

From: Lubetsky, Jonathan
Sent: Monday, September 16, 2013 8:16 AM
To: Beauvais, Joel;Vaught, Laura;Goffman, Joseph
Subject: RE: Whitfield, state AGs strike at EPA GHG authority
Attachments: State AGs GHG Authority white paper 9_13_13.pdf

Attached is the report.

From: Beauvais, Joel
Sent: Friday, September 13, 2013 4:45 PM
To: Vaught, Laura; Goffman, Joseph; Lubetsky, Jonathan
Subject: RE: Whitfield, state AGs strike at EPA GHG authority

Jonathan – I have PRO but don't seem to have my password, so maybe you can pull the report and, either do the TPs yourself, or send it fwd to OAQPS with a tasker on this when you're back in the office Monday. Thanks.

Joel

From: Vaught, Laura
Sent: Friday, September 13, 2013 4:02 PM
To: Beauvais, Joel; Goffman, Joseph; Lubetsky, Jonathan
Subject: Re: Whitfield, state AGs strike at EPA GHG authority

Yes - so no immediate rush. It seems like they will be straightforward unless there is something interesting in report...

From: Beauvais, Joel
Sent: Friday, September 13, 2013 3:59:41 PM
To: Vaught, Laura; Goffman, Joseph; Lubetsky, Jonathan
Subject: RE: Whitfield, state AGs strike at EPA GHG authority

Jonathan's gone for the day. Assume you mean for the hearing?

From: Vaught, Laura
Sent: Friday, September 13, 2013 3:43 PM
To: Goffman, Joseph; Beauvais, Joel; Lubetsky, Jonathan
Subject: Fw: Whitfield, state AGs strike at EPA GHG authority

Can we look at this and get TP's on it?

Thx

From: POLITICO Pro Whiteboard <politicoemail@politicopro.com>
Sent: Friday, September 13, 2013 3:39:54 PM
To: Vaught, Laura
Subject: Whitfield, state AGs strike at EPA GHG authority

9/13/13 3:38 PM EDT

Attorneys general for 17 states and Rep. Ed Whitfield argue in a newly released white paper that EPA is poised to overshoot its Clean Air Act authority by setting guidelines for greenhouse gas limits at existing power plants.

“The Obama Administration continues to unilaterally bypass the role of the states, while stifling job creation by eliminating affordable energy through new regulations that will only be another blow to our fragile economy,” Whitfield said in a statement.

“EPA, if unchecked, will continue to implement regulations which far exceed its statutory authority to the detriment of the States, in whom Congress has vested authority under the Clean Air Act, and whose citizenry and industries will ultimately pay the price of these costly and ineffective regulations,” the AGs say in the white paper sent to EPA today. “EPA does not have authority to promulgate prescriptive limitations for existing coal-fueled EGUs,” the report says.

The attorneys general come from the states of Nebraska, Michigan, Oklahoma, Alabama, Alaska, Arizona, Florida, Georgia, Kansas, Kentucky, Montana, North Dakota, Ohio, South Carolina, South Dakota, West Virginia, Wisconsin and Indiana.

Read the cover letter to EPA [here](#) and the white paper [here](#).

— *Erica Martinson*

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From: Ketcham-Colwill, Nancy
Sent: Friday, September 13, 2013 7:43 PM
To: McCabe, Janet; Beauvais, Joel; Goffman, Joseph; Shaw, Betsy
Subject: Revised draft hot issues list with better numbers
Attachments: OAR Hot list for 9-16.2.docx

Andrea just reported in with more impressive numbers for the 111d stakeholder calls, so here's a revised draft reflecting those.

From: Ketcham-Colwill, Nancy
Sent: Friday, September 13, 2013 6:49 PM
To: McCabe, Janet; Beauvais, Joel; Goffman, Joseph; Shaw, Betsy
Subject: draft hot issues list

Thanks to Joel and John for lots of good material. For the methane entry, I added some information from John about the EDF-UT/Austin study. You may or may not think it belongs there or in here at all. For HFCs, I featured some good work OAP accomplished last week. Neither of these two entries is forward-looking but this exercise seems like a good way to report on accomplishments, too. See what you think.

From: Culligan, Kevin
Sent: Friday, September 13, 2013 6:47 PM
To: Goffman, Joseph
Subject: FW: Current version of preamble
Attachments: EO_12866_13563 EGU_GHG_NSPS_2060-AQ91_NPRM_OMB_Rev_091313.docx

P 86-87 – bio-mass
P 100 – gross/net – see table 4
P 139 – averaging discussion
P 250 – First of kind

From: Johnson, Mary
Sent: Friday, September 13, 2013 6:16 PM
To: Culligan, Kevin
Cc: Hutson, Nick; Fellner, Christian; Wayland, Robertj
Subject: Current version of preamble

Mary Johnson
Environmental Engineer
U.S. Environmental Protection Agency
Office of Air Quality Planning and Standards
Mail Code D243-01
Research Triangle Park, NC 27711
Phone: (919) 541-5025
Fax: (919) 541-5450

From: E&E Publishing, LLC <ealerts@eenews.net>
Sent: Friday, September 13, 2013 4:16 PM
To: Goffman, Joseph
Subject: September 13 -- E&ENews PM is ready



AN E&E PUBLISHING SERVICE

E&ENEWS PM -- FRI., SEPTEMBER 13, 2013 -- [Read the full edition](#)

1. **WATER POLLUTION:** Farm groups slam environmentalists for using privacy lawsuit to 'vilify' farmers

The nation's largest farm and pork producer groups today blasted environmentalists for using a privacy lawsuit against U.S. EPA to "vilify" industrial-scale farming. The American Farm Bureau Federation and National Pork Producers Council say that environmental groups made "false accusations" about poultry and livestock farmers when they asked the court last week to intervene in the suit on behalf of EPA.

THIS AFTERNOON'S STORIES

2. **POLITICS:** Democrats persuade W.Va. secretary of state to run for Senate - reports
3. **EPA:** Ozone standard analysis did not receive proper peer review -- IG audit
4. **CLIMATE:** DOE provides \$15M for project testing molten salt for CCS
5. **ELECTRICITY:** Widespread energy storage still a decade away -- EPRI scientist
6. **AIR POLLUTION:** Cereal makers pay \$2M in penalties, upgrades at Calif. plant

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From: John Coequyt <john.coequyt@sierraclub.org>
Sent: Friday, September 13, 2013 4:06 PM
To: Goffman, Joseph; Beauvais, Joel; Schmidt, Lorie; Culligan, Kevin
Subject: Fwd: Sierra Club meeting materials
Attachments: Response to Gas Turbine Association.pdf; Load sensitivity plots.pdf

FYI: Attached are the materials we presented to OMB today.

----- Forwarded message -----

From: **Joanne Spalding** <joanne.spalding@sierraclub.org>
Date: Wed, Sep 11, 2013 at 12:18 PM
Subject: Sierra Club meeting materials
To: [Mabel E. Echols@omb.eop.gov](mailto:Mabel.E.Echols@omb.eop.gov)
Cc: John Coequyt <john.coequyt@sierraclub.org>

Dear Ms. Echols,

Please find attached materials we would like to discuss on our call on Friday regarding the power plant new source performance standard proposal. I would appreciate it if you could circulate these documents to those who will be participating in the call.

Thank you.

Sincerely,

[Joanne Spalding](#)
[Senior Managing Attorney](#)
[Sierra Club](#)
[85 Second Street](#)
[San Francisco, CA 94105](#)
[415-977-5725](tel:415-977-5725) (o)
[510-612-4062](tel:510-612-4062) (c)

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John Coequyt
Sierra Club
C: (202) 669-7060
O: (202) 675-7916

From: E&E Publishing, LLC <ealerts@eenews.net>
Sent: Friday, September 13, 2013 1:27 PM
To: Goffman, Joseph
Subject: September 13 -- Greenwire is ready



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Congress is back! And Environment & Energy Daily is tracking all the legislative action. [Click here](#) to see the latest E&E Daily headlines.

GREENWIRE -- FRI., SEPTEMBER 13, 2013 -- [Read the full edition](#)

1. **EPA**: Agency mounts another effort to fire whistle-blowing chemist

U.S. EPA is attempting to fire a longtime whistle-blower for the second time, characterizing the senior chemist as an intimidating employee who once threatened to kill her supervisor.

TOP STORIES

2. **CLIMATE**: New power plant rule legally sturdier but still requires CCS -- source
3. **NUCLEAR POLICY**: NRC says waste can be stored near shuttered reactors for 60 years
4. **RENEWABLE ENERGY**: Tribes lead fight against eagle 'take' permits for wind farms

POLITICS

5. **ELECTRICITY**: In sweeping rewrite, Calif. overhauls rates, lifts net metering cap
6. **CAMPAIGN 2013**: Climate PAC's new ad slams Cuccinelli over Consol probe

CONGRESS

7. **CHEMICALS**: Bipartisan House bill proposes tax credits for renewable production

NATURAL RESOURCES

8. **RENEWABLE ENERGY:** FWS studies whether to allow W.Va. wind farm to 'take' endangered bats
9. **WILDFIRES:** Record-smashing Rim fire spurs calls for more prescribed burns
10. **EARTHQUAKES:** Calif. approves early warning system for shakers
11. **FLOODS:** Rising waters force thousands more to evacuate in Colo.

LAW

12. **COAL ASH:** Groups file new suit against Duke Energy in N.C.
13. **WATER POLLUTION:** Ky. judge sides with green groups in discharge dispute

ENERGY

14. **COAL:** New study puts environmental price tag on mountaintop mining
15. **NUCLEAR WASTE:** S.C. cleanup contractor lays off 465 workers

TRANSPORTATION

16. **BIOFUELS:** FAA awards \$40M to develop new technologies, fuels for planes
17. **RAIL:** Service disruptions likely if Amtrak, state DOTs can't finalize talks -- industry group

AIR AND WATER

18. **WATER POLLUTION:** Molasses spill in Hawaii could lure sharks
19. **WATER POLLUTION:** Acid rain drives alkalinity jump in eastern U.S. rivers -- study

WASTES & HAZARDOUS SUBSTANCES

20. **SOLID WASTE:** First lady's drinking water initiative doesn't address trash issue -- enviros
21. **LEAD:** Battery recycler will pay for free blood tests

STATES

22. **CALIFORNIA:** State lawmakers streamline environmental review law
23. **ALASKA:** North America's tallest mountain drops in stature

24. **ARIZONA:** Commission backs off deregulation, spurring energy deals

INTERNATIONAL

25. **MEXICO:** Tropical storm threatens Gulf oil terminals

26. **HONDURAS:** To save forests, government hands over land to indigenous group

27. **JAPAN:** Fukushima water should be released into sea -- adviser

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From: Vaught, Laura
Sent: Friday, September 13, 2013 8:19 AM
To: Beauvais, Joel;Goffman, Joseph;Distefano, Nichole
Subject: Re: Moniz testimony

Yep. Still awaiting q and a doc...

Thanks!

From: Beauvais, Joel
Sent: Thursday, September 12, 2013 9:57:42 PM
To: Vaught, Laura; Goffman, Joseph; Distefano, Nichole
Subject: Moniz testimony

Have read and I think with targeted edits to 3-5 key grafs on climate science and CCS it can be fine. Bigger challenge of course will be question responses.

From: POLITICO Pro Energy <politicoemail@politicopro.com>
Sent: Friday, September 13, 2013 5:25 AM
To: Goffman, Joseph
Subject: Morning Energy, presented by POWERJobs: Where things stand on Shaheen-Portman - Dems take aim at Vitter over amendment - Interior IG hits travel management

By Alex Guillén | 9/13/13 5:23 AM EDT

With help from Darius Dixon and Andrew Restuccia

SHAHEEN-PORTMAN — WHERE THINGS STAND: The Senate adjourned last night without a deal to move forward on the Shaheen-Portman energy-efficiency bill. Majority Leader Harry Reid said late yesterday that he has instructed his staff to work with Republican staff on a path forward for the legislation. But, Reid said, “It’s been a totally wasted week.” The Senate is back in town Monday afternoon.

POST-MORTEM OF THE WEEK: The Senate’s first big energy debate since 2007 quickly devolved into an accidental collision between Obamacare and the Keystone XL pipeline. On one side is Sen. David Vitter, who has halted action on a bipartisan energy-efficiency bill while demanding a vote on an unrelated Obamacare measure. On the other is Sen. John Hoeven, who wants to use the energy bill as a vehicle for a pro-Keystone amendment that he’s crafted to make as much bipartisan noise as possible. They can’t both get what they want — unless Democratic leaders cave in to Vitter’s demands, which they showed no signs of doing. So the energy bill is in limbo. Darren Goode and Andrew Restuccia explain: <http://politi.co/17udkA3>

POLITICAL DUST-UP: Senate Democrats have had all they can take from Vitter and his fixation on Obamacare — and they’re dredging up his past prostitution scandal to hit back. Frustrated by Vitter’s actions this week, Democratic senators are preparing a legislative response targeting a sordid Vitter episode. If Vitter continues to insist on a vote on his proposal, Democrats could counter with one of their own: Lawmakers will be denied those government contributions if there is “probable cause” they solicited prostitutes. Manu Raju and John Bresnahan have more: <http://politi.co/17TfQAG>

HAPPY FRIDAY and welcome to Morning Energy, where we think this list of the 10 most important science questions (<http://n.pr/15S0Cy9>) really ought to include “Why is Nutella so delicious?” and “Is there another dimension with a world of nothing but shrimp?” Priorities, people. Send your energy news to aguillen@politico.com, and follow on Twitter @[alexaguillen](https://twitter.com/alexaguillen), @[Morning_Energy](https://twitter.com/Morning_Energy) and @[POLITICOPro](https://twitter.com/POLITICOPro).

BINZ COORDINATING WITH LOBBYISTS, PR FIRM, FERC EMPLOYEES, REPORT SAYS: Ron Binz, the nominee to chair FERC, has been coordinating strategy with lobbyists who don’t have business before the agency, as well as a PR firm hired by a third party, according to The Washington Times, citing emails obtained by conservative activist Chris Horner. Shortly after being nominated, the paper writes, “the emails show he began to coordinate with what he called his ‘team’: Michael Meehan, a longtime Democratic operative who now runs VennSquared public relations firm; Kai Anderson and Chris Miller, lobbyists at different firms who used to be staffers for Sen. Harry Reid of Nevada, now the top Democrat in the chamber; and Carrie Doyle, a former Obama campaign operative who is now vice president of public engagement for the Energy Foundation. According to the emails, Mr. Binz had the lobbyists and Mr. Meehan vet his official biography that he submitted to the Senate, and the emails show Mr. Binz coordinated with his team, with a White House staffer, and with a number of FERC employees on strategy meetings. ...

“A number of FERC employees were also on the emails, including Chris Murray, who arranged one of the in-person and online meetings that included VennSquared, the two lobbyists and Mr. Binz. ... Lobbying is not allowed for FERC employees. Charles Beamon, the designated agency ethics officer at FERC, said he didn't know what was discussed at the meetings, but said he'd be surprised if his agency's employees crossed any lines into lobbying.” The Washington Times: <http://bit.ly/1e86YlW>

Moving forward: Remember, Binz's nomination hearing is coming up Tuesday, and these emails seem likely to grab attention. Energy committee ranking member Lisa Murkowski, who was slated meet with Binz sometime this week, said the disclosure is “concerning and must be taken seriously.” The Alaska Republican also said FERC is releasing more emails next week.

NSPS WATCH — STRICT COAL LEVELS, SOURCE SAYS: EPA is sticking to plans to require future coal-fired power plants to capture as much as 60 percent of their carbon emissions, according to a source who has seen the draft that EPA sent to the White House for review. The coal industry had hoped the new proposal, which was sent to the White House's Office of Management and Budget in July and is due to be released next week, would back away from earlier plans to limit emissions that the coal industry argues would effectively prevent the construction of new coal-fired power generation by adding significant new costs in contrast to natural gas. Erica Martinson fills you in: <http://politico.pro/1d9exz6>

** A message from [POWERJobs](#): Mark your calendars! Join POWERJobs on Twitter **Thursday, Sept. 19, from noon-1 p.m.** to discuss **using social media as an effective job search tool and in building your personal brand**. Join the conversation using the hashtag #POWERChat. Learn more [here](#). **

INGAA STICKS WITH LINCOLN: The Interstate Natural Gas Association of America is sticking with former Sen. Blanche Lincoln as a lobbyist, according to newly filed disclosures. INGAA has officially picked up Lincoln's new lobby shop, the Lincoln Policy Group, after the onetime Agriculture Committee chairwoman decamped from Alston & Bird earlier this summer. Lincoln, along with former ag committee staff director Robert Holifield, also took along the Waterways Council, Wal-Mart and Experian as clients, according to filings. While at Alston & Bird, Lincoln and Holifield got \$80,000 for INGAA lobbying activities in the second quarter. INGAA reported spending \$280,000 on second quarter lobbying.

I PITY THE JOULE: Ernest Moniz's A-team of advisers is gathering today for the first time since he became Energy secretary in the spring. Moniz is slated to open the first 45 minutes of the meeting before presentations on exascale computing (think super-supercomputing) and of the president's climate change agenda, delivered by DOE chief of staff Kevin Knobloch, Moniz adviser Melanie Kenderdine and Jonathan Pershing, DOE's deputy assistant secretary for climate. The SEAB meeting begins at 8 a.m. at DOE headquarters. Agenda: <http://1.usa.gov/186LMh0>

— Nine members of Steven Chu's advisory board had left but Moniz added 15 new people, including former national security adviser Brent Scowcroft, former Science Undersecretary Steve Koonin, Center for American Progress Chairman John Podesta and former NRC chiefs Shirley Ann Jackson and Richard Meserve. The board brainstorms over DOE programs and makes recommendations but doesn't have any decision-making powers.

SENATORS PUSH NRC ON DRY CASK LICENSING: Bipartisanship isn't dead — at least not when it comes to pushing the NRC to speed up its licensing process for dry cask storage for nuclear waste at reactor sites. The industry has complained that requests for design changes to can take two years or more to get through the regulator, according to the letter, signed by Sens. Tom Carper — who chairs the Environment and Public Works subcommittee that oversees nuclear safety — John Barrasso, Ben Cardin and Jeff Sessions sent to NRC Chairwoman Allison Macfarlane today. Letter: <http://politico.pro/1eJkQLm>

WATCHDOG HITS INTERIOR'S TRAVEL MANAGEMENT: The Interior Department's travel management process, which oversees \$750 million worth of travel expenses each year, has "significant weaknesses," the agency's inspector general says in a new report. "We found that inadequate contract requirements and system implementation caused internal control deficiencies and inhibited DOI's ability to manage travel," the report says. "In addition, DOI's management of the travel process has not ensured that federal travel rules and regulations are followed, travel costs are adequately documented and valid, and travel is consistently managed." Interior, which is switching to a new electronic travel system in November, agreed to work on 13 recommendations made by the IG. The report: <http://on.doi.gov/1g6pT6w>

GERMAN INVESTORS REPORTEDLY MAKE DOE AN OFFER ON FISKER: A pair of German investors have reportedly sent an offer to buy Fisker Automotive to DOE, which still has \$193 million outstanding under the ATVM loan the floundering company received (a stake giving DOE a say in Fisker's future). "I am proud to tell you that we just sent our detailed offer including a signed [letter of intent] and short presentation of our restructuring plan to the DoE on fax and mail," German investor Ingo Voigt wrote on his Facebook this week, according to Green Car Reports: <http://bit.ly/1e6foDt>. Fisker — which has laid off much of its workforce, hasn't produced any vehicles in a while and noisily parted ways with founder Henrik Fisker this year — has long been the subject of speculation for a takeover, with several different investors reportedly showing interest. A DOE official wouldn't confirm Voigt's alleged offer or any other "potential" proposals, but noted any such offer would be subject to a competitive process under the Debt Collection Improvement Act.

ANTI-KXL GROUP SPOOFS HARPER'S LETTER TO OBAMA, EH: SWAK? More like SWAKXL. But don't get too excited; this is only a — as the Canadians might say — faux version of the letter Stephen Harper sent last month to President Barack Obama proposing a deal on Keystone XL and oil and gas sector emissions. "What I need you to do is ignore the science, the market, our record and the risks America would bear in return for absolutely no reward — well, no reward for U.S. interests (Canada is going to take this thing to the bank!)," reads the letter, released by the anti-Keystone group All Risk, No Reward: <http://bit.ly/1aFM5Hn>

BE AN EDUCATION PRO: We're excited to announce that POLITICO Pro Education, the newest Pro policy area, will officially debut Wednesday, Sept. 18. with original reporting, breaking news and insight into education policy. Subscribers will also receive exclusive early-bird editions of Morning Education. Interested in access to Pro Education? Email info@politicopro.com or call (703) 341-4600.

FRIDAY READ — PANDA POO, BIOFUEL HELPER? Make sure you've already eaten breakfast before reading this. Via Smithsonian Magazine: "Biofuel companies have been seeking a natural method to break down plant material for a while; so far, termites have been a favorite for chewing through the woody material. But it turns out there might be a better — and cuter — animal that can help produce biofuel. The intestines of pandas are remarkably short, a physical attribute which means their intestines have come to contain bacteria with unusually potent enzymes for breaking down their woody diet of bamboo in a short amount of time. ... [Researchers] performed DNA sequencing on microbes in their samples, identifying more than 40 microbes in the panda feces that could be useful to the breakdown and creation of biofuels." <http://bit.ly/1b1PQq3>

QUICK HITS

— House Republican leadership pulled a vote on a noncontroversial bill creating a science laureate position after conservative organizations warned that the post could be used to "serve political ends, on such issues as climate change and regulation of greenhouse gases," AAAS's ScienceInsider writes: <http://bit.ly/17SNJBI>

— Statoil says it may have relied too much on Algerian military protection at the facility that was attacked in January. AP: <http://apne.ws/17TE91t>

— Nevada Gov. Brian Sandoval has tapped an Ormat Technologies executive as his top energy official. AP: <http://bit.ly/1g7oIZS>

— Rain in Colorado is so bad the National Weather Service is calling it "biblical." USA Today: <http://usat.ly/1ekOWaj>

HAPPENING TODAY

8:30 a.m. — The National Research Council and the University of Maryland host a workshop on Arctic sea ice loss and global weather patterns. College Park, Md.

9 a.m. — The Jamestown Foundation holds a discussion on Azerbaijan, natural gas and U.S. and European energy security. <http://bit.ly/1aus3vZ>. 1779 Massachusetts Ave. NW

11 a.m. — The U.S. Energy Association holds an event on energy storage technologies. 1300 Pennsylvania Ave. NW

11 a.m. — The Senate Commerce Committee holds a field hearing on the effects of water flows into Florida's Apalachicola Bay. <http://1.usa.gov/18ArQ8w>. Apalachicola, Fla.

2 p.m. — The Senate Homeland Security and Governmental Affairs Committee's emergency management panel holds a hearing on extreme weather in Alaska. <http://1.usa.gov/15eE1YL>. Anchorage

THAT'S ALL FOR ME. Have a nice weekend.

** A message from [POWERJobs](#): New jobs on our radar this week: **Director of Grassroots Organizing** at The Humane Society, **Development Planning Engineer** at TASC and **VP of Community Affairs** at Common Sense Media. Interested? Apply to these jobs and more at POWERJobs.com. Powered by names you trust — POLITICO, WTOP, WJLA/ABC-TV, NewsChannel 8 and Federal News Radio — POWERJOBS has the newest job opportunities in the Washington area from the area's top employers. **And mark your calendars for Thursday, Sept. 19, from noon-1 p.m. for a POWERJobs Twitter chat on using social media as an effective job search tool and in building your personal brand.** Join using the hashtag #POWERChat. Learn more [here](#). **

Stories from POLITICO Pro

[Source: EPA's power plant rule would still require carbon capture](#)

Source: EPA's power plant rule would still require carbon capture [back](#)

By Erica Martinson | 9/12/13 5:55 PM EDT

EPA is sticking to plans to require future coal-fired power plants to capture as much as 60 percent of their carbon emissions, according to a source who has seen the draft that EPA sent to the White House for review.

The coal industry had hoped the new proposal, which was sent to the White House's Office of Management and Budget in July and is due to be released next week, would back away from earlier plans to limit emissions that the coal industry argues would effectively prevent the construction of new coal-fired power generation by adding significant new costs in contrast to natural gas.

“The outcome of this is not ... very different from the previous proposal,” said the person, who had obtained a copy of the proposed rule that EPA sent to the White House for review and declined to be identified. “What they have done is gone in and made it much more legally defensible.”

The source said EPA’s new proposal — unless altered while at the OMB — would set the limit for coal-fired power plants at 1,100 pounds of CO₂ per megawatt hour.

A separate standard for natural gas-fired plants was bifurcated, set at 1,000 pounds for combined cycle natural gas fuels power plants and a slightly higher level for some smaller plants, the source said.

The agency would eliminate the combined “subpart PPPP” under the Clean Air Act, and revert to previously used categories for power plants, the source said.

The draft proposal said that advanced coal units emit about 1780 lb/mwh of CO₂, the source said.

The rule the agency sent to OMB, the source said, advocates partial CO₂ capture from coal plants as being the “best system of emissions reductions” available, based in part on energy department studies, saying that capturing carbon from coal is the only meaningful way to emissions reductions.

The proposed rule EPA sent to OMB said that partial capture of CO₂ has been adequately demonstrated by an extensive record of published studies of the technology and by the use of CO₂ in “enhanced oil recovery” and other pilot demonstrations for carbon capture and storage.

In addition, EPA cited the progress in the construction of commercial partial capture facilities, particularly Southern Company’s Kemper plant in Mississippi, “which they say is 75 percent complete,” the source said.

EPA determined that full CO₂ capture at coal plants — which it defines as more than 90 percent of CO₂ — is too costly at the moment.

The agency will allow plants to use a 12-month rolling average to determine emissions, according to the draft seen by the source.

While the previous version of EPA’s proposed GHG limits for new power plants sought to grandfather more than a dozen coal plants that were in development, the proposal sent to the White House limits the exemptions to two possible new plants — one in Georgia and another in Kansas. But both plants will not only have to begin construction within the year, but will also have to garner a special determination from the agency within 120 days of the rule’s proposal, the source said.[back](#)

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From: McCabe, Janet
Sent: Friday, September 13, 2013 12:50 AM
To: Goffman, Joseph
Subject: FW: Amicus brief by atmospheric scientists in support of Transport Rule
Attachments: image001.png; image002.png; image003.jpg; image004.png; image005.png; SCt 20130911 Scientists Amicus Brief Transport Rule.pdf

fyi

From: Paul Miller [pmiller@nescaum.org]
Sent: Wednesday, September 11, 2013 5:06 PM
To: Mccarthy, Gina
Cc: McCabe, Janet; Page, Steve; Tsirigotis, Peter
Subject: Amicus brief by atmospheric scientists in support of Transport Rule

Hi Gina,

I'm passing along the attached amicus brief by a group of atmospheric scientists filed today in the Supreme Court in support of the Transport Rule. Just wanted you to know science is on your side. Best of luck, Paul

Paul J. Miller, Deputy Director & Chief Scientist Northeast States for Coordinated Air Use Management
89 South Street, Suite 602
Boston, MA 02111
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From: Grundler, Christopher
Sent: Thursday, September 12, 2013 11:26 PM
To: McCabe, Janet
Cc: Goffman, Joseph; Beauvais, Joel
Subject: Fw: October 4th Meeting Request

+Janet

From: Grundler, Christopher
Sent: Thursday, September 12, 2013 7:36:20 PM
To: Beauvais, Joel; Goffman, Joseph
Subject: Re: October 4th Meeting Request

My 2 cents: it would be odd for Gina or Janet's first auto meeting on this important topic (mid term evaluation) to be with a very small firm owned by a Chinese company. Also odd they went thru a DC lobby firm when they have a Sr VP for Govt Affairs in town. Feel free to send him our way if you wish to respond

From: Beauvais, Joel
Sent: Thursday, September 12, 2013 6:51:32 PM
To: Grundler, Christopher; Stewart, Lori
Subject: FW: October 4th Meeting Request

From: Goffman, Joseph
Sent: Thursday, September 12, 2013 6:25 PM
To: Beauvais, Joel
Subject: Fw: October 4th Meeting Request

Fyi

From: Bob Van Heuvelen <bob@vhstrategies.com>
Sent: Thursday, September 12, 2013 6:24:01 PM
To: Mccarthy, Gina
Cc: McCabe, Janet; Goffman, Joseph; scheduling; Atkinson, Emily
Subject: October 4th Meeting Request

Dear Hon. Administrator McCarthy:

Attached please find a formal meeting request for Dr. Peter Mertens, Senior Vice President of Research & Development of Volvo Car Corporation. He will be in Washington, D.C. for a Volvo event at the Swedish Embassy next month, and is very interested in meeting with you the morning of Friday, October 4th, if you are available. Dr. Mertens is interested in discussing the Corporate Average Fuel Economy (CAFE) midterm review and regulatory harmonization in relation to the Transatlantic Trade and Investment Partnership (TTIP).

Below please find a brief biography for Dr. Mertens. Thank you for considering this request, and please feel free to let me know if you would like any additional information.

Sincerely,

Robert Van Heuvelen

--

Robert Van Heuvelen
Founder and CEO
VH Strategies, L.L.C.
300 New Jersey Avenue NW, Suite 601
bob@vhstrategies.com

[202-534-4920](tel:202-534-4920) (main)
[202-534-4954](tel:202-534-4954) (direct)
[202-384-2400](tel:202-384-2400) (cell)

Dr. Peter Mertens
Senior Vice President, Research and Development, Volvo Cars Corporation

Dr. Mertens joined Volvo as Senior Vice President of R&D in 2011. Prior to joining Volvo Car Corporation, Dr. Mertens was the Head of Corporate Quality for Jaguar Cars Plc/Tata Motors India and a member of the management board of Jaguar/Land Rover.

Dr. Mertens worked as an apprentice toolmaker before earning a Master's degree in Industrial Engineering and Operations Research at the Virginia Polytechnic Institute in 1985. He then completed his doctorate in Production Engineering and Industrial Engineering at the University of Kaiserslautern, Germany in 1990. While earning his doctorate, he was also the Head of the Technology Transfer Institute at the University.

Starting in 1993 Dr. Mertens spent six years at Daimler Chrysler AG, including three years as Project leader for Mercedes A-Class in Stuttgart, Germany, and three years as Head of Aftersales Engineering. For the next seven years, he was the Managing Director of Tegarom Telematics GmbH in Bonn, Germany.

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From: Millett, John
Sent: Thursday, September 12, 2013 6:40 PM
To: McCabe, Janet; Beauvais, Joel; Goffman, Joseph
Subject: Re: Inside EPA: On Eve Of NSPS, EPA Reaffirms Support For Carbon Capture In GHG Policy

Just fyi -- I've gotten no internal or external inquiries about this -- expecting that to continue

From: McCabe, Janet
Sent: Thursday, September 12, 2013 6:19:26 PM
To: Beauvais, Joel; Goffman, Joseph; Millett, John
Subject: Re: Inside EPA: On Eve Of NSPS, EPA Reaffirms Support For Carbon Capture In GHG Policy

Thanks---i'm not sure where they got the comment about the 19th....

From: Beauvais, Joel
Sent: Thursday, September 12, 2013 3:59:21 PM
To: McCabe, Janet; Goffman, Joseph; Millett, John
Subject: Inside EPA: On Eve Of NSPS, EPA Reaffirms Support For Carbon Capture In GHG Policy

Typical of Inside EPA, this is a bit of a silly article – but wanted to flag for you fyi

Daily News

On Eve Of NSPS, EPA Reaffirms Support For Carbon Capture In GHG Policy

Posted: September 12, 2013

EPA's acting air chief Janet McCabe says that carbon capture and sequestration (CCS) technology is part of the agency's approach to reducing greenhouse gas (GHG) emissions, reaffirming support for the technology just days before the agency issues a revised power plant rule that is widely expected to require CCS for new coal units.

McCabe told a meeting of the agency's National Environmental Justice Advisory Council (NEJAC) in Atlanta Sept. 12 that it would not be "truthful if I told you that CCS would not be part of" options the agency is considering.

While not tagged to any specific rule, her remarks come just days before the agency's air office is slated to re-propose a new source performance standard (NSPS) for newly constructed power plants that is widely expected to retain the CCS mandate for new coal plants contained in the original proposal the revised version will replace.

The CCS requirement expected in the rule is prompting renewed industry cries that EPA is effectively banning new coal plants under the NSPS because the technology is costly and untested on a commercial scale.

McCabe's remarks were in response to a question at NEJAC on CCS where she acknowledged an ongoing debate about the state of the technology, adding that the agency wants input from the public on the CCS issue as it moves forward with the rulemaking processes.

Her comments are the first public indication that EPA's revised NSPS is likely to maintain the CCS requirement for coal plants the agency proposed in its [2012 plan](#) for all plants, though the new plan will be revised to set separate standards for coal and gas plants.

While President Obama required EPA to issue the new proposal by Sept. 20, McCabe said it may now be issued as soon as Sept. 19.

EPA in its original NSPS plan had set a single carbon standard of 1,000 pounds per megawatt hour (lbs/MWh) for all fossil fuel-fired power plants. This amounted to a mandate to install CCS for coal because even the most efficient units release about 1,800 lbs/MWh, according to EPA's earlier estimates.

The agency argued in the earlier proposal that installation of the technology is currently feasible at new coal-fired power plants "and its core components have already been implemented at commercial scale." The agency added that while the technology's costs are currently high, due in part to uncertainty over climate policy, it expected those costs to diminish over time. "This action will itself contribute to downward pressure on CCS costs by shifting the regulatory landscape towards CCS," the 2012 proposal said.

EPA added that it did not expect construction of "more than a few" coal-fired power plants by 2020 -- due in part to cheap natural gas -- and those coal plants that are constructed "may well be able to take advantage of demonstration programs or other sources of funding for CCS."

Industry Lobbying

As the administration has moved closer to issuing a revised proposal, utility and coal sector officials and their supporters in Congress have [lobbied](#) against a CCS mandate for coal plants, arguing that EPA lacks authority to require installation of the emerging technology because the Clean Air Act only allows regulatory mandates for controls that are "adequately demonstrated."

They have generally urged officials to set a standard weaker than the 1,100 to 1,400 lbs/MWh range EPA is said to be considering for the re-proposed rule, saying this would allow plants to avoid the CCS mandate.

To drive home the point, Sens. Joe Donnelly (D-IN) and Roy Blunt (R-MO) filed [an amendment](#) to pending energy efficiency legislation that seeks to limit EPA's mandate to "commercially available technology," which the amendment defines as technology "with proven test results for commercial use in an industrial source category application."

The amendment also seeks to require several other approaches the coal sector has sought, including subcategorizing standards based on the kinds of coal units burn.

While the agency is now slated to propose separate standards for coal and gas plants in light of concerns that the single standard could be hard to defend in court, EPA's McCabe defended the initial NSPS proposal as one that got a lot of public support. "This is where EPA stepped out a little bit on this proposal and took some approaches we haven't taken," she said. She noted that carbon dioxide is a "new pollutant for us" and the power industry is "a challenging sector" to address.

She said the agency is expecting legal challenges to whatever it does, adding, "We've placed a lot of emphasis" on ensuring that the rule to be proposed "is legally defensible."

For the gas standard, media reports published Sept. 11 and 12 confirm that the NSPS is expected to remain at 1,000 lbs/MWh for large plants -- a level that can be met by high-efficiency combined cycle natural gas plants without any form of CCS -- and to be relaxed to 1,100 lbs/MWh for small plants.

The utility sector at recent meetings with EPA and White House officials has been urging the agency to slightly relax the gas standard to 1,100 lbs/MWh for all plants.

An EPA spokeswoman did not respond specifically to the recent media reports, but in an emailed statement said the agency is working to finalize the rule "in light of the important comments received by the agency and in a way that considers the viewpoints of all stakeholders," adding that Obama is committed to cut pollution "in a way that protects public health and helps develop a stronger economy through science, research and innovation."

One industry source says if the coal standard ends up being 1,100 lbs/MWh and the gas standard is 1,000 lbs/MWh, then "that seems really hard to believe," but another industry source suggests that the standards may indeed be just that strict.

There has been some "late pushback" from the White House Office of Management and Budget (OMB) but it is "unclear how much it matters" or whether that will result in a weakening of the forthcoming proposal, the second source says.

The second source adds that in addition to proposing an 1,100 lbs/MWh standard for coal and a 1,000 lbs/MWh for gas plants, EPA is likely to take comment on a coal standard up to 1,300 lbs/MWh and a gas standard as strict as 800 lbs/MWh.

IGCC Technology

A coal plant standard set at 1,100 lbs/MWh means that any new plant built would have to have integrated gasification combined cycle (IGCC) technology with about 20 percent carbon capture, the source says. This means the rule would ban all traditional pulverized coal technologies, including ultra-supercritical boilers, which could potentially meet a standard set at around 1,400 lbs/MWhr, the source adds.

The source says this is "clearly not good news" for the coal industry because IGCC with carbon capture is not practical, not demonstrated and incredibly expensive. "You could argue that yes, there is a new subcategory [for coal] but basically the standards remain unchanged from what was originally proposed. . . . in terms of creating a pathway for keeping clean, advanced coal in the game."

However, this source cautions that OMB may make changes to that range prior to the proposal's release. The source says OMB has found "some sympathy" with industry's arguments against CCS at "an analytical level," but "can't imagine" the proposal will change much from what EPA submitted. The need for IGCC with carbon capture is "the principle" EPA Administrator Gina McCarthy "wants memorialized," the source says. -- *Chris Knight & Dawn Reeves*

Related News: [Climate Policy Watch](#)

From: McCabe, Janet
Sent: Thursday, September 12, 2013 6:30 PM
To: Goffman, Joseph
Subject: Re: Breaking News: EPA Affirms Support For Carbon Capture

Exactly!

From: Goffman, Joseph
Sent: Thursday, September 12, 2013 6:23:10 PM
To: McCabe, Janet
Subject: Fw: Breaking News: EPA Affirms Support For Carbon Capture

Fyi.

From: Goffman, Joseph
Sent: Thursday, September 12, 2013 4:03:38 PM
To: william.bumpers@bakerbotts.com
Subject: RE: Breaking News: EPA Affirms Support For Carbon Capture

And you're asking me this question based on an Inside EPA "report"?!?!?

From: william.bumpers@bakerbotts.com [mailto:william.bumpers@bakerbotts.com]
Sent: Thursday, September 12, 2013 3:45 PM
To: Goffman, Joseph
Subject: FW: Breaking News: EPA Affirms Support For Carbon Capture

Joe,

In light of this, I assume you could, possibly, join us for the meeting on the 19th to share your thoughts on the rule? Seems like this cat clawed it way out of the bag pretty early.

Let me know if that is possible. If not, I still need to know if you can do a meeting/call with the group on the afternoon of Sept. 20.

Thanks.

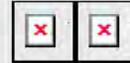
Bill

From: Watkins, Allison
Sent: Thursday, September 12, 2013 3:41 PM
To: Jezouit, Debra; Bumpers, William; Detterman, Brook
Subject: FW: Breaking News: EPA Affirms Support For Carbon Capture

FYI -

"While President Obama required EPA to issue the new proposal by Sept. 20, McCabe said it may now be issued as soon as Sept. 19."

From: InsideEPA.com [<mailto:epa-alerts@iwpnews.com>]
Sent: Thursday, September 12, 2013 3:39 PM
To: Watkins, Allison
Subject: Breaking News: EPA Affirms Support For Carbon Capture



September 12, 2013

Latest News

On Eve Of NSPS, EPA Reaffirms Support For Carbon Capture In GHG Policy

A top EPA official is reaffirming support for carbon capture and sequestration (CCS) technology, all but assuring that the agency's revised new source performance standard (NSPS) for new power plants plants, slated for release next week, will require CCS for coal-fired units.

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From: Bob Van Heuvelen <bob@vhstrategies.com>
Sent: Thursday, September 12, 2013 6:24 PM
To: Mccarthy, Gina
Cc: McCabe, Janet;Goffman, Joseph;scheduling;Atkinson, Emily
Subject: October 4th Meeting Request
Attachments: Volvo EPA Meeting Request.pdf

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Robert Van Heuvelen

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Dr. Peter Mertens
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From: william.bumpers@bakerbotts.com
Sent: Thursday, September 12, 2013 4:09 PM
To: Goffman, Joseph
Subject: RE: Breaking News: EPA Affirms Support For Carbon Capture

Surely they wouldn't mis-quote the esteemed Ms. McCabe!!! Oh, yeah, they mis-quote everybody all the time. Either way, if you can say anything on the 19th, that would be great. If not, we can do the 20th.

Also, I see you're speaking at the NARUC session on the 25th that the BPC is conducting. They asked Frank Prager to be on your panel. He's trying to get them to invite me instead. We'll see, but it could be a fun discussion.

From: Goffman, Joseph [mailto:Goffman.Joseph@epa.gov]
Sent: Thursday, September 12, 2013 4:04 PM
To: Bumpers, William
Subject: RE: Breaking News: EPA Affirms Support For Carbon Capture

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Sent: Thursday, September 12, 2013 3:59 PM
To: McCabe, Janet;Goffman, Joseph;Millett, John
Subject: Inside EPA: On Eve Of NSPS, EPA Reaffirms Support For Carbon Capture In GHG Policy

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Related News: [Climate Policy Watch](#)

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Sent: Thursday, September 12, 2013 3:45 PM
To: Goffman, Joseph
Subject: FW: Breaking News: EPA Affirms Support For Carbon Capture

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From: Watkins, Allison
Sent: Thursday, September 12, 2013 3:41 PM
To: Jezouit, Debra; Bumpers, William; Detterman, Brook
Subject: FW: Breaking News: EPA Affirms Support For Carbon Capture

FYI -

"While President Obama required EPA to issue the new proposal by Sept. 20, McCabe said it may now be issued as soon as Sept. 19."

From: InsideEPA.com [mailto:epa-alerts@iwpnews.com]
Sent: Thursday, September 12, 2013 3:39 PM
To: Watkins, Allison
Subject: Breaking News: EPA Affirms Support For Carbon Capture





September 12, 2013

Latest News

On Eve Of NSPS, EPA Reaffirms Support For Carbon Capture In GHG Policy

A top EPA official is reaffirming support for carbon capture and sequestration (CCS) technology, all but assuring that the agency's revised new source performance standard (NSPS) for new power plants plants, slated for release next week, will require CCS for coal-fired units.

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From: POLITICO Pro Energy <politicoemail@politicopro.com>
Sent: Thursday, September 12, 2013 3:35 PM
To: Goffman, Joseph
Subject: Afternoon Energy: Energy-efficiency bill stuck on Vitter demand — Hoeven files KXL amendment to energy-efficiency bill — House to move full steam ahead (maybe) — Draft nuclear waste docs out Friday

By Talia Buford | 9/12/13 3:34 PM EDT

With help from Darren Goode, Erica Martinson, Darius Dixon and Andrew Restuccia.

ENERGY-EFFICIENCY BILL STUCK ON VITTER OBAMACARE DEMAND: The Senate remained at an impasse Thursday morning on the Shaheen-Portman energy-efficiency bill amid a push by Sen. David Vitter for a vote on an unrelated Obamacare amendment. Various unanimous consent options Vitter presented to get the vote moving were rejected by Democrats. Aides said Thursday morning that they are still working to reach an agreement that would allow the efficiency bill to proceed. Andrew Restuccia: <http://politico.pro/13RNbdU>

Welcome to Afternoon Energy. I'm your host, Talia Buford, and Disney is re-releasing "The Little Mermaid" in theaters complete [via Vulture — <http://vult.re/1en2Zw0>] with a sing-along app. What's next, a mermaid inspired "Rocky Horror Picture Show"-esque performance? That actually might not be a bad idea if we could just figure out how to get the fish to talk... Come be part of our world and send me your best energy news at tbuford@politico.com and follow us on Twitter: [@POLITICOPro](https://twitter.com/POLITICOPro), [@Morning_Energy](https://twitter.com/Morning_Energy) and [@TaliaBuford](https://twitter.com/TaliaBuford).

HOEVEN FILES KEYSTONE AMENDMENT TO ENERGY-EFFICIENCY BILL: Sen. John Hoeven filed a nonbinding bicameral resolution [<http://politico.pro/19LJyHg>] as an amendment to the energy-efficiency bill in an effort to push the Obama administration to approve the Keystone XL pipeline. The joint resolution — unlike some past attempts on Capitol Hill — would not trump the Obama administration's authority to make a decision on the project. But it calls on President Barack Obama to approve the pipeline, arguing that it would be in the national interest by promoting infrastructure investment, energy security and private-sector jobs. There is no agreement yet to allow the Hoeven amendment to have a vote.

— Sen. Mary Landrieu, a co-sponsor of the bill, said she expects the amendment to get a vote. "I am under the impression that we will get a vote. That's what my staff has indicated," Landrieu said. But she said she hasn't spoken directly to Majority Leader Harry Reid about it.

HOUSE TO MOVE FULL STEAM AHEAD (MAYBE): The House Republican leadership is expected to cancel its week off this month. The House was slated to be out of session the week of Sept. 23, but since the government funding bill was pulled Wednesday, there's concern there might not be time to avert a government shutdown if lawmakers leave town. No final decision has been made. Time is seriously short. If the House unveils a bill in the Rules Committee next Tuesday, lawmakers cannot vote on it until Thursday. On Friday, the House is scheduled to leave until Sept. 30, when funding for the government runs dry.

DRAFT NRC NUCLEAR WASTE DOCUMENTS TO BE PUBLISHED TOMORROW: The NRC is slated to publish its proposed Waste Confidence rule and the draft of a related generic environmental assessment in tomorrow's Federal Register. Pre-publication versions of the proposed rule and draft generic environmental impact statement are available here [<http://bit.ly/17tynTk>] and here [<http://bit.ly/1g5NKTH>], respectively. The documents, which will govern how nuclear waste is stored around the country, have been in the works since a federal appeals court gutted the agency's Waste Confidence rules last summer. The NRC had already released a copy of the EIS but the proposed rule had not been previously disclosed.

MORE POWER COMPANIES VISIT OMB ON POWER PLANT GREENHOUSE GAS RULE: The White House Office of Management and Budget hosted several power company officials and attorneys Monday to hear their take on the EPA's upcoming greenhouse gas performance standards for new power plants, according to newly released records. OMB, White House Office of Science and Technology Policy and White House Council on Environmental Quality officials met with attorneys from Hunton + Williams and representatives from DTE Energy, Duke Energy, AEP and Southern Co. The meeting [<http://1.usa.gov/15Xw9IQ>] with OMB officials was the 14th meeting of its type since the EPA sent its second-round proposal for White House review at the start of the summer.

NEW COALITION — MARYLANDERS AGAINST FRACKING: The coalition — comprised of Food & Water Watch, Potomac Riverkeeper, Patuxent Riverkeeper, Montgomery County Young Democrats, Progressive Democrats of America — called on Gov. Martin O'Malley to stop plans to begin drafting fracking regulations for Maryland. The state recently closed the comment period on "best management practices" guidelines for fracking in the state.

TRANSBOUNDARY AGREEMENT TO BE CONSIDERED IN SENATE: The Senate Energy and Natural Resources Committee will hold an Oct. 1 hearing to consider S. 812, a bill that would implement the transboundary hydrocarbon agreement between the United States and Mexico. The committee will also consider H.R. 1613, which would amend the Outer Continental Shelf Lands Act to allow for federal oversight of transboundary hydrocarbon reserves. The meeting will begin at 9:30 a.m. in Dirksen 366.

CHINA BANS NEW COAL-FIRED PLANTS IN THREE REGIONS: The ban, which will prohibit the plants from being built in industrial regions around Beijing, Shanghai and Guangzhou, is China's latest attempt to reduce the country's air pollution problem. The plan, proposed by the State Council, also seeks to reduce the amount of power China gets from coal to below 65 percent by 2017. Coal accounted for 68.4 percent of total Chinese energy use in 2011. AP: <http://abcn.ws/15USexE>

— Related: Several think tanks developed the Green Gas Accounting Tool for Chinese Cities [<http://bit.ly/17SCMQA>] to help them manage their emissions and make decisions around low-carbon planning and development.

DOE IG: BIOFUEL PRODUCTION PROGRAM LAGGING, MISSING TARGETS: In an audit [<http://1.usa.gov/1bauyGP>] released today, the Energy Department's inspector general said the department had not met biorefinery development and production goals despite spending more than \$600 million over seven years. The department, the audit found, would also miss its target to achieve its 2014 production capacity goal of 100 million gallons of advanced biofuels, since more than half of the projects related to the goal were eliminated.

QUICK HITS

— BP takes heat for running ads alleging oil spill claims fraud on the 12th anniversary of Sept. 11. FuelFix: <http://bit.ly/18fKO8m>

— Report: Top 50 carbon-emitting companies, including Wal-Mart and ExxonMobil, threaten the global climate effort. Bloomberg: <http://bloom.bg/18fL7jg>

— Hydroelectric power making comeback at dams: AP: <http://bit.ly/1d8sIK9>

— U.S. gasoline, diesel exports nearing record high again. FuelFix: <http://bit.ly/15XAWKu>

THE WIDE WORLD OF POLITICS

— White House makes case on Syria; Hill still dubious: <http://politi.co/18XuFzp>

— Vladimir Putin op-ed sparks tension ahead of talks: <http://politi.co/17twiqw>

— If elected, Bill de Blasio would be the New York mayor with the smallest public profile the Big Apple has seen in ages: <http://politi.co/1e6KmeL>

BE AN EDUCATION PRO — We're excited to announce that POLITICO Pro Education, the newest Pro policy area, will officially debut Wednesday, Sept. 18, with original reporting, breaking news and insight into education policy. Subscribers will also receive exclusive early-bird editions of Morning Education. Interested in access to Pro Education? Email info@politicopro.com or call (703) 341-4600.

Stories from POLITICO Pro

[Energy efficiency bill still stuck](#)

Energy efficiency bill still stuck [back](#)

By Andrew Restuccia | 9/12/13 12:36 PM EDT

The Senate remained at an impasse Thursday morning on the Shaheen-Portman energy efficiency bill amid a push by Sen. David Vitter for a vote on an unrelated Obamacare amendment.

Vitter offered various options on the Senate floor to move ahead on the efficiency bill, but he stuck to his [demand to get](#) a vote on his amendment that would block a rule issued last month to allow the government to continue funding a portion of lawmakers' and staffers' health care costs under the Affordable Care Act.

Both were quickly rejected by Democrats. The first option Vitter presented would allow for a vote on his amendment next week as part of the Senate's consideration of the efficiency bill. Under the second option, Vitter would withdraw his amendment if leadership agrees to hold a vote on his stand-alone Obamacare exchange bill.

A third effort by Vitter, which was also rejected, sought to hold votes Tuesday on his amendment alongside an alternative from Majority Leader Harry Reid that would each have required 60 votes.

"I'm simply asking for a timely vote on my proposal, which has to be before Oct. 1," said Vitter, who also stressed that he's not opposed to the efficiency bill on its merits.

Senate Energy and Natural Resources Committee Chairman Ron Wyden, who is managing the floor debate for Democrats, objected to both of Vitter's unanimous consent requests. And he pleaded with Vitter to allow the efficiency bill to move forward.

"I would just ask the senator from Louisiana ... to not hold this bipartisan energy bill hostage for something else," Wyden said.

Vitter countered: "Why isn't that a path forward? Why don't the American people deserve this vote?"

Sen. Jeanne Shaheen, who co-authored the legislation with Sen. Rob Portman, also tried to push Vitter to stop blocking the legislation.

“He’s talking about getting a vote on his legislation. Sen. Portman and I have been waiting for three years to get a vote on this legislation,” she said. Shaheen and Portman first introduced their bill in 2011.

Shaheen asked Vitter if he would withdraw his objections if she agreed to try to work out a compromise with Senate leaders. But Vitter rejected her offer, arguing that holding up the efficiency bill is his best chance to secure a vote on his Obamacare measure.

“Moving forward with the bill, quite frankly, lets the pressure out,” Vitter said.

Aides said Thursday morning that they are still working to reach an agreement that would allow the efficiency bill to move forward.[back](#)

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