



Top Stories

3/4/2013 – President Barack Obama [announced](#) the nominations of three cabinet-level positions: Gina McCarthy to be administrator of the Environmental Protection Agency; Ernest Moniz to be secretary of Energy and Sylvia Mathews Burwell to be director of the Office of Management and Budget (OMB).

3/1/2013 – The U.S. Department of State [released](#) a draft environmental impact statement on the proposed Keystone XL pipeline project. The draft found that approving or denying the pipeline would have “no substantial impact” on the rate of development in the oil sands. The assessment will be available for public comment beginning March 8.

3/1/2013 – The across-the-board federal budget cuts, known as “sequestration,” went into effect following Congress’s inability to reach a federal-deficit deal by the March 1 deadline. The OMB released a [report](#) providing calculations of the amounts and percentages by which various budgetary resources are required to be reduced, and a listing of the reductions required for each non-exempt budget account.

2/25/2013 – The White House released [51 fact sheets](#) breaking down the sequestration effects on each state and the District of Columbia. The fact sheets summarize the possible cuts to areas such as clean air and water, oil and gas development, and public health. Additional sequestration information and updates are available on the [NCSL Federal Deficit Overview](#) page.

2/14/2013 – The heads of 25 Federal agencies sent letters to the chairman of the Senate Appropriations Committee Barbara Mikulski (Md.) outlining what the effects of sequestration will be

on programs in their agency. To see a central repository of all the letters click [here](#).

From the 113th Congress



2/27/2013 – Senator David Vitter (R-La.), ranking member of the Environment and Public Works Committee, [introduced](#) the Energy Production

and Project Delivery Act. The bill, co-introduced in the House by Representative Rob Bishop (R-Utah), would fast-track the Keystone XL pipeline, increase domestic oil and gas development, and expand areas of the Outer Continental Shelf for leasing, amongst other provisions.

2/26/2013 – Senator Debbie Stabenow (D-Mich.) was [appointed](#) to chair the Senate Finance Subcommittee on Energy, Natural Resources and Infrastructure.

2/25/2013 – The Bi-cameral Task Force on Climate Change, co-chaired by Senators Sheldon Whitehouse (D-R.I.) and Ben Cardin (D-Md.) and Representatives Ed Markey (D-Mass.) and Henry Waxman (D-Calif.) [sent](#) letters to 70 inspectors general throughout the federal government, requesting information on what their respective agency can do to confront climate change.

2/15/2013 – The House Energy & Commerce Subcommittee on Environment & the Economy held a [hearing](#) on the role of states in protecting the environment under current law. Witnesses spoke on the importance of the federal government

in working with the states on environmental issues and programs.

2/14/2013 – Senator Jeff Merkley (D-Ore.) [introduced](#) the Water Infrastructure Finance and Innovation Act (WIFIA). The bill would create a financial mechanism, modeled after the Transportation Infrastructure Finance and Innovation Authority (TIFIA), to provide low-interest federal loans and credits for investments in water infrastructure.

2/14/2013 – Senators Max Baucus (D-Mont.) and Richard Burr (R-N.C.) [introduced](#) bi-partisan legislation to reauthorize the Land and Water Conservation Fund (LWCF). The bill would fully fund the program by permanently directing royalties from offshore oil and gas leases to the LWCF. The bill also includes language to fund sportsmen's access to public lands.

2/14/2013 – Senators Barbara Boxer (D-Calif.) and Bernie Sanders (I-Vt.) introduced the [Climate Protection Act](#) that would institute a tax on carbon emissions, require companies to disclose the chemicals used in hydraulic fracturing, and create a clean-energy rebate program for citizens, amongst other initiatives.

From the Environmental Protection Agency (EPA)

2/22/2013 – EPA released a final [rule](#) allowing new types of biofuels to count for credit under the Renewable Fuel Standard.



Biofuels produced from camelina oil and energy cane, as well as cellulosic gasoline will now be accepted. [FACT SHEET](#)

2/22/2013 – EPA [de-classified](#)

chemical information from 300 health and safety submissions collected under the Toxic Substances Control Act (TSCA). The declassification came on the heels of EPA releasing the [Chemical Data Reporting](#) for 2012, a collection of chemical manufacturing, processing and use information for chemicals on the TSCA inventory list. For 2012 chemical companies submitted information on over 7500 chemicals.

2/21/2013 – EPA [released](#) a report on five technical roundtables held in November relating to the possible impacts of hydraulic fracturing on drinking water. Each roundtable focused on a separate topic: water acquisition; chemical mixing; well injection; flowback and produced water; and wastewater treatment and waste disposal. The roundtables were held as a part of the EPA's ongoing [Study of the Potential Impacts of Hydraulic Fracturing on Drinking Water Resources](#), the final draft of which is expected to be released in 2014.

2/20/2013 – EPA's Inspector General released a [report](#) on the National Oil and Hazardous Substances Pollution Contingency Plan, finding areas for improvement. The report found that regions cannot support the expanded contingency plans with their limited resources.

2/19/2013 – EPA released a [study](#) on petroleum brownfields, finding that the areas are commonly discovered but liability concerns and a lack of knowledge of the regulations associated with the areas prevent them from being utilized and redeveloped as expeditiously as other brownfields.

2/19/2013 – EPA [called](#) on 36 states to amend provisions in their State Implementation Plans (SIP) that suspend emissions standards for startup, shutdown and malfunction periods (SSM). EPA will require those states with inadequacies regarding the SSM emission standards in their programs to submit a corrective SIP.

2/13/2013 – EPA held a webinar for states regarding its [proposed quality standards](#) for data collection, made public December 26, to respond to questions and concerns from states. At least 32 states participated in the webinar and asked for clarification of the new standards, including resource burdens, and expanded scope of activities. EPA will hold a follow-up webinar for the states on March 14, 2013.

2/13/2013 – EPA is taking applications for the [Smart Growth Implementation Assistance Program \(SGIA\)](#), which provides assistance to state, local, regional and tribal governments to improve the local economy, environment and public health through various development options.

2/11/2013 – EPA released its [progress report](#) for the Environmental Justice 2014 plan (EJ 2014). The progress report found “significant progress” had been made in EJ2014’s mission to integrate environmental justice into the agencies programs, policies and activities.

12/03/2012 – A [draft report](#) on emissions from feedlots by EPA’s Science Advisory Board found that there was limited data and tying air emissions to feedlots was inconclusive.

From the United States Department of Energy

2/21/2013 – DOE announced the [availability](#) of \$20 million for new tools and technologies to strengthen Cybersecurity protections for its nuclear power plants, electricity grids, and other critical infrastructure under the department’s jurisdiction.

From the United States Department of Interior

2/26/2013 – The Bureau of Land Management (BLM) [released](#) the first of seven rapid ecoregional assessments (REAs), a series of in-depth studies of public lands across the west. The first study looked at 32,000 square miles of public land in the Colorado Plateau region for better habitat restoration efforts and spots where renewable energy development activity could take place. The complete series is expected to be completed by the end of 2013 and will cover over 500,000 square miles in 13 states.

From The Administration

2/12/2013 – The White House began its [review](#) of the EPA effluent guidelines on industrial and municipal wastewater discharges. Under the Clean Water Act, EPA must publish new guidelines every two years.

From the Courts



2/27/2013 – The U.S. Court of Appeals for the District of Columbia re-opened the case of *The National Association of Regulatory Utility Commissioners (NARUC) vs. Department of Energy*. NARUC [challenged](#) DOE’s continued collection of fees for the nuclear waste program, despite the lack of a waste depository site.

2/25/2013 – The U.S. Supreme Court declined to rehear a case against the U.S. Forest Service (*Public Lands for the People vs. U.S. Department of Agriculture*) that was ruled in favor of the Forest Service by a lower court in 2008. The U.S. Supreme Court felt the Forest Service had acted within its authority when it denied the allowance of driving on certain federal lands in California.

2/21/2013 – The American Petroleum Institute (API) [filed](#) an appeal in the U.S. Supreme Court against a lower court decision allowing EPA to grant partial waivers for the use of the E15, ethanol-gasoline blend to meet the renewable fuel mandate. API, along with a coalition of industry groups, felt EPA was outside its statutory authority in approving the higher ethanol blend.

Additional Resources and Reports of Interest

2/26/2013 – The Government Accountability Office (GAO) released a [report](#) on EPA’s challenges in addressing the damage caused by airborne pollutants in our nation’s waters. GAO recommended that EPA further investigate the effects of air pollutants in water, and if possible, reflect that data in its secondary National Ambient Air Quality Standards.

2/15/2013 – The States Environmental Results Program Consortium **launched** a new website to help states stay up to date on the latest Environmental Results Program (ERP) developments. The website provides reports, guidance, tools, and compliance assurance strategies for states.

NCSL Resources

Visit our [Environment Newsletter Archives](#) page to see past issues of our Environment Update

For further NCSL information, news and updates please visit our [website](#).

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