



Top Stories

5/1/2015—The U.S. Department of Transportation (DOT) [released](#) its final rules related to shipping flammable liquids by rail. The rules include construction standards for new and retrofitted tank cars, permanent speed limits, and mandates the use of electronic brakes. The rules were released in coordination with the Canadian government, highlighting the interconnectedness of the North American rail system. For more details see [NCSL's Info Alert](#).

4/27/2015—The U.S. District Court for the District of Vermont [denied](#) the Grocery Manufacturers Association's (GMA) request for an injunction against Vermont's recently passed law to label foods made with genetically modified organisms. The court dismissed GMA's argument that the law violates the First Amendment, saying there is not enough evidence to substantiate their claim. While the court did dismiss portions of the suit, it did not dismiss some exceptions related to whether the labeling law violates the Commerce Clause of the Constitution. Ultimately GMA's attempt to block the implementation of the law was denied, and the law will take effect July 1, 2016, even as portions of the suit continue.

4/21/2015—The Department of Energy (DOE) released its first Quadrennial Energy Review (QER) recommendations, including a number of programs aimed at ensuring the resiliency, reliability, safety and security of the nation's energy infrastructure. The QER was established in January 2014 and is an effort by the administration to develop a comprehensive and innovative energy strategy. These recommendations would provide over \$15 billion in grants and tax credits, including for a number of programs focused directly at states. See [NCSL's Info Alert](#) for more details.

4/17/2015—DOT along with the U.S. Environmental Protection Agency and the Federal Emergency Management Agency, released the [Preparedness Initiatives in Crude by Rail Transport](#) report. The publication provides federal resources that are available to states to prepare for issues arising from crude oil transported by rail. Within the information provided are details on upcoming federal exercises, federally supported training options, and key observations on crude oil shipments.

4/10/2015—The governor of New Mexico sent a [letter](#) to DOE Secretary Ernest Moniz pledging her support for efforts to bring a consolidated interim storage facility for spent nuclear fuel to New Mexico. Community leaders in southeastern New Mexico have been vocal about wanting to bring the facility to their area, which has "pre-existing" scientific and nuclear operations workforce related to spent nuclear fuel.

From the Administration

4/10/2015—The administration [approved](#) Royal Dutch Shell's application to drill for energy production purposes in the Arctic area this summer. The Bureau of Ocean Energy Management is holding two public comment sessions, and regulators will have 30 days to make a final decision on whether Shell can carry on with operations as planned.

From the 114th Congress

4/30/2015—President Obama signed the [Energy Efficiency Improvement Act](#) into law, sponsored by Senators Jeanne Shaheen (D-N.H.) and Rob Portman (R-Ohio). The act creates a voluntary process for commercial building owners to reduce energy consumption, exempts certain electric resistance water

heaters used for emergency response from DOE regulations, and requires federal agencies to develop an implementation strategy for energy efficient information technologies. The bill passed the House on April 21, and the Senate in late March.

4/29/2015—The House Energy and Commerce Committee passed the [Ratepayer Protection Act](#) that would allow states the ability to delay compliance with EPA’s greenhouse gas emissions regulations, still in the proposal phase, if the rule is being challenged in the courts. States could also neglect compliance if its governor determined that compliance would cause “significant adverse effects.” No time frame has been mentioned for if or when the bill will be considered on the full House floor.

4/29/2015—The Coalition for Safe Affordable Food, made up of more than 370 groups representing farms, beverages, grocers, and more, sent a [letter](#) to the House urging members for quick passage of [H.R. 1599](#), the Safe and Accurate Food Labeling Act. The bill, sponsored by Representative Mike Pompeo (R-Kan.), would prevent states from being able to label products that were made with genetically modified organisms (GMO) and put the responsibility of labeling food and beverage products made with GMOs solely in the hands of the U.S. Food and Drug Administration.



4/21/2015—U.S. Senator Martin Heinrich (D-N.M.) introduced a [bill](#) that would give the Federal Energy Regulatory Commission (FERC) authority to approve new priority electric transmission lines in cases where local or state approval was previously unsuccessful. Under the legislation, if a state does not approve a project put forth by a regional transmission facility within one year, FERC would be allowed to overstep state authority.

4/15/2015—The House Energy and Commerce Committee [passed](#) H.R. 1734, a bill that would give state-based programs the ability to regulate and ensure safe handling and disposal of coal ash. The bill would authorize states to immediately implement coal ash permit programs, if they choose, and set the minimum statutory requirement for state permit programs

according to EPA’s recent final rule on coal ash, published on April 17, 2015.

4/7/2015—A bipartisan group of south Atlantic senators sent a [letter](#) to the Senate Energy and Natural Resources Committee asking that the committee take up legislation that allows Atlantic coastal states to share in revenue from offshore energy resource development.

3/18/2015—A group of 79 representatives [wrote](#) the Committee on Appropriations Subcommittee on Energy and Water Development urging their continued support for the Weatherization Assistance Program (WAP) and the State Energy Program (SAE). The representatives are requesting \$228.4 million for WAP and \$70 million for SAE in FY 2016 to fund these programs that aim to promote competitiveness and job creation in the U.S. while reducing pollution and lowering energy costs.

From the Department of Energy (DOE)

4/27/2015—DOE [released](#) the Hydropower Market Report, a first-of-its-kind report that aims to quantify the current size and potential of the nation’s hydropower supplies. According to DOE, hydropower currently provides around 7 percent of the U.S. electricity supply.

4/22/2015—DOE [announced](#) that agency-supported carbon capture and storage projects have “safely captured” 10 million metric tons of carbon dioxide, the equivalent of removing 2 million vehicles from the road for a year. According to DOE Secretary Ernest Moniz, the U.S. has made the largest government investment in CCS in the world. The projects contributing to this data are part of DOE’s Regional Carbon Sequestration Partnership Initiative and are located throughout the country.

4/16/2015—DOE [awarded](#) funding to graduate and undergraduate students pursuing nuclear engineering and nuclear science degrees. The awards included 59 undergraduate scholarships and 32 graduate fellowships for

universities and colleges in more than 15 states. DOE announced with the awards that it is committed to helping support and grow the future of nuclear energy research.

From the United States Department of Agriculture (USDA)

4/23/2015—During a speech at Michigan State University USDA Secretary Tom Vilsack [announced](#) new voluntary actions the agency will take to partner with farmers, ranchers and forest land owners to reduce greenhouse gas emissions. The new initiative consists of 10 building blocks through which USDA will offer incentives for voluntary carbon reduction. Some of these areas include soil health, nitrogen stewardship, livestock partnerships, and more.

4/22/2015—As part of the 2015 Earth Day celebration, Vilsack [announced](#) \$112 million in grants and loans for projects that



improve energy efficiency and water infrastructure in rural communities. In total, 37 water and wastewater projects and 25 renewable energy

projects will be receiving funds.

4/9/2015—USDA [announced](#) it will invest \$73 million in projects to rehabilitate dams across the country. A total of 150 projects in 23 states will receive investments through the USDA's Watershed Rehabilitation Programs to provide financial and technical assistance to state and local governments.

4/7/2015—USDA [committed](#) \$100 million to clean up waterways flowing into the Mississippi River over the next four years. Of that amount, \$10 million will be dedicated to 13 existing projects and 27 new projects, with the goal of reducing farm runoff and cleaning up "high-priority" watersheds.

3/31/2015—USDA [expects](#) that soybean acreage will increase in the U.S. for the second year in a row. Soy farmers expect to plant approximately 84.6 million acres of soybeans in 2015. This would be a 1 percent increase from 2014, and set a new record for soybean acreage.

From the Department of Interior (DOI)

4/14/2015—DOI [announced](#) proposed regulations to protect the environment from oil spills. The proposed measures include stricter design requirements and operational procedures for well control equipment. The proposal also addresses reforms in well design, well control, casing, cementing and real-time monitoring. The proposed regulations will be open for public comment until June 15, 2015.

Additional Resources and Reports of Interest

4/21/2015—The Oklahoma Geological Survey (OGS) put out a [statement](#) that it is "very likely" that most of the state's earthquakes are the result of the injection of wastewater from oil and natural gas drilling operations. The report found that "the primary suspected source" for the earthquakes is not hydraulic fracturing but the injection of wastewater produced from the fracking into disposal pools. According to OGS, earthquake activity in Oklahoma in 2013 was 70 times greater than before 2008.

4/21/2015—EPA [declared](#) it will deny all remaining requests from stakeholders to reconsider certain aspects of its Mercury and Air Toxics Standards for power plants. The agency stated the remaining requests do not meet criteria for reconsideration.

4/21/2015—The North American Energy Reliability Corporation (NERC) [assessed](#) EPA's Clean Power Plan, and reported that parts of the energy industry will require additional time to meet the greenhouse gas emissions standard, if the rule is finalized. NERC recommends that EPA alter its compliance dates to take into account the amount of time it takes for utilities to construct

new generation plants and transmission lines. In its study NERC also warned of reliability issues if the dates are not altered.

4/16/2015—The U.S. Court of Appeals for the District of Columbia [heard](#) oral arguments in three combined cases that challenge EPA's proposed greenhouse gas emissions regulations. The central question tying the cases together is whether EPA has the authority to regulate power plants under the Clean Air Act. Typically courts will not rule on regulations until they are finalized, but as of yet no decision has been reached by the D.C. court.

4/16/2015—The federal government's only underground repository for nuclear waste, the Waste Isolation Pilot Plant (WIPP) in New Mexico is [closed](#) indefinitely because of a radiation leak. Investigators from DOE's Accident Investigation Board say the leak could have been prevented, and was a result of lapses in safety procedures and poor management.

4/15/2015—Commissioner Norman Bay formally [assumed](#) the position of chairman of the Federal Energy Regulatory Commission (FERC), succeeding Commissioner Cheryl LaFleur. While Bay was confirmed by the U.S. Senate in July, his chairmanship did not officially begin until April, per the president's nomination request.

4/14/2015—The U. S. Energy Information Administration (EIA) [released](#) its Annual Energy Outlook for 2015, providing its projections for energy prices, supply, and demand through 2040. EIA estimates that coal energy production will increase moderately but competition from natural gas, renewable energies, and the EPA's Mercury and Air Toxics Standards will result in the retirement of many coal-fired energy facilities. Natural gas prices are expected to more than double, and energy costs in general are projected to increase by 18 percent as a national average. Oil prices are forecasted to remain under \$80 per barrel until around 2020, when production is expected to decrease, and renewable electricity generation is thought to increase by approximately 72 percent by 2040.

NCSL Resources

NCSL's NRI Committee began its [2015 Spring Webinar Series](#) on April 30. The committee will host a webinar almost every Friday through June (for exclusions – [check website](#) for specific dates). Topics include: EPA regulations, general aviation, falling oil prices, invasive species, food safety and more. [Register online for free!](#)



[Registration](#) is open for NCSL's 2015 Legislative Summit taking place Aug. 3-5 in Seattle. See [the website](#) for more details and resources from last year. [Click here](#) to find resources from past meetings including session presentations, information, videos and more!