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ENERGY & ENVIRONMENT UPDATE December 9, 2013

ENERGY AND CLIMATE DEBATE

When the President outlined his Climate Action Plan on June 25, he stressed the importance of federal leadership on emissions reduction efforts. A little over five months later, he signed a [presidential memorandum](#) directing the federal government to obtain 20 percent of its electricity from renewable energy by 2020. The December 5 directive creates an action item for the Climate Action Plan and builds upon the 2009 [Executive Order 13514](#), Federal Leadership in Environmental, Energy, and Economic Performance. A fact sheet on the memorandum can be found [here](#).

In the week after Thanksgiving, the Senate was in recess while the House addressed legislation on patent litigation and private equity fund advisers. Members of the farm bill, budget, and Water Resources Development Act conference committees continued to meet. Many do not believe that all three will be finished by the end of the year, with one or two being pushed back into 2014.

The House this week will consider the Medicare sustainable growth rate. Should they become available, conference committee reports on the farm bill and the budget might also be considered. On the other side of the Capitol, the Senate will resume debate on the National Defense Authorization Act. Across the street, the Supreme Court will hear oral arguments on Tuesday on a case questioning the federal government's authority to regulate new power plant emissions.

CONGRESS

Senators Push Energy Star Transparency

Senate Energy and Natural Resources Chairman Ron Wyden (D-OR) and Ranking Member Lisa Murkowski (R-AK) led a November 26 [letter](#) to Environmental Protection Agency Administrator Gina McCarthy, urging the agency to make its Energy Star program more transparent. The letter said the agency should ensure it is collaborating with stakeholders. Other signatories were

Senators Al Franken (D-MN), Rob Portman (R-OH), Tammy Baldwin (D-WI), Kay Hagan (D-NC), Tom Harkin (D-IA), and Jeff Merkley (D-OR).

Griffith to Introduce Bill Cutting EPA Staff

Representative Morgan Griffith (R-VA) told reporters November 27 that he is planning to introduce legislation next session to cut Environmental Protection Agency staff by 15 percent. He introduced the bill, [H.R. 3641](#), on December 3. He said the fact that 95 percent of agency employees were considered non-essential during the shutdown was the reason behind the legislation. He said he does not expect the bill to be passed.

House Passes Hydro Bill

The House approved [H.R. 1963](#), the Bureau of Reclamation Conduit Hydropower Development Equity and Jobs Act of 2013, by a voice vote on December 3. Introduced by Representative Steve Daines (R-MT), the bill would allow private companies to better develop hydropower projects on federal sites. It would let developers lease sites, finance projects, and own generated electricity. Portions of the bill have been supported by the administration.

Smith Letter on GHG Rules' Science

House Science, Space, and Technology Chairman Lamar Smith (R-TX), in a December 3 [letter](#) to Environmental Protection Agency Administrator Gina McCarthy, said he believes recent independent science advisor statements on the new source performance standards' underlying science highlight issues with the proposed rules. He said he thinks the agency is overstepping its regulatory bounds with the rules; he continued by saying that the regulations are based more in politics than in science.

HFCs Letter to McCarthy

Senator Tom Carper (D-DE) and Representative Scott Peters (D-CA) led a December 3 [letter](#) to Environmental Protection Agency Administrator Gina McCarthy, urging the agency to speed up efforts to phase down hydrofluorocarbons. It said the agency should assist the market in transitioning away from these ozone-depleting substances. Along with Senator Carper and Representative Peters, the letter was signed by eight Senate and six House Democrats.

Tax Reform Delayed

Talking to reporters on December 4, House Ways and Means Chairman Dave Camp (R-MI) said he will not introduce tax reform legislation this year. He anticipates introducing the measure in February or March of next year. With reform delayed, the fate of tax extenders is up in the air. Many anticipate provisions will be extended retroactively.

E&C Hearing on FERC

All four Federal Energy Regulatory Commission commissioners testified before the House Energy and Commerce Subcommittee on Energy on December 5. Acting Chairman Cheryl LaFleur said the commission is making important strides in protecting against cyberattacks. She also said reviewing and approving liquefied natural gas export terminals has become one of the most important responsibilities. Commissioner John Norris said there is great uncertainty in the coal plant industry because companies assume that a price on carbon will be put in place; this uncertainty has been drying up investment capital.

Bills Introduced

- On December 3, Representative Earl Blumenauer (D-OR) introduced [H.R. 3636](#), the Update, Promote, and Develop America's Transportation Essentials (UPDATE) Act. The bill would

create a 15 cents per gallon tax increase, phased in over three years, on gas and diesel. The tax would support transportation infrastructure investments.

- The same day, Representative Earl Blumenauer (D-OR) introduced [H.R. 3638](#), the Road Usage Fee Pilot Program Act. The bill would create a program to study mileage-based fee systems.
- The same day, Representative Julia Brownley (D-CA) introduced [H.R. 3640](#), the Innovation, Research, and Manufacturing Act. The bill would increase the research and development tax credit by 50 percent in addition to making it permanent.
- The same day, Representative Morgan Griffith (R-VA) introduced [H.R. 3641](#), the Environmental Protection Agency Maximum Achievable Contraction of Technocrats (EPA MACT) Act. The bill would require the agency to reduce its workforce by 15 percent within three years.
- On December 4, Representatives Jared Polis (D-CO), Ben Ray Lujan (D-NM), and Ann McLane Kuster (D-NH) introduced [H.R. 3654](#), the Renewable Energy Standard Act of 2013. The bill would require utilities to generate 25 percent of their electricity from renewable energy sources by 2025.

Upcoming Hearings

- On December 10, the House Energy and Commerce Committee will consider several bills including [H.R. 724](#), a bill to remove Clean Air Act requirements for dealer certification of new light-duty motor vehicles, and a [discussion draft](#) designed to strengthen U.S.-Israeli cooperation on energy development.
- On December 11, the Senate Environment and Public Works Subcommittee on Clean Air and Nuclear Safety will hold a hearing to examine the Renewable Fuel Standard.
- The same day, the House Science, Space, and Technology Subcommittee on Environment will hold a hearing to examine the relationship between climate and weather.
- On December 12, the Senate Energy and Natural Resources Committee will consider several Energy Department nominations including Steven Croley to be General Counsel and Christopher Smith to be Assistant Secretary for Fossil Energy. The committee will then hold a hearing to consider additional nominations including Dr. Franklin Orr to be Under Secretary for Science and Jonathan Elkind to be Assistant Secretary for International Affairs.
- The same day, the House Energy and Commerce Subcommittees on Energy and Power and Environment and the Economy will hold a hearing on Nuclear Regulatory Commission management.

ADMINISTRATION

Ex-Im Approves \$61.1M Loan for Wind Energy

The U.S. Export-Import Bank approved November 26 a \$61.1 million loan to a Central American company to purchase American-made wind turbine generators for its 50-megawatt project in Costa Rica. Inversiones Eolicas de Orosi Dos S.A., a subsidiary of Globeleq Mesoamerica Energy, will be able to purchase the generators from Pennsylvania-based Gamesa. The loan will support 200 U.S. manufacturing jobs.

FTC U.S. Ethanol Production Report

The Federal Trade Commission released [2013 Report on the State of U.S. Ethanol Production](#) on November 26. The report found that the ethanol market is unconcentrated despite 156 firms producing or likely to be producing the fuel in the next year. It concluded that it is unlikely the market will set prices or coordinate prices or output levels.

Departments Release Regulatory Agendas

Agency and cabinet departments released their regulatory agendas on November 26. The Department of Energy [promoted](#) energy efficiency, nuclear weapons safety, and science and technology. The Department of the Interior included in its agenda [plans](#) to update fracking regulations and to create a competitive bidding process for wind and solar projects. The Environmental Protection Agency [outlined](#) six goals: creating solutions at the community level, addressing climate change, ensuring on chemical safety, protecting water resources, advancing state and local partnerships, and promoting sustainability. The agency also released a list of planned [rulemakings](#).

Environmental Groups on Diesel Fracking Guidance

Environmental groups met with officials from several White House offices on November 26 to discuss Environmental Protection Agency guidance on diesel fuel use in fracking. The guidance was submitted to the administration for consideration in September. Participating offices were the Council on Environmental Quality, the Office of Management and Budget, and the EPA; participating environmental groups included the Natural Resources Defense Council and Clean Water Watch.

Sutley Stepping Down

A Council on Environmental Quality aide confirmed December 3 that Chairman Nancy Sutley will depart the council in February 2014. Sutley will return to California. She has served in this position since President Obama took office. Names being floated to replace Sutley include former Massachusetts Secretary of Energy and Environmental Affairs Ian Bowles, former Governor Christine Gregoire (D-WA), and former Deputy Interior Secretary David Hayes.

DOE, HUD Expand Better Buildings Challenge

The Departments of Energy and Housing and Urban Development [announced](#) December 3 that they are expanding the Better Buildings Challenge to include multifamily housing and to support state and local energy efficiency efforts. Research has shown that saving 20 percent of energy in multifamily homes could result in \$7 billion in annual cost savings. The Better Buildings Accelerators support local efforts by convening state governments, local governments, utilities, and manufacturers to break down market barriers. The announcement did not set a specific commitment figure, but the Council on Environmental Quality will release a target early next year.

DOE, EPA Release Fuel Economy Guide

[Model Year 2014 Fuel Economy Guide](#) was released by the Department of Energy and the Environmental Protection Agency on December 3. The guide includes lists of the most efficient advanced technology vehicles, estimated annual fuel costs, and vehicle greenhouse gas ratings. It was designed to provide consumers information on vehicles to make the best fuel efficient and low greenhouse gas emissions decisions.

National Research Council Climate Change Report

[Abrupt Impacts of Climate Change](#) was released by the National Research Council on December 3, warning that climate changes will be more abrupt as global warming continues. The report recommended additional research on these changes. It also proposed an early warning system be put in place to assist policymakers at the local level predict and plan for natural disasters.

Memo on Federal Renewable Energy Use

[Federal Leadership on Energy Management](#) was signed by President Obama on December 5. The presidential memorandum directed federal agencies to obtain 20 percent of electricity from renewable energy sources by 2020. It also promoted energy efficiency efforts at federal buildings.

Biden Promotes HFC Cooperation with China

Vice President Joe Biden was in China last week, and he and Chinese officials [agreed](#) December 5 to improve cooperation on reducing hydrofluorocarbons use. A new contact group on HFCs was proposed and approved. The agreement also included efforts to assist China in implementing low-sulfur fuel and motor vehicle emissions standards.

Agencies' Sustainability Plans

Federal agencies, as directed by [Executive Order 13514](#), released on December 5 [sustainability plans](#) and goals for the next year. The Department of Energy and the Environmental Protection Agency promoted energy efficiency and renewable energy investments as a way to reduce greenhouse gas emissions. The Department will promote renewable energy and will advance partnerships with local communities. The Environmental Protection Agency will work to consolidate or right-size its laboratory infrastructure.

DEPARTMENT OF AGRICULTURE

Sugar Program Extended to Renewable Chemical, Biobased Product Companies

The U.S. Department of Agriculture [announced](#) December 3 that renewable chemicals and biobased products will have an opportunity to bid on Commodity Credit Corporation sugar through the Feedstock Flexibility Program. Under the program, the Department purchases excess sugar to keep the price high, and it then sells the product to companies. In the past, only biofuels companies could purchase the sugar.

Water and Wastewater Funding Provided

Agriculture Secretary Tom Vilsack [announced](#) December 4 that the Rural Development Water and Environmental Program is providing \$203 million in funding for water and infrastructure improvement projects. The 74 projects span three dozen states.

Energy Efficiency Loan Program Created

The U.S. Department of Agriculture, in a December 5 Federal Register [announcement](#), said it will provide up to \$250 million as part of an energy efficiency and conservation loan program. The funds will be provided to rural electric co-ops and utilities for loans to businesses and residential customers.

DEPARTMENT OF ENERGY

Electric Motor Efficiency Standards Proposed

The Office of Energy Efficiency and Renewable Energy released a [notice of proposed rulemaking](#) on electric motor efficiency standards on November 25. The proposal—designed for motors between 1 and 500 horsepower—would increase efficiency by up to 9 percent over current levels, saving consumers \$23 billion in energy costs. The rule would reduce emissions by approximately 400 million metric tons over 30 years. A public meeting on the proposal will be held in Washington, DC on December 11.

Two Floating LNG Export Projects Approved

The Office of Fossil Energy approved two floating liquefied natural gas export projects on November 26. The Eos LNG [project](#) and the Barca LNG [project](#) will both serve offshore gas fields at the Port of Brownsville, TX. The projects are authorized to export up to 1.6 billion cubic feet per day to free trade agreement countries for 25 years.

GLE, AREVA to Negotiate on USEC Plants

The Department of Energy announced November 27 that it will open negotiations with Global Laser Enrichment on depleted uranium at USEC's Paducah and Portsmouth plants as well as with AREVA for uranium considered off-specification. Global Laser Enrichment proposed building a laser uranium enrichment facility at the Paducah, KY plant. The AREVA proposal involved processing off-spec uranium at the Richland, WA plant.

DOE Urges Appeals Window Extension

The Department of Energy asked the U.S. Court of Appeals for the District of Columbia Circuit December 3 to extend the appeals window by 31 days from January 3 to February 3. The department said the federal holidays in the 45-day window make it difficult to challenge the November 19 ruling which said the department must zero out its nuclear waste fee. The next day, the plaintiff, the National Association of Regulatory Utility Commissioners, wrote to the court urging the ruling be implemented immediately.

Draft Strategic Plan Lauds Loan Guarantee Program

The Energy Department released its draft [Strategic Plan for 2014 to 2018](#) for public comment on December 4. The plan expressed support for past loan guarantee program efforts, and it said the department will use federal credit authorities to support clean energy and transmission technologies. The last loan guarantee was finalized in 2011 although the department recently announced a new round of up to \$8 billion for advanced fossil fuel technology.

Energy Conservation for General Service Lamps Comment Period

The Department of Energy, in a December 9 Federal Register [posting](#), announced a public comment period on post-2020 energy conservation standards for general service light bulbs. A public meeting will be held January 14, and comments will be accepted through January 23.

Loan Guarantee Solicitation Forthcoming in New Year

Peter Davidson, the Department of Energy's top loan programs office official, announced December 9 that the agency is considering new loan guarantee solicitations for renewable and nuclear energy. The agency has about \$3 billion and \$12 billion in loan guarantee authority for renewable energy and nuclear technology, respectively, in its 1703 loan guarantee program.

DEPARTMENT OF INTERIOR

Draft EIS Announced for Eagle Kill Issue

The U.S. Fish and Wildlife Service, in a December 4 Federal Register [posting](#), opened a comment period to determine what should be included in the draft environmental impact statement for the Chokecherry and Sierra Madre Wind Energy Project. The statement will be used in the decision making process for an eagle take permit for the 1,000 wind turbine project with 1,000 wind turbines on public and private land in Wyoming. Public comments will be accepted through February 3.

Final Revised Rule on Eagle Takes

The Department of the Interior published a final revised rule for eagle “take” permits on December 9. The rule extended the maximum period of permits from 5 to 30 years. While the permits require developers to avoid injuries or deaths of eagles, they allow holders to incidentally disturb, injure, or kill protected populations of bald and golden eagles. A pre-publication copy of the rule is attached.

ENVIRONMENTAL PROTECTION AGENCY

Air Pollution Rule Revisions Challenged

Five oil and gas groups filed separate suits against the Environmental Protection Agency in the U.S. Court of Appeals for the District of Columbia Circuit on November 22 over September revisions to new source performance standards. The changes extended the time to install air pollution controls on storage tanks. The groups that filed the suits were the American Petroleum Institute, the Gas Processors Association, the Independent Petroleum Association of America, the Texas Oil and Gas Association, and the Western Energy Alliance.

Grifo Appointed Scientific Integrity Officer

Francesca Grifo was appointed November 25 to serve as Environmental Protection Agency Scientific Integrity Officer. She previously served as a senior scientist and fellow at the Union of Concerned Scientists.

GHG Reporting Rule Amendments Finalized

The Environmental Protection Agency published *Revisions to the Greenhouse Gas Reporting Rule and Final Confidentiality Determinations for New or Substantially Revised Data Elements* on November 27. The agency amended the Greenhouse Gas Reporting Rule to implement technical corrections to improve the quality and consistency of agency data collection. Among other changes, the agency amended the rule’s table of global warming potentials to revise values for certain greenhouse gases. The changes, [published](#) in the Federal Register two days later, are effective on January 1, 2014.

2014 RFS RVOs Public Comment Period Opened

The Environmental Protection Agency [opened](#) the 60 day public comment period on the Renewable Fuel Standard 2014 renewable volume obligations on November 29. Comments will be accepted through January 28, 2014, and the agency intends to hold a public hearing. The agency also [opened](#) up for comment petitions from obligated parties to waive the 2014 requirements completely.

McCarthy on Methane Emissions, GHG Rules

Addressing a December 2 Center for American Progress event, Environmental Protection Agency Administrator Gina McCarthy said that a major challenge today is natural gas pipeline methane leaks. She said the infrastructure is old, and improvements will take time as the U.S. integrates more renewables and natural gas into the energy mix. When discussing the greenhouse gas emissions rules, Administrator McCarthy said states have been engaged; the agency will be very flexible in the implementation of this standard. She said states may align themselves like they did in the Regional Greenhouse Gas Initiative program.

Beauvais, Johnson Promoted

Environmental Protection Agency Administrator Gina McCarthy, in a December 4 e-mail to staff, announced the promotion of Joel Beauvais to serve as Associate Administrator for Policy and Alisha Johnson to serve as Deputy Associate Administrator for External Affairs and Environmental Education. Beauvais most recently worked in the Office of Air, and Johnson had been the agency’s Press Secretary.

RFS Public Hearing Held

A public hearing was held on December 5 in Crystal City, VA on the Environmental Protection Agency's proposed 2014 Renewable Fuel Standard levels. 144 speakers had signed up to testify, including Governor Terry Branstad (R-IA) and Representatives Bruce Braley (D-IA), Bob Goodlatte (R-VA), and Peter Welch (D-VT). Comments were split, with environmental and biofuels groups urging the agency to raise the standard and critics, such as the oil and gas industry, advocating for reform.

Governors Urge 9 Upwind States Join Ozone Transport Region

Eight governors petitioned the Environmental Protection Agency December 9, asking that the agency include nine upwind states in the Ozone Transport Region. The governors asked the states of IL, IN, KY, MI, NC, OH, TN, VA, and WV join the region that already contains DC, ME, NJ, PA, and parts of northern VA. The governors that signed the letter represent CT, DE, MA, MD, NH, NY, RI, and VT.

NUCLEAR REGULATORY COMMISSION

NRC Ends San Onofre Restart Proceedings

The Nuclear Regulatory Commission unanimously [decided](#) December 5 to end proceedings to restart the San Onofre plant. The commission vacated a lower licensing board decision that considered such a restart. Southern California Edison had announced in June that it would retire the plant.

Report Comparing U.S.-Japanese Regulations

The Nuclear Regulatory Commission released on December 6. The report, with information that had been requested by Republicans at a House Energy and Commerce joint subcommittee hearing in February, compared U.S. and Japanese regulations at the time of the Fukushima Daiichi disaster in 2011. It said Japanese requirements did not ask for specifics beyond design basis events like terrorist attacks.

INTERNATIONAL

Paes to Replace Bloomberg as C40 Head

The C40 Cities Climate Leadership Group announced November 26 that Rio de Janeiro Mayor Eduardo Paes will succeed New York City Mayor Michael Bloomberg as steering committee chairman. Mayor Bloomberg's philanthropic foundation will continue to support the group, and he will continue to serve in an advisory role and to oversee day-to-day operations.

Shanghai Launches CO2 Trading System

The Shanghai Environment and Energy Exchange launched a carbon dioxide emissions trading system on November 26. Credits, representing approximately 9,500 metric tons of carbon dioxide emissions, were traded at an average of \$4.26 per ton. It is the second of seven Chinese pilot programs to be launched.

ADB Climate Change Economics Report

The Asian Development Bank released [The Economics of Climate Change in the Pacific](#) on November 26. The report said climate change impacts in the region could result in economic losses between 2.9 and 12.7 percent of annual gross domestic product by 2100. It advocated for better access to climate finance; climate resiliency would require substantial investment increases in developing Pacific nations.

EU Car CO2 Agreement Delay Agreement

European Parliament and EU Council negotiators met in Brussels November 26 to discuss a carbon dioxide limit for cars. The groups agreed to a one-year delay of full implementation of 95 grams per kilometer limit. The requirement, proposed in July 2012, was set to be in place by 2020. Both groups must now ratify the agreement.

SE4ALL Advisory Board Meets

The Sustainable Energy for All (SE4ALL) Initiative's advisory board met in New York on November 27, and following the meeting, United Nations Secretary-General Ban Ki-Moon and World Bank Group President Jim Yong Kim urged governments and private sector groups to mobilize financing in order to meet 2030 sustainable energy goals. The two said countries and groups need to follow commitments set by their peers and build upon these steps.

Hess Oil France's Shale Gas Request Denied

French Minister of Ecology, Sustainable Development, and Energy Philippe Martin said November 28 that the government had denied Hess Oil France's request for seven shale gas exploration permits. The company countered that it never said in its request what practices it would use. France has banned the use of hydraulic fracturing in 2011, and the Constitutional Council recently upheld the decision.

Quebec Carbon Auction Held

Quebec held an auction December 3 to sell carbon permits, and the provincial government announced the results three days later. \$27.6 million was raised through the auction with roughly one-third of the allowances offered being sold. The government plans to hold four auctions per year beginning in 2014.

IEA Report on Carbon Pricing

The International Energy Agency, in its December 5 report [*Managing Interactions Between Carbon Pricing and Existing Energy Policies: Guidance for Policymakers*](#), said officials should consider how carbon pricing complements existing policies like energy efficiency before setting such a price. The report warned that a price on carbon is not a silver bullet. It promoted a broad portfolio of policies to reduce emissions cost-effectively.

STATES

RGGI Comments on EPA Rules

The Regional Greenhouse Gas Initiative submitted [comments](#) to the Environmental Protection Agency December 2 on its upcoming greenhouse gas regulations. The comments urged the agency to mimic the initiative's efforts, allowing states to comply on a regional and multiyear basis. The rules should take a wide approach and allow efforts like energy efficiency and renewable energy.

NY Court Upholds RGGI Authority

The New York State Supreme Court Appellate Division, Third Department, [ruled](#) December 5 that the state had the authority to participate in the Regional Greenhouse Gas Initiative. Three ratepayers, supported by the Competitive Enterprise Institute, said the state joined the initiative without legislative or statutory approval. The court said the plaintiffs' allegations were either moot or time-barred.

New England Energy MOU

The six New England governors signed a [memorandum of understanding](#) on December 5, agreeing to promote clean and reliable energy in the region. The memorandum said there is a need for cooperative investments in electric transmission, energy efficiency, natural gas pipelines, and renewable energy. States represented by the MOU are CT, MA, ME, NH, RI, and VT.

RGGI Auction Held

The Regional Greenhouse Gas Initiative announced December 6 that its auction held two days prior sold 38.3 million carbon allowances at \$3 each, raising \$115 million. 38 bidders participated in the auction which had the second highest allowance price in more than four years. The next RGGI auction will be held March 5.

NY Sun Competitive PV Program Funding Announced

The New York State Energy Research and Development Authority [announced](#) December 6 the availability of \$30 million in New York Sun Competitive Photovoltaic (PV) Program funding. Eligible PV and renewable biogas-fueled electric generation projects must be larger than 200kW and New York Independent System Operator load zones G&H and I&J. Approved applicants will be competitively selected based on their incentive bid in dollars per kilowatt hour. Projects must be operational by April 30, 2015.

SUSTAINABILITY

Natural Capital Valuing Project Launched

The International Finance Corp. and the Economics of Ecosystems and Biodiversity for Business Coalition launched a [project](#) to value natural capital at the November 25 and 26 Responsible Business Forum on Sustainable Development. The framework, not designed to create new accounting methods, is expected to be released in 2015. It is designed to improve business decisions on a variety of issues including environmental performance, risk management, and saving costs.

MISCELLANEOUS

GA Water Research Center Opens

The Water Research Center opened on November 19 in Cartersville, GA. It was created by a partnership between the Electric Power Research Institute, the Southern Research Institute, and 14 other companies. The center will focus on seven areas of study: carbon technology water issues, cooling tower and advanced cooling systems, FGD/process wastewater treatment, moisture recovery, solid landfill water management, water modeling and monitoring, and zero-liquid discharge.

Report Says U.S. Methane Emissions Higher than EPA Estimates

[*Anthropogenic Emissions of Methane in the United States*](#) was published in the Proceedings of National Academy of Sciences on November 25. The report, written by researchers from Harvard University and seven other institutions, said Environmental Protection Agency methane emissions estimates could be off by 50 percent. Oil and natural gas production emissions could be five times greater than estimate, and livestock emissions might be twice as much as agency figures. The report said the difference is due to modeling issues.

Multifamily Homes Efficiency Report

In the December 2 [Apartment Hunters: Programs Searching for Energy Savings in Multifamily Homes](#), the American Council for an Energy-Efficiency Economy reported that apartment buildings and

condominiums face significant energy efficiency challenges. The study said policymakers should learn from the best practices of certain programs already in existence. Recommendations included coordinating programs across electric, gas, and water utilities.

Report on Duke Energy Facility Coal Ash Contamination

The Southern Environmental Law Center, the Cape Fear River Watch, the Sierra Club, and the Waterkeeper Alliance [released](#) a report on coal ash storage at a Duke Energy plant on December 3. Commissioned by SELC and conducted by Wake forest University Associate Research Professor Dennis Lemly, the report found that the L.V. Sutton Plant near Wilmington, NC has contaminated Sutton Lake with selenium, resulting in thousands of fish deaths and deformities. The groups promoted coal ash regulations and protections. Duke Energy challenged the claims and said the coal-fired power plant was retired last month, to be replaced by a 625-megawatt natural gas plant.

CAP Report on Federal Land Emissions

The Center for American Progress, in its December 5 paper [*The Clogged Carbon Sink: U.S. Public Lands Are the Source of 4.5 Times More Carbon Pollution Than They Can Absorb*](#), said fossil fuel production on federal lands has accelerated to a point where it has outpaced the lands' ability to absorb carbon through natural processes. The report said 4.5 times more carbon is emitted than can be naturally absorbed. It advocated for emissions reduction strategies.