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Environmental Updates
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[Peter Thompson Gregg Joins Beveridge & Diamond, P.C.](#)

We are pleased to announce that Peter Thompson Gregg has joined the Firm's Austin office as a Principal, and will work with our Environmental and Litigation Practice Groups. Over the course of his 15-year career, Peter has worked with most of the significant federal and Texas environmental programs.

[TCEQ Issues Revised "Effects Screening Levels" List](#)

On November 30, 2007, the Toxicology Section of TCEQ's Chief Engineer's Office issued a revised list of Effects Screening Levels ("ESLs"). The revision replaces the ESL list that the agency released in 2003.

[MMS Takes Steps to Approve Offshore Alternative Energy Projects](#)

The Minerals Management Service ("MMS") has recently taken several steps toward approving the development of wind, wave and other alternative energy projects on the Outer Continental Shelf ("OCS") beyond state waters. Congress provided this new authority to MMS in the Energy Policy Act of 2005.

[EPA Issues Final New Source Review Rules for "Reasonable Possibility in Recordkeeping"](#)

On December 21, 2007, EPA announced its final rule for recordkeeping and reporting requirements for major sources who determine that a project does not trigger New Source Review ("NSR"), but for which there is a "reasonable possibility" the project may result in a significant emissions increase.

[Corps Seeks Comments on CWA Jurisdiction Over Irrigation and Drainage Ditches](#)

On December 13, 2007, the U.S. Army Corps of Engineers ("Corps") announced that it is requesting comments on guidance the agency issued this summer to explain the scope of Clean Water Act ("CWA") jurisdiction over activities in irrigation and drainage ditches.

[Court Remands EPA Transportation Conformity "Hot Spot" Rule](#)

On December 11, the D.C. Circuit remanded a key portion of EPA's 2006 rule governing project-level "hot spot" conformity determinations for transportation projects.

[EPA Considers Revision of Air Quality Standards for Lead](#)

EPA issued an Advance Notice of Proposed Rulemaking ("ANPR") in the December 17, 2007 Federal Register initiating a 30-day public notice period regarding issues under consideration in connection with EPA's ongoing review of the national ambient air quality standards ("NAAQS") for lead.

[Corporate Affiliate Liability After U.S. v. Bestfoods](#)

David M. ("Max") Williamson & Christopher J. McKenzie, Beveridge & Diamond, P.C. attorneys, authored an article examining lower court decisions in the 10 years since the United States Supreme Court sketched the outlines of corporate affiliate liability under the federal Superfund law, in its seminal decision United States v. Bestfoods, 524 U.S. 51 (1998).

The article was published in the December Issue of BNA Inc.'s Toxics Law Reporter. To view a copy of the article, please [click here](#).

[Recent Texas Rules Updates](#)

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

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

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