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Environmental Updates
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H.S. "Buddy" Garcia Named TCEQ Chairman

On August 21, 2007, Governor Rick Perry announced his appointment of H.S. "Buddy" Garcia to be Chairman of the Texas Commission on Environmental Quality ("TCEQ"). His appointment follows the departure of Chairman Kathleen Hartnett White.

EPA Issues Flexible Permit Proposal

US EPA has made available a pre-publication copy of a proposal to allow Title V facilities to obtain "flexible air permits" that would provide advance approval for different operating scenarios.

EPA Announces New Water Quality Trading Guide for Regulated Community

On August 7, 2007, the Environmental Protection Agency ("EPA") released a "Water Quality Trading Toolkit for Permit Writers" to promote the incorporation of water quality trading techniques and conditions into National Pollution Discharge Elimination System ("NPDES") permits.

TCEQ Advanced Air Permitting Seminar

TCEQ will hold its annual Advanced Air Permitting Seminar at the Hilton Hotel in downtown Austin on October 15-16, 2007. The Commission's draft agenda for the event includes sessions on Legislative and Rule Changes, and Title V Standard Operating Permit Revisions, Notifications, and Renewals.

Texas Environmental Excellence Award Applications Now Being Accepted

Through October 19, 2007, the TCEQ is accepting applications for the 2008 Texas Environmental Excellence Awards ("TEEA"). Each year, a Blue Ribbon Selection Committee appointed by the Governor grants awards for environmental excellence to several categories of participants, including Agriculture, Education, Innovative Technology, Large Business/Nontechnical and Large Business/Technical, among others.

Massachusetts and Maine Issue Draft Greenhouse Gas Cap and Trade Regulations

The states of Massachusetts and Maine have issued draft regulations intended to implement a cap and trade system for carbon dioxide ("CO₂") emissions from power plants and establish rules for the conduct of CO₂ allowance auctions.

[A Regulatory Proposal That Even The Supreme Court Could Love](#)

Parker Moore and Fred Wagner, Beveridge & Diamond attorneys, authored an article which reviews the importance of amending EPA and Army Corps regulations to address post-*Rapanos* CWA jurisdiction and proposes such an amendment that they argue a majority of the *Rapanos* Justices could support. The article was published in the recent NR&E issue dedicated entirely to *Rapanos v. United States*. To view the article, reprinted with permission from ABA's NR&E, please [click here](#).

[Recent Texas Rules Updates](#)

Click on the above link for highlights of significant proposed and adopted Texas rule changes.

[Firm News and Events](#)

- ◆ **Environmental Audit Webinar:** Beveridge & Diamond will host an invite-only webinar entitled "Audit Strategy Master Class: A Practitioner's Guide to the How, What, When, Why and Where of Environmental Auditing, Reporting, and Negotiating with EPA" on September 18, 2007. To view a copy of the invitation, please [click here](#).
- ◆ **Climate Change Seminar:** Beveridge & Diamond will host an invite only seminar, entitled "Climate Change: Strategic Business and Environmental Planning" on October 30, 2007. To view a copy of the Save-the-Date, please [click here](#).

[Previous Issues of the Texas Environmental Update](#)

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