



# Climate Policy Update

July 18, 2024

Good afternoon!

This is Akin's newsletter on climate change policy and regulatory developments, providing information on major climate policy headlines from the past week and forthcoming climate-related events and hearings:

## National

### **J.D. Vance's energy record: Oil cash and EV attacks** *(EnergyWire)*

Donald Trump has chosen Sen. J.D. Vance (R-OH) as his running mate, a strong supporter of drilling and hydraulic fracturing, and has criticized renewable energy sources like wind. Environmentalists have criticized Vance's energy policies.

### **J.D. Vance leads attacks on 'Green New Scam' at convention** *(ClimateWire)*

Sen. Vance (R-OH) delivered a populist, conservative message at the Republican National Convention, criticizing President Joe Biden's clean energy agenda and calling for more domestic energy production. Other speakers echoed similar sentiments, with a focus on promoting fossil fuels and attacking the administration's energy and climate goals.

### **Oil and gas sector 'concerned' by Trump tariff plans** *(EnergyWire)*

The oil & gas industry is deeply concerned about the potential impacts of Donald Trump's trade policies, particularly the imposition of broad tariffs, which could lead to inflation and trade retaliation. The American Petroleum Institute is advocating for free markets and free trade, emphasizing the importance of removing trade barriers and restrictions on domestic oil & gas production. Additionally, the industry is strategizing on how to preserve certain tax incentives and provisions, such as those related to carbon capture and clean energy.

### **Top Ag Republican offers bleak prognosis for farm bill** *(E&E News)*

Sen. John Boozman (R-AR) suggested leaving the overdue five-year farm bill unfinished and extending the 2018 farm bill for another year due to the need for significant changes in policy. There hasn't been significant progress on moving a farm bill in both chambers, and disagreements over budget, conservation and climate-related focus have stalled the process.

### **Senators float bills to address Chinese mineral dependence** *(E&E News)*

A group of bipartisan senators have introduced a bill aimed at addressing China's dominance in global minerals. The legislation, led by Sens. Mark Warner (D-VA) and Marco Rubio (R-FL), seeks to boost diplomatic efforts to secure diverse critical mineral supplies and create a fund to support mineral investments. Additionally, Sen. Rubio has introduced separate legislation known as the "Critical Mineral Supply Chain Realignment Act," which aims to break China's monopoly on critical minerals by imposing steep tariffs on imports of products requiring these minerals.

### **Western lawmakers want more support for water recycling** *(E&E News)*

Western lawmakers are calling for an increase in federal funding for water recycling projects due to rising construction costs. They are urging the Bureau of Reclamation to raise the per-project cap on federal funding for water recycling by \$10 million, from its current \$30 million limit.

### **Challenges to FERC grid rule set up post-Chevron court test** *(EnergyWire)*

Several utility regulators, advocacy groups, and states have filed lawsuits against the Federal Energy Regulatory Commission's (FERC) Order 1920, which aims to promote long-term electric grid planning. The lawsuits are being filed in various appellate courts across the country, and the challenges are expected to center around the recent Supreme Court decisions that limit agency powers and eliminate the Chevron deference. The opponents argue that FERC's Order 1920 may overstep states' authority and are seeking to tighten the commission's planning requirements.

### **IRA's biggest climate program has 'decimal dust' for oversight** *(ClimateWire)*

The Environmental Protection Agency (EPA) is facing challenges in distributing \$27 billion in climate grant money due to a limited operating budget, which could potentially lead to oversight issues and wasted funds. The program, called the Greenhouse Gas Reduction Fund, aims to finance renewable energy and building efficiency projects in low-income communities, but the tight deadline for distributing the funds and the small budget for oversight have raised concerns about the program's effectiveness.

### **Biden admin sees the US becoming a big lithium exporter. Is that possible?** *(GreenWire)*

The Biden administration is confident that the United States can become a lithium exporter by the early next decade, supported by investments in critical mineral, battery and electric vehicle (EV) manufacturing projects. However, experts question this optimism, citing challenges such as domestic demand outpacing production and the need for significant permitting and commercial scalability.

### **Voluntary carbon markets show promise, need better oversight — report** *(ClimateWire)*

A new report from the Climate Crisis Advisory Group highlights the need for more clarity and improved monitoring in voluntary carbon markets. The report emphasizes the importance of addressing issues such as the permanence of carbon offset projects and the necessity for standardized monitoring and reporting.

### **Climate change put OSHA in the hot seat to protect workers** *(ClimateWire)*

With rising temperatures and increasing frequency and intensity of heat waves, the Biden administration is under pressure to address the impact of extreme heat on workers. The administration's efforts to implement

worker protections for heat are seen as a positive step, driven by a growing awareness of the dangers posed by extreme heat in various industries.

### **White House aide says ‘era of climate-agnostic trade’ is over** *(PoliticoPro)*

The Biden administration is prioritizing climate concerns in its trade policy, aiming to close the climate loophole and support clean energy subsidies. The administration is considering implementing a carbon border tax on imports, with bipartisan support from members of Congress. Former Trump officials have also indicated potential support for a carbon border tax if Trump were to be elected for a second term.

### **Solar industry unveils consumer standards as states allege ‘scams’** *(EnergyWire)*

The Solar Energy Industries Association (SEIA) has released new standards to ensure ethical and transparent sales practices in the solar industry. These standards aim to boost consumer confidence and will be used for a new SEIA certification program for solar companies and salespeople. However, some watchdog groups and attorneys general are expressing concerns that the standards may not fully address ongoing consumer protection issues in the industry.

## State and Local

### **DOE launches first-ever hydrogen hub with \$12.6 billion deal** *(EnergyWire)*

The Department of Energy (DOE) signed a \$12.6 billion agreement with a California hydrogen hub called ARCHES to produce and transport “clean” hydrogen as part of the bipartisan infrastructure law. The agreement aims to allocate funds to 37 proposed hydrogen projects in California, focusing on clean, renewable energy to improve air quality and public health in underserved communities.

### **Green Groups Take Legal Action to Dismiss Hydrogen Blending Pilots** *(Sierra Club Press Release)*

A coalition of environmental groups and consumer advocates has filed a motion to dismiss utility pilot projects aiming to mix hydrogen into existing gas lines in California, citing concerns about environmental and health risks as well as the high cost to ratepayers. The groups argue that these projects conflict with California’s climate goals and could potentially harm communities.

### **A green jobs fight over charging stations** *(Politico California Climate)*

There is a growing conflict between unions and industry over the labor required for the energy transition, particularly in the installation and maintenance of electric vehicle chargers in California. While charging companies are struggling to find enough certified electricians, the state building trades union claims there is no labor shortage. The California Energy Commission is considering investing \$3 million in electric vehicle charger training for electricians and non-electricians to address the workforce and maintenance challenges.

### **US state of Maine pushes towards large floating wind farms** *(Reuters)*

The U.S. Bureau of Ocean Energy Management (BOEM) has approved the development of the 144 megawatt (MW) Maine Research Array (MeRA) floating wind project, marking a significant step in the country’s shift toward renewable energy. This project, to be located off Maine’s south coast, will be the United States’ first floating wind farm and is expected to pave the way for larger wind farms in the future.

**Governor Newsom meets with New Zealand Prime Minister Luxon, reaffirms climate partnership** (*Office of California Governor Gavin Newsom*)

New Zealand and California are renewing their commitment to ambitious climate action in order to address the climate crisis. They will continue to collaborate on transportation electrification, clean energy, nature-based solutions, and other critical topics. The partnership aims to contribute to achieving global climate goals and demonstrates the power of collaboration in tackling the climate crisis.

**CEC Adopts Offshore Wind Energy Strategic Plan to Support California's 100% Clean Electricity Future** (*California Energy Commission*)

The California Energy Commission (CEC) has adopted a strategic plan aimed at developing offshore wind energy to achieve the state's goal of 100% clean electricity by 2045. The plan outlines the deployment of floating turbines with a goal of generating 25,000 MW of capacity by 2045.

**Governor Glenn Youngkin Signs Legislation to Embrace Innovation and Diversify Virginia's Energy Sector** (*Office of Virginia Governor Glenn Youngkin*)

Gov. Glenn Youngkin (R-VA) recently signed SB 454, a bill to accelerate the development, testing and deployment of small modular nuclear reactors in Virginia. The legislation aims to provide Virginians with reliable, affordable and clean energy, positioning Virginia as a leading nuclear innovation hub and creating new job opportunities. Proponents believe that small modular reactors are vital for meeting the growing energy needs of the state and fostering a rich energy economy while keeping energy affordable for ratepayers.

## International

**Von der Leyen threads the climate needle to keep her job** (*PoliticoPro*)

Ursula von der Leyen secured a second term as European Commission president by strategically incorporating green policies into her program to appeal to both conservatives and environmentalists. She framed climate action as an economic necessity and adopted a tactic similar to President Biden's, disguising signature climate laws as measures to boost the economy and security.

**EU to push at COP29 for followup on deal to curb fossil fuels** (*Reuters*)

The European Union (EU) plans to pressure other countries at the upcoming Conference of the Parties (COP29) climate summit to fulfill their commitments to shift away from fossil fuels and to increase climate funding. The EU aims to reach a global deal on climate funding at COP29 and is urging countries to step up efforts to cut emissions in line with the goals agreed upon at the previous COP28 summit in Dubai.

Check out below for key quotes, federal agency news and a look at the week ahead in congressional hearings and think tank events:

## Quote of the Week

"Artificial intelligence is an innovative technology that can help unleash breakthroughs in energy technologies and enhance our national security [...] Frontiers in Artificial Intelligence for Science, Security, and Technology (FASST) builds on DOE's role as the nation's steward of advanced supercomputing and research infrastructure

across our 17 national labs to provide a national capability in AI and enable technological breakthroughs for decades to come.”

-U.S. Secretary of Energy Jennifer M. Granholm ([Department of Energy](#) – July 16, 2024)

## Congressional Hearings (July 8 – July 12, 2024)

### Senate

No relevant hearings.

### House of Representatives

No relevant hearings.

## Federal Agency Climate News

### Department of Energy

[DOE Announces Intent to Fund Solar and Battery Storage for Community Healthcare Facilities and Multi-Family Housing Serving Low-and-Moderate-Income Communities in Puerto Rico](#) (July 18)

[DOE Announces Roadmap for New Initiative for Artificial Intelligence in Science, Security and Technology](#) (July 16)

[Biden-Harris Administration Invests Additional \\$10 Million To Build Domestic Supply Chain for Critical Minerals and Materials](#) (July 16)

### Environmental Protection Agency

[Biden-Harris Administration Announces Nearly \\$160 Million in Grants to Support Clean U.S. Manufacturing of Steel and Other Construction Materials](#) (July 16)

### Department of Treasury

[Secretary of the Treasury Janet L. Yellen and Secretary of Energy Jennifer Granholm’s Meeting with Private Sector Leaders on the Clean Energy Transition](#) (July 16)

## Funding and Comment Opportunities

[Bipartisan Infrastructure Law \(BIL\) – Joint Office of Energy and Transportation: Communities Taking Charge Accelerator, Fiscal Year 2024](#)

Department of Energy  
Close Date: July 16, 2024

[Procedures for Quantification, Reporting, and Verification of Greenhouse Gas Emissions Associated with the Production of Domestic Agricultural Commodities Used as Biofuel Feedstocks](#)

Department of Agriculture  
Close Date: July 25, 2024

[Concentrating Solar Flux to Heat and Power](#)

Department of Energy  
Close Date: August 8, 2024

[Wholesale Electricity Market Studies and Engagements](#)

Department of Energy  
Close Date: August 22, 2024

[Geothermal Technologies Office Geothermal Resources’ Value in Implementing Decarbonization \(GTO GRID\)](#)

Department of Energy  
Close Date: September 9, 2024

[Bipartisan Infrastructure Law Enhanced Geothermal Systems \(EGS\) Pilot Demonstrations](#)

Department of Energy  
Close Date: September 25, 2024

[Fiscal Year 2024 Solar Energy Supply Chain Incubator](#)

Department of Energy  
Close Date: October 7, 2024

## D.C. Climate Events

### bp Energy Outlook 2024

**Center for Strategic & International Studies**

Wednesday, July 17, 9:00 AM ET

### Bridging Waters: A Model for Enhancing Grid Reliability and River Restoration during the Energy Transition

**United States Energy Association**

Thursday, July 18, 11:30 AM ET

### Sustainable AI

**Axios**

Tuesday, July 23, 8:00 AM ET

### Advanced Energy Technology Showcase & Networking Reception

**United States Energy Association**

Thursday, July 25, 11:00 AM ET

For more information, please contact your regular Akin lawyer or advisor, or:

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