

zephyr®

# Currents

a quarterly publication of zephyr environmental corporation

## Planning Your Business Around Climate Change

**C**limate change is perhaps the “hottest” environmental topic of our times. It’s the focus of an Oscar winning movie, it’s part of the presidential election debate, the Congress and the States are proposing controls on greenhouse gas (GHG) emissions, industry associations are calling for regulation and taxation of GHGs, leading companies are adopting emissions reduction goals, and it has even become a consideration on Wall Street.

With all this attention, you can begin to quantify the impact of climate change and GHG regulatory initiatives on the way you do business through the crafting of a Climate Change Business Plan (CCBP). The CCBP consists of estimates of present and future GHG emissions (i.e. your carbon footprint), selection and scheduling of possible emissions reductions activities, and a plan for adapting to a changing climate. Altogether, the CCBP is a roadmap of present and future actions you can take to achieve the future carbon footprint best suited to your business objectives.

### ESTIMATING BASELINE AND FUTURE CARBON FOOTPRINTS

The first step in creating a CCBP is to calculate your present day, or baseline, carbon footprint from direct GHG emissions (i.e. from combustion and manufacturing processes) and from indirect sources (i.e. resulting from purchased electrical power). It may also be appropriate to include personnel and product transportation related GHG emissions in your carbon footprint. The next step in developing the plan is to estimate your future carbon footprint, based on projections of business expansion as outlined in your corporate business plan.

Combustion emissions of carbon dioxide (CO<sub>2</sub>), nitrous oxide (N<sub>2</sub>O) and methane (CH<sub>4</sub>) can be calculated using factors published in EPA’s AP 42, Fifth Edition *Compilation of Air Pollutant Emission Factors, Volume 1: Stationary Point and Area Sources* located at <http://www.epa.gov/ttn/chieff/ap42/>. Guidance on calculating GHG emissions is also available from the International Panel on Climate Change (IPCC), in its 2006 IPCC Guidelines for National Greenhouse Inventories (at <http://www.ipcc-nggip.iges.or.jp/public/2006gl/index.htm>). This document provides emissions estimating methods for many significant industrial sources of GHG emissions, including sources in the energy, mining, chemical, metal, non-power combustion, electronics, agriculture, forestry and waste sectors. Regionally specific factors for calculating indirect emissions of CO<sub>2</sub>, N<sub>2</sub>O and CH<sub>4</sub> from electrical power generation can be obtained from EPA’s Clean Energy website at <http://www.epa.gov/solar/index.htm>.

Next, the calculated quantities of individual GHGs are converted to common units, typically either million metric tons of CO<sub>2</sub> equivalent (MMTCo<sub>2</sub>E) or million metric tons of carbon equivalent (MMTCE). (Converting from the former to

*planning business >>> continued on page 6*



# FROM THE TRENCHES

## Or Should I Say the Dunes?

I've just returned from teaching a HazMat spill response class in the Middle East — in the Arabian/Persian Gulf Kingdom of Bahrain to be specific.

The training class was conducted for the Marine Emergency Mutual Aid Centre (MEMAC). MEMAC's purpose is to help its member countries (Bahrain, Iran, Iraq, Kuwait, Oman, Qatar, Saudi Arabia, and the United Arab Emirates) work together in combating and responding to pollution due to spills of oil and other harmful substances in the Gulf. MEMAC is unique because it's the only organization in the region that represents all eight Gulf governments. In many ways MEMAC is like the U.S. Coast Guard; it is a government entity that responds to marine oil spills and rescues. But MEMAC has to deal with eight different countries and numerous local governments in, perhaps, the busiest shipping lanes in the world.

Students from Bahrain, Iran, Kuwait, Oman, Qatar, and the United Arab Emirates attended our class. Most of the students were representatives of their country's environmental agencies or they worked for port authorities. Among their job titles were environmental engineer, ship captain, firefighter, safety inspector, and spill responder.

In the most substantive aspects this class was just like any other I have taught. Thankfully it was conducted in English since I was the only person in the room that didn't speak both Arabic and English. When I asked the students what are the biggest challenges they face on an emergency response scene, I heard the same answers I hear all across the U.S.: incident communications, command and control, and dealing with the media. In many ways the students were more comfortable working together across jurisdictional and geographic boundaries than we are in America. My greatest concern was that my sense of humor wouldn't translate well since so much of it is based on American pop culture. I wasn't sure that my picture of a Barbie doll in full HazMat gear would get a laugh like it does in the States — but it did.

In several ways the class was quite different from others I've taught, but these differences were minor. For example, each day we took a lunch break at about noon, but I was told that I needed to allow more than an hour for mid-day prayers. The students wore either suits and ties or traditional Arabic attire (headaddresses and the robe-like garments called "dishdashs") — quite a change from the baggy jeans and T-shirts at my classes back home. The most pleasant difference was the coffee — the Arabic brew is so much better than anything that Starbucks has to offer.

My favorite moment was at the end when I was handing out certificates. It was very ceremonial. Each student came to the front, and I handed him a certificate while someone took our picture as we shook hands. As I was shaking hands with one of the Iranian students he said to me that this is how it should be with our two countries. He and I had talked quite a bit about what life is really like in the U.S. and Iran, and the similarities were surprising. So I said "take a picture of this," hugged my new Iranian friend, and followed with "we'll make sure our governments get a copy." The rest of the class applauded.

When my friends and family ask me what it was like teaching a class on the other side of the world to a group of people from a totally different culture, all I can really say is that it was just like any other class. People are people no matter where you are. When asked if I'd do it again, I usually reply "inshallah." It's an Arabic phrase that's used when friends part. It means "God willing."

Note: *The body of water that separates the Arabian Peninsula and Iran is historically known as the Persian Gulf. However, since the 1960s, the Arab countries refer to it as the Arabian Gulf. Since both Arabs and Persians attended my class I referred to it as either the Arabian/Persian Gulf or just simply The Gulf.* ✨

**Kiley Taylor**  
Manager, Training Services





# AN ATTORNEY'S PERSPECTIVE

## Update on Energy and Environmental Bills of 80th Texas Legislative Session

**R**eflecting current widespread interest in power generation and energy use in Texas, the 80th Legislature's focus was heavily weighted toward energy development and its environmental aspects.

### ENERGY BILLS

#### **HB 3732 (Hardcastle/Averitt) – Advanced Clean Energy Bill**

In perhaps the most far-reaching of the energy bills passed this session, HB3732 creates regulatory and financial incentives for projects meeting certain emission standards while using coal, biomass, petroleum coke, solid waste, or fuel cells using hydrogen derived from such fuels to generate electricity. Incentives include (1) a grant and loan program, (2) property tax exemptions for a list of pollution control technologies, (3) gross receipts tax exemption, (4) tax exemption for oil recovered using captured carbon dioxide, (5) local property tax abatement, and (6) regulatory incentives, including time-certain environmental permitting.

#### **HB 1967 (Farabee/Averitt) – Pipelines Carrying Feedstocks for and Products from Gasification**

This bill authorizes pipelines carrying feedstock to or products from carbon gasification to be classified as common carriers and, thus, have eminent domain authority.

#### **SB 1461 (Seliger/Cook) – Improving Texas' Bid for Federal FutureGen Funding**

SB 1461 relates to issues involved with Texas' bid for the Department of Energy's initiative to build a near-zero emissions coal-based power plant that will maximize the commercial use of byproducts, including hydrogen fuel cells, liquid fuels, and captured carbon for enhanced oil recovery. Among the items addressed are (1) the Governor's authority to contract with the tax exempt FutureGen Alliance, (2) the monitoring of sequestered carbon dioxide, (3) liability protection for the operators of the project, and (4) representation by the Texas Attorney General's Office.

#### **HB 2608 (Hughes/Eltife) – Funding Research for Lignite-Based Electric Generation**

This bill directs the Texas Higher Education Coordinating Board to use money available from legislative appropriations (\$10 MM) to support applied research related to lignite-based electric power generation and Integrated Gasification Combined Cycle (IGCC) projects.

#### **HB 2994 (Bonnen/Hegar) – Property Tax Abatement for Nuclear Power and Gasification**

This bill enables local communities to offer incentives to owners of nuclear electric power-generating facilities or IGCC projects.

#### **HB 1386 (King/Fraser) – Funding the Cost of Nuclear Decommissioning**

This critically important bill for the nuclear power industry provides a structure for funding of nuclear decommissioning. This will allow developers to avoid up-front funding of these costs.

### WATER BILLS

#### **HB 3 & 4 (Puente) / SB 3 (Averitt)**

These three bills have overlapping provisions that together address environmental flows, water conservation, and reservoir designation. In particular, they create a basin-by-basin process to address in-stream flow issues. TCEQ is directed to adopt standards for addressing the in-stream flow needs of estuaries and bays when issuing water right permits and amendments. An "Environmental Flows Advisory Group" is created to develop policy recommendations for conserving water resources while providing for the needs of a growing Texas. This Advisory Group will appoint an "Environmental Flows Science Advisory Committee" and "Stakeholder Committees". The "Stakeholder Committees" in turn will appoint an "Expert Science Team." A "Watermaster Advisory Committee" is also created and is made up of holders of water rights within each basin.

The bills also direct the Texas Water Development Board (TWDB) to implement a statewide program to increase awareness and importance of water conservation. The Higher Education Coordinating Board is directed to develop curricula regarding water reclamation technology and integration of same into new construction. A "Water Conservation Advisory Council" is created to monitor the implementation of conservation strategies. Certain large water utilities are directed to submit conservation plans to TCEQ and TWDB and annual progress reports under those plans. TWDB is authorized and given funds to issue grants for water conservation programs.

In a very controversial provision of SB 3, several reservoir sites are designated as having unique value for reservoir construction under the 2007 Water Plan but the local water planning groups are given ultimate authority to halt the progress of the designated sites.

# News Briefs

## national news

### **Tougher Ozone Standards Proposed**

On June 20, EPA proposed to tighten the standards for ground level ozone, including options for a new primary standard within the broad range of 0.060 ppm to 0.084 ppm. EPA is considering a secondary standard either identical to the primary standard or in a new form designed to protect sensitive plants from damage caused by repeated ozone exposure. EPA plans to issue final standards by March 12, 2008. The standard for ozone was last updated in 1997. For more information, contact Jennifer Seinfeld at 410.312.7915 or [jseinfeld@zephyrenv.com](mailto:jseinfeld@zephyrenv.com).

### **EPA Reports Decades of Environmental Improvement**

On May 10, EPA issued a draft report on the current state of the environment for public review and comment prior to the formal review of the report by EPA's Science Advisory Board in July. Addressing air, water, land, human health and ecological conditions, the report is an update to the 2003 draft report, compiles the latest and most reliable indicators of and trends in the quality of the nation's air, water, and land, and human health as tracked by EPA. According to EPA, levels of pollutants in the air have decreased significantly over the last few decades. For more information, contact Roger Brower at 410.312.7907 or [rbrower@zephyrenv.com](mailto:rbrower@zephyrenv.com).

### **President Announces Global Warming Initiative**

In early June, President Bush announced a new initiative to reduce greenhouse gas emissions. Under his plan, 15 countries, including China and India, would set emissions reductions targets by 2008. The inclusion of China and India is significant because emissions targets have not been established for them under the Kyoto Protocol. For more information, contact Bill Jones at 410.312.7910 or [bjones@zephyrenv.com](mailto:bjones@zephyrenv.com).

### **EPA Proposes to Expand RCRA Comparable Fuels Exclusion**

EPA, in early June, proposed to allow certain manufacturing wastes to be burned for energy recovery in industrial boilers. EPA proposed to expand the Resource Conservation and Recovery Act (RCRA) Hazardous Waste Comparable Fuels Exclusion to encompass a new category of liquid hazardous waste-derived fuel known as emission-comparable fuel (ECF), which

creates emissions when burned in an industrial boiler that are comparable to those from burning fuel oil. ECF would be subject to the same regulations that currently apply under the RCRA Comparable Fuels Exclusion, but would be exempt from the specifications for certain hydrocarbons and oxygenates. For more information, contact Lou Corio at 410.312.7912 or [lcorio@zephyrenv.com](mailto:lcorio@zephyrenv.com).

### **Homeland Security Issues Rule to Secure Chemical Facilities**

On April 9, the Department of Homeland Security passed rules to establish risk-based performance standards for the security of U.S. chemical facilities. The rules became effective June 8 except for Appendix A, which lists chemicals that would have to be present at a site above a certain threshold to trigger rule applicability. In response to the rule, subject facilities must submit site security and vulnerability assessments no later than 60 days after Appendix A goes into effect. For more information, contact Ed Fiesinger at 281.668.7353 or [efiesinger@zephyrenv.com](mailto:efiesinger@zephyrenv.com).

### **Agencies Release Joint Wetlands Protection Guidance**

On June 5, in response to a Supreme Court decision, EPA and the Corps of Engineers issued joint guidance regarding the geographical extent of the jurisdiction of the dredge and fill provisions of the Clean Water Act. This guidance is aimed at assisting developers and other groups that might disturb wetlands in better understanding the implications of the Court's decision. The agencies are concurrently soliciting public input on early experience with implementing the guidance and may reissue, revise, or suspend the guidance based on this feedback. For more information, contact Brad Watson at 512.879.6624 or [bwatson@zephyrenv.com](mailto:bwatson@zephyrenv.com).

### **EPA Proposes to Revise Refinery Performance Standards**

On May 14, EPA proposed changes and additions to its new source performance standards for petroleum refineries. Although many of the changes were only technical clarifications and corrections to its existing Subpart J rules, EPA also proposed a new Subpart Ja for refinery process units that begin construction, modification, or reconstruction after May 14, 2007. The proposed Subpart Ja includes emission limits and work practice standards for fluid catalytic cracking units, fluid coking units, sulfur recovery plants, and fuel gas combustion devices and reflects demonstrated improvements in emissions control technologies and work practices. Units that began construction, modification, or reconstruction on or

before May 14, 2007 would continue to be subject to applicable requirements of the current Subpart J, as amended. For more information, contact Shahjabeen Hashim at 281.668.7359 or [shashim@zephyrenv.com](mailto:shashim@zephyrenv.com).

### **Spill Rule Compliance Deadlines Extended**

On May 16, EPA extended the dates by which facilities must prepare or amend Spill Prevention, Control, and Countermeasure (SPCC) Plans, and implement those plans. Owners or operators of affected facilities that were in operation on or before August 16, 2002 must make and implement any necessary amendments by July 1, 2009. Owners or operators of facilities that came into operation between August 16, 2002 and July 1, 2009 must also prepare and fully implement an SPCC Plan by the 2009 deadline. EPA anticipates that the extension of compliance deadlines will allow regulated entities ample time to make the necessary changes to their facilities. For more information, contact Michele Foss at 281.668.7342 or [mfoss@zephyrenv.com](mailto:mfoss@zephyrenv.com).

### **EPA Proposes Revisions to CAIR and CAMR Cogeneration Unit Definition**

On April 25, EPA proposed to revise the applicability provisions for cogeneration units in the Clean Air Interstate Rule (CAIR) and the Clean Air Mercury Rule (CAMR) to enable for certain biomass fired units to qualify for the cogeneration unit exemption. In particular, EPA would base rule applicability to certain cogeneration units on only the fossil fuel contribution to the heat input. For more information, contact James Woodall at 512.879.6625 or [jwoodall@zephyrenv.com](mailto:jwoodall@zephyrenv.com).

### **TRI Requirements Expanded for Dioxin Compounds**

On May 10, EPA expanded its Toxic Release Inventory (TRI) reporting requirements for dioxins and dioxin-like compounds, which include 17 chemical categories. The revised rule requires that, in addition to the total grams released for the entire category, facilities must report the quantity for each individual chemical on a new Form R Schedule 1. EPA will use the data for the individual chemicals to compute toxic equivalencies, which will be made available to the public. While the final rule becomes effective July 9, the reporting requirements will apply to the reporting year beginning January 1, 2008 and to subsequent reporting years. For more information, contact Becky Luman at 281.668.7343 or [rluman@zephyrenv.com](mailto:rluman@zephyrenv.com).

### **EPA Steps Up Tier Two Enforcement**

EPA is reportedly seeking more compliance and enforcement activity nationwide with respect to Tier Two reporting requirements, partially in response to a large explosion and chemical release that occurred in Danvers, Massachusetts in 2006. Tier Two reports are required under the Emergency Planning and Community Right-to-Know Act for facilities that store certain hazardous materials, as well as for all Toxic Release Inventory (TRI) reporters. For more information, contact Kimberly Brandt at 512.879.6641 or [kbrandt@zephyrenv.com](mailto:kbrandt@zephyrenv.com).

### **EPA Proposes Changes to PSD Increment Consumption Rules**

On June 6, EPA proposed changes to its Prevention of Significant Deterioration (PSD) rules to refine and clarify how PSD increment consumption is determined. In particular, the rule would clarify that mobile and secondary sources must be included in the PSD increment analysis. The rule would also address sources which were permitted after receiving a Class I increment variance from a Federal Land Manager and would adopt a revised definition of “actual emissions” for the purposes of increment consumption modeling. Another important change would allow a non-utility unit to identify pre-change emissions using any two-year period in the preceding 10 years, and would allow electric utilities to use any consecutive two years in the last five. Finally, the proposed rule provides additional guidelines for the meteorological data used in the dispersion models, as well as allows the state agency more flexibility in determining which years of meteorological data must be considered. For more information, contact Mark Fridel at 281.668.7354 or [mfridel@zephyrenv.com](mailto:mfridel@zephyrenv.com).

### **EPA Revises PSD Thresholds for Ethanol Plants**

On May 1, EPA proposed changes to Major New Source Review and Title V permitting rules for ethanol plants. In this proposal, ethanol plants would be excluded from the definition of “chemical process plants”, raising the Prevention of Significant Deterioration (PSD) threshold for these facilities from 100 to 250 tons per year. The proposal would also exempt ethanol plant fugitive emissions from being counted in major source threshold determinations under the PSD and Title V operating permits programs. For more information, contact Brett Davis at 512.879.6628 or [bdavis@zephyrenv.com](mailto:bdavis@zephyrenv.com).

### **EPA Issues Renewable Fuels Rule**

As required by the Energy Policy Act of 2005, on May 1 EPA published final regulations for a Renewable Fuel Standard program for 2007 through 2012. Under the proposed rule, refiners, importers and blenders must annually increase the percentage of renewable fuels sold as or blended with motor vehicle fuels. Small businesses would be exempt from the renewable fuels requirements. Renewable fuels come from plant or animal products or wastes and include ethanol and biodiesel. For more information, contact Brett Davis at 512.879.6628 or [bdavis@zephyrenv.com](mailto:bdavis@zephyrenv.com).

## **state news**

### **Texas Asks for Severe Ozone Nonattainment Classification for Houston**

On June 15, Governor Perry formally requested that EPA reclassify the Houston-Galveston-Beaumont ozone nonattainment area from “moderate” to “severe”. Citing TCEQ staff analysis showing that the area will not reach the June 2010 attainment date for “moderate” areas (even if the Houston Ship Channel industrial area were totally shutdown), Governor Perry requested the reclas-

the latter requires multiplying by the ratio of molecular weights of CO<sub>2</sub> and carbon, which is 44/12.) These calculations also consider the global warming potential (a measure of the relative impact on climate of a unit emission of the CO<sub>2</sub> or carbon equivalent) over a standard time horizon, such as 100-years. The total carbon footprint is the sum, for all greenhouse gases, of the mass of gases emitted times the global warming potential values published by IPCC. Finally, the calculated future carbon footprint is adjusted in light of any existing corporate emissions reductions goals (e.g. as published in social/corporate responsibility and environmental stewardship reports) and the projected regulatory landscape.

## CARBON FOOTPRINT REDUCTIONS

If your final adjusted future carbon footprint exceeds the baseline carbon footprint, your CCBP should include a list of viable carbon emissions credits or offsets. Emissions credits generally result from activities that reduce direct emissions, such as increasing boiler efficiency. It can also include indirect emissions reductions through power conservation, equipment replacement or process optimization, or the purchase of renewable energy. Under an emissions cap and trade program, you may also be able to generate credits for your own use. Alternatively, you might be able to purchase credits from others.

In the future, you may be able to use developing technologies such as the capture and storage (i.e. sequestration) of CO<sub>2</sub>. For example, the U.S. Department of Energy is funding the FutureGen Project, which would generate synthetic gas from coal, combust the gas in a power turbine, and then capture the CO<sub>2</sub> containing exhaust for injection into salt dome or oil formation for enhanced oil recovery (EOR).

Clean development mechanisms such as those adopted in the Kyoto Protocol also offer opportunities to offset GHG emissions. In particular emissions from the developing world could be used to “offset” your actual emissions. Such offsets could be obtained from replanting forests to sequester carbon in trees, buying fluorescent light bulbs to replace higher energy using incandescent bulbs, and funding renewable energy projects. It should be noted that some offsets have become controversial lately, having been called “little more than mechanisms to allow rich westerners to ease their consciences.”

## CLIMATE CHANGE ADAPTATION

In addition to formulating a plan to achieve a projected future carbon footprint, your CCBP should also include plans to adapt to climate change. In particular, the plan should identify your company’s vulnerability to effects of climate change (flooding from rising seas, facility and transportation network damage from severe hurricanes, and the possibility that the workforce may move to more temperate regions) and incorporate reasonable contingencies.

sification to give the state until June 2019 to reach attainment. Hopefully this extension will allow recently enacted mobile source initiatives time to take effect since mobile sources account for 54 percent of the area’s NO<sub>x</sub> emissions. For more information, contact Ed Fiesinger at 281.668.7353 or [efiesinger@zephyrenv.com](mailto:efiesinger@zephyrenv.com).

## TCEQ Revises NO<sub>x</sub> Rules for DFW Area & Northeast Texas

On May 23, the TCEQ adopted changes to its Chapter 117 NO<sub>x</sub> rules as part of its plan for achieving compliance with the 8-hour ozone standard in the Dallas/Fort Worth area. The adopted rule affects a broad spectrum of large and small sources in the region with new emissions limitations for major electric generating facilities, cement kilns in Ellis County, and stationary internal combustion engines. For more information, contact Ellen Ward at 512.879.6634 or [eward@zephyrenv.com](mailto:eward@zephyrenv.com).

## TCEQ Gives OK to New Texas Coal Plant

On June 13, the TCEQ Commissioners approved the application by TXU for two new lignite coal-fired power units to be located in Robertson County, Texas. Administrative Law Judges had ruled that the permit should be denied based primarily on their contention that TXU did not demonstrate that proposed NO<sub>x</sub> emissions controls were technically feasible. Taking a different reading on the testimony in the hearing on the merits of the application, and siding with the opinions of TCEQ staff that the controls would work, Commission Chairman Kathleen White announced that the Oak Grove project is “good news for Texas” and voted with Commissioner Buddy Garcia to approve the permit. For more information, contact David Cabe at 512.879.6644 or [dcabe@zephyrenv.com](mailto:dcabe@zephyrenv.com).

## MSS Application Deadline Looms for Texas Chemical Plants

By January 5, 2008, Texas chemical plants must submit applications to the TCEQ to authorize all planned maintenance, startup and shutdown (MSS) emissions. If applications are submitted on time and additional information is provided promptly when requested, then an affirmative defense can be claimed. Otherwise, the TCEQ may initiate enforcement actions for excess emissions from planned MSS activities until such time as the permit is issued authorizing these MSS emissions. For more information, contact Karen Olson at 512.879.6618 or [kolson@zephyrenv.com](mailto:kolson@zephyrenv.com).

## TCEQ Issues Draft ESL Development Support Documents

As part of its ongoing review of effects screening levels (ESLs) the TCEQ issued, in June, draft Development Support Documents for six chemicals, including benzene. These documents, which explain methodologies the TCEQ proposes to use in revising the ESLs, are available on the TCEQ website, and the TCEQ is seeking public comments on the documents by August 17. For several chemicals, including benzene, the TCEQ’s methodology results in limits that are less stringent than those currently published. For more information, contact Louisa Preston at 512.879.6646 or [lpreston@zephyrenv.com](mailto:lpreston@zephyrenv.com). ☀

# FROM THE PRESIDENT

## New Directions at Zephyr

In our *Currents* newsletter, we almost always focus on areas of broad interest in the environmental, health, and safety (EHS) arena and don't typically use it as a forum to talk about news at Zephyr, per se.

However, a couple of developments this month are worthy of note, and I think they will be of broad interest to our clients and friends.

First, I encourage you to read this month's "From the Trenches" contribution by Kiley Taylor, in which he discusses a special training course that Zephyr conducted last month in Bahrain for students from the countries that surround the Persian/Arabian Gulf. Kiley did a wonderful job training emergency responders from the other side of the world in the practical application of HazMat spill response, and apparently made a significant contribution to world peace while he was at it!

Not one to rest on his laurels, several days later Kiley presented a talk on emergency preparedness in Dubai in the United Arab Emirates. The talk, organized by the Environmental Protection Section at Dubai Municipality, was very well received by a large audience. You may have heard that Dubai is one of the fastest growing, wealthiest, and most cosmopolitan cities in the world, and they realize they have a lot of assets to protect. In fact, in the days before Kiley's talk, the first cyclone to hit the Gulf in living memory was bearing down on several nations surrounding the Gulf. The next day the newspaper in Dubai characterized Kiley as "an international expert in the field of emergency preparedness," and quoted him at length. Pretty heady stuff for Kiley and for Zephyr, which is just now 13 years old! Most of the time, Zephyr's contributions to our client's issues don't make the headlines of the newspapers in the world's capitals. But, to quote the baseball player Dizzy Dean prior to the 1934 baseball season, "it isn't bragging if you can do it!" (see the link at <http://www.ameinfo.com/122832.html>).



In another new development, Zephyr's Austin office has just moved to Building 1 at The Terrace, an office complex located near the southern junction of Loop 1 MOPAC and Capital of Texas Highway. We have outgrown the space we've held for the past ten years, and the new space offers an important advantage to our clients; it contains a large (~1,000 sq. ft.) training space. By having direct control of our training venue, it will enable us to provide many more training offerings to our clients in a new first-class facility. Our new address is 2600 Via Fortuna, Suite 450, Austin, Texas 78746. Our phone numbers and other contact information will remain the same.

We will plan to host an open house in the month of September, but please know you are invited to come see us at our new space any time. We're proud of it, and proud of the growth and success our transition represents. Be assured that we try to never forget that our clients and friends have helped us to achieve it! ✨

**Joe Zupan**  
President

Zephyr is a professional services firm providing worldwide consulting, training and data systems to the industrial, commercial and public sectors. The firm's major areas of practice are air and water quality, waste issues, worker and community safety, and incident management.

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**OTHER SIGNIFICANT ENVIRONMENTAL BILLS**

**SB 12 (Averitt/Bonnen) – Mobile Source Emission Reduction Programs & Efficiency Standards**

This bill increases the scope of both the Texas Emission Reduction Program (TERP) and the Low-Income Vehicle Repair Assistance, Retrofit, and Accelerated Vehicle Retirement Program (LIRAP) to reduce emissions from mobile sources and reduce electricity demand through building codes and efficiency standards applicable to state and local governmental entities.

**HB 3693 (Straus/Fraser) – Energy Efficiency Programs**

This bill enhances existing energy efficiency programs, updates building energy codes, and requires state agencies to purchase more efficient equipment and appliances.

**SB 1672 (Averitt/Bonnen)**

This bill makes provisions for incorporating into the Texas SIP changes in the federal Clean Air Interstate Rule related to timelines for allocating emissions of nitrogen oxides.

**SB 1673 (Averitt/Bonnen)**

This bill adjusts timelines for renewing and amending air quality preconstruction permits to avoid unnecessary procedural expense and time.

**HB 2018 (Brown/Deuell)**

This bill eliminates the minimum city population requirement (20,000) for a Municipal Setting Designation (MSD) to be issued by the TCEQ. ✨

**Michael J. Nasi**  
**Ali Abazari**  
*Jackson Walker LLP*

**UPDATING THE CLIMATE CHANGE BUSINESS PLAN**

Your CCBP is as much a living document as your business plan. It must be updated regularly to account for trends in regulations, processing technologies, fuel efficiency and adaptation, as well as to take advantage of the changing availability of carbon capture and storage opportunities, emissions, offsets, and renewable energy alternatives.

Other considerations that might drive CCBP changes are the growing pressure on stock prices from environmentally responsible investing and the possibility that EPA might enact MACT and NSPS type rules to reduce GHG emissions. Developments in geo-engineering, such as reversing climate change by adding aerosols into the stratosphere to reflect incoming solar radiation or depositing iron in the ocean to encourage algae growth, may even affect your business plan. ✨

**Brett Davis**  
*Project Engineer*

