

# Environmental Integrity Project

ANNUAL REPORT, 2018



*Holding Polluters Accountable,  
Fighting for Environmental Justice*



## ENVIRONMENTAL INTEGRITY PROJECT

<http://environmentalintegrity.org>

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# EIP Annual Report 2018

**T**he Trump Administration waged a war on the environment in 2018 and the Environmental Integrity Project (EIP) fought back on as many fronts as possible. Harnessing our legal expertise and investigative experience, we challenged several of the administration's efforts to roll back environmental protections at the expense of public health. Along the way, we took actions to force more transparency and require pollution reductions at the federal, state, and local levels across the country from Baltimore to Los Angeles.

Since President Trump took office in January 2016, the environment hasn't had a moment to breathe easy. The administration has blocked, delayed, or targeted for repeal nearly 80 environmental rules. This deregulatory crusade not only harms clean air, clean water, and communities, it also threatens fragile ecosystems, endangers lives, and exacerbates environmental justice concerns. Legal challenges have been one of the most effective ways to combat the rollbacks, with the courts already reinstating at least a dozen rules that the administration tried to weaken or repeal without justification.

The Environmental Integrity Project started off 2017 by using the federal Freedom of Information Act to conduct investigations into former EPA Administrator Scott Pruitt's misspending and mismanagement, which contributed to his resignation in July 2018. It was a major victory in a year in which wins did not come easy. Pruitt's successor, Andrew Wheeler, a former coal industry lobbyist and Pruitt's deputy, picked up right where his former boss left off. Wheeler is a savvier and more experienced political navigator than Pruitt, and halting his fossil-fuel agenda will be EIP's biggest challenge in 2019. On the bright side, new leadership in the U.S. House of Representatives will reduce attacks on basic science and increase oversight. But as long as President Trump remains in office, environmental progress will remain a hard-fought battle—one that we refuse to shy away from.



*Former EPA Administrator Scott Pruitt resigned in July after a tenure marred by mismanagement and misspending. EIP was the first organization to file Freedom of Information Act lawsuits against the Trump EPA to obtain documents that exposed Pruitt's wasteful spending.*

Thanks to the generous support of a growing list of foundations and individual donors, EIP was able to take a number of important steps forward in 2018 despite the difficult political landscape. We forced the cleanup of hazardous waste at a Los Angeles County oil refinery; helped to convince Baltimore to ban new crude oil export terminals; reduced water pollution from coal plants in Maryland and air pollution from a trash incinerator in the state; and persuaded states to crack down on air pollution from wood pellet factories. Some details of our 2018 accomplishments follow.

## TRUMP WATCH: EPA

**Contributed to the Resignation of EPA Administrator Scott Pruitt:** EIP was the first organization to file Freedom of Information Act lawsuits against the Trump EPA to obtain documents that exposed Pruitt's wasteful spending. Pruitt billed taxpayers for high-priced travel for his own political and personal benefit, and had close relationships with Oklahoma's oil and gas industry. Our investigations sparked two federal probes of Pruitt by the EPA Office of Inspector General and the House Oversight and Government Reform Committee. We released public records to the news media—inspiring snowballing press investigation and coverage and contributing to Pruitt's resignation on July 5, 2018.

**Improved EPA's Public Information Policy:** Following a lawsuit brought by EIP and the Chesapeake Climate Action Network, the EPA in November improved its document disclosure policy under federal public records law. We and our partners challenged EPA's previous policy and practice of allowing senior staff to delay the production of public records until a political review of such disclosures. The new policy limits political

appointees to three days' notice before any release of sensitive materials and gives no authority to block those disclosures. The policy prohibits any withholding of public records for political reasons.

### **Raised Public Awareness**

**About Rollbacks:** We continued to raise public awareness about the administration's efforts to slash funding to EPA and roll back pollution control

standards. Our data-driven research, based on public records requests and legal actions, was featured in more than 2,300 articles in 2018 – including in The New York Times, The Washington Post, the Associated Press, and local papers across the U.S. To encourage government transparency, we launched a new section on our website titled, *EPA: Conflict of Interest*, that features a running list of former industry lobbyists hired to run Trump's EPA. We also revamped the *EPA Resources and Documents* section of our website to include more public records obtained through litigation and document requests. We offer reporters and the general public easy access to data and documents pertaining to our EPA watchdog efforts, along with helpful explanations.



*Criminal cases and fines have dropped severely at the EPA under the Trump Administration as industry gains influence.*

## OIL AND GAS

**Forced Clean Up of Hazardous Waste:** In response to legal pressure from EIP and local allies, the California Department of Toxic Substances Control ordered the owner of a Los Angeles County refinery to remove more than 300 large bins of hazardous waste stored without a permit or the proper safeguards. In January, EIP sent a letter to the EPA Inspector General's Office requesting an investigation into EPA's lack of action to resolve the hazardous waste violations at PBF Energy's Torrance Refining Company. The state issued its cleanup order in March, one day after EIP and Environment California filed a notice of intent to sue over the waste, some of which had been stored improperly for decades.



*EPA inspectors found nearly 285 tons of hazardous waste that had been sitting illegally at the PBF Energy site for 26 years.*

**Pressured Baltimore to Ban Crude Oil Export Terminals:** Responding to efforts from EIP, Clean Water Action, and other local advocates concerned about potential explosions of oil trains, the Baltimore City Council passed a prohibition on new crude oil terminals by a vote of 14-1 on March 13, 2018.



*165,000 Baltimoreans live in the crude oil train "blast zone" – the area that could be directly impacted if a train were to derail and explode in the city.*

The effort was driven in part by a desire to discourage expanded fracking, drilling, and greenhouse gas pollution across the U.S. Local residents in Baltimore also feared that additional or expanded terminals would bring more trains carrying crude oil through densely-populated neighborhoods. This would increase the likelihood of derailments and catastrophic explosions of oil trains, as have erupted in Canada, West Virginia, and elsewhere.

**Investigated the Gulf Coast Petrochemical Boom:** In September 2018, EIP issued a report that documented a dangerous trend. Texas and Louisiana have issued permits for 74 oil, gas, and petrochemical projects since 2012 that are located within 70 miles of the Gulf Coast shoreline, which is vulnerable to hurricanes. The permits allow these new installations to add 134 million tons of global warming pollution to the atmosphere every year. That’s as much as 29 new coal-fired power plants running around the clock. Petrochemical plants are often sited on or close to coastlines, because so much of their product or raw materials is shipped in and out of nearby harbors. But global warming puts that infrastructure at risk, and the consequences can be devastating, as the flooding of Houston during Hurricane Harvey demonstrated. EIP created an [online interactive data map](#) of the coastal petrochemical projects.

## COAL

**Achieved Stronger Federal Coal Ash Regulations:** In August, the U.S. Court of Appeals determined that federal coal ash regulations imposed in 2015 fail to adequately protect against pollution from unlined coal ash pits, many of which are already leaking into rivers and streams. The court ordered EPA to revise the rule to better protect communities from the health and environmental threats from these dump sites. The decision arose from lawsuits by EIP and other public interest groups challenging the 2015 Coal Ash Rule and arguing that it wasn’t strong enough.



*Coal ash contains a hazardous brew of toxic pollutants including arsenic, boron, cadmium, chromium, lead, radium, selenium and more.*

**Tracked and Reported Ash Contamination:** An increasing number of people in 2018 used our Ashtracker website ([www.ashtracker.org](http://www.ashtracker.org)), which documents groundwater contamination from ash dumps nationally. EIP examined groundwater monitoring data available for the first time because of the 2015 federal coal ash regulations that our organization fought to secure. Employing this data, we and allies issued a series of state-by-state reports – on Oklahoma, Illinois, Georgia, and Texas – that revealed that more than 90 percent of ash dumps are leaking toxic pollutants into groundwater.

**Held Pennsylvania Power Plant Accountable:** In August, EIP notified the Talen Energy Corporation and Brunner Island, LLC, of our intent to sue (on behalf of the Lower Susquehanna Riverkeeper Association, Waterkeeper Alliance, and PennEnvironment) for violations of the federal Clean Water Act at the Brunner Island Generating Station, located on an island in the Susquehanna River 20 miles southeast of Harrisburg. The coal-fired power plant is discharging toxic pollutants including arsenic, boron, sulfate, and lithium

from unlined coal ash waste ponds into groundwater and waterways that are sources of drinking water and popular fishing destinations.

**Cut Water Pollution at Maryland’s Largest Coal Power Plants:** In July, Maryland Governor Larry Hogan’s Administration imposed limits on toxic metals—including arsenic, mercury, and selenium—in water pollution from three of the state’s largest coal-fired power plants: the Chalk Point power plant in Prince George’s County, Dickerson in Montgomery County, and Morgantown in Charles County. State regulators made the decision after EIP and allies advocated for the pollution limits. The move by the Republican Hogan Administration cut against the grain of the Trump Administration, which has been weakening coal regulations.

## CHESAPEAKE BAY AND FACTORY FARMS

### **Called for Tougher Limits on Slaughterhouse Water Pollution:**

After reading about EIP’s investigative report “Water Pollution from Slaughterhouses” on the front page of The Chicago Tribune, Illinois Senator Richard Durbin, the second-ranking Democrat in the Senate, wrote EPA to demand tougher limits on water pollution from slaughterhouses both in his state and nationally. EIP’s report documented the fact that 75 percent of the nation’s 98 largest slaughterhouses that discharge into waterways violated their water pollution control permits at least once between January 1, 2016 and June 30, 2018. The report showed that most of these meat processing plants dump into rivers, streams, and other waterways that are impaired because of the pollutants found in slaughterhouse wastewater.



*Sen. Durbin asked for tougher EPA standards for water pollution from slaughterhouses nationally; a crackdown on the Beardstown, Illinois, hog slaughterhouse that EIP highlighted in its report; and the installation of best available pollution control equipment at the plant.*



*Delmarva Potholes serve as a home for wildlife and a defense against flooding.*

**Illustrated Impact of Clean Water Rollback:** In December, the Trump Administration proposed a rollback of federal regulations that protect clean water across the U.S. To help explain to the public the impact of this rewriting of the Waters of the U.S. (WOTUS) rule for the Chesapeake Bay region, EIP released a report “Undermining Protections for Wetlands and Streams.” The report showed how eliminating federal protections could leave vulnerable many headwater streams and at least 34,000 acres of wetlands on the Eastern Shore called “Delmarva Potholes.” That acreage is the

equivalent of 54 square miles of green that provide important habitat for wildlife and filtration services that keep farm runoff pollution out of the Chesapeake Bay.

## ENVIRONMENTAL JUSTICE

**Forced Baltimore Incinerator to Cut Harmful Emissions:** In part because of advocacy by EIP and local allies, Maryland officials in November 2018 issued proposed regulations that will require a trash burning incinerator in South Baltimore to reduce its smog-forming nitrogen oxide pollution by 20 percent, or about 200 tons a year. EIP supports the rule and the reduction of pollution from Wheelabrator’s BRESCO incinerator as an important first step, but also believes more can be done to reduce emissions from the single largest industrial source of air pollution in the city.



*The Baltimore area has long been classified by the EPA as failing to meet federal ozone standards.*

## TEXAS

**Documented Industrial Pollution Unleashed by Hurricane Harvey:** On the one-year anniversary of Harvey, EIP’s report “Preparing for the Next Storm” showed that the category 5 hurricane triggered the release of at least 8.3 million pounds of unpermitted air pollution from petrochemical plants. It also detailed how Houston industrial facilities



*Four of the five largest industrial air pollution releases during Hurricane Harvey were in the Houston area, with the worst being at Magellan Galena Park Terminal, which released 2.5 million pounds of air pollution.*

waited more than three days after the governor’s August 23, 2017, disaster declaration before shutting down for safety reasons, causing breakdowns and emission spikes once the storm arrived. In addition, the report analyzed water pollution releases. Sewage plants and industry discharged more than 150 million gallons of wastewater because of the storm, in part because of inadequate planning and engineering. News organizations published at least 382 news articles on the conclusions of EIP’s report, including two front-page articles and an Op Ed in the Houston Chronicle.

**Petitioned Texas to Eliminate Illegal Permitting Practices:** In response to EIP petitions, EPA ordered Texas to revise pollution control permits for three large refineries to strengthen them and close loopholes. Specifically, EPA instructed Texas to revise the permits to require more monitoring and include clearly specified emission limits for equipment at each refinery. In addition, Texas regulators revised the Clean Air Act permit for the Welsh coal-fired power plant in east Texas to eliminate an illegal exemption from soot (particulate matter) pollution limits during maintenance and to require improved controls in response to an EIP petition.

**Protected Gulf Coast Communities:**

In 2018, EIP stepped in to help a Texas Gulf Coast community protect its air and water in the face of a planned Exxon-Saudi petrochemical and plastic manufacturing plant. Cheap and plentiful natural gas is driving a massive buildout of petrochemical manufacturing along the Gulf Coast. If built, the Exxon-Saudi plant outside of Corpus Christi would be the largest so-called “ethylene plant” in the world. EIP attorneys, working with our partners, led the legal effort to slow down and force a thorough review of Exxon’s required Clean Air Act permit.



*EIP attorney Ilan Levin celebrates a preliminary victory with our clients and allies from Texas Campaign for the Environment, Portland Citizens United, and Sierra Club, at the Corpus Christi courthouse.*

Exxon-Saudi plant outside of Corpus Christi would be the largest so-called “ethylene plant” in the world. EIP attorneys, working with our partners, led the legal effort to slow down and force a thorough review of Exxon’s required Clean Air Act permit.

## WOOD BIOMASS



*The wood pellet industry has grown almost 10 fold in the U.S. since 2009.*

**Convinced States to Require Pollution Reductions from Biomass Industry:**

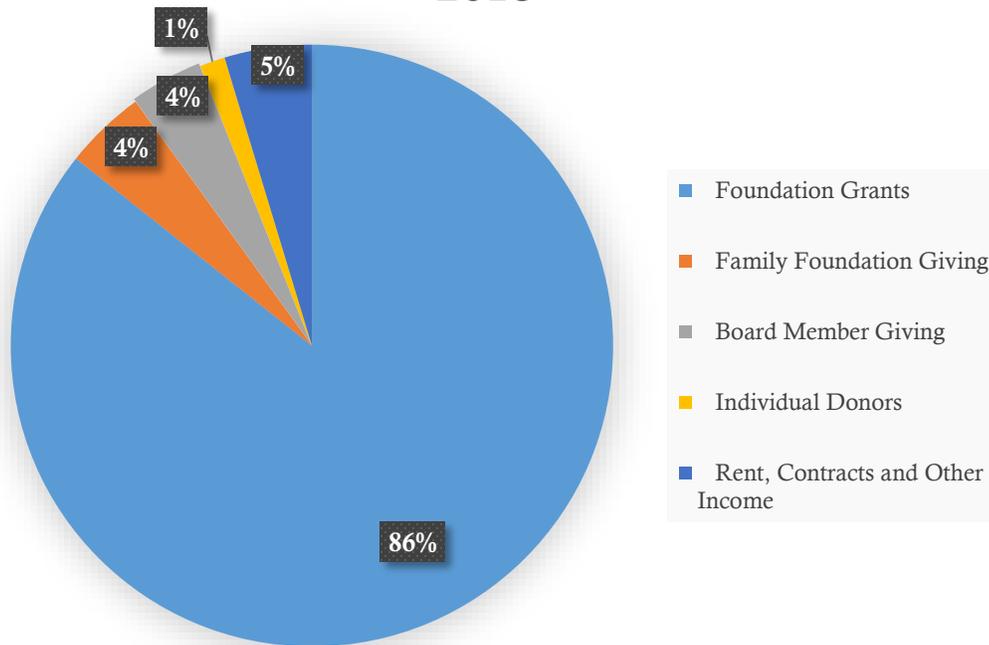
An EIP report released in April 2018 concluded that more than half of the U.S. plants exporting wood pellets to Europe as fuel for power plants (11 out of 21) failed to either keep emissions below legal limits or to install required pollution controls. The “biomass” (wood fuel) industry worsens climate change, devastates forests, and burdens local communities with air pollution, truck

traffic, and the constant risk of fires and explosions. While the Trump Administration continues to encourage burning wood pellets for electricity, EIP’s reporting and advocacy have pushed Texas, Alabama, Florida, Georgia, South Carolina, North Carolina, and Virginia to revise permits for the industry to impose pollution limits, require air pollution control systems, or mandate emissions monitoring.

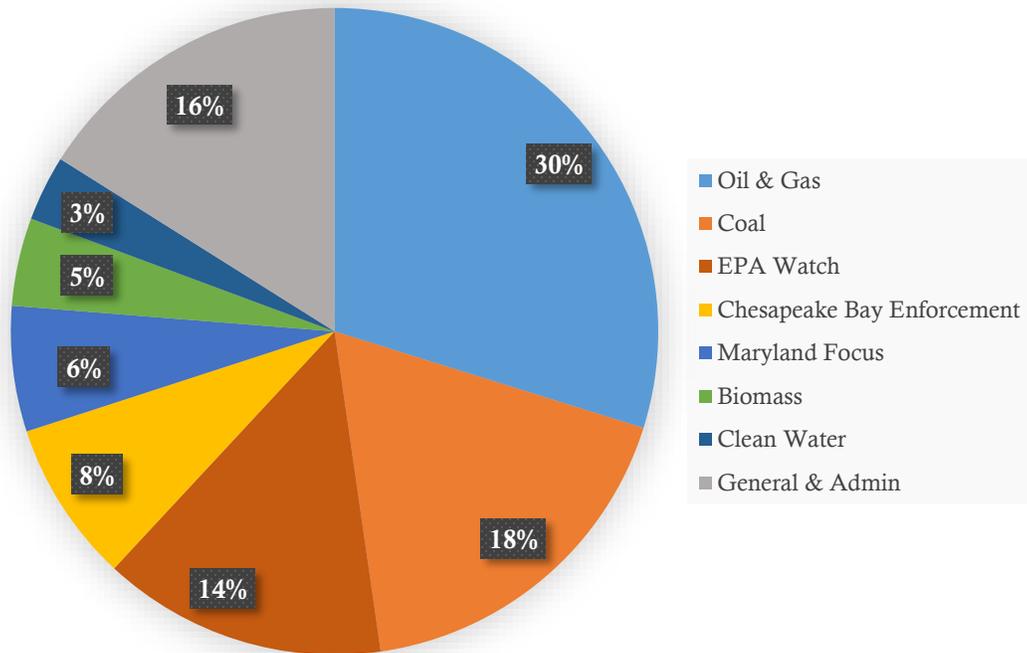
## EIP Financial Snapshot, 2018

<b>2018 Income &amp; Expense Statement</b>	
	<b>Total</b>
<b>Income</b>	
Foundation Grants	3,149,000.00
Family Foundations	160,490.05
Board Member Giving	143,835.00
Individual Donors	50,010.00
Rent, Contracts, & Other	172,195.07
<b>Total Income</b>	<b>\$ 3,675,530.12</b>
<b>Expenses</b>	
Payroll Expenses	2,357,986.62
Professional & Legal	350,239.34
Public Relations	10,919.68
Subgrants	26,000.00
Meeting & Transport.	58,464.33
Other Direct Costs	69,470.80
Indirect Costs, Rent	509,016.51
<b>Total Expenses</b>	<b>\$ 3,382,097.28</b>
<b>Net Income</b>	<b>\$ 293,432.84</b>
<i>(unaudited)</i>	

## Income Sources 2018



## Expenses by Program Area 2018



## Thanks to Our Supporters

None of this important work could have been possible without the support of the donors and philanthropic foundations who back our work.

Our fight to protect the environment may be forced to confront new and unprecedented threats in 2019. The year began ominously with a government shutdown that crippled the EPA's ability to uphold laws and regulations. Already during President Trump's first two years in office, we've seen a steep decline in civil penalties against polluters – effectively making it cheaper for companies to contaminate our water, air, and land. With fossil fuel interests deeply entrenched within the Trump Administration, polluters will continue to call the shots. EIP will do everything in our power to push back and seek creative, effective, and lasting solutions to problems that the administration and its allies prefer to leave for future generations. Every bit of support we receive encourages us to work harder and allows us to do more to protect our environment and public health.

### Donors (at least \$50,000)

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Anonymous (3)	Rauch Foundation
Blanchette Hooker Rockefeller Foundation	Rockefeller Family Fund
The Campbell Foundation	Shared Earth Foundation
Colcom Foundation	The Tilia Fund
Energy Foundation	Tortuga Foundation
Heinz Endowments	Town Creek Foundation
The Houston Endowment	
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2032 Trust	Joanne Fox-Przeworski and Alan Przeworski
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