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## **ENERGY & ENVIRONMENT UPDATE**

### **April 1, 2013**

The House and Senate are on recess, returning next week. April is shaping up to be a busy month. Reintroduction of important energy legislation is expected later this month, and the nominees to head the Interior Department and Energy Department will have their confirmation hearings in the Senate next week.

### **CONGRESS**

#### **Single-Issue Legislation Approach**

On March 25, Senate Energy and Natural Resources Chairman Ron Wyden (D-OR) commented that he anticipates both parties will come together in the 113<sup>th</sup> Congress to pass bills that focus on particular energy issues rather than sweeping reform. Issues where agreements could be reached include energy efficiency, ethanol and the blend wall, medium-term nuclear waste storage, and small hydropower plants.

#### **Weatherization Funding Support**

On March 26, Senators Jack Reed (D-RI) and Susan Collins (R-ME) led a letter to the Department of Energy on funding for the Weatherization Assistance Program (WAP). The program's budget was cut by 60 percent in FY2012, and the Continuing Resolution's flat-funding will further hurt the program. The letter, signed by 32 other senators, urged the Department to continue sufficiently funding the program by using its reprogramming and transfer authority.

#### **Shaheen-Portman Introduction**

On March 27, staff from the offices of Senator Jeanne Shaheen (D-NH) and Rob Portman (R-OH) announced that the senators will introduce the Energy Savings and Industrial Competitiveness Act ("Shaheen-Portman") on April 10. The bill, which was also introduced in the last session of Congress, will be considered at a Senate Energy and Natural Resources hearing tentatively scheduled in late April.

### **Energy and Power Agenda**

On March 28, the House Energy and Commerce Subcommittee on Energy and Power released its 2013 agenda which has a particular focus on fossil fuel. The agenda, which aims to make the country a net energy exporter within 10 years, calls for approving the Keystone XL pipeline, improving the ability to export oil and gas, promoting drilling on federal lands, and requiring agencies like the Environmental Protection Agency (EPA) to be held fully responsible for their actions when promulgating regulations. Hydraulic fracturing legislation was not included in the agenda.

### **Congressional Energy Meeting**

On March 28, House Energy and Commerce Subcommittee on Energy and Power Chairman Ed Whitfield (R-KY) announced House and Senate energy leaders will meet again in the next three to four weeks to discuss specific energy policy proposals including energy efficiency. Chairman Whitfield, Energy and Commerce Full Committee Chairman Fred Upton (R-MI), and Senate Energy and Natural Resources Chairman Ron Wyden (D-OR) and Ranking Member Lisa Murkowski (R-AK) have previously met to discuss a common legislative approach.

### **McCarthy Nomination Hearing Set**

The Senate Environment and Public Works Committee set Gina McCarthy's nomination hearing for Environmental Protection Agency (EPA) Administrator on April 11. As previously reported, Energy Secretary Nominee Ernest Moniz will be considered that same week by the Senate Energy and Natural Resources Committee on April 9.

### **Bills Introduced**

Although Congress has been in recess, several measures currently being circulated as draft legislation are expected to be introduced when the members return in April. These pieces of legislation include the Energy Savings and Industrial Competitiveness Act by Senators Jeanne Shaheen (D-NH) and Rob Portman (R-OH), the Master Limited Partnerships Parity Act by Senators Chris Coons (D-DE) and Jerry Moran (R-KS), Carbon Limits and Energy for America's Renewal Act by Senators Maria Cantwell (D-WA) and Susan Collins (R-ME), and, although less likely than the previous three bills, the American Clean Energy and Security Act by Representatives Henry Waxman (D-CA) and Ed Markey (D-MA).

### **Upcoming Hearings**

The House and Senate are both out of session this week for recess.

## **ADMINISTRATION**

### **Presidential Order Challenged**

On March 21, the federal government advised the U.S. District Court for the District of Columbia to dismiss a complaint by Ralls Corp., a company owned by Chinese nationals that attempted to acquire wind farms in the U.S. Two presidential orders regarding the company were released in September 2012: one to prevent the acquisition of four wind farm companies by Ralls and one to order the divestment by Ralls of the wind farm companies. The company claims the President should, under the Due Process clause, disclose the information he uses when issuing the presidential orders. An earlier decision dismissed most of the complaint except the due process question.

### **President Signs Continuing Resolution**

On March 26, President Obama signed H.R. 933, the Consolidated and Further Continuing Appropriations Act, into law. The legislation continued funding federal agencies through September 30, preventing the government shut down that would have happened had the previous spending measure been allowed to expire on March 27. Sequestration measures were part of this legislation.

### **Budget Release Date Set**

On March 28, the White House announced it will release its Fiscal Year 2014 proposed budget on April 10. It was required by law to be released by February 4, but the administration put it on hold because the continuing resolution and sequestration debates took up much of the time of officials, preventing them from working on the new budget.

## **DEPARTMENT OF ENERGY**

### **Inspector General Stimulus Report**

On March 21, the Department of Energy Inspector General released a report on the spending of funds from the American Recovery and Reinvestment Act of 2009. The stimulus gave the Department approximately \$1.5 billion to support carbon capture and sequestration projects of which \$623 million, or less than 42 percent, has been spent.

### **Natural Gas Infrastructure**

On March 22, former Assistant Secretary of Energy for Fossil Energy Charles McDonnell addressed the American Bar Association (ABA) Section of Environment, Energy, and Resources' annual meeting, remarking on the state of natural gas infrastructure. He said improvements to the infrastructure are needed in order to support supply and development of natural gas.

### **Clean Energy Manufacturing Initiative**

On March 26, the Department of Energy announced the creation of the Clean Energy Manufacturing Initiative (CEMI) designed to improve America's competitiveness through manufacturing in the clean energy sector. Features of CEMI include analysis by the National Laboratories on America's competitiveness, public-private partnerships, regional summits, training and technical assistance for manufacturers, and increased funding for development of advanced batteries, biofuels, geothermal, solar, and wind technologies.

### **DOE Chief of Staff**

On March 28, Department of Energy Chief of Staff Brandon Hulburt left his position to work on the transition team for Energy Secretary Nominee Ernest Moniz on a full-time basis. Deputy Chief of Staff Jeff Navin will become Acting Chief of Staff. Hulburt, who became Chief of Staff for Secretary Steven Chu two years ago, plans on leaving government entirely later this spring.

## **ENVIRONMENTAL PROTECTION AGENCY**

### **Greenhouse Gas Supreme Court Challenge**

On March 20, the Pacific Legal Foundation, the Utility Air Regulatory Group, and the state of Virginia filed petitions with the Supreme Court challenging decisions by the U.S. Court of Appeals for the District of Columbia Circuit on Environment Protection Agency (EPA) greenhouse gas actions. The Pacific Legal Foundation and Virginia challenged a decision that maintains that the Clean Air Act

allows the EPA to regulate greenhouse gases, while the Utility Air Regulatory Group challenged the EPA's permitting program for large stationary sources of emissions.

### **Title V Permits Challenge**

On March 25, the Sierra Club filed a petition asking the U.S. District Court for the District of Columbia to require the Environmental Protection Agency (EPA) to either approve or deny a Georgia state implementation plan for coal-fired power plants. The plan, which focuses on sulfur dioxide emission reductions from Georgia Power plants, was submitted in July 2010, and the EPA should have made a decision by January 20, 2012.

### **Light Duty Vehicle Court Challenge**

On March 25, several trucking groups filed charges against the Environmental Protection Agency (EPA) in the U.S. Court of Appeals for the District of Columbia Circuit over a decision involving light duty vehicles. The lawsuit contests the agency's denial of petition to reconsider emission standards for light duty vehicles for model year 2012 through model year 2016. The groups include the California Construction Trucking Association Inc., the Delta Construction Co. Inc., the Southern California Contractors Association, and the Pacific Legal Foundation.

### **Hydraulic Fracturing Research Advisory Panel**

On March 25, the Environmental Protection Agency's (EPA's) Science Advisory Board (SAB) announced the formation of the Hydraulic Fracturing Research Advisory Panel designed to peer-review congressionally mandated research by the agency on the health impacts of fracking. The EPA is set to release its draft report in 2014. The panel is made up of 31 experts from companies, consulting firms, government, and universities. Concurrently, the Obama Administration is drafting hydraulic fracturing regulations for drilling on public lands, although the details of the rules have not been released.

### **Texas Implementation Ruling**

On March 25, the U.S. Court of Appeals for the Fifth Circuit said the Environmental Protection Agency (EPA) acted under its statutory authority when it partially approved of Texas's revised implementation plan for emission standards for the startup, shutdown, and maintenance of facilities. The EPA had approved the affirmative defense for unplanned startup, shutdown, and maintenance but had disapproved of the affirmative defense for planned activities. Luminant Generation Co. and environmental groups petitioned the court.

### **Poor River Conditions**

On March 26, Environmental Protection Agency (EPA) Office of Water Acting Assistant Administrator Nancy Stoner reported that 55 percent of America's rivers are considered in poor condition as outlined in the draft survey, "National Rivers and Streams Assessment." 21 percent of rivers are considered in good condition, and 23 percent were reported to be fair. The agency, which conducted a study of close to 2,000 rivers in 2008 and 2009, found high levels of bacteria, nitrogen, and phosphorous and decreased vegetation in many of the rivers. These conditions harm aquatic life, food resources, and water quality.

### **E15 Supreme Court Challenge**

On March 26, several stakeholder groups filed a cert petition with the Supreme Court, appealing the August 2012 decision by the U.S. Court of Appeals for the District of Columbia Circuit which stated the groups did not have standing to challenge the Environmental Protection Agency's (EPA's) partial waiver for 15 percent ethanol (E15) blends. The petition asked the Supreme Court to consider the standing of the groups as well as whether an option to comply with a statute is

coercive since the option is almost mandated. The groups that filed the petition are the Alliance of Automobile Manufacturers, the Association of Global Automakers, the National Marine Manufacturers Association, and the Outdoor Power Equipment Institute.

### **Emission Limit Credits**

On March 26, the Environmental Protection Agency (EPA) released its report, "Greenhouse Gas Emission Standard for Light-Duty Automobiles: Status of Early Credit Program for Model Years 2009-2011." The report found that seventeen manufacturers received more than 209 million credits by having their 2009 to 2011 model year fleets comply with greenhouse gas emission reduction standards. Each credit equates to a reduction of one metric ton of carbon dioxide emissions. The credits can be applied in the future when standards become stricter.

### **Power Plant Construction Ruling**

On March 28, the U.S. Court of Appeals for the Sixth Circuit ruled that the Environmental Protection Agency (EPA) can challenge power plant construction projects suspected of not fully considering potential air pollution increases. In 2010, the EPA sued DTE Energy for not installing pollution controls during boiler part replacement at their coal-fired power plant. DTE Energy claimed the plant was exempt from regulations because it was routine maintenance. A federal judge previously threw out the suit because the EPA filed the suit too soon after the maintenance.

### **Tier 3 Proposed Rulemaking**

On March 29, the Environmental Protection Agency (EPA) released its Tier 3 notice of proposed rulemaking, reducing air pollution from passenger cars and trucks. The proposed rule includes limiting tailpipe and evaporative emissions, to be phased-in between model years 2017 and 2035, and lowering gasoline sulfur standards, to involve an average, banking, and trading (ABT) program to help refiners spread out their investments through an early credit program.

### **MATS Update**

On March 29, the Environmental Protection Agency (EPA) released its final rule to update mercury and air toxic standards (MATS) for new coal- and oil-fired power plants; existing power plants are not affected by the rule. The changes, which are designed to continuously monitor pollution levels, are mainly technical and are based upon analysis that was not available when the original rule was created.

### **Cross-State Air Pollution Rule Challenge**

On March 29, the American Lung Association, the Clean Air Council, the Environmental Defense Fund, the Natural Resources Defense Council, and the Sierra Club filed a petition with the Supreme Court to consider an appeals court ruling on the Environmental Protection Agency's (EPA's) Cross-State Air Pollution Rule. The petition questions if the opponents of the rule, which limits pollution between states, had standing and if the appeals court overstepped its judicial review power by creating methodology for implementing some of the rule.

## **INTERIOR DEPARTMENT**

### **Salazar's Farewell**

On March 25, Secretary of the Interior Ken Salazar delivered his farewell speech, praising work by both the Department and the Obama Administration on renewable energy. Since Salazar assumed the post, renewable energy production on federal lands in the United States has doubled.

### **Energy Development Restrictions**

On March 25, the U.S. Fish and Wildlife Service issued a report, "Greater Sage-grouse Conservation Objectives: Final Report," recommending significant restrictions on energy development, infrastructure projects, and surface mining in areas that are habitats for the greater sage-grouse. If implemented, these policies could impact conventional energy production, renewable energy production, and mining in these areas.

### **Climate Adaptation Strategy**

On March 26, the U.S. Fish and Wildlife Service released its report, "National Fish, Wildlife, and Plants Climate Adaptation Strategy." The strategy aims to provide a single approach to addressing the impact of climate change on natural resources with which state and federal agencies should comply. Aspects of the strategy include considering climate change in land management plans, promoting options that allow for continued migration of species despite climate shifts, and training professionals to better include climate change in their work.

### **Reduced Land Availability Criticism**

On March 27, the American Petroleum Institute (API) criticized the Department of the Interior on its recent decision to reduce the amount of public land available for oil shale development in Colorado, Utah, and Wyoming.

## **DEPARTMENT OF HOMELAND SECURITY**

### **Prioritizing Infrastructure Peer Review**

On March 25, the Government Accountability Office (GAO) reported that the Department of Homeland Security (DHS) will create an external, independent peer review board to examine the methodology for identify critical infrastructure. The board will determine if the approach is "reproducible and defensible" and if it correctly identifies the most important infrastructure. The report will be released by late September 2014.

## **DEPARTMENT OF STATE**

### **Keystone XL Public Meetings**

The Department of State will host two public meetings on April 18 in Grand Island, Nebraska to discuss the draft environmental study for the Keystone XL Pipeline.

## **DEPARTMENT OF TREASURY**

### **TIGTA Advanced Energy Tax Credit Program Report**

On March 27, the Treasury Inspector General for Tax Administration (TIGTA) released a report that did not find the IRS out of compliance with the law in their authorization of \$2.3 billion in tax credits for energy companies under Section 48C of the tax code. While the report identified inconsistencies between qualification criteria for the credits specified under Section 48C and those issued in the IRS guidance for the credit applications listed in Notice 2009-72, it found that they resulted from IRS efforts to simplify the guidance so that it would be easier to understand for applicants. The report was requested by House Science, Space, and Technology Subcommittee on Oversight Chairman Paul Broun (R-GA), who has expressed concern over potential improper use of Section 48C and other energy tax subsidy programs.

## **GOVERNMENT ACCOUNTABILITY OFFICE**

### **Wind Power Projects Duplication**

On March 28, the Government Accountability Office (GAO) released its report “Wind Energy: Additional Actions Could Help Ensure Effective Use of Federal Financial Support.” The report found that there were 82 federal wind power initiatives in FY2011, 73 of which were run by the Departments of Agriculture, Commerce, Energy, Interior, and Treasury. In total, \$3 billion was spent on the initiatives, and \$1.1 billion was provided in tax subsidies. The report also found that seven of the programs were duplicative; this duplication occurred when Treasury recipients earned smaller loans or grants from the Departments of Agriculture or Energy.

## **INTERNATIONAL**

### **China Energy Saving Procurement**

On March 7, the Chinese State Administration of Taxation released a notice listing energy saving products that qualify for government procurement. The products include certain air conditioning units, LED lighting, printers, and water-saving technologies. A new list will be released in July.

### **Russian Working Group on Climate Change**

On March 12, The International Working Group on Climate Change and Sustainable Development, established by Russian President Vladimir Putin in 2012, recommended that Russia’s Minister of Natural Resources and Environment create a proposal for a domestic carbon market and set a national goal for limiting greenhouse gases.

### **Canada as an Energy Superproducer**

On March 14, the Fraser Institute released a report titled “Canada as an Emerging Energy Superproducer” which looked at the country’s energy net exports, production, and resources. The report also addressed economic benefits of energy production. The report found that Canada must address environmental issues before fully becoming a superproducer of energy.

### **Russian Ministry of Emergency Situations Report**

On March 15, the Russian Ministry of Emergency Situations issued a report stating that the rate of warming in Russia has increased during the past 10 years and that the more frequent stretches of severe weather would likely cause annual economic damage of up to 2 percent of Russia’s gross domestic product.

### **China’s Suntech Bankruptcy**

On March 20, Suntech, a Chinese solar manufacturing company, declared bankruptcy. Questions have arisen on how the country’s solar industry will now cope with overcapacity issues which stem from a decline in demand from Europe. The declaration comes a week after the company announced it had defaulted on \$541 million of bonds.

### **China to Tax Polluting Products**

On March 21, Economic Information Daily reported that the Chinese Ministry of Finance, the State Administration of Taxation, and the Budget Committee of the National People’s Congress are currently evaluating a revision to include highly polluting products in China’s consumption tax. “High risk” items that could qualify include detergents, disposable dishes and utensils, fertilizers, lead-acid batteries, ozone-depleting substances, pesticides, plastic bags, and products with either excessive packaging or high concentrations of heavy metals.

### **China to Improve Green Credit**

On March 22, the People's Daily, the official newspaper of the Communist Party of China, reported that the China Banking Regulatory Commission expects to finish its analysis of its "green credit" practices in April. The programs will help banks differentiate borrowers based on environmental performance, with the aim of giving green companies better access to credit while limiting credit for notorious polluters.

### **Chinese Climate Change Mitigation and Adaption Report**

On March 22, The Climate Group and the Research Center for Climate and Energy Finance at China's Central University of Finance and Economics issued a report that projects China will need \$243 billion of additional funds per year by 2020 to mitigate and adapt to climate change. The report, "Shaping China's Climate Finance Policy," was prepared for the National Development and Reform Commission, China's top planning body. The forecast represents 2 percent of China's annual gross domestic product.

### **China Pollution Costs**

On March 25, the China Academy for Environmental Planning, an academy under the purview of the Ministry of Environmental Protection, found that pollution damage costs in the country totaled \$247 billion in 2010, accounting for about 3.5 percent of gross domestic product (GDP).

### **Potential Chinese Carbon Tax**

On March 25, the Chinese National Development and Reform Commission's Climate Change Department website reported that, according to new Chinese Finance Minister Lou Jiwei, new financial and tax reforms could include new resource and carbon taxes. The proposed environmental resource tax laws are currently being developed by the Ministry of Finance and the Ministry of Environmental Protection, but there is no current timetable for finalization.

### **European Commission Energy Policy Framework**

On March 27, the European Commission released a consultation document on an energy policy framework for 2030 that includes energy targets, instruments, and policies that help the economy. Member countries and stakeholders are both encouraged to comment. This paper begins a legislative process that should yield a formal proposal by the end of the year.

### **2012 Third-Costliest Year for Insurers**

On March 27, reinsurance firm Swiss Re released its report, "Natural Catastrophes and Man-Made Disasters in 2012: A Year of Extreme Weather Events in the U.S.," finding that last year was the third-costliest year for insurers on record, with natural and human-caused disasters causing \$186 billion in total economic losses and \$77 billion in insured losses. In terms of insured losses, nine of 2012's ten most expensive events occurred in the United States.

### **IMF Energy Subsidies Report**

On March 28, International Monetary Fund (IMF) First Deputy Managing Director David Lipton outlined findings from the organization's report "Energy Subsidy Reform: Lessons and Implications" at a Peterson Institute for International Economics briefing. The report stated that energy subsidies, which account for \$1.9 trillion or 2.5 percent of global gross domestic product (GDP), could result into a 13 percent decrease in carbon emissions if removed. The report also promoted taxing carbon emissions to fight high energy consumption and combat climate change.

### **Airline Emission Limits**

On March 28, Felix Leinemann, a transportation counselor for the European Union delegation in the U.S., said the European Commission wants the airline industry to reach a decision on an option to take a market-based approach in addressing carbon emissions. The International Civil Aviation Organization (ICAO) is considering an agreement at its fall meeting. Speaking at the U.S. Chamber of Commerce's Aviation Summit, Leinemann said the Commission might advocate for the ICAO approach over the current plan to include foreign airlines into the Emissions Trading System (ETS) if the plan can significantly reduce airline emissions.

## **STATES**

### **New York Hydraulic Fracturing Ruling**

On March 15, the New York State Supreme Court released its ruling on a case between the oil and gas company Lenape Resources Inc. and the town of Avon. The court upheld a yearlong moratorium on hydraulic fracturing and dismissed an action against the Department of Environmental Conservation on procedural grounds. The ruling signifies that state law does not preempt local governments from limiting hydraulic fracturing.

### **Wyoming Fracking Ruling**

On March 21, a Wyoming District Court ruled that the Oil and Gas Conservation Commission correctly refused to release the ingredients of hydraulic fracturing fluid. The court found the chemical ingredients are considered trade secrets.

### **California Appliance Comments**

On March 25, the California Energy Commission announced it would begin collecting comments on the labeling requirements, operating standards, and test procedures electricity and water efficiency requirements for fifteen products. The rulemaking process began on March 14 and will include the solicitation of input, staff reports, and formal notice of proposed action. It is broken down into three phases: phase one focusing on consumer electronics and water appliances being addressed now, phase two addressing computer servers and outdoor lighting in mid-2013 to mid-2014, and phase three focusing on fluorescent fixtures and commercial dishwashers in mid-2014 to mid-2015.

### **Oregon and Washington Coal Terminal Letter**

On March 25, Oregon Governor John Kitzhaber (D) and Washington Governor Jay Inslee (D) sent a letter to White House Council on Environmental Quality (CEQ) Chairwoman Nancy Sutley requesting that the administration review coal export terminals. The request includes information on coal mining on federal lands, exporting coal to Asia, and pollution. The administration is currently considering permits for coal export terminals in the area.

### **Washington Climate Change Bill**

On March 25, the Washington State House voted 62-31 for SB 5802, a bill requiring an outside study of the state's work to slow carbon emissions which will then be translated into a full report to the legislature by the end of 2013. House Republicans introduced amendments to include in the study the viability of solar and wind energy as well as whether hydroelectric power is considered green energy, but the amendments failed. The bill will now go to Gov. Jay Inslee (D) to sign; he has already expressed support for the bill. Washington is working to curb 2020 emission levels to those of 1990.

### **Texas Fracking Water Recycling Rules**

On March 26, the Railroad Commission of Texas adopted voluntary rules to encourage water recycling in hydraulic fracturing. The rules create recycling permit categories based on industry, exempt a company from obtaining a permit if water is either recycled by the operator or transferred to another operator's lease to recycle, and establish a tiered approach to reuse fluid.

### **Virginia Hybrid Car Tax**

On March 26, Virginia Governor Bob McDonnell (R) announced he will keep the hybrid car tax in his plan for transportation funding. However, the tax will be reduced from \$100 per year to \$64 per year; there is a reduction because last year's tax was based on higher gas tax rates.

### **New Hampshire Wind Power Approvals**

On March 28, the New Hampshire Senate voted to create a study on how wind power projects are reviewed rather than the original proposal of placing a one-year moratorium on new projects. The original bill, S. 99, would have also required the Site Evaluation Committee (SEC), the agency that approves energy projects, to change the application fees. The Senate approved an amendment in nature of a substitute to remove all proposals in the original bill except the study.

## **SUSTAINABILITY**

### **CFOs and Sustainability**

On March 25, SAP Senior Vice President and Chief Accounting Officer Christoph Hütten said that chief financial officers will eventually become responsible for companies' sustainability issues rather than other employees. He praised sustainability and integrated reporting, saying they reinforce the benefits of sustainability. SAP, a German software company, released its first integrated report that same day.

## **MISCELLANEOUS**

### **Arctic Sea Ice**

On March 25, the National Snow and Ice Data Center (NSIDC) reported that this winter's Arctic sea ice cover maximum, the point where ice stops growing and begins to melt, was the sixth-lowest since satellite records began measuring it. The maximum was reached on March 15 and was 5.84 million square miles. The previous record low was in 2007.

### **Coal Ash Lawsuit**

On March 26, the Southern Environmental Law Center (SELC) announced it was planning on suing Duke Energy over coal ash storage at the Riverbend coal-fired facility in North Carolina. SELC claims the unlined coal ash storage lagoons are polluting drinking water. Duke recently announced it was closing the facility on April 1. Measurements at nearby Mount Island Lake found high quantities of arsenic, cobalt, iron, and manganese.

### **Gallup Energy Poll**

On March 27, Gallup released the findings from a poll on Americans' preferences on energy production. Americans wish to see "more emphasis" placed on solar production by 76 percent, on wind power by 71 percent, on natural gas by 65 percent, on oil by 46 percent, and on coal by 31 percent. When broken down by political party, 71 percent of Republicans and 29 percent of Democrats want to see more work done on oil.

**RFA Report**

On March 27, the Renewable Fuels Association (RFA) released a report entitled “Retail Gasoline Price Impact of Compliance with the Renewable Fuel Standard,” which said rising gasoline prices have not been spurred by recent increases in the price of renewable fuel credits.

**Multifamily Housing Study**

On March 29, the National Housing Trust, the American Council for an Energy Efficient Economy (ACEEE), and the National Consumer Law Center (NCLC) released their report titled “Partnering for Success: An Action Guide for Advancing Utility Energy Efficiency Funding for Multifamily Rental Housing.” The study found that issues preventing energy efficient measures from being installed in multifamily housing are solvable; these issues include companies having difficulty obtaining upfront capital, inadequate coordination between the sectors, a lack of multifamily programs, and the split incentive problem.