

Climate Change Newsletter - Issue 11

July 13, 2016

Welcome to the Dentons' Climate Change Newsletter. Combining our regional practices from around the world, we intend in upcoming newsletters to provide short articles from several of our offices to present an overview of current developments globally in the climate change space. Please do not hesitate to reach out to any of these authors, to any member of the Environment and Natural Resources practice or to our Energy group for information on these or other topics of interest.

Democrats reach compromise on hydraulic fracturing as EPA continues its working on regulating methane

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In the US, there is growing divide on how to reduce methane emissions from the oil and gas sector. This debate is impacting Democratic presidential politics and could affect future regulatory efforts at the federal, state and local levels. Over the last decade, technological advances such as hydraulic fracturing have spurred significant growth in US unconventional natural gas production, which has in turn helped to reduce US carbon dioxide (CO₂) emissions as power plants have transitioned from coal to natural gas. At the same time, there are increasing concerns about methane emissions associated with the natural gas sector and whether such emissions could undercut broader US efforts to reduce greenhouse gas (GHG) emissions.

A policy update, from California to China

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Dentons' Climate Change team addressed a wide range of topics during a seminar in our San Diego office, which was also broadcast and recorded as a webinar. Shanghai partner Nancy Sun examined China's coming cap-and-trade program, while partners Brian Fish, John Leslie and Jeffrey Fort addressed recent developments in California, including the new solar renewable fuel standard, the Air Resource Board's Short-Lived Climate Pollutant policy and the effect of climate issues on real estate development.

Significant developments in Canadian carbon legislation and policy

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On June 6, 2016, Alberta passed the *Climate Leadership Implementation Act*, creating a carbon levy on fuel consumption. This legislation marks the provincial government's first step towards executing its Climate Leadership Plan. Additional legislation, still pending, is aimed at eliminating emissions from coal-fired electricity generation, capping oil sands emissions and reducing methane emissions.

US Circuit Court of Appeals for the DC Circuit delays oral arguments in Clean Power Plan litigation

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On May 16, the US Court of Appeals for the District of Columbia Circuit announced that it was delaying scheduled June 2 oral arguments before a three-judge panel in litigation over the Clean Power Plan. Instead, the DC Circuit will hear oral arguments in the litigation before all participating judges on September 27. The Clean Power Plan, the centerpiece of the Obama administration's efforts to reduce greenhouse gas emissions, would establish Clean Air Act Section 111(d) standards for CO2 emissions from the existing power plants.

Dentons' methodology approved by American Carbon Registry

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In April, the American Carbon Registry (ACR) at the end of April, approved a methodology—designed by lawyers from Dentons' Environment and Natural Resource practice—that incentivizes the use of low global warming potential (GWP) blowing agents. This methodology offsets carbons that are created when polyurethane foam manufacturers use such agents. The co-creator of the approved methodology, "Emission Reduction Measurement and Monitoring for the Transition to Advanced Formulation Blowing Agents in Foam Manufacturing and Use," is Foam Supplies, Inc.

Dentons hosts CLE seminar for in-house counsel

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More than 200 clients and friends of the Firm attended our Chicago office's annual Continuing Legal Education program on June 8. My session, "The Paris Climate Agreement," covered the landmark steps taken by 195 nations in December 2015 to tackle the global threat posed by climate change.

Dentons Climate Change team hosts carbon pricing event in Toronto

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The Climate Change team recently presented a client seminar in Dentons' Toronto office, broadcast via webinar, to examine Canadian legislative developments impacting the carbon market and related international experiences.

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