

WORLD
ENVIRONMENTAL

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Update Bulletin

Nation's First Greenhouse Gas Reporting System/Monitoring Finalized

On January 1, 2010, the U.S. Environmental Protection Agency will, for the first time, require large emitters of heat-trapping emissions to begin collecting greenhouse gas (GHG) data under a new reporting system.

If you:

- Burn fossil fuels and have stationary fuel combustion sources
- Supply industrial GHG, carbon dioxide, natural gas, or natural gas liquids
- Produce or manufacture adipic acid, aluminum, ammonia, cement, ferroalloys, glass, HCFCs, hydrogen, iron, steel, or lead
- Are categorized as a lime manufacturer, nitric acid producer, petrochemical producer, petroleum refinery, phosphoric acid producer, pulp and paper manufacturer, silicon carbide producer, soda ash producer, titanium oxide producer, zinc producer, or a municipal solid waste landfill

- Emit 25,000 metric tons or more of CO2 equivalent per year

Then you must:

- Determine the applicability of the GHG rule to your operations
- Initiate record keeping in January 2010, if applicable

The first annual reports for GHG emitting facilities, covering calendar year 2010, will be submitted to EPA in March 2011.

WORLD can help you meet the requirements of the new GHG reporting rule by:

- Determining the applicability and specific reporting requirements for your facility
- Identifying all covered sources and options for calculating and reporting emissions from each activ-

ity

- Recommending monitoring methods and equipment and assisting with design, procurement, and implementation
- Setting up a monitoring, reporting and record keeping protocol and providing training
- Incorporating reporting activities into overall GHG reduction and compliance strategy planning .



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REMINDER

ANNUAL COMPLIANCE
EVALUATIONS FOR
STORM WATER POLLUTION
PREVENTION PLANS NEED TO BE
CONDUCTED ANNUALLY,
WORLD WILL GLADLY ASSIST WITH
THIS REQUIREMENT.

Air Quality Permitting

On September 8, 2009, the EPA announced that it would challenge portions of Texas' air quality permitting programs.

The EPA is proposing to disapprove the Texas Flexible Permits State Program and the Texas Qualified Facilities State Program. The EPA is also challenging specific portions of Texas' State Im-

plementation Plan (SIP), which were submitted on June 10, 2005 and February 1, 2006, for failing to meet federal requirements for New Source Review.

The EPA proposals were published in the Federal Register on September 23, 2009 and a public comment period will last until November 23, 2009. The

result of these actions will most likely be extended negotiations with the TCEQ.



Potential Clean Water Act Reform

The United States Senate is attempting to amend the Clean Water Act (CWA) with the Clean Water Restoration Act of 2009. Responding to recent cases that have limited the scope of the CWA, this legislation's goal is to replace the term "navigable waters" with the term "waters of the United States." This would make the CWA applicable to a greater variety of water areas. Although the Act has made its way to the Senate Floor, it has yet to be voted on, and there is no comparable bill in the House of Representatives.



Environmental Planning-2010



How confident are you in your 2010 environmental budget? What impact will the policies of the Obama administration have on your operations? Are you staffed and prepared to respond to the new policies or will you be reacting after-the-fact?

If you read through the policy updates summarized in this Update Bulletin, from Green House Gas Reporting, to Air Quality Permitting and potential Clean Water Act reforms it should be apparent, if not concerning to you, that as the Dodge Ram commercial says "The Rules Have Changed", both figuratively and literally.

As consultants we have the advantage of dealing with multiple clients across a wide range of industries well as regulators at multiple levels.

Here are some of the comments we are hearing:

From an agency employee – "Under the Bush administration the mantra was compliance, compliance, compliance. What we are hearing from this administration is enforcement, enforcement, enforcement."

From industry – "SPCC plans seem to be the low hanging fruit. They are inspecting and hammering them with a

renewed interest."

Couple these comments with the attached articles and red flags should be popping up right and left. Since January the Obama administration's focus has been on health care reform; environmental initiatives have taken a back seat, but are simmering none the less. As the health care reform initiatives play out, expect environmental issues to be pushed to the fore front. Proper planning now will alleviate some of the pain these changes will bring in 2010.

Environmental Crimes Prosecutor Appointed



Travis County District Attorney Rosemary Lehmborg on Friday announced the appointment of the agency's first full-time environmental crimes prosecutor, a position made possible through a grant from the Texas Commission on Environmental Quality.

Lehmborg has named Patty Robertson, an experienced white-collar crime prosecutor, to the position. Robertson will be based in Travis County but will prosecute cases throughout the state.

The Travis County District Attorney's Office has statewide venue on most environmental crimes under Texas law, officials said. "We are all responsible for the safekeeping of our natural resources," Lehmborg said. "Each of us is a victim when individual and corporate polluters disregard that responsibility."