



Issue 29, 2018

● [EPA Chief Looks to Distinguish Himself from Pruitt in Agency-Wide Memo](#)

"The new head of the EPA sent a staff-wide memo laying out steps the agency is taking to increase transparency, a move that's seen as an effort to differentiate himself from his predecessor."

Why this is important: New EPA Acting Administrator, Andrew Wheeler, appears to be learning from at least some of his predecessor's mistakes by communicating to EPA staffers he is committed to transparency by making his calendar available online and making the agency available to the press. Wheeler states the EPA and its staff "exist to serve the public" and the "public should trust our work." Of course, the transparency and press availability are tempered by direction that "EPA staff should respect our internal deliberative processes" and staff should coordinate with senior managers and the EPA's Office of Public Affairs before responding to press inquiries. Perhaps the public will be able to review more of the EPA processes limited by the messaging direction set by Acting Administrator Wheeler, which may result in more trust in the EPA going forward. --- [Mark D. Clark](#)

● [Trump's Vision for World Energy Dominance Under Threat](#)

"The Trump administration is facing threats to its ambition to flood the world with cheap natural gas as a key component of its energy dominance agenda. And some of the damage is self-inflicted."

Why this is important: The past administration had held up the approval of LNG export permits for a variety of reasons, none of which had anything to do with our domestic economic wellbeing, and squandered a potent non-military tactic in United States foreign policy. The Trump administration needs to accelerate the responsible approval of new LNG permits because the window of opportunity provided by abundant domestic shale gas is closing rapidly. Russia is constructing a new natural gas pipeline to Europe and the LNG export terminal to service Asia. India, China and other countries are attempting to develop domestic supplies of shale gas. If the United States can provide significant supplies of exported shale gas at attractive prices in the near term, its efforts would help blunt these competing foreign supplies and extend the benefits to our domestic industry. --- [William M. Herlihy](#)

● [Keystone XL's New Path Gets Positive U.S. Environment Review](#)

"TransCanada Corp.'s proposed Keystone XL oil pipeline won a relatively positive review from the U.S. State Department, which found that the conduit's approved route would have no significant environmental impacts."

Why this is important: Nebraska state regulators approved an alternate route for that state's portion of the roughly 1,200 mile pipeline, which if constructed, would help transport 830K barrels of Alberta oil sand crude to U.S Gulf Coast refineries. The Trump administration's July 30, 2018 draft Environmental Assessment ("EA") for the alternate route found three moderate, three minor and one negligible impact(s) to eight environmental categories of concern. The Sierra Club attacked the validity of the EA. The project remains subject to a legal challenge pending before the Nebraska Supreme Court. TransCanada expects the legal challenge to be resolved by late 2018 or early 2019. --- [John C. \(Max\) Wilkinson](#)

● [If Germany Can't Quit Coal, Can Anyone Else?](#)

"Some power plants are switching to cheaper imported black coal from the United States, Russia, or Colombia. And at the same time, Germany is also digging more lignite, or brown coal."

Why this is important: Germany has been a world leader in moving to renewable energy. But, it still relies on coal to power much of its electric generation. Having foregone nuclear energy, Germany doesn't have many options as it tries to maintain a reliable baseload of electricity, and for the foreseeable future will continue to burn its own lignite and imported anthracite coal. Coal provides the steady source of power that is crucial to maintaining Germany's industrial strength, and its status as first among equals in the European Union. --- [David L. Yaussy](#)

● [Federal Ruling Affects Mountain Valley Pipeline's Route Through National Forest](#)

"Federal appeals judges ruled two key federal approvals don't provide adequate protection on the Mountain Valley Pipeline's route through the Jefferson National Forest, which includes Monroe County."

Why this is important: The 4th Circuit Court of Appeals ruled last Friday that approvals by the United States Forest Service and the federal Bureau of Land Management for the construction of the Mountain Valley Pipeline ("MVP") through the Jefferson National Forest, including crossing under the Appalachian Trail, failed to provide adequate protection against erosion and sediment control. The Court said it was sending the decisions by the Forest Service and Land Management back to the agencies for further review. A certificate of public convenience and necessity was granted by the Federal Energy Regulatory Commission in October 2017, but ongoing challenges to the construction of the pipeline have hindered construction. A similar challenge was filed against construction of the Atlantic Coast Pipeline, which could cause some delays in that project as well. The 4th Circuit decision is not insurmountable for MVP, but additional erosion and sediment control practices may be required for construction along the 3.6-mile segment of the pipeline in the Jefferson National Forest. --- [Mark D. Clark](#)

● [Rare Earth Element Extraction Facility Unveiled on WVU's Evansale Campus](#)

"The complex features a new method of harnessing rare earth elements that make cell phones, computers, guidance systems and just about every other piece of modern technology possible."

Why this is important: Rare earth elements are needed in all types of modern electronic equipment. Acidic runoff from coal-mined areas act as a solvent to dissolve rare earth minerals that are in the ground and in mining spoil, concentrating them and making the minerals easier to refine. West Virginia University and its partners are looking into whether the rare earth minerals can be extracted economically from the acid mine drainage. If so, acid mine drainage could change from one of the curses of Appalachia's coal mining heritage to an economic resource. --- [David L. Yaussy](#)

● [Supreme Court Keeps 'Climate Kids' Suit on Track for Trial](#)

"The U.S. Supreme Court has rejected another Trump administration request to halt proceedings in a lawsuit filed by young activists who say the government isn't doing enough to prevent climate change."

Why this is important: While technically accurate, the headline is a bit misleading. The Supreme Court's ruling that the government's requested relief was premature is being hailed as a major victory for climate change activists. However, the most significant portion of the Court's one-page opinion has not been addressed. After describing the plaintiffs' claims as "striking" and calling into question their justiciability, the Supreme Court advised the district court it "should take these concerns into account...as well as the desirability of a prompt ruling on the government's pending dispositive motion." This not-so-subtle recommendation to the district court suggests the Supreme Court does not believe the plaintiffs' claims will survive on the merits. --- [Nicholas S. Preservati](#)

● [India's Natural Gas Output May Double in Four Years](#)

"The government is currently working on a plan to shift the country towards a gas-based economy, the ministry said."

Why this is important: India's production of oil and natural gas is heavily dependent on foreign technology and burdened by a vast governmental bureaucracy. Currently, its economy is heavily dependent on imports of fuel sources, much of which could be supplied by LNG exports from the United States. Our federal government should accelerate the responsible processing and approval of LNG export permits to provide a cost-effective alternative to India for its natural gas requirements. --- [William M. Herlihy](#)

● [Japan and Russia Plan LNG Hub in Far East](#)

"Japan seeks to ease the transport of liquefied natural gas from northern Russia by cooperating with Moscow on construction of a transfer hub in the country's far east, as Tokyo looks to diversify supplies of the energy source to guard against political risks."

Why this is important: Russian gas producer Novatek plans to establish an LNG terminal on Russia's Kamchatka Peninsula by 2023. Japanese companies, including the trading house Marubeni and shipbuilder Mitsui O.S.K. Lines, are considering participating in the Russian venture. Russia's goal with the Kamchatka hub is to reduce the cost of transporting LNG from its far north production center on Siberia's Yamal Peninsula. Transporting Yamal gas by eastern sea routes requires icebreaker ships in winter. LNG from Yamal already reaches Asian destinations faster than U.S. gas via the Panama Canal, but transportation costs are high due to the icebreaker requirements. If Russia can transfer the LNG to conventional tankers at the Kamchatka station, it will be able to dramatically cut its eastern shipping expenses making its LNG more competitive with U.S., Canadian and Australian suppliers. Again, if the U.S. can increase LNG exports to Asia without further delay, then that additional supply might curb Japanese interest in this Kamchatka LNG terminal. --- [John C. \(Max\) Wilkinson](#) and [William M. Herlihy](#)

● [In U.S. Electric Uses Cleaner than Diesel. Also Where the Grid Depends on Coal](#)

"Across the United States, electric buses have lower global warming emissions than diesel and natural gas buses, even in cities with power grids that depend on coal and natural gas power plants, according to an analysis recently released by the Union of Concerned Scientists."

Why this is important: Considering only greenhouse gases like carbon dioxide, electric buses emit much less per mile than diesel buses, even when the electricity that charges them comes from fossil fuel-fired electric generating stations. Currently only 0.5 percent of all buses are full electric, but that is expected to grow significantly in coming years as cities switch to electric buses in many large metropolitan areas. The buses are in many ways the descendants of the electrified street cars that ran in, and between, so many cities across the nation 75 years ago. --- [David L. Yaussy](#)

● [EIA Energy Statistics](#)

Here is a round-up of the latest statistics concerning the energy industry.

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