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Environmental Updates
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**Texas Legislature Expands Types of Pollution Control
Equipment Eligible for Tax Relief; TCEQ Rules Underway**

The Texas Legislature passed a Law, H.B. 3732, expanding the list of pollution control equipment eligible for exemptions from ad valorem taxes. Tax relief for this equipment was originally provided by way of a 1993 amendment to the Texas Constitution (so-called Proposition 2). TCEQ has adopted rules implementing Proposition 2 at 30 Tex. Admin. Code Chapter 17.

**Proposed Ozone Standard Rule Published & Public
Hearings Announced**

EPA's proposed rule to revise the National Ambient Air Quality Standards ("NAAQS") for ozone and its announcement of public hearings on that proposed rule were published in the July 11, 2007 Federal Register (72 Fed. Reg. 37818 and 72 Fed. Reg. 37682, respectively).

**TCEQ Issues New Title V Deviation Reporting and
Counting Guidance**

In response to several questions posed by Flint Hills Resources, Inc., the Texas Commission on Environmental Quality issued guidance this month clarifying various Title V deviation reporting and counting questions.

**Corps of Engineers Issues New Guidance for Exempting
Ditch Maintenance and Construction Activities**

Earlier this month, the U.S. Army Corps of Engineers (Corps) issued a Regulatory Guidance Letter (RGL No. 07-02) intended to clarify when the Clean Water Act (CWA) exempts from permitting requirements discharges of dredged or fill material associated with ditch maintenance and construction activities into waters of the U.S.

**New RFS Program Requirements for Renewable Fuel
Producers and Importers**

Beginning September 1, 2007, new U.S. Environmental Protection Agency ("EPA") registration, recordkeeping and reporting requirements will become effective for all producers and importers of renewable fuels in the United States as part of EPA's implementation of the Renewable Fuel Standard ("RFS") program.

Recent Texas Rules Updates

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

Firm News and Events

- ◆ **Laura LaValle** will provide the Air Quality presentation at the "Environmental Law 101" session of the Nineteenth Annual Texas Environmental Superconference which will be held August 1-3, 2007. Information about the conference is available at www.texenrls.org.
- ◆ **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

Washington, D.C. Maryland New York New Jersey Massachusetts Texas California

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