



By the Center for Biological Diversity

Tar sands, Alberta by Dru Oja Jay/Howl Arts Collective

ENVIRONMENTAL GRADES ALERT PUBLIC TO DANGEROUS PROJECTS

SO WHY DID TRUMP ADMINISTRATION ABRUPTLY DUMP THEM?

For 30 years the Environmental Protection Agency has issued letter grades that help the public interpret environmental reviews of large projects, such as pipelines, mines and fracking fields. In October 2018 the Trump administration abruptly ended that practice with an internal memo from the EPA's Brittany Bolen, a Trump appointee and former staffer for Sen. Jim Inhofe (R-Okla.).

Industry interests have long sought to end the grading system, a simple, nontechnical measure of agencies' environmental reviews, which can be hundreds of pages long. The State Department's repeated failing grades on reviews of the Keystone XL pipeline helped alert the public to the pipeline's dangers. The EPA has refused to release public records that could shed light on why they abandoned the letter grades.

WHAT DOES NEPA REQUIRE?

Under the National Environmental Policy Act (NEPA) federal agencies must analyze the potential environmental impacts of major federal actions and issue public reviews before the projects can proceed. This is intended to provide information that private companies might not otherwise share and allow public participation in the review process.

WHY WAS THE GRADING SYSTEM DEVELOPED?

Congress gave the EPA oversight to determine how well federal agencies were complying with NEPA. The EPA developed the grading system to make it easier for the public to interpret these environmental reviews.

HOW DOES IT WORK?

After an agency drafts an environmental impact statement (EIS), the EPA must review it and provide written comments. To summarize its concerns with the review, the EPA assigned a grade to the project proposal. These grades provided the public with a short, simple explanation of the project's potential environmental impacts.



In addition to Keystone XL, failing projects include two proposed open-pit copper mines: the Rosemont mine in Arizona's Santa Rita Mountains and the PolyMet mine in northern Minnesota's Superior National Forest. Now, without the grading system, all that's left are EPA's typically long, technical reviews.

PIPELINE AND MINING PROJECTS WITH FAILING GRADES

PROJECT	GRADE	ADEQUACY
Keystone XL Pipeline	Environmental Objections (EO-2)	Insufficient Information
Rosemont Mine	Environmentally Unsatisfactory (EU-3)	Inadequate
PolyMet Mine	Environmentally Unsatisfactory (EU-3)	Inadequate

Keystone XL: EO-2: The EPA issued an EO-2 rating in response to the Department of State's draft EIS for the pipeline project. This rating highlighted the project's significant environmental impacts and focused on greenhouse gas emissions, pipeline safety, alternative pipeline routes, and community and environmental justice.

Rosemont: EU-3: The EPA issued an EU-3 rating in response to the Forest Service's draft EIS for a mile-wide copper mine that would destroy 4,000 acres of public land. The rating indicated that the project could not proceed as proposed due to potential Clean Air Act violations and impacts on tribal land. The review said the Forest Service must ensure decision-makers and the public were fully informed about the potential harms.

PolyMet: EU-3: The EPA issued an EU-3 rating in response to the 528-acre mining project and processing plant proposed by the U.S. Army Corps of Engineers. The rating indicated the project could not proceed as proposed. The EPA's review required the Army Corps to revise its EIS due to concerns about water quality, wetlands and finances.

THE EPA GRADING SYSTEM

Adequacy of Impact Statement

"1" Adequate – draft EIS adequately addresses the environmental impacts.

"2" Insufficient Information – draft EIS does not contain sufficient information to assess environmental impacts. More information is required in the final EIS.

"3" Inadequate – draft EIS does not adequately address potentially significant environmental impacts of the proposal - draft must be revised and agency proposing the project must consult with the EPA.

Environmental Impact of the Action

LO - Lack of Objections – no potential environmental impacts requiring substantive changes to the proposed project.

EC - Environmental Concerns – some environmental impacts should be avoided to fully protect the environment - corrective measures may change the project.

EO - Environmental Objections – significant environmental impacts that should be avoided to adequately protect the environment - corrective measures may require substantial changes to the project and agency proposing the project must consult with the EPA.

EU - Environmentally Unsatisfactory – adverse impacts of sufficient magnitude that the proposed action must not proceed as proposed and agency proposing the project must consult with the EPA.

**Where a draft EIS is rated EO, EU, or 3, the agency proposing the project must consult with the EPA Environmental Review Coordinator.*