

Climate Policy Update

September 26, 2022

Good evening! This is Akin Gump's weekly policy newsletter on **climate change** policy and regulatory developments, providing information on major climate policy headlines from this past week and forthcoming climate-related events and hearings:

National

- [Joe Biden on Senate Ratification of the Kigali Amendment to the Montreal Protocol](#) (*White House*)
President Biden praised the Senate for ratifying the Kigali Amendment, which will “phase down global production and consumption of hydrofluorocarbons (HFCs), super-polluting chemicals that are hundreds to thousands of times more powerful than carbon dioxide.”
- [Climate Reporting Gets EPA Help as Wall Street Rules Face Fight](#) (*Bloomberg Law*)
The Environmental Protection Agency (EPA) is slated to “standardize corporate climate action commitments and emission reduction plans and make them more transparent” as the Securities and Exchange Commission (SEC) is finishing developing its “rules for public companies to report their emissions and progress on climate goals, drawing lawsuit threats from Republicans and business interests.”
- [Salesforce Launches Marketplace for Carbon Emission Offsets](#) (*Bloomberg*)
Salesforce is launching “a marketplace for carbon credits that will aggregate offset providers and rating agencies, aiming to reduce confusion about which offerings are legitimate.” Upon its launch, the marketplace will have approximately 90 available projects.
- [Lawmakers Want to Change Permitting Bill. Will They Succeed?](#) (*E&E News*)
As Sen. Joe Manchin (D-WV) seeks to pass a permitting reform bill, other Senate Democrats are pushing for altered language. Of note, Sen. Mark Warner (D-VA) expressed a desire to amend the text “for a natural gas pipeline that runs through his state.” Moreover, Sen. Sheldon Whitehouse (D-RI) “wants to speed up offshore wind projects.” On the other side of the aisle, Republicans are concerned about “granting new powers to the nation’s top energy regulators.” However, Senate Majority Leader Chuck Schumer (D-NY) set a test vote and intends on looping the permitting bill in with continuing resolution.

- [Regan Launches EJ Office as Step Toward Keeping Equity Vows](#) (*E&E News*)

EPA Administrator Michael Regan announced the creation of a national environmental justice and civil rights office on Saturday, September 24, 2022. The new Office of Environmental Justice and External Civil Rights (OEJEER) will be elevated to the highest levels of the agency and will be tasked with providing technical assistance to communities and enforcing civil rights laws. The object is to infuse equity and environmental justice principles into everything the agency does. This comes after Congress gave EPA \$100 million for an environmental justice program earlier this year.

- [Bloomberg takes on the plastics industry](#) (*E&E News*)

Michael Bloomberg announced the launch of an \$85 million campaign aimed at reinforcing resistance against plastics production in places like the Gulf South and Appalachia through the blockage of more than 120 petrochemical projects and the promotion of more aggressive rules. Bloomberg presented the campaign as an effort to address the climate crisis and expand environmental justice work.

State

- [At Climate Week NYC, Governor Newsom Highlights California's Climate Leadership on the World Stage](#) (*Governor Newsom*)

At Climate Week, Gov. Gavin Newsom (D-CA) touted the passage of the California Climate Commitment and met with various climate leaders.

- [California's Latest Power Grid Problems Are Just the Beginning](#) (*Politico*)

Despite Gov. Gavin Newsom's reassurance that recent blackouts are not indicative of California's power grid breaking, "growing demand for electricity and the fickle nature, for now, of greener technologies such as wind and solar are making it hard to progress toward the state-mandated goal of a grid that's 100 percent emissions-free by 2045."

International

- [Squaring Off Between Carbon Taxes and Renewable Energy Incentives](#) (*Forbes*)

While clean hydrogen producers are generally supportive of the newly established clean hydrogen production tax credit in the Inflation Reduction Act of 2022, the producers "were concerned about proposed rules out of the European Commission that they believe could stifle production. The commission wanted to classify hydrogen as fully renewable – and eligible for subsidies and other incentives – only if it is produced by renewable electricity."

- [UN Chief: 'Tax Fossil Fuel Profits for Climate Damage'](#) (*BBC*)

Ahead of the 2022 United Nations Climate Change Conference (COP27) summit, U.N. Secretary-General Antonio Guterres called on polluters to "pay for the impact of climate-related events."

- [Head of World Bank Under Pressure After White House Condemns His 'Climate Denial' Comments](#) (*The Guardian*)
Last week, *New York Times* journalist David Gelles asked David Malpass, president of the World Bank, whether he accepted climate science, to which Mr. Malpass answered “I don’t even know, I am not a scientist and that is not a question.” Now, Malpass is facing criticism from the White House and other global figures for what they see as his refusal to acknowledge the human role in the climate crisis.

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

Quotes of the Week

“I’m just waiting to see two unknowns. One is, are the Republicans really going to take it down? [...] And second, can we get in the piece that we want to help offshore wind?”

-Sen. Sheldon Whitehouse (D-RI) discussing permitting reform

([E&E News](#)—September 23, 2022)

“The [Public Utilities Commission] were very concerned that there was an expansion of federal oversight that took away some state control with regard to [Federal Energy Regulatory Commission] [...] That’s one thing that I take very seriously, so just on substance alone, I’m not sure this is a step in the right direction.”

-Sen. Mike Rounds (R-SD) reacting to permitting reform text

([E&E News](#)—September 22, 2022)

Upcoming Congressional Hearings (September 26-30, 2022)

Senate

[Hearings to Examine Stakeholder Views on the Brownfields Program Reauthorization](#)

Senate Environment and Public Works
Wednesday, September 28, 10:00 AM EST
406 Dirksen Senate Office Building

House of Representatives

[A Big Climate Deal: Lowering Costs, Creating Jobs, and Reducing Pollution with the Inflation Reduction Act](#)

House Committee Crisis
Thursday, September 29, 1:30 PM EST
210 Cannon House Office Building

Federal Agency Climate News

The White House

[Statement by President Joe Biden on Senate Ratification of the Kigali Amendment to the Montreal Protocol](#) (September 21)

U.S. Department of the Interior

[Interior Department Announces Next Steps to Address Drought Crisis Gripping the Colorado River Basin](#) (September 22)

[Interior Department Announces Next Steps for Offshore Oil and Gas Leasing to Comply with Provisions in Inflation Reduction Act](#) (September 21)

Environmental Protection Agency (EPA)

[EPA Launches New National Office Dedicated to Advancing Environmental Justice and Civil Rights](#) (September 24)

U.S. Department of Energy (DOE)

[United States Announces \\$94 Billion Of Global Public Funding To Accelerate Clean Energy Worldwide](#) (September 23)

[DOE Releases Roadmap to Achieve Carbon Neutral Aviation Emissions](#) (September 23)

[Biden-Harris Administration Announces \\$4.9 Billion to Deploy Infrastructure Necessary to Manage and Store Carbon Pollution](#) (September 23)

Funding Opportunities

[Environmental Justice for Climate Grants](#)

Environmental Protection Agency

Close Date: November 11, 2022

[Regional Clean Hydrogen Hubs](#)

Department of Energy

Close Date: November 7, 2022

Upcoming D.C. Climate Events (Registration)

[American Energy Security](#)

The Hudson Institute

Thursday, September 29, 10:00 AM EST

[Methane Reductions: Connecting Data with Action](#)

The Center for Strategic and International Studies

Wednesday, September 28, 2:00 PM EST

[Clean Energy Symposium](#)

National Clean Energy Week

Tuesday, September 27, 10:00 AM EST

[Is U.S. Infrastructure Ready for Hydrogen?](#)

The Center for Strategic and International Studies

Tuesday, September 27, 2:30 PM EST

[The Greenhouse Gas Reduction Fund in the Inflation Reduction Act: Developing a National Green Bank to Support an Equitable Energy Transition](#)

The Atlantic Council

Monday, September 26, 4:00 PM EST

[Energy Technology Innovation and Japan-U.S. Decarbonization Cooperation](#)

The Wilson Institute

Wednesday, September 28, 9 AM EST

[Sustainable Security of the Middle East: Climate Change, Challenges, and Prospects](#)

The Atlantic Council

Wednesday, September 28, 9 AM EST

[National Environmental Justice Advisory Council Meetings](#)

EPA NEJAC

Wednesday, September 28, 12 PM EST

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

[Kenneth J. Markowitz](#)

[Stacey H. Mitchell](#)

[Dario J. Frommer](#)

[Christopher A. Treanor](#)