

Texas Office

98 San Jacinto Boulevard
Suite 1420
Austin, TX 78701-4039
(512) 391-8000

Maddie Kadas

mkadas@bdlaw.com

Laura LaValle

llavalle@bdlaw.com

Lydia G. Gromatzky

lgromatzky@bdlaw.com

For more information about
our firm, please visit
www.bdlaw.com.

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jmilitano@bdlaw.com.

**TCEQ Adopts General Permit for Petroleum Bulk Storage
and Terminals**

On April 11, 2007, TCEQ adopted the reissuance of Texas Pollutant Discharge Elimination System (TPDES) General Permit No. TXG340000 authorizing discharges of facility wastewater, contact storm water and storm water associated with industrial activities into or adjacent to water in the state from petroleum bulk stations and terminals.

Legislative Spotlight

With the Texas legislature in full gear, environmental committees in both the House and Senate have considered and held hearings on a number of bills of interest. For this report, we summarize legislative action on certain selected measures showing some signs of traction.

**New Source Review: EPA Proposes New Definition of
Emissions Increase for Electric Generating Units**

The Environmental Protection Agency has proposed a change to the emissions increase test used to determine if the New Source Review ("NSR") permitting program would apply when an existing power plant makes a physical or operational change.

**Department of Homeland Security Releases New Chemical
Plant Security Rule**

The Department of Homeland Security (DHS) has released an Interim Final Rule establishing antiterrorism requirements to protect certain chemical facilities which DHS determines are high risk (the Chemical Security Rule).

**Supreme Court Says EPA Has Power to Regulate
Greenhouse Gases**

In a 5-4 decision issued on April 2, 2007, the Supreme Court held that the U.S. Environmental Protection Agency ("EPA" or "the Agency") acted arbitrarily and capriciously in denying a rulemaking petition under which several organizations had asked the Agency to regulate greenhouse gas ("GHG") emissions from new motor vehicles under Section 202 of the Clean Air Act.

Supreme Court Reverses Fourth Circuit in *Duke Energy Corp.*

On April 2, 2007, the U.S. Supreme Court held that EPA is not required to use an "hourly rate test" in determining whether a project requires a permit under the Clean Air Act's New Source Review ("NSR") program.

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