

TEXAS ENVIRONMENTAL UPDATE



March 2008

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EPA Announces Revised Ozone Standards

On March 12, 2008, EPA announced its decision make the primary and secondary national ambient air quality standards (“NAAQS”) for ozone more stringent by lowering both standards from 80 parts per billion (“ppb”) to 75 ppb. The actual effect of this change is greater than these levels indicate given that numerical rounding applicable to the existing standards allows for ozone levels as high as 84 ppb.

EPA Rejects Texas Flexible Permit Rules

The latest development in the ongoing dialogue between EPA and TCEQ regarding Texas’ proposed flexible permit rules is a March 12, 2008 letter from EPA Region 6 expressing concern about the proposed rules and providing specific changes and clarifications that EPA indicates will be necessary for federal approval of those rules.

Beaumont-Port Arthur Nonattainment Area Reclassification

On March 18, 2008, EPA published a final rule regarding the agency’s determination that the Beaumont-Port Arthur did not attain the eight-hour ozone NAAQS by the applicable June 15, 2007 attainment deadline. Although ozone monitoring data from 2005 to 2007 shows that the area met both the eight-hour ozone NAAQS and the former one-hour standard during that time, the area narrowly missed the June 15, 2007 attainment deadline.

Recent Texas Rules Updates

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

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