

THE UNIVERSITY OF TEXAS AT AUSTIN
WITH PARTICIPATION FROM JACKSON SCHOOL OF GEOSCIENCES, BUREAU OF ECONOMIC GEOLOGY,
COCKRELL SCHOOL OF ENGINEERING, AND SCHOOL OF LAW

2011

CARBON AND CLIMATE CHANGE

Energy Futures and Industry Economics, EPA and State Regulatory
Developments, GHGs, Shale Gas, EOR, CCS and the Texas Edge



Getty Images/Luiz Felipe Castro

February 8*, 9–10, 2011

*Opening Networking Reception

AT&T Conference Center ▪ Austin, Texas

GOLD SPONSORS

CO₂ Flooding Conference

Texas Carbon Capture and Storage Association

SILVER SPONSORS

Andrews Kurth LLP

Baker Botts L.L.P.

Haynes and Boone, LLP

Fulbright & Jaworski L.L.P.

McElroy, Sullivan & Miller, L.L.P.

Sage Environmental Consulting

www.utcle.org ▪ 512-475-6700

2011 CARBON AND CLIMATE CHANGE

February 8*, 9–10, 2011 • AT&T Conference Center • Austin, Texas

Earn up to 13.50 Hours of Credit; Specialization Credit Approved for Administrative Law and Oil, Gas and Mineral Law

TUESDAY AFTERNOON, FEB. 8, 2011

*OPENING NETWORKING RECEPTION

5:00 p.m.

Join speakers, registrants and sponsors of “The Future of Texas CCS - 2011 and Beyond” and UT’s Carbon and Climate Change Conference along with regulatory and legislative members and staff at our opening joint reception. Great courtyard and campus views, great conversation and contacts—don’t miss it.

Hosted by:

Texas Carbon Capture and Storage Association
The University of Texas at Austin

6:30 p.m. Reception Ends

WEDNESDAY MORNING, FEB. 9, 2011

Presiding Officer:

John Moore, Stratus Energy Group, LLC,
Austin, TX

8:00 a.m. Registration Opens

Includes continental breakfast.

8:50 a.m. Welcoming Remarks

9:00 a.m. .50 hr

Energy Futures

A review of economic and revenue issues, and how the state looks at the energy future.

David C. Schanbacher, Texas Comptroller of Public Accounts, Austin, TX

9:30 a.m. .75 hr

GHGs: Understanding and Dealing with the Federal Legislative Regulatory Landscape

The collapse of major federal carbon regulation legislation leaves industry to make decisions under the emerging greenhouse gas (GHG) rules of the EPA. This session provides an overview of the new rules and regulations, including Prevention of Serious Deterioration (PSD) review, Title V and potential New Source Performance Standards for GHGs.

William M. Bumpers, Baker Botts L.L.P., Washington, DC

10:15 a.m. Break

10:30 a.m. .50 hr

GHG Permitting: What Now? The EPA’s Perspective

Introduction by Melinda Taylor, The University of Texas School of Law, Austin, TX.

Speaker

Carl Edlund, Environmental Protection Agency,
Dallas, TX

11:00 a.m. 1.25 hrs

Wiring around Carbon

What are the critical issues—pluses and minuses—in considering supplying renewable energy long distances from renewable energy-rich regions of the U.S. to those that have limited renewable energy resource options? What level of emission reduction might result from delivering emission-free generation to regions with high carbon emissions? Does the requirement to locate additional high-voltage transmission lines offset the societal benefit of reduced emissions? Can major grids operate reliably with significant supplies remote from the load?

Moderator:

John Moore, Stratus Energy Group, Austin, TX

Panelists:

Kenneth W. Anderson Jr. (Invited), Commissioner,
Public Utility Commission of Texas, Austin, TX
Diana M. Liebmann, Haynes and Boone, LLP,
San Antonio, TX
James D. Marston, Environmental Defense Fund,
Austin, TX
John Schnagl, U.S. Department of Energy,
Washington, DC

12:15 p.m. Pick Up Lunch

WEDNESDAY AFTERNOON

Presiding Officer:

Jeff Civins, Haynes and Boone, LLP,
Austin, TX

KEYNOTE LUNCHEON PRESENTATION

12:35 p.m. .75 hr

Coal Without Carbon: A World View

John Thompson, Director, Coal Transition Project,
Clean Air Task Force, Carbondale, IL

1:20 p.m. Break

1:35 p.m. .50 hr

Introduction and Overview: Legal and Compliance Issues Involving BACT

This session reviews: 1) the legal challenge by the State of Texas to the EPA’s Greenhouse Gas Tailoring Rule that requires Best Available Control Technology (BACT) determinations for greenhouse gas emissions under the federal PSD air permit program; 2) the EPA’s Federal Implementation Plan for administering the Greenhouse Gas Tailoring Rule in Texas; and 3) the administrative process for obtaining BACT determinations for criteria pollutants and greenhouse gas emissions in federal PSD permits in Texas.

Patricia Finn Braddock, Fulbright & Jaworski LLP,
Austin, TX
Blake Soyars, P.E., Sage Environmental Consulting,
Austin, TX

THE FINANCIAL AND LEGAL IMPACT OF THE EPA’S NEW BEST AVAILABLE CONTROL TECHNOLOGY GUIDANCE

2:05 p.m. .92 hr

Understanding and Working Effectively with the EPA’s New BACT Guidance Rules

In November 2010, the EPA issued major new guidance rules dealing with BACT. These rules are of critical importance for permitting and compliance purposes. This session provides a comprehensive summary and analysis of the new rules with special attention to pitfalls, problem areas, permitting and compliance opportunities, and safe harbors.

Christopher Charles Thiele, Vinson & Elkins LLP,
Austin, TX

Commentator:

Mark MacLeod, Director, Special Projects,
Environmental Defense Fund, Washington, DC

3:00 p.m. Break

3:15 p.m. 1.25 hrs

Economic and Industry Impact of the EPA’s New BACT Guidance Rules

Representatives from the refining, power generation, manufacturing and technology sectors—along with the chair of the GHG BACT Guidance Committee and director of EDF—discuss their different perspectives regarding the economic impacts and special challenges associated with satisfying the EPA’s new BACT guidance.

Moderator:

Jeff Civins, Haynes and Boone, LLP, Austin, TX

Panelists:

Kimberly S. Bowers, Valero Energy Corporation,
San Antonio, TX
Stephen Minick, Texas Association of Business,
Austin, TX
NRG Representative TBA
Lisa Montgomery Shelton, Andrews Kurth LLP,
Austin, TX
Mark MacLeod, Director, Special Projects,
Environmental Defense Fund, Washington, DC

4:30 p.m. 1.00 hr

What about Methane? Landfills, Shale Gas and Agriculture

This session examines methane reporting, emissions sources, questions about transparency, benzene, shale gas as a source of methane, and life cycle analysis of coal combustion.

Moderator:

Melita Elmore, Consultant, Texas Carbon Capture and Storage Association, Austin, TX

Panelists:

Jed Anderson, The AL Law Group, PLLC, Kingwood, TX
Jill Cooper, EnCana Oil & Gas (USA) Inc., Denver, CO
James Terrell, Select Milk Producers, Austin, TX
Leslie Cook Wong, Waste Management, Houston, TX

5:20 p.m. Adjoin to Reception

THURSDAY MORNING, FEB. 10, 2011

Presiding Officer:

Michael J. Nasi, Jackson Walker L.L.P., Austin, TX

8:00 a.m. Conference Room Opens

Includes continental breakfast.

THE TEXAS EDGE

8:30 a.m. .75 hr

CCS and Carbon Regulation and Management: Legislative Issues

Long-term stewardship and liability, and unitization.

Michael J. Nasi, Jackson Walker L.L.P., Austin, TX

9:15 a.m. .75 hr

CCS: Regulatory Challenges and Pending Issues

A discussion and analysis of key federal and state regulatory issues and the latest developments in underground injection and storage of carbon, including EPA's Class VI well rules and the Railroad Commission's role in CCS regulation. This panel includes commentary and views from industry, regulatory and technical/geological perspectives.

Moderator:

Darrick W. Eugene, General Counsel, Texas Carbon Capture and Storage Association, Austin, TX

Panelists:

Leslie L. Savage, Railroad Commission of Texas, Austin, TX
Rebecca C. Smyth, The University of Texas at Austin, Austin, TX

10:00 a.m. Break

10:15 a.m. 1.25 hrs

CCS Project Development: What's New and Who Is Putting Stuff in the Ground

This session covers the nuts and bolts of putting CCS projects together in the real world. Issues and hurdles addressed include: CO₂ capture, technologies and economics; assembling and aggregating acreage; regulatory hurdles; full-scale project build-out including financing and revenue generation; and water access and utilization issues.

Moderator:

Steve Melzer, Melzer Consulting, Midland, TX

Panelists:

Gary J. Gibbs, American Electric Power, Austin, TX
Susan Hovorka, The University of Texas at Austin, Austin, TX
Nancy Mohn, Alstom Power, Inc., Windsor, CT
Mike Moore, Blue Source, Houston, TX
Thomas M. Weber, McElroy, Sullivan & Miller, L.L.P., Austin, TX

11:30 a.m. .50 hr

Impact of Shale Gas on Energy Supplies, Prices and GHGs

What impact will shale gas production have on national and regional energy supplies and pricing? How will shale gas production affect renewable energy development, the mix of energy sources for power generation and GHG emissions?

Gregory Brazaitis, Energy Transfer Partners, Houston, TX

12:00 p.m. Pick Up Lunch

THURSDAY AFTERNOON

Presiding Officer:

Ann A. Hawkins, Skadden Arps Slate Meagher & Flom LLP, Houston, TX

LUNCHEON PRESENTATION

12:15 p.m.

Introduction

Robert W. Gee, Gee Strategies Group, LLC, Falls Church, VA

12:20 p.m. .75 hr

Key Policymakers' Perspectives: Creating the Right Environment for CCS and Offshore Carbon Storage

Rep. Warren Chisum, Texas House of Representatives, Pampa, TX
Jerry Patterson, Commissioner, Texas General Land Office, Austin, TX

1:05 p.m. Break

1:20 p.m. .83 hr

Carbon Repositories: Lessons Learned from the Norwegian Experience, and the Future of Offshore Carbon Storage in Texas

A discussion of the issues, challenges and opportunities—legal, geological, political and economic—for offshore carbon storage, including industry acceptance; seismic risks; and political, economic and operational issues, with special attention to the Norwegian North Sea Project and the future role, availability and operation of carbon storage in the GLO's offshore Texas Repository.

Moderator:

Michael J. Nasi, Jackson Walker L.L.P., Austin, TX

Panelists:

Carl-W. Hustad, CEO, CO₂-Global LLC, Houston, TX
David L. Coleman, DNV Energy North America, Katy, TX
Timothy A. Meckel, The University of Texas at Austin, Austin, TX
Louis Renaud (Invited), Texas General Land Office, Austin, TX

2:10 p.m. .50 hr

What Is the Role of Fossil Fuel under Today's Carbon Legislation?

This session covers issues facing the development and operation of fossil-fueled power plants in the current carbon environment, including permitting, financing, construction, availability of fuel and market issues including competing technologies.

Barbara Clemenhagen, Topaz Power Group, Austin, TX

2:40 p.m. .33 hr

Nuclear Options and Prospects

What are the possibilities and prospects for nuclear power generation, including the use of small-scale reactors?

Robert K. Temple, Babcock & Wilcox Company, Charlotte, NC

3:00 p.m. .50 hr

Sunset Review of the Texas Energy Agencies

Representative Anchia highlights the key recommendations of the Sunset Commission for changes to the PUC, ERCOT and Railroad Commission. He also speaks broadly on Texas' efforts to shape an energy policy that utilizes energy efficiency, renewable energy, storage and demand response programs in addition to conventional sources of energy.

Rep. Rafael M. Anchia, Texas House of Representatives, Sunset Commission Member, Dallas, TX

3:30 p.m. Adjoin

“Excellent list of topics and presenters. Highly relevant. I liked the discussion among panel members, the comparison of legislation, and the technical considerations. Enjoyed the variety of lawyers, regulators, geologists and engineers.”

CONFERENCE FACULTY

REP. RAFAEL M. ANCHIA
Sunset Commission Member
Texas House of Representatives
Dallas, TX

JED ANDERSON
The AL Law Group, PLLC
Kingwood, TX

KENNETH W. ANDERSON JR.
(INVITED)
Commissioner
Public Utility Commission of Texas
Austin, TX

KIMBERLY S. BOWERS
Valero Energy Corporation
San Antonio, TX

PATRICIA FINN BRADDOCK
Fulbright & Jaworski LLP
Austin, TX

GREGORY BRAZAITIS
Energy Transfer Partners
Houston, TX

WILLIAM M. BUMPERS
Baker Botts L.L.P.
Washington, DC

REP. WARREN CHISUM
Texas House of Representatives
Pampa, TX

JEFF CIVINS
Haynes and Boone, LLP
Austin, TX

BARBARA CLEMENHAGEN
Topaz Power Group
Austin, TX

DAVID L. COLEMAN
DNV Energy North America
Katy, TX

JILL COOPER
EnCana Oil & Gas (USA) Inc.
Denver, CO

CARL EDLUND
Environmental Protection Agency
Dallas, TX

MELITA ELMORE
Consultant
Texas Carbon Capture and Storage
Association
Austin, TX

DARRICK W. EUGENE
General Counsel
Texas Carbon Capture and Storage
Association
Austin, TX

GARY J. GIBBS
American Electric Power
Austin, TX

SUSAN HOVORKA
The University of Texas at Austin
Austin, TX

CARL-W. HUSTAD
CEO
CO₂-Global LLC
Houston, TX

DIANA M. LIEBMANN
Haynes and Boone, LLP
San Antonio, TX

MARK MACLEOD
Director, Special Projects
Environmental Defense Fund
Washington, DC

JAMES D. MARSTON
Environmental Defense Fund
Austin, TX

TIMOTHY A. MECKEL
The University of Texas at Austin
Austin, TX

STEVE MELZER
Melzer Consulting
Midland, TX

STEPHEN MINICK
Texas Association of Business
Austin, TX

NANCY MOHN
Alstom Power, Inc.
Windsor, CT

JOHN MOORE
Stratus Energy Group
Austin, TX

MIKE MOORE
Blue Source
Houston, TX

MICHAEL J. NASI
Jackson Walker L.L.P.
Austin, TX

JERRY PATTERSON
Commissioner
Texas General Land Office
Austin, TX

LOUIS RENAUD (INVITED)
Texas General Land Office
Austin, TX

LESLIE L. SAVAGE
Railroad Commission of Texas
Austin, TX

DAVID C. SCHANBACHER
Texas Comptroller of Public Accounts
Austin, TX

JOHN SCHNAGL
U.S. Department of Energy
Washington, DC

LISA MONTGOMERY SHELTON
Andrews Kurth LLP
Austin, TX

REBECCA C. SMYTH
The University of Texas at Austin
Austin, TX

BLAKE SOYARS, P.E.
Sage Environmental Consulting
Austin, TX

ROBERT K. TEMPLE
Babcock & Wilcox Company
Charlotte, NC

JAMES TERRELL
Select Milk Producers
Austin, TX

CHRISTOPHER CHARLES THIELE
Vinson & Elkins LLP
Austin, TX

JOHN THOMPSON
Director, Coal Transition Project
Clean Air Task Force
Carbondale, IL

THOMAS M. WEBER
McElroy, Sullivan & Miller, L.L.P.
Austin, TX

LESLIE COOK WONG
Waste Management
Houston, TX

PLANNING COMMITTEE

JEFF CIVINS—CO-CHAIR
Haynes and Boone, LLP
Austin, TX

JOHN MOORE—CO-CHAIR
Stratus Energy Group
Austin, TX

MICHAEL J. NASI—CO-CHAIR
Jackson Walker L.L.P.
Austin, TX

MICHAEL BERG
Berg & Associates
Austin, TX

PATRICIA FINN BRADDOCK
Fulbright & Jaworski LLP
Austin, TX

STEVEN L. BRYANT
The University of Texas at Austin
Cockrell School of Engineering
Austin, TX

WILLIAM M. BUMPERS
Baker Botts L.L.P.
Washington, DC

MOLLY CAGLE
Vinson & Elkins LLP
Austin, TX

DAVID L. COLEMAN
DNV Energy North America
Katy, TX

SCOTT D. DEATHERAGE
Patton Boggs
Dallas, TX

MELITA ELMORE
Consultant
Texas Carbon Capture and Storage
Association
Austin, TX

MICHAEL J. ESPOSITO
The University of Texas School of Law
Austin, TX

DARRICK W. EUGENE
General Counsel
Texas Carbon Capture and Storage
Association
Austin, TX

ROBERT W. GEE
Gee Strategies Group, LLC
Falls Church, VA

BRYAN HANNEGAN
Electric Power Research Institute
Palo Alto, CA

DEBBIE M. HASTINGS
Texas Oil & Gas Association
Austin, TX

ANN A. HAWKINS
Skadden Arps Slate Meagher &
Flom LLP
Houston, TX

AILEEN M. HOOKS
Baker Botts L.L.P.
Austin, TX

JAMES E. MANN
Clark Thomas & Winters
Austin, TX

MIKE MOORE
Blue Source
Houston, TX

R. JO C. RESER
Davidson & Troilo, P.C.
San Antonio, TX

REBECCA C. SMYTH
The University of Texas at Austin
Austin, TX

MELINDA E. TAYLOR
The University of Texas School of Law
Austin, TX

THOMAS M. WEBER
McElroy, Sullivan & Miller, L.L.P.
Austin, TX

MCLE

This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 13.50 hours. The University of Texas School of Law is a State Bar of California approved MCLE provider (#1944) and an Oklahoma Bar Association MCLE presumptively-approved provider (#169).

HOW TO REGISTER

Mail your registration to:

The University of Texas
School of Law
Attn. CLE—CH11
P.O. Box 7759
Austin, TX 78713-7759

Or fax to:
512-475-6876

Or register online:
www.utcle.org

Questions? Call us at 512-475-6700

**The University of Texas
School of Law Energy
Center and LLM Program**

The University of Texas School of Law has launched a new Center for Global Energy, International Arbitration, and Environmental Law (“The Center”).



The Center is devoted to interdisciplinary research and teaching in the science and policy of energy and environmental law.

In 2010, for the first time, the law school offered a new concentration to LLM students interested in energy, international arbitration, or environmental law. Students choose from a rich array of courses designed to prepare them to practice in this critical, and evolving, area of law.

For additional information, please contact Executive Director Melinda Taylor at mtaylor@law.utexas.edu, or by phone at (512) 232-3641.

www.utexas.edu/law/academics/centers/energy

REGISTRATION FOR CH11

Mail this registration form to:

The University of Texas School of Law, Attn. CLE—CH11
P.O. Box 7759, Austin, TX 78713-7759 or fax a copy to: 512-475-6876

PLEASE PRINT CLEARLY

Bar Card# _____ TX Other State: _____ N/A

Name [Mr. / Ms.] _____

Firm _____

Address _____

City _____ State _____ Zip _____

Telephone _____ Fax _____

Registrant's Email (required) _____

Assistant's Email (optional) _____

Invoices, confirmations and receipts are emailed to these addresses.

REGISTRATION

Includes Course Binder, Tuesday and Wednesday Evening Receptions, and Wednesday and Thursday Luncheon Presentations

- Early Registration Fee due by Monday, January 31, 2011\$525
- Registration Fee after Monday, January 31, 2011\$575

CONFERENCE PUBLICATIONS AND MEDIA

Allow 3-5 weeks from the conference date for delivery.

- Course Binder WITHOUT Conference Registration\$225
Note: Conference registration includes Course Binder.
- Audio MP3 Speeches on CD\$130
- Audio CD Set\$210
- eBinder on CD (PDF format)\$225/\$50
(\$225 purchased alone, \$50 with Registration or purchase of Course Binder or Audio MP3 Speeches on CD or Audio CD Set)

IN-HOUSE CLE: Bring the conference in-house and learn at your convenience.

Allow 3-5 weeks from the conference date for delivery. Approved for Texas MCLE credit.

- In-House CLE for 2—Includes Audio CD Set and Course Binders\$825
- _____ Add participants (includes Course Binder) for \$225 each \$ _____

TOTAL ENCLOSED \$ _____

METHOD OF PAYMENT

- Check (make checks payable to: The University of Texas at Austin)
- VISA or MasterCard (sorry, no AMEX or Discover)

Card number - - -

X _____
Authorized Signature

/
Exp. Date (mm/yy)



The University of Texas at Austin
 THE UNIVERSITY OF TEXAS SCHOOL OF LAW
 P.O. Box 7759 • Austin, TX 78713-7759

This program is not printed or mailed at state expense.

2011
 CARBON AND CLIMATE CHANGE
 February 8*, 9–10, 2011 ■ AT&T Conference Center ■ Austin, Texas

NON-PROFIT-ORG
 U.S. Postage
 PAID
 U T School of Law

E-mail us at
utcle@law.utexas.edu
 or call us at
512-475-6700
 for more information

AUSTIN

February 8*, 9–10, 2011

CONFERENCE LOCATION



AT&T Conference Center

The University of Texas
 1900 University Avenue
 Austin, Texas 78705
 512-404-3600

Special Room Rate: \$159

good through January 7, 2011
 (subject to availability)

Parking:

Self-Parking \$7 per day;
 Valet \$10 per day, \$14 overnight
 (subject to change)

KEY DATES

January 31, 2011, 5 p.m.

last day for early registration
 add \$50 for registrations
 received after this time

February 2, 2011, 5 p.m.

last day for full refund

February 4, 2011, 5 p.m.

last day for partial refunds
 \$50 processing fee applied

February 8, 2011, 5 p.m.

Opening Networking Reception begins

February 9, 2011, 9 a.m.

Conference begins

THANK YOU TO OUR SPONSORS

GOLD SPONSORS



The CO₂ Flooding Conference
www.co2conference.net



Texas Carbon Capture and Storage Association
www.txccsa.org

SILVER SPONSORS



www.andrewskurth.com



www.fulbright.com



www.bakerbotts.com



www.msmtx.com



www.haynesboone.com



"Friendly Service, No Surprises!"[®]

www.sageenvironmental.com