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### Latest Posts

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#### 11.05.2018 [OSHA Announces Site-Specific Targeting Program to Focus Inspection Priorities at Establishments with High Injury and Illness Rates](#)

By Paul Jacobson, Helen Holden

Beginning October 16, 2018, employers with high injury and illness rates can expect more frequent OSHA inspections in connection with the resurrection of the agency's Site-Specific Targeting (SST) Program. OSHA will use the SST Program to prioritize employer facilities and establishments for health and safety inspections in the coming year.

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- 09.24.2018** [New EPA Guidance Proposed on Clean Air Act Single Source Determinations – Industrial Air Emission Sources May Benefit](#)  
By Paul Jacobson
- On September 5, 2018, EPA issued a [draft guidance document](#) announcing a shift of the term “adjacent” in the context of the Clean Air Act’s New Source Review (NSR) and title V operating permit programs which may benefit industrial air sources. This interpretation would focus EPA’s attention on physical proximity of facilities when making source determinations, rejecting EPA’s past practice of considering “functional interrelatedness.”
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- 08.17.2018** [Air Quality – Colorado to Join 13 States That Have Adopted California’s LEV Requirements](#)  
By John Watson
- On August 16, the Colorado Air Quality Control Commission set a hearing to consider establishing a new Regulation Number 20 to adopt specific provisions of the California low emission vehicle (LEV) rule for model year 2022 and newer light and medium duty vehicles. The Division’s proposed rule will not include a Zero Emissions Vehicle (ZEV) mandate and has no impact on heavy-duty vehicles or non-road (construction and agricultural) equipment.
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- 08.10.2018** [Phase I Environmental Site Assessments: What You Need to Know to Close Your Deal](#)  
By Andrew C. Brought
- As someone who frequently helps businesses buy and sell commercial and industrial properties, I frequently encounter misunderstandings about Phase I Environmental Site Assessments (ESAs) and their role in a property transaction. Although not an exhaustive list, these 10 items are among the most important you should know about for your next property transaction.
- 
- 08.02.2018** [Oil and Gas Development Would Be Blocked on 85% of Non-Federal Land in Colorado](#)  
By John Watson
- A recent analysis by the Colorado Oil and Gas Conservation Commission (“COGCC”) shows that increasing the current regulatory setback of 500 feet to the 2500-foot setback proposed in Initiative # 97 would prevent oil and gas development on 85% of the non-federal land surface in the state.
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- 07.26.2018** [Upcoming Proposition 65 Changes May Catch Companies Without Warning](#)  
By Paul Jacobson
- All companies in supply chains for products sold in California need to be aware of the law known as California’s Proposition 65. This is especially true because significant changes to Proposition 65 requirements go into effect on August 30, 2018, increasing potential liability.
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- 07.20.2018** [Colorado Orders Safety Fixes at Orphaned Oil and Gas Wells](#)  
By John Watson
- On Wednesday, July 18, 2018, Governor Hickenlooper of Colorado issued an Executive Order directing the Colorado Oil and Gas Commission (COGCC) to act to “plug, remediate, and reclaim” orphaned oil and gas wells and sites. Of the over 50,000 oil and gas wells in the state, the COGCC is currently tracking 262 orphaned wells and 373 associated well sites that require remediation and reclamation.
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- 07.12.2018** [U.S. Will Produce More Crude Oil Than Any Other Country in 2019, According to EIA](#)  
By John Watson
- The U.S. is projected to produce more crude oil than any other nation, including Saudi Arabia and Russia. The July 10, 2018 forecast from the U.S. Energy Information Administration (EIA) predicts that, in 2019, U.S. crude oil production will grow to 11.8 million barrels a day.
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- 06.21.2018** [Federal Court Halts EPA’s Waters of the United States \(WOTUS\) Rule in 11 States](#)  
By John Watson
- On June 11, 2018, the U.S. District Court of the Southern District of Georgia issued a preliminary injunction preventing implementation of the U.S. Environmental Protection Agency’s 2015 Waters of the United States (WOTUS) rule in 11 states including Georgia, Alabama, Florida, Indiana, Kansas, Kentucky, North Carolina, South Carolina, Utah, West Virginia and Wisconsin. The court [held](#) that if the WOTUS rule became effective the states would suffer irreparable harm in both a “loss of sovereignty and unrecoverable monetary losses.”
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- 04.11.2018** [Air Emissions From Oil and Gas Wells Health Risks Analyzed – More Study Needed](#)  
By John Watson
- About the only thing that stakeholders agree on is that the risk assessment saga in Colorado means one thing – more study is needed. On March 27, 2018, the latest in a series of health risk studies was published by the Colorado School of Public Health at the University of Colorado Medical Campus. Using air emissions data taken from within the 500 foot regulatory setback requirement for homes near wells, the study concludes that people living in close proximity to oil and gas wells are subject to an increased risk of developing cancer.

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