. "I actually am a strong believer in markets. I really think our job is to make sure that the work we do is valued and priced in the markets appropriately. And so I am a true believer in democracy -- in having government intervene when it needs to and not when it doesn't."

Seth Oster/DC/USEPA/US
05/25/2010 07:38 AM

To "Lisa Jackson"
cc "Allyn Brooks-LaSure"
bcc
Subject Fw: Latest News From InsideEPA.com

Note the Christie story below if you have some free moments.

Seth

From: "InsideEPA.com" [epa-alerts@iwpnews.com]
Sent: 05/25/2010 05:19 AM AST
To: Seth Oster
Subject: Latest News From InsideEPA.com

Latest News - 5/25/2010

[EPA Eyes New Rule, Permit Process To Assess Climate Benefit Of Biomass](#)

EPA has rejected a forest and paper industry push to exempt carbon dioxide (CO₂) from biomass combustion from greenhouse (GHG) permit requirements, but is considering a new rule or permit provisions that could account for biomass's possible climate benefits -- an approach that could include controversial lifecycle assessments for the fuel.

[Other Agencies Skewer EPA's Original Plan For Hazardous Coal Ash Rule](#)

EPA was harshly criticized by other federal agencies for its original draft proposal to regulate coal ash and other coal combustion residues (CCR) as hazardous under federal waste law, according to a compendium of comments posted in the docket for EPA's proposal that eventually included both a less stringent non-hazardous option as well as hazardous waste rules for handling coal wastes.

[House Lawmakers Urge EPA To Withdraw Mountaintop Mining Guidelines](#)

House lawmakers are urging EPA to withdraw its water quality guidance for mountaintop mining operations, citing long-running industry concerns that the guide inappropriately uses conductivity as a metric to determine water quality, that the guide could be applied to sectors other than mining, and that it unfairly targets only Appalachia.

[EPA Quietly Crafts Guide On CAFOs' Duty To Seek Permits, Riling Industry](#)

As part of an upcoming legal settlement with environmentalists, EPA has crafted draft guidance on when concentrated animal feeding operations (CAFOs) have a duty to seek clean water act discharge permits, a controversial topic that industry says is moot because a federal appellate court ruled in 2005 that CAFOs have no duty to seek permits.

[Industry Rejects Suit Seeking CAFO Liability For Contractor's Discharges](#)

A major poultry company is pushing a federal district court to dismiss a novel case where environmentalists are seeking to hold large livestock integrators liable for violations of their contractors' Clean Water Act (CWA) discharge permits, arguing that its contractual relationship with a

farm is not enough to make it a defendant under the water act.

The Inside Story

[EPA Tells BP To Cut Dispersants](#)

EPA and other agencies have ordered BP to scale back its use of oil dispersants -- by as much as 75 percent -- after the company rejected an earlier directive from the agency to identify a less toxic brand of dispersant to use in response to the ongoing spill in the Gulf of Mexico, Administrator Lisa Jackson said.

[New Environmental Conservatism](#)

NEW YORK -- Recently elected New Jersey Gov. Chris Christie (R) is restructuring his state's outlook on environmental regulation, embracing an industry-backed approach that will give companies more flexibility in meeting air, water and waste requirements while scaling back the role of state regulators, a top state official told a recent environmental policy conference here.

[The Cost Of Oil Spills](#)

Resources for the Future (RFF), the environmental think tank, estimates that the economic and environmental costs of the continuing BP oil spill in the Gulf of Mexico could easily exceed \$15 billion - \$20 billion if its average costs approach those of the massive Exxon Valdez spill.

[EAB Accelerates Shell Permit Review](#)

EPA's Environmental Appeals Board (EAB) has set an accelerated schedule for briefing and oral argument in environmentalists' appeal of EPA Region X air permits issued to Shell that allow the company to conduct exploratory oil drilling off the Alaska coast beginning in July.

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Seth Oster/DC/USEPA/US

07/29/2011 09:17 PM

To "Lisa Jackson", "Bob Perciasepe"

cc

bcc

Subject Fw: AEP call with shareholders (with EPA discussion)

FYI.

From: Al Armendariz

Sent: 07/29/2011 08:04 PM CDT

To: Gina McCarthy; sussman.bob@epa.gov; Seth Oster

Subject: AEP call with shareholders (with EPA discussion)

Excerpt: "Notwithstanding that, we feel pretty comfortable at American Electric Power with our overall view of what we think the EPA's rulings, not only that which are issued, but those which will be issued, will have on our overall system. We stay committed to the notion that we'll be shuttering 6,000 megawatts prematurely. I know there's always been some confusion whether they were part of an overall settlement on New Source Review and New Source performance review some years back."

Full text below. Fyi -- Al

<http://seekingalpha.com/article/283262-american-electric-power-s-ceo-discusses-q2-2011-results-earnings-call-transcript>

American Electric Power (AEP) Q2 2011 Earnings Call July 29, 2011 10:00 AM ET

Operator

Ladies and gentlemen, thank you for standing by, and welcome to the AEP Second Quarter 2011 Earnings Conference Call. [Operator Instructions] And as a reminder, today's call is being recorded. Now with that being said, I'll turn the conference over to Mr. Chuck Zebula. Please go ahead, sir.

Charles Zebula

Thank you, John. Good morning and welcome to the Second Quarter 2011 Earnings Webcast of American Electric Power. Our earnings release presentation slides and related financial information are available on our website, aep.com. Today, we will be making forward-looking statements during the call. There are many factors that may cause future results to differ materially from these statements. Please refer to our SEC filings for a discussion of these factors.

Joining me this morning are Mike Morris, our Chairman and Chief Executive Officer; and Brian Tierney, our Chief Financial Officer. We will take your questions following their remarks. I will now turn the call over to Mike.

Michael Morris

Thanks a lot, Chuck, and good morning, everyone. Thanks for being here with us for the update on the second quarter activities at American Electric Power Company.

I'd move you to Page 3, the second quarter 2011 highlights and try to get some granularity about these small statements. First, we're really quite satisfied with where we are through the second quarter of 2011. We really got up to a bit of a slow start in kilowatt-hour usage as you may remember early in the year, but things have improved in our entire footprint since then.

Clearly, stronger in the West than in the East, but acceptable in both of those areas. Commercial sales in the East still are lagging from what we had forecasted they might be, but we're really seeing very strong industrial sales throughout our Eastern footprint.

In fact, if you remove the impact of Century Aluminum still being offline, we're at about 95-plus percent of the overall industrial send-outs that we saw in the prerecession time. And that really stays in line with the things that we talked to you about during 2008 and 2009.

Clearly, different from the recessions that we saw in our Eastern footprint back in the 80s and 90s, where plants actually were shut, and shut forever. What we suggested in the 2008, 2009 timeline was that people were laying their plants up for the intent to come back and clearly, that has come to be the case.

We are seeing additional shopping in Ohio beyond what we had forecast for our retail customers, but as you might imagine, American Electric Power retail operations have been successful, not only in AEP Ohio's footprint, but in the other opportunities that present themselves here in Ohio.

And of course, any gigawatt-hour sale that doesn't go to the retail market does go to the off-system market. And I think you know from our press release that off-system sales results have been quite solid.

So when we look at the net-net of the effect of switching in Ohio, we've always been an advocate for that. We didn't think that it would affect us quite as deeply as it has, but we're reacting to it in a very constructive way. And net-net, the impact is acceptable and we are satisfied with where we are with AEP retail and some of the things that we see.

So based on all that we look at throughout these first 2 quarters, we feel very comfortable with our \$3 to \$3.20 range, and reaffirm our earning strength forecast for calendar year 2011.

We have a couple of interesting litigation developments to talk about. We couldn't be happier with the way that the Texas Supreme Court ruling came out just a couple of weeks ago. I know that many of you had a chance to digest that, and of course, many of you have seen the impact that it had on CenterPoint and continues to have for them, as they go through the remand cycle of what the Texas Supreme Court has decided.

For us, as you know, it justifies the way that we went about auctioning off our assets, the way that we characterized stranded costs going forward, and it has great potential upside for, us not only in a one-time event, which we'll talk about or Brian will talk about a little bit more here in 2011, but on an ongoing basis as well.

And one of the things that you may not have appreciated, and we surely do, about the Texas Supreme Court decision, is that it also removed potential downsides that were argued by other petitioners in the case and made it quite clear that the approaches that AEP Texas took to that endeavor were exactly in compliance with the law, and we're very satisfied with that, as you might imagine.

We're also over-the-top satisfied with the ability to remove a number of the litigants in the overall activities in Arkansas as they pertain to the John W. Turk Plant. We are grateful that our team at SWEPCO was able to bring resolution with the hunt club folks as well, as well many of the other interveners in that case. And I can assure you that the political folks in Arkansas, as well as many of the judges that we reported the settlement to, were quite pleased with what they had come to learn about those activities.

As you know, there are 2 NGOs who did not participate in the overall dialogue, although invited. And that is interesting, and we'll continue to carry on our dialogues with them to see if we can find some resolution.

But more importantly, the underlying environmental issues that those parties have raised were addressed in the overall settlement with the other parties, so we think that we have the potential to bear fruit in those discussions with the 2 NGOs and we'll continue to do that.

When we look at our regulatory plan, as you know, where we've already had some success in calendar year 2011, \$220 million of our overall rate stack already accomplished. There are a few cats and dogs out there that may help us get there, but we're in pretty solid shape the way that we see it.

And the open proceedings in Ohio, Virginia and Michigan are there. Some may be resolved yet this year, and they'll have a constructive effect, we would hope, in that sense.

So let's spend a few minutes talking about Ohio because surely, as you know, we have a number of open cases in front of this jurisdiction, all of which are important to us, all of which are important to our customers and clearly, all of which are very important to the

economy here in Ohio.

We continue to have what we believe to be constructive dialogue with the many parties to the cases, including the Commission staff. We will continue to work toward that end on all of these outstanding matters. As you know, the merger case has been approved by the FERC. We would hope that, that will come through here in Ohio in the not-too-distant future.

A couple of important filings to be made in the not-too-distant future, obviously, today, we expect that the staff will file their testimony in the overall ESP case. Like all staff testimonies, or the testimony filed by any party, it will have some parts that we agree with, there will be some other parts that I'm sure we don't agree with.

Net-net, testimony is never the end result of where a case may end up but nonetheless, we, like you, look forward to reading that, and hopefully, we'll find a few things in there that will be encouraging for us. But I'm well aware that we may read things in there that we don't necessarily agree with as, well.

At the end of the day, we feel very comfortable about our position in Ohio. We feel comfortable, as I mentioned, about the dialogue that we've had with the parties to the cases. This is a new and different Commission, surely up to the task of resolving these many cases, and we would hope that, that happens. We also will be filing our view of the 2010 review of the SEET activity, pursuant to Senate Bill 221. As before, we think Ohio Power is in the Safe Harbor zone. And based on the way that the staff dealt with the activities at Columbus and Southern in the 2009 review SEET activities, we feel comfortable that we will not be impacted at all by the SEET activities in the review that will go on.

Like all my other colleagues, let me move into the environmental update, I should say, all my other colleagues who are coal-centric producers. I know that you had a pretty good walk-through the way that we all see the impact of the things the Environmental Protection Agency continues to do.

Casper came out, the industry spoke in a solid voice of -- we understand the end game here. We think that we can get there efficiently, financially and electrically, if the dates would be extended from 2014 to 2016. Much to our dismay and others, they moved those dates from 2014 to 2012. And of course, as you surely read frequently, the state of Texas was included for the very first time in the final rule that came out, now called Casper.

Notwithstanding that, we feel pretty comfortable at American Electric Power with our overall view of what we think the EPA's rulings, not only that which are issued, but those which will be issued, will have on our overall system. We stay committed to the notion that we'll be shuttering 6,000 megawatts prematurely. I know there's always been some confusion whether they were part of an overall settlement on New Source Review and New Source performance review some years back.

About 700 of those megawatts were included in those timelines, however, the rest of them have all been moved forward because of the current activities going on at the EPA.

Closing some of those facilities over time will, of course, have an effect on our ability to have gigawatt hours available for us in the off-system sales market. But throughout the footprints where we are very active with off-system sales, we expect other facilities will be shut as well. And that clearly will have not only a constructive impact on the capacity fees that we receive going forward, but it will also increase the amount of money recognized on gigawatt hours of energy put into the marketplace. And it doesn't take much of an uptick in those 2 numbers to compensate for the megawatts that will be coming offline because, as you all can imagine, those were higher-price plants at the top of the stack, which didn't dispatch as early as those on the lower cost portion.

So we feel as though there will be some impact, it surely won't be a devastating impact. Nonetheless, we will continue to do what we can politically, as well as in the general dialogue with the EPA to try to put greater rationality in what it is that they're trying to accomplish. I know that some of the more principled NGOs are concerned about the approaches that we have taken to this, particularly in the legislative arena.

But our position, we think, is reasonable. It gets us to the same environmental footprint by 2020 instead of 2016 or 2017, and it's not in a much more financially and electrically rational and beneficial way. So we will continue to put as much pressure on the EPA as we can. I'm happy to see that today, they decided to put another cap on oil and gas drilling. That will bring some additional folks in the fray of trying to discuss about the incredible aggressiveness that the EPA is taking, all in keeping with what they think is their challenge, but nonetheless, in our view, unnecessarily over-the-top and a bit aggressive. I don't think there's a corporation in America that doesn't want to get to the right place, it's just a matter of trying to get there in a cost-effective and energy-effective way.

Lastly, let me talk a minute about some disappointment for us, anyways, from the carbon capturing storage project layup at our Mountaineer station in New Haven, West Virginia. I know that many of you had the opportunity to be there. You know how amazingly impressive it was that we were able to capture and store the only integrated project anywhere in the world with a coal-fired power plant.

But going forward, without a carbon legislation or without an appropriate approach to carbon and its impact, it was simply not able for us to go forward and continue that project. It has been completed or will be completed through the base in engineering drawings and activities and laid up for another day.

We're encouraged by what we saw, we're clearly impressed with what we learned, and we feel that we've demonstrated, to a certainty, that carbon capture and storage is in fact a viable technology for the United States, and quite honestly, for the rest of the

world going forward.

So with that, let me simply close by saying we, as I mentioned at the outset, reaffirm our view of our earnings strength in 2011 and, of course, stand by our \$3.25 forecast for 2012.

With that, I'll turn the microphone over to Brian.

Brian Tierney

Thank you, Mike. This morning I'll review quarterly and year-to-date reconciliations through the second quarter, discuss low trends, review customer switching data and provide an update on the company's capitalization and liquidity. Then we will get to your questions as quickly as possible.

On Slide 4, you'll see that second quarter earnings for this year was \$352 million or \$0.73 per share, which was \$3 million less than last year's second quarter results of \$355 million or \$0.74 per share.

Here are some of the highlights for the quarter-on-quarter comparison: Operations and maintenance expense net of offsets was unfavorable by \$56 million or \$0.08 per share. This number is largely explained by an increase in storms expense of \$52 million. Much of this variance is attributable to Appalachian Power when in the second quarter of 2010, they were able to defer \$25 million related to a 2009 storm.

This year, Appalachian Power had storm costs totaling \$17 million for the quarter. Other costs, net, accounted for negative \$0.04 per share or \$34 million, and primarily consisted of a decrease of \$10 million net of tax from the sale of shares of the Intercontinental Exchange in 2010 and year-on-year increases in other taxes.

Customer switching accounted for an unfavorable quarterly comparison of \$24 million or \$0.04 per share. We will discuss this in more detail on Slide 7. Rate changes accounted for positive \$66 million or \$0.09 per share and came from multiple jurisdictions.

Off-system sales net of sharing were positive \$37 million or \$0.05 per share. This result was driven by a significant increase in physical volumes and the widening of spark and dark spreads. Physical volumes were up 81% due to an 11% reduction in planned and unplanned outages, and the fact that more of our units were in the money since around the clock prices were up 14%, while natural gas prices were only up 1% and delivered prices for coal were only up 3%.

Weather accounted for a positive \$0.01 per share, a \$5 million improvement over last year, and was favorable \$47 million versus normal weather. Driving this result for the quarter was the fact that our Western service territories experienced the hottest June in the last 30 years.

Turning to Slide 5, you will see that for year-to-date 2011, AEP earned \$744 million or \$1.55 per share, which is \$24 million more than last year's \$720 million or \$1.50 per share.

Highlights include operations and maintenance expense, net of offsets, which compared negatively to last year by \$30 million or \$0.04 per share, so with the quarterly comparison, this difference was largely driven by an increase in storm costs of \$36 million.

Other costs net decreased \$0.05 per share or \$35 million, and similar to quarterly comparison, was primarily driven by the absence of the \$10 million net of tax gain on ICE shares and from higher other taxes.

Customer switching was the difference of \$43 million or negative \$0.06 per share, and again, we'll discuss this in more detail later.

On the positive side, rate changes were responsible for a year-to-date gain of \$110 million or \$0.15 per share versus 2010. Again, these rate increases were for multiple jurisdictions.

Off-system sales, net of sharing, accounted for a positive comparison to last year of \$49 million or \$0.07 per share year-to-date. The story here is similar to the quarterly explanation, but it's not as dramatic. Physical volumes were up 45% and spark and dark spreads widened with around the clock prices for electricity increase in 5%, while natural gas prices were actually down 10% and delivered prices for coal increased 1.4%.

Finally, in contrast to the quarterly comparison, weather was a negative variance to last year for the year-to-date period. Although unfavorable by \$0.02 per share or \$15 million to last year, this year was actually favorable \$67 million when compared to normal weather.

Turning to Slide 6, we will take a look at the normalized load trends as promised. It's important to remember that this data has been adjusted to exclude the effect of weather and represents our total connected load.

In the bottom right-hand side of the slide, you will see that total normalized retail sales were up 1.9% for the quarter and are running at a positive 2.2% for the year-to-date. This improvement is primarily in the residential and industrial classes.

Although the residential class is up 4.4% for the quarter, it is up 9/10 of a percent year-to-date, which we believe is more indicative of growth in the class. Economic recovery for our commercial class of customer remains slow.

The improvement in the industrial class has been aided by the return to full production of one of our large aluminum customers. Mike mentioned that with the exception of

another aluminum customer who remains closed, our industrial sales volumes now stand at 95% of the prerecession levels.

Slide 19 in the appendix provides more detail on our top 5 industrial sectors. Finally, all customer classes have benefited by the Valley Electric Membership Corporation acquisition in our SWEPCO operating unit.

As a reminder, as part of our guidance for 2011, we were expecting sales volumes to exceed the prior-year by 1.7%. Although the mix of customer sales continues to shift somewhat between the classes, we remain confident that our original guidance remains sound. On Slide 7, we can examine AEP Ohio customer switching.

For clarity, let me describe the graph. The bars show us the 2011 cumulative percentage of load lost as to compared to AEP Ohio's total load. The line shows us how much generation margin was lost associated with the customer switching, \$46 million in total.

At the bottom of the page, you can see how this activity is split between our 2 Ohio operating units for the quarter-to-date and year-to-date periods. As we have previously discussed, the more significant activity is occurring in Columbus and Southern Power.

In aggregate, about 7% of 2011 total AEP Ohio load has switched through the end of June. The level of switching, to date, is running ahead of the pace assumed in our guidance, and we expect that to continue for the remainder of 2011.

It is important to note that we are experiencing positive, offsetting margins associated with the freed-up energy and capacity through off-system sales and capacity sales to competitive retail suppliers.

Given the net effects of increased switching and positive margin offsets, we remain confident with the 2011 earnings guidance.

Finally, on Slide 8, I would like to update you on our balance sheet and renewal of our recent credit facilities. You'll see that AEP's debt to total capitalization stands at 56.6%. This is the lowest level for this ratio in the last 5 years and reflects the commitment by the company to maintain a strong balance sheet and solidly BBB credit ratings.

Our cost reduction initiatives from last year and our capital expenditure discipline reflect that commitment and are direct reasons for the strength of our balance sheet. Also, on Wednesday, we issued an 8-K which contained important announcements about our 2 core credit facilities. On July 26, we renewed and upsized the \$1.45 billion facility that was due to expire in April of 2012 with a \$1.75 billion facility that will expire in 5 years.

In addition, we were able to extend the \$1.5 billion facility that was due to expire at the end of June of '13 by 2 years, now with an expiration in June of '15. We were also able to reprice that facility to reflect current, more favorable pricing. These assumptions

improve the capacity of our credit facilities by nearly \$300 million to \$3.25 billion, and extend the tenure of these facilities considerably.

Also, as Mike mentioned earlier, we are pleased with the decision of the Texas Supreme Court to reverse the PUCT's decision to deny recovery related to the capacity options and to remand the issue back to the PUCT.

As a result, TCC will be entitled to recover \$420 million plus carrying costs dating back to 2002. We expect the total to be about \$900 million. This capital infusion will further strengthen the balance sheet of the company.

In summary, the company is in a strong credit and liquidity position as we enter the next several years, where the company will see increased demands for capital investment for environmental, maintenance and reliability needs.

As Mike mentioned, we are affirming our guidance for 2011 and 2012. As you know, our point estimate guidance for 2012 is \$3.25 per share. This guidance assumes a reasonable outcome in Ohio, manageable impact to off-system sales from the Casper rules and continued growth in our Transmission business.

In the coming months, as the Ohio and EPA pictures become clearer, we will be able to provide more specific guidance than the point estimate we affirm today.

We appreciate your time today, and I'll turn the call now over to the operator for your questions.

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