



## Top Stories

**1/22/2016**—The Bureau of Land Management (BLM) [proposed](#) updates to regulations that aim to curb methane gas leaking from oil and gas operations on public lands. The proposal would require the oil and gas operators to use current technology to limit the rate of flaring at oil wells and would require regular inspections of operations for leaks. The proposed updates would also clarify when operators owe royalties on flared gas. BLM estimates that 375 billion cubic feet of natural gas is released annually in venting, flaring and leaks during oil and gas production. Public comments will be open for 60 days after the rule is published in the Federal Register.



**1/21/2016**—The U.S. Court of Appeals for the District of Columbia denied a consolidated motion by a group of states and industry groups to stay implementation of the Clean Power Plan. The case against the carbon dioxide regulations will move forward with oral arguments to take place June 2, 2016. With this ruling, the requirement for states to submit a compliance plan or initial plan with a request for an extension by Sept. 6, 2016, will remain in place, even as the legality of the rule continues to play out in the courts. On Jan. 27, the same group of states [petitioned](#) the U.S. Supreme Court to overturn the lower court's denial of a stay. See [NCSL's Info Alert](#) for more information.

**1/20/2016**—NCSL [submitted](#) comments to the Department of Energy's (DOE) on the design of a consent-based siting

process for nuclear waste storage and disposal facilities. NCSL stressed the importance of state legislatures in the consent-based siting process and urged that language be included to involve all levels of state government, including the legislatures, in state consultations.

**1/15/2016**—The U.S. Department of Interior (DOI) [announced](#) it will be launching a comprehensive environmental review of the federal government's current coal leasing practices on public lands. According to the U.S. Energy Information Administration, coal mined on public lands accounts for about 40 percent of the total coal production in the

U.S., with the majority of that activity happening in Wyoming. See [NCSL's Info Alert](#) for more details.

## From the Administration

**1/21/2016**— The U.S. Department of Agriculture Deputy Secretary Krysta Harden [announced](#) she was resigning from her post at the end of February. Michael Scuse, the current under secretary for Farm and Foreign Agricultural Service, will serve as acting deputy secretary until a replacement is confirmed.

**1/19/2016**—President Barack Obama [vetoed](#) S.J. Resolution 22, which disapproved of the EPA's Waters of the United States rule. Under the Congressional Review Act, the resolution which passed both chambers earlier this year with majority support, would have nullified EPA's rule to define which water bodies

are regulated by the Clean Water Act. On Jan. 24, the U.S. Senate [voted](#) to overturn the presidential veto but failed to garner the necessary 67 votes.

**1/19/2016**—USDA's Animal and Plant Health Inspection Service published a [final rule](#) on exporting live animals. The rule updates most of the requirements for export certifications, tests and treatments. The updates and changes are part of the agency's efforts to review and streamline a number of its existing regulations.

**1/14/2016**—DOE Secretary Ernest Moniz [announced](#) the department will invest \$220 million into a program to upgrade the country's electric grid. The funding will involve private-sector partners and DOE's national labs to advance grid research specifically related to integrating renewable energy and protecting the grid from cyber-attacks and climate change.

**1/6/2016**—EPA [announced](#) results from a preliminary pollinator risk assessment of the neonicotinoid "imidacloprid" finding that it may threaten bees under certain conditions. The report found that when the pesticide is used on berries, vegetable and tobacco crops it is more likely to harm bees than crops like corn.

**12/31/2015** - DOE issued [broad guidance](#) to states and territories on the Weatherization Assistance Program (WAP) for program year (PY) 2016.

## Additional Resources and Reports of Interest

**1/22/2016**—The New Mexico Environment Department [finalized](#) a landmark \$74 million settlement with DOE to resolve violations related to the 2014 radiation leak at the Waste Isolation Power Plant near Carlsbad, N.M. New Mexico's roads, water infrastructure and emergency response infrastructure will receive money for improvements from the settlement.

**1/20/2016**—The Federal Energy Regulatory Commission (FERC) released a [white paper](#) on developing modeling tools that states and utilities may use in order to comply with EPA's

Clean Power Plan. While FERC has no official role in the regulations, it has been asked to work with EPA to ensure grid reliability and prevent power outages as states implement their compliance plans. FERC's white paper identifies guiding principles for four areas: transparency and broad engagement; study methodology; study inputs and sensitivities; and tools and techniques.

**1/8/2016** – The U.S. Energy Information Administration [reported](#) that coal production in the United States reached its lowest point since 1986 with a 10 percent drop in 2015. Specifically, the U.S. produced about 900 million short tons last year, down from 1 billion in 2014 and 25 percent below the peak of 1.2 billion in 2008.

**1/5/2016**—Iowa Governor Terry Branstad [announced](#) that the state will shift \$4.7 billion in sales taxes over the next 32 years to water quality initiatives. The plan will also extend a 1 cent sales tax that was primarily used to pay for school construction.

## NCSL Resources

NCSL held a webinar on implementation of EPA's Clean Power Plan in early January. The webinar discussed the federal, state and judicial sides of the issue. [A recording of the webinar can be found on our website \[ncsl.org\]\(http://ncsl.org\).](#)