



Top Stories

12/13/16 – President-elect Donald Trump [announced](#) Ohio Attorney General, Scott Pruitt as his nominee for U.S. Environmental Protection Agency (EPA) Administrator.

12/13/16 – EPA [released](#) its final report on the impacts of hydraulic fracturing for oil and gas on drinking water resources. The report found that hydraulic fracturing activities have the ability to impact drinking water resources in some circumstances; however, due to “data gaps and uncertainties” it was not possible to fully characterize the severity of impacts or national frequency of impacts. The draft version of the report [indicated](#) that EPA had found no “widespread, systemic impact” of hydraulic fracturing on drinking water resources.

12/9/16 – President Obama [issued](#) an Executive Order that would permanently block oil and gas drilling in 40,300 square miles off the coast of Alaska in the Northern Bering Sea, specifically the Norton Basin planning area and portions of the St. Mathew-Hall planning areas.

11/30/16 – EPA [released](#) a national drinking water action plan that urges all levels of government, utilities, community organizations and other stakeholders to work together to increase the safety and reliability of drinking water.

11/30/16 – EPA [proposed](#) that the greenhouse gas emissions (GHG) standards currently in place for model year 2022-2025 light-duty vehicles remain appropriate under the Clean Air Act (CAA) and do not need to be amended to be more or less stringent. The rulemaking [establishing](#) the National Program for federal GHG emissions and corporate average fuel economy (CAFE) standards for MY2017-2025 light duty vehicles included a regulatory requirement for EPA to conduct a Midterm

Evaluation of the GHG standards established for MY2022-2025.

11/29/16 – EPA [announced](#) the first 10 chemicals it will evaluate for potential risks to human health and the environment under the [Frank R. Lautenberg Chemical Safety for the 21st Century Act](#), which amended the [Toxic Substances Control Act](#) (TSCA). Most notably, the list includes asbestos and carbon tetrachloride, [among others](#). For more information on TSCA, please see [NCSL's Info Alert](#). For information on preemption in TSCA, please see [this resource](#) from the Environmental Council of States.

11/29/16 – EPA [finalized](#) the 2017 volume requirements for the Renewable Fuel Standards (RFS) program. EPA set the volume requirements and percentage standards for all categories of biofuels, including cellulosic biofuel, advanced biofuel, renewable fuel and biomass-based diesel. The final volume rule requires 15 billion gallons of conventional biofuels, to be added into the nation's fuel supply, a 0.2 increase from the proposed 14.8 gallons EPA [proposed](#). For more information, see [NCSL's Info Alert](#).

From Congress

12/12/16 – The [National Park Service \(NPS\) Centennial Act](#) passed Congress, allowing the NPS to raise tens of millions of dollars annually by raising park fees. In addition, it seeks to establish an endowment at the National Park Foundation.

11/21/16 – Both the [House](#) and the [Senate](#) announced their tentative schedule for the 115th Congress, 1st Session. The Senate will be in session for 37 weeks in 2017 compared to 26

weeks in 2016, and the House will be in session for 13 more days compared to 2016.

From the Administration

12/14/16 – The Department of Interiors' (DOI) Fish and Wildlife Service (FWS) [issued](#) a final rule, revising permit regulations for the “nonpurposeful (incidental) take of eagles and take of eagle nests,” from five years to 30 years. The permits protect industry from being sued for bird deaths and injuries, so long as they follow specific mitigation and reporting requirements.

12/13/16 – EPA [announced](#) it will reimburse state, local and tribal governments \$4.5 million relating to the 2015 Gold King Mine release. To date, EPA has [dedicated](#) \$29 million to address the incident, including over \$2 million in [Clean Water Act](#) grants and over \$3.5 million in reimbursements for emergency response expenses under the [Comprehensive Environmental Response, Compensation, and Liability Act](#) (CERCLA).

12/12/16 – EPA [finalized](#) new certification standards for restricted use pesticide applicators. The final rule put minimum age requirements into place and call for certification to be renewed every five years. The action updates requirements for state programs, and gives states flexibility to continue portions of their existing applicator certification programs that are equivalent to the revised rule. EPA will work with states to review and approve updated certification plans.

12/9/16 – EPA Administrator Gina McCarthy [signed](#) the fourth Unregulated Contaminant Monitoring Rule pursuant to the [Safe Drinking Water Act](#). The rule identifies 30 contaminants that will be monitored by public water systems between 2018 and 2020 and specifies the analytical methods used to measure the identified contaminants.

12/7/16 – EPA [proposed](#) to ban the use of [trichloroethylene](#) in some aerosol degreasers and dry cleaning spot removers, having linked the chemical to “a range of adverse health effects.”

12/6/16 – EPA [released](#) two rules related to the implementation of the [Water Infrastructure Finance and Innovation Act](#) (WIFIA) program. The first provides the administrative framework for the program, and the second established the fee schedule for WIFIA applications.

12/2/16 – EPA [proposed](#) requirements under section 108(b) of CERCLA that would require owners and operators of hardrock mining facilities to demonstrate that they can afford clean-up costs once the mine is closed through bonds, insurance, self-insurance, or other financial means.

11/29/16 – FWS [announced](#) plans to re-list the lesser prairie chicken as an endangered species, contrary to its July 2016 decision to remove the bird. The plans to relist came after receiving a [petition](#) from the WildEarth Guardians, Defenders of Wildlife and the Center for Biological Diversity, calling upon FWS to relist the bird.

Other

12/2/16 – The D.C. Circuit Court of Appeals will hear oral arguments over EPA'S [rule](#) limiting carbon dioxide emissions from new power plants on April 17. The D.C. Circuit Court of Appeals is expected to issue a decision on the Clean Power Plan in late 2016 or early 2017.