



CLEAN AIR ENFORCEMENT

- **Howard University** – Howard University repeatedly violated the District’s Air Quality Act and the terms of an existing consent decree by failing to submit the renewal application for its Air Quality Permit (as a major source of air pollutants). In January 2019, OAG reached a settlement that required Howard University to address Air Quality Permits that were overdue or missing and pay a \$240,000 civil penalty for violating District law. The university is also required to implement an environmental improvement project estimated at \$900,000 and an environmental management plan estimated at \$300,000.
- **Greyhound** – In 2018, OAG investigators and the District’s Department of Energy and Environment (DOEE) carried out a series of inspections at Union Station to determine if transportation operators were breaking anti-idling laws. They discovered numerous violations by Greyhound. Settlement negotiations against the operator are on-going.

CLEAN WATER ENFORCEMENT

- **2201 Channing ST NE** – In August 2018, OAG filed suit against a group of auto repair and sales businesses in Ward 5 for repeatedly spilling toxic oil onto neighborhood sidewalks and streets, the culmination of a pattern of environmental violations spanning a decade. The lawsuit alleges the owners and occupants of the property at 2201 Channing St., NE discharged used oil into public spaces, failed to take required steps to prevent oil spills and leaks, improperly stored hazardous waste, and failed to pay previously-ordered penalties. With its lawsuit, OAG is seeking monetary and injunctive relief, and penalties to the District. The case is ongoing, but operations at the site have ceased under a preliminary injunction.
- **Anacostia River Clean Up** – The District is the lead government agency in the investigation and remediation for the Anacostia River Sediment Project. Decades of dredging, industrial activity and urban development, have taken its toll on the river, and much of that legacy is still evident in the river’s sediment and water quality. OAG, together with DOEE, is currently working to prepare an interim record of decision (Interim ROD) to address “hot spots” in the river as a first step toward a comprehensive remediation plan. In the coming months, the District will release the proposed Interim ROD and seek input from the public.

LEAD HAZARD ENFORCEMENT

- **3911 R ST SE** – In July 2019, OAG filed suit against the owner of a property located at 3911 R St. SE in Ward 7 for failing to remove or contain lead paint found peeling from the window sills and walls in residential units, ignoring repeated attempts by the District to protect residents from this health hazard, and failing to pay previously-ordered penalties. In this suit, OAG is seeking a court order to force the landlord to stop exposing tenants to toxic lead paint and is also seeking civil penalties and reimbursement of investigative costs.



MULTISTATE ACTIONS

Since 2017, the District has joined dozens of multistate coalitions addressing the Trump administration's rollback of environmental regulations. A few examples include:

- **Clean Air Act** – In September 2019, AG Racine and 26 states, Los Angeles, New York City and the District filed a lawsuit to prevent the Trump administration from undermining California—and the District's—authority under the Clean Air Act to set vehicle emissions standards.
- **Clean Power Plan** – In August 2019, AG Racine joined 22 states and 7 local governments to file a lawsuit challenging the EPA's withdrawal of the Clean Power Plan and replacing it with the so-called Affordable Clean Energy (ACE) rule which does little more than maintain the status quo for fossil-fuel burning power plants. This case is ongoing.
- **Clean Water Act** – In February 2018, AG Racine and 10 states filed suit against the Trump Administration for suspending the 2015 Clean Water Rule, a federal regulation designed to ensure that lakes, rivers, streams, and wetlands are properly protected under the federal Clean Water Act. EPA has lifted the suspension, but intends to redefine "waters of the U.S." in proposed rulemaking.

MERGERS AND ACQUISITIONS

- **AltaGas/Washington Gas deal** – In early 2017, AltaGas, a large Canadian natural gas company, announced plans to acquire the parent company of WGL, subject to various regulatory approvals including at the DC Public Service Commission (PSC). OAG intervened on behalf of the District and negotiated a PSC-approved settlement, which included AltaGas' commitment to develop 10 MWs of either solar generation, or battery storage in the District. AltaGas also agreed to provide \$4.2 million for energy efficiency and energy conservation programs targeting multifamily buildings with an emphasis on buildings occupied by low income residents. OAG also negotiated AltaGas' express acknowledgement that climate change is real, caused by humans, and will publicly support international agreements such as the Paris Climate Accord to prevent global temperatures from rising more than two degrees Celsius by the end of this century.
- **Pepco/Exelon deal** – In Spring 2014, Exelon Corporation, a nuclear energy generating conglomerate based in Chicago, announced its plans to acquire the parent company of Pepco, subject to various regulatory approvals including at the DC PSC. OAG intervened on behalf of the District, and, in March 2016, after nearly two years of contested litigation, settled the matter with Exelon for over \$78 million in customer benefits. OAG's negotiations with Exelon lead to an \$11.25 million set aside for energy conservation and energy efficiency programs targeting multifamily buildings with an emphasis on buildings occupied by low income residents. OAG's negotiations with Exelon also lead to Exelon being required to develop 7 MWs of solar capacity in the District. OAG negotiated Pepco's commitment to procure 100 MW of wind energy within PJM's territory under long term power purchase agreements.