

From: POLITICO Pro Energy
To: megan_bloomgren@ios.doi.gov
Subject: Morning Energy, presented by the National Wildlife Federation: Wait goes on for Perry, Pruitt, Zinke — Push to alter wetland regulatory control gains steam — NOAA brings in outside help to examine contested paper — Green group backs Ellison in DNC race
Date: Monday, February 13, 2017 5:08:52 AM

By Anthony Adragna | 02/13/2017 06:04 AM EDT

With help from Esther Whieldon, Eric Wolff, Alex Guillén and Darius Dixon

(STILL) TALKING ABOUT THESE CONFIRMATIONS: Another week begins without any votes set on Rep. [Ryan Zinke](#)'s nomination to run Interior, former Texas Gov. Rick Perry's selection for DOE or Scott Pruitt's hotly-contested bid to lead EPA. The conventional wisdom seems to be at least one of them will get a vote this week — Perry and Zinke are generally seen as less controversial so more likely — though Democrats still appear inclined to run out the clock on a number of the picks. "We can't stop these nominees. We know that," Sen. [Ben Cardin](#) told [Fox News Sunday](#). "We're going to use our time to make sure that people understand the background of these individuals, their commitment to the agency that they are being appointed to, and so, we can hold them accountable."

Meanwhile, the Senate may restart efforts to kill Obama-era regulations after a one-week hiatus. High on their target list is a House-passed resolution nullifying a BLM rule aimed at curbing limiting methane emissions from oil and gas drilling on federal lands, and several other Congressional Review Act challenges are awaiting Senate action. Another possibility is a BLM regulation updating and streamlining the agency's more than 30-year-old process for creating land use plans. Meanwhile, the House is preparing to pass more CRAs: They're expected this week to nullify ([H.J. Res. 69](#)) an Alaska-specific regulation establishing certain limits on hunting practices in National Wildlife Refuges.

Committees ramp up work: Congressional panels are diving into hearings this week for the first time in earnest. Two House Energy and Commerce Committee subcommittees will hold separate hearings looking at [modernizing energy infrastructure](#) on Wednesday and [bedrock environmental laws](#), like the Clean Air Act, on Thursday. The Senate Environment and Public Works Committee tackles potential ways of [revamping the Endangered Species Act](#) with its own Wednesday hearing. Not to be left out, two House Science subcommittees [take aim at DOE's loan guarantee program](#) during a Wednesday session, where lawmakers will look at potential ways to overhaul the program.

WELCOME TO MONDAY! I'm your host Anthony Adragna, and congratulations to NWF's Collin O'Mara (and former Delaware Secretary of Natural Resources and Environmental Control) for being first to pick Delaware as the only state without commercial airline service! For today: What state appears in the name of another state's most populous city? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter [@AnthonyAdragna](#), [@Morning_Energy](#), and [@POLITICOPro](#).

New! Day Ahead: POLITICO Pro's comprehensive rundown of the day's congressional schedule, including details on legislation, votes, as well as committee hearings and markups. Day Ahead arrives in your inbox each morning to prepare you for another busy day in Washington. [Sign up to receive Day Ahead](#).

PUSH FOR STATE WETLANDS CONTROL HEATS UP: Several states and industry groups hoping to shift the regulatory power over wetlands and streams from Washington to the states are optimistic they'll have a friend in Pruitt, Pro's Annie Snider [reports](#). They want President Donald Trump's administration to take steps that encourage states to take over the permitting program under the Clean Water Act that governs the filling in of wetlands and streams, which they say is currently an economic drag that results in little additional environmental protection.

Pruitt hasn't said whether he would support states being allowed to issue "404" permits, named for the section of the act that establishes them, but has strongly backed giving more environmental power to states. But environmental advocates are wary of such an approach, arguing strong federal protections are vital to safeguarding waterways and saving wetlands that act as pollution filters and critical habitat. "The truth is that the politics of pollution can be tricky at the local level," Kevin Reuther, legal director for the Minnesota Center for Environmental Advocacy, told Annie.

Moreover, the individual deals that a Pruitt-led EPA would negotiate with states to allow them to take control of the program could offer a back-door opportunity to reinterpret the Clean Water Act, including how damage to wetlands must be offset and which streams and wetlands are important enough to warrant protection — the hot button question at the heart of the Obama administration's Waters of the U.S. rule. Ken Kopocis, who wrote the Obama rule, said there's no avoiding the WOTUS question if states move to take over the program, but was skeptical that would make a good venue for a significant federal pullback since it "would be about as cumbersome a way to do it as there is."

**** A message from the National Wildlife Federation:** America's 40 million hunters and anglers depend upon our nation's public lands. Some in Congress want to overturn National Monument protections or even sell-off the places Americans hunt, fish, hike, and camp. Join us as we urge President Trump and Congress to defend America's public lands for future generations: <http://bit.ly/2lhONxJ> **

NOAA WANTS ANOTHER LOOK AT 2015 PAPER: NOAA is bringing in independent experts to review its 2015 paper refuting the pause in global warming, a week after climate skeptics pounced on former NOAA scientist John Bates' criticism of how the paper was written to fuel their push to undermine the paper. "In the interest of maintaining the highest standards of transparency, accountability, and scientific integrity, we are in the process of engaging independent outside parties to review this matter," a NOAA spokesman said by email Sunday. "We will release further details as they are finalized."

Bates has sought to clarify his criticisms, since the kerfuffle last weekend. House Science Chairman [Lamar Smith](#) and others pounced on the [process issues](#) Bates raised in an interview with the Daily Mail and separate blog post. Bates told the Associated Press that there was "no data tampering, no data changing, nothing malicious" and said he acknowledges that earth is warming from man-made carbon dioxide emissions.

SOCIAL MEDIA WATCH: The EPA's official Twitter account has been silent since Jan. 19 (ever since [sharing](#) a link to former Administrator Gina McCarthy's blog post). That's unusual compared to other agency accounts: Both DOE and Interior have tweeted within the past day, for example.

DAPL HEARING, YA HEARD? The Cheyenne River Sioux will head to court today in

D.C. to try to persuade a federal judge to both stop construction on the Dakota Access Pipeline and to withdraw a final easement granted last week. The tribe may have an uphill climb given that they're appealing to the same judge who rejected their stop work request last year. Meanwhile, Energy Transfer Partners plugs away at construction. If the company keeps to its timeline, crude will be flowing this spring. Arguments will be at 2 p.m. in D.C. District Court.

Pipeline opponents flood Trump's route: Protesters lined the streets lining Trump and Japanese Prime Minister Shinzo Abe's route from Mar-a-Lago to Palm Beach International Airport on Sunday afternoon to protest three pipelines: Dakota Access, Keystone XL and the Sabal Trail, which is slated to begin transporting natural gas to South Florida in June, according to [the Palm Beach Post](#).

ME FIRST — ELLISON LANDS GREEN BACKER: Friends of the Earth Action today will announce its endorsement of Rep. [Keith Ellison](#) for Democratic National Committee Chair. "From the fight to stop the Keystone XL pipeline to the efforts to end government subsidies for fossil fuels, Rep. Ellison has been on the frontlines fighting to protecting public health and the planet," Erich Pica, the group's president, said in a statement.

BLANKENSHIP SEEKS FULL CIRCUIT REHEARING OF CONVICTION: Coal magnate Don Blankenship is taking his appeal to the next level: The full 4th Circuit Court of Appeals. Blankenship last month [lost](#) the appeal of his single misdemeanor conviction related to the 2010 Upper Big Branch mine disaster that killed 29 people. Now he [wants](#) an *en banc* rehearing before the circuit's full 15-judge bench. Most of the appeal rests on alleged legal infirmities with the previous proceedings, but Blankenship's lawyers also wrote that the three-judge panel that ruled against him was "seemingly motivated by its misunderstanding that the UBB explosion could be traced to mine safety violations." Such *en banc* rehearsals are rarely granted. Blankenship is scheduled to get out of prison on May 10.

GETTING (NUCLEAR) WASTED: Reps. [Darrell Issa](#) and [John Shimkus](#), who leads the Energy and Commerce's environmental subpanel, toured the San Onofre Nuclear Generation Station near San Diego on Friday as the Republican-led Congress seeks out solutions for storing nuclear waste. "This Congress I will continue to push for a comprehensive solution to nuclear waste management that would move spent nuclear fuel out of these communities in a timely manner and toward permanent disposal at Yucca Mountain," Shimkus said.

CUOMO ASKS EPA FOR DRINKING WATER ACTION: New York Gov. Andrew Cuomo has asked the EPA to set a maximum level for 1,4-dioxane, a likely carcinogen, in drinking water supplies, POLITICO New York's Marie J. French [reports](#). Should the federal regulator opt not to act, Cuomo plans to convene a panel and set a state maximum contaminant level.

DELAY REQUESTS NOT FLYING: Multiple groups have asked judges to delay litigation presumably in hopes the Trump administration will reverse course, but the judicial branch doesn't appear to be biting, Pro's Alex Guillén reports in [Energy Regulation Watch](#). Industry litigants asked for a 45-day extension on briefing a suite of lawsuits connected to EPA's mercury rule to let Team Trump look things over, but a three-judge panel gave the request a hard pass this week.

PAPER SUGGESTS ROCKY ROAD AHEAD FOR FERC/STATES RELATIONSHIP: A new [white paper](#) suggests the power struggle between FERC and states over electricity markets and subsidizing ailing power plants is far from finished. Raymond Gifford and

Matthew Larson at the firm Wilkinson Barker Knauer hint that Ohio lawmakers may soon introduce another bill aimed at subsidizing nuclear plants — astute ME readers will remember FERC last year blocked Ohio from doing that very thing. And the authors also suggest existing regional electric markets may not be keeping the natural gas industry afloat for much longer, which could incite another jurisdictional tussle over state subsidies and the agency's market oversight authority.

REPORT: UK PARKS AT RISK: The U.K. Parliament released a report Saturday finding local authority budget cuts have hit the country's 27,000 parks hard, POLITICO Europe's Giulia Paravicini [reports](#). "Parks are treasured public assets, as the overwhelming response to our inquiry demonstrates, but they are at a tipping point, and if we are to prevent a period of decline with potentially severe consequences then action must be taken," Clive Betts, Labour MP and chair of the select committee, said in the report.

MOVER, SHAKER: Ali Zaidi, former chief policy official for implementing the Obama administration's Climate Action Plan at OMB, has joined the law firm of Morrison & Foerster as a senior advisor. He'll work on matters related to climate change, clean energy, transportation, water, and environmental policy and markets.

TAKE A GLANCE! BENEFITS OF ENDING FOSSIL FUEL SUBSIDIES: The International Institute for Sustainable Development and the Overseas Development Institute are out with [a report](#) today finding the removal of subsidies for the production of fossil fuels would result in a decrease global carbon dioxide emissions by 37 gigatonnes between 2017 and 2050.

REPORT: DRILLING COULD FUEL ARCTIC INFRASTRUCTURE BOOM: The Alliance for Innovation and Infrastructure is out with [a report](#) today concluding Arctic offshore oil and gas activity would generate up to a \$6.3 billion infrastructure investment at the Port of Nome, Port Clarence and Cape Blossom, as well as expanded Arctic military and maritime infrastructure.

QUICK HITS

— Locals say protesters willing to give their lives to stop Dakota Access Pipeline. [Idaho State Journal](#).

— Here's what we know so far about Trump's climate change plans. [Mic](#).

— Humans causing climate to change 170 times faster than natural forces. [The Guardian](#).

— Ohio Critics Hope Bats Might Slow Down Pipeline Project. [AP](#).

— Prime Minister Malcolm Turnbull and ministers were told wind not to blame for South Australia blackout. [Sydney Morning Herald](#).

— Back in Florida, Craig Fugate is happy to leave the next disaster to a new FEMA chief. [Tampa Bay Times](#).

HAPPENING THIS WEEK

MONDAY

8:00 a.m. — ESRI [holds](#) its Federal Geographic Information Systems Conference, Walter E. Washington Convention Center, 801 Mount Vernon Place NW

8:30 a.m. — NARUC holds its [winter meeting](#), Renaissance Washington Hotel, 999 Ninth Street, NW

TUESDAY

10:00 a.m. — [Markup](#) of a number of regulatory overhaul bills, House Oversight and Government Reform Committee, 2154 Rayburn

3:00 p.m. — House Rules Committee [considers](#) two more resolutions of disapproval including one Interior Department rule, H-313

WEDNESDAY

8:30 a.m. — [3rd Annual Energy Storage Policy Forum](#), Energy Storage Association, National Press Club, 529 14th Street

10:00 a.m. — "[Modernizing Energy and Electricity Delivery Systems: Challenges and Opportunities to Promote Infrastructure Improvement and Expansion](#)," Energy and Commerce Energy Subcommittee, 2123 Rayburn

10:00 a.m. — "[Modernization of the Endangered Species Act](#)," Senate Environment and Public Works Committee, 406 Dirksen

10:00 a.m. — "[Risky Business: The DOE Loan Guarantee Program](#)," House Science, Space and Technology Subcommittees on Energy and Oversight, 2318 Rayburn

10:00 a.m. — "[How to Manage Global Catastrophic Risk](#)," The Brookings Institution, 1775 Massachusetts Avenue NW

11:00 a.m. — "Climate Change and Water Management in Eastern States: Overcoming Barriers to Innovation in Regulated Riparianism," American Water Resources Association [webinar](#), contact: info@awra.org

12:30 p.m. — "[Navigating the Southeast Energy and Environmental Policy Landscape](#)," Nicholas Institute for Environmental Policy Solutions, Grand Hyatt Washington 1000 H Street NW

4:00 p.m. — Young Conservatives for Energy Reform and the American Wind Energy Association hold wind energy rally, Grand Ballroom, Washington Court Hotel, 525 New Jersey Ave., NW

THURSDAY

10:00 a.m. — "[The Road to Market Rebalance: Oil and Gas in 2017](#)," The Center for Strategic and International Studies, 1616 Rhode Island Avenue NW

12:00 p.m. — "[The Smoke and Mirrors Behind Climate Modeling: Advice to Policymakers](#)," The Heritage Foundation, 214 Massachusetts Avenue NE, Lehrman Auditorium

2:00 p.m. — "[The High-Voltage Grid: Its Operations, Challenges, and Benefits](#),"
Environmental and Energy Study Institute, 385 Russell

FRIDAY

8:00 a.m. — "[American-Made BioEnergy from Field to Refinery: Feedstock Logistics](#),"
Council on Food, Agricultural and Resource Economics, National Press Club, 14th and F
Streets NW

2:00 p.m. — "[The New Global Dynamics for Coal](#)," United States Energy Association, 1300
Pennsylvania Avenue NW

THAT'S ALL FOR ME!

**** A message from the National Wildlife Federation:** America's 40 million hunters and anglers depend upon our nation's public lands. Many of these lands have been protected over the past century by both Republican and Democratic Presidents through the Antiquities Act - a bedrock conservation law enacted by President Theodore Roosevelt - so that every American can enjoy our nation's outdoor treasures. These majestic places help define us as Americans. They are indispensable to America's hunting and fishing heritage - and serve as powerful economic engines for local communities. Yet right now, some in Congress want to overturn National Monument protections for iconic places, like Bears Ears in Utah. Others want to allow more pollution or even sell-off special places where Americans hunt, fish, hike, and camp. President Trump has strongly supported keeping America's public lands public and we need Congress to do the same for America's hunters and anglers. Help us defend America's public lands: <http://bit.ly/2lhONxJ> **

To view online:

<https://www.politicopro.com/tipsheets/morning-energy/2017/02/wait-goes-on-for-perry-pruitt-zinke-021340>

Stories from POLITICO Pro

Push to hand wetlands control to states could find ally in Pruitt [Back](#)

By Annie Snider | 02/13/2017 05:01 AM EDT

A quiet push to shift the regulatory power over wetlands and streams from Washington to the states is gaining steam, and may find an ally in EPA administrator nominee Scott Pruitt.

Though it hasn't garnered the type of attention that the Waters of the U.S. rule has, several states and industry groups are hoping the Trump administration will help the states take over the permitting program under the Clean Water Act that governs the filling in of wetlands and streams.

So far, only two states have met EPA requirements that allow them to issue those "404" permits — named for the section of the act that establishes them. By comparison, 45 states have taken over the permitting process under the Clean Water Act that allows discharges into waterways.

The EPA process of awarding 404 permits has long drawn complaints from developers and states, which say the federal agency drags its feet and lacks the local knowledge to make

logical decisions. The result, they say, is an economic drag that results in little additional environmental protection.

But environmentalists contend that a strong federal program of protections is vital to safeguarding waterways and saving wetlands that act as pollution filters and critical habitat, while helping prevent flooding during deluges.

Now, as newly empowered Republicans look for ways of getting the federal government out of environmental regulation, greasing the skids for states to take up the wetlands permitting program could provide a ripe opportunity. It could also have a decades-long impact on the contours of environmental regulation.

Pruitt, who is awaiting a final vote on his appointment in the Senate, hasn't revealed whether he favors helping the states take on the 404 permit process, but the former Oklahoma attorney general has been a strong backer of giving more environmental power to states.

"It is our state regulators who oftentimes best understand the local needs and the uniqueness of our environmental challenges. Plus, our state regulators possess the resources and expertise to enforce our environmental laws," he told the Senate Environment and Public Works committee at his confirmation hearing.

At least 20 states have looked into taking over the wetlands program in recent years, often at the encouragement of their regulated industries, said Jeanne Christie, executive director of the Association of State Wetland Managers, but funding problems and questions about the scope of their authority have stopped them from pursuing it.

The dredge-and-fill program is among the country's most contentious environmental regulations. Most industries working across the landscape, from coal mining to home building to transportation infrastructure, have to get 404 permits if their projects affect the streams and wetlands in their paths.

The Army Corps of Engineers, which implements the program in states that haven't taken it over, and the EPA, which holds ultimate oversight authority, can require developers to reconfigure or shrink a project to avoid impacts, force them to offset any harm to water resources with restoration work elsewhere, or even deny a permit. And when a developer needs a 404 permit, other federal laws like the Endangered Species Act or the National Historic Preservation Act also come into play, even for privately funded projects on private land.

Developers say 404 permits are often the most expensive, time-consuming aspect of planning a project. And even industries like agriculture, that are largely exempt from 404 requirements, worry about the program since even inadvertent violations can result in hefty daily fines.

In wetlands regulation, as in many other areas of environmental law, industry groups argue that local authorities can better protect their resources and are easier to work with.

The permitting process is more "predictable, timely and consistent" when it's administered at the local level, said Owen McDonough of the National Association of Homebuilders.

"Those regulators understand the differences and nuances of those water and land features that, frankly, bureaucrats in Washington, D.C., don't have a good knowledge of," he said.

William Creal, who in 2012 headed the water resources division for the state of Michigan, one of the two states that has taken over the federal wetlands program, [told](#) Congress that year that his state could make permitting decisions much faster than the Corps. He pointed to a permit for a proposed nuclear power plant where his agency was able to make a key adjudication within 45 days, while it took the Corps more than 700 days.

But environmentalists worry that giving states power over the program could weaken protections.

Jan Goldman-Carter, a water attorney with the National Wildlife Federation who has been involved with the issue for years, described her position as "open-minded but skeptical." On one hand, she said, states that have their own water protections, such as those relating to coastlines or storm water, could strengthen those efforts by marrying them up with the federal dredge-and-fill program.

But states can already do that that, she said, arguing that federal regulation offers an important backstop. "We're always better off with strong state programs that are backed up by strong federal programs," she said.

Kevin Reuther, legal director for the Minnesota Center for Environmental Advocacy, whose state is considering taking on the 404 permitting power, put a finer point on it. "The truth is that the politics of pollution can be tricky at the local level," he said, arguing that in Minnesota "the facts on the ground have shown that it is difficult for [state authorities] to regulate certain industries" that are economic drivers, like mining.

To take over the permitting process, a state must meet the Clean Water Act's requirements that it have a program in place that's at least as stringent as the federal program. That means it has to cover at least the same bogs, marshes, streams, creeks and rivers that the federal law does, and set protections that are least as strong as those set out by EPA, which retains ultimate oversight authority and can overrule the state on permit decisions.

However, unlike the Clean Water Act's discharge permit program, states cannot take over the full wetlands program from the feds. The Army Corps would still retain control over rivers, harbors and other waterways used for navigation — although it's not clear which waterbodies fall into this category, and whether it also applies to nearby wetlands and tributaries.

Ultimately, the decision over that jurisdiction would be negotiated by the state, EPA and the Army Corps and included in an agreement allowing the state to take over the program.

But not knowing upfront how many of their waterways would fall under their control has left states struggling to decide whether it's worth the effort to get to the negotiating table in the first place, said Alexandra Dapolito Dunn, executive director of the Environmental Council of the States.

"You have to know what you're assuming, you have to know what you're taking delegation of," said Dunn, whose group has been [pushing](#) to make it easier for states to take over the program.

EPA convened a federal advisory [panel](#) in 2015 to make recommendations about where the line between state and federal jurisdiction should be drawn. But Dunn said the group remains split on the issue, with the Corps taking a more restrictive approach on which waterbodies the

states take on.

And taking on the regulatory task presents another major hurdle for states: money. States get grants to help cover the cost of running other federal permitting programs, but EPA has no mechanism for helping states cover the millions of dollars needed to operate their own wetlands program each year.

"That becomes a discouraging factor," said Ken Kopocis, who headed the EPA water office under the Obama administration.

It also makes environmentalists nervous, fearing that budget cuts in a state that has control over the wetlands program could result in inadequate enforcement and protection.

Proponents of greater state control over 404 permits argue that the Trump administration could easily eliminate those barriers by laying out a more liberal policy about what waterways states can take responsibility for and creating — and funding — a grant program to help states cover their program costs.

Not only would giving more power to the states fit with Republican goals to hand environmental regulations over to local control, it would also enable the administration to codify their view of the wetlands program in agreements with states that could last decades.

Trump's EPA and Army Corps leaders would decide exactly how a state program should be designed to operate at the same level as the federal program. Those include its citizen lawsuit provisions, compensation requirements for damages to water resources, and determinations on which waters deserve federal protection in the first place.

While much of the confusion has concerned which large rivers and estuaries should remain under the Corps' control, state-federal negotiations would also have to address the opposite end of the spectrum: how far up into the tributary network the federal protections should extend. That's the question behind the battle over the Obama administration's Waters of the U.S. rule.

With the Obama rule on hold by the courts, the Trump administration would have the latitude to take its own interpretation into individual negotiations with the states.

Kopocis argued that there's no avoiding the issue when states go to the negotiating table with the feds to take over the 404 program. But, he argued, wherever the Trump administration drew that line in one state would have to apply nationwide. And he said any efforts to significantly shrink the scope of federally-protected waters would be a prime target for a lawsuit.

"I think there's a possibility you could reduce it; I think this would be a mechanism," Kopocis said. "But I think it probably would be about as cumbersome a way to do it as there is."

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Court rejects Blankenship's appeal [Back](#)

By Alex Guillén | 01/19/2017 09:20 AM EDT

A federal appeals court today [rejected](#) coal magnate Don Blankenship's appeal of his 2015

misdeemeanor conviction stemming from the Upper Big Branch mine disaster that killed 29 people in 2010.

Blankenship argued in the fall that there were several legal deficiencies with his trial, but a three-judge panel from the 4th Circuit Court of Appeals shot down those arguments in turn. The panel included Chief Judge Roger Gregory, who was put on the bench by George W. Bush, and Judges James A. Wynn, Jr. and Andre M. Davis, both Obama appointees.

It is unclear whether Blankenship will appeal to the Supreme Court, although his sentence almost certainly will have been served by the time the high court could consider his case.

Blankenship's one-year sentence is slated to end on May 10.

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Cuomo asks EPA to set safety limit for 1,4-dioxane in drinking water [Back](#)

By Marie J. French | 02/11/2017 05:27 PM EDT

Gov. Andrew Cuomo has asked the federal government to set a maximum level for 1,4-dioxane, a likely carcinogen, in drinking water supplies.

If the Environmental Protection Agency does not act, Cuomo plans to convene a panel and set a state maximum contaminant level. The chemical 1,4-dioxane has emerged as a concern on Long Island, where tests show a higher level than in most other water supplies across the country.

"As new contaminants continue to emerge on a regular basis in communities across the nation, states should no longer be left to fend for themselves," Cuomo wrote in a letter to Catherine McCabe, the EPA's acting administrator. "The federal government should provide actionable guidance on best practices for removing 1,4-dioxane from drinking water, invest in cutting-edge treatment technologies, and set an (maximum contaminant level) to protect public health."

The Suffolk County Water Authority is testing a system to remove 1,4-dioxane from the water later this year. Several Suffolk County officials signed on to the letter.

The state also is moving forward to test all water systems on Long Island for 1,4-dioxane. Cuomo has proposed requiring testing for a list of contaminants compiled by the Department of Health in all water systems and some private wells as part of his budget for the coming year.

The letter criticizes the EPA's "shifting, contradictory guidance" on PFOA and PFOS contamination. A water crisis in the Rensselaer County town of Hoosick Falls, where documents show that the Cuomo administration [resisted dire warnings from EPA officials](#) about the presence of PFOA, has spurred new attention to drinking water quality issues.

Cuomo also has proposed a \$2 billion fund for water quality protection which could in part be used to fund responses to water contamination.

Read the full letter here: <http://on.ny.gov/2l5E7BG>

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Somewhat



Neutral



Not really



Not at all

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