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Environmental Updates
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Texas Requests Reclassification of Houston Non-attainment Areas

By letter dated June 15, 2007 to EPA Administrator Stephen Johnson, Texas Governor Rick Perry requested that EPA reclassify the Houston-Galveston-Brazoria ("HGB") ozone nonattainment area from moderate to severe nonattainment status.

TCEQ Texas City Remote Sensing Air Study Underway

In July, TCEQ will begin a five-week study in the Texas City area using remote sensing systems to determine emissions from industrial sources.

TCEQ Announces Key Management Changes

TCEQ recently announced management changes in its top ranks. John Steib, John Sadlier, Matt Baker and Grace Montgomery Faulkner will each occupy new positions effective July 1.

TCEQ to Hold ESL Public Information Session

On July 12, 2007, TCEQ's Toxicology Section will hold a public information session to present proposed Development Support Documents for the following six chemicals: 2-Butoxyethanol, n-Hexane, Methyl-n-Amyl Ketone (MAK), Benzene, 1,1-Dichloroethylene and Pentene.

Recent Texas Rules Updates

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

U.S. Supreme Court: Endangered Species Act Does Not Trump Agencies' Specific Statutory Mandates

In its first substantive ESA decision in several years, the United States Supreme Court ruled that the Endangered Species Act does not trump specific statutory mandates applicable to federal agency actions.

Supreme Court Issues Key Ruling Affirming CERCLA Cost Recovery Rights But Leaving Questions To Be Answered

On June 11, 2007, the Supreme Court held that Section 107(a) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) provides potentially responsible parties (PRPs) with a cause of action against other PRPs to recover cleanup costs at contaminated sites.

[EPA, Army Corps Issue New Wetlands Regulatory Guidance](#)

On June 5, 2007, EPA and the U.S. Army Corps of Engineers issued joint guidance interpreting the bounds of federal Clean Water Act ("CWA") jurisdiction following last year's splintered Supreme Court decision in *Rapanos v. United States*.

[White House Announces Plan for Post-2012 International Framework for Climate Change](#)

President Bush announced on May 31 a proposal for a process that would lead to "a new framework" on greenhouse gas (GHG) emissions to take effect in the post-2012 period, when binding commitments under the Kyoto Protocol expire.

[EPA Proposes New Ozone Standard](#)

On June 21, 2007, EPA announced its proposal to revise the existing 8-hour National Ambient Air Quality Standard ("NAAQS") for ozone. EPA announced these recommended changes pursuant to a consent decree that requires EPA to propose a revised ozone standard by June 20, 2007.

[Firm News and Events](#)

- ◆ **Beveridge & Diamond** announces comprehensive nationwide commitment to ABA-EPA law firm Climate-Challenge Program. To view press release, [click here](#).
- ◆ **Laura LaValle** will give an Overview of Air Quality at the Environmental 101 Panel in conjunction with the Nineteenth Annual Texas Environmental Superconference which will be held August 2-3, 2007. Please visit www.texenrls.org to register for the Conference.
- ◆ **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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