

NOVEMBER 2007

Texas Office

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

Maddie Kadas

mkadas@bdlaw.com

Laura LaValle

lvalle@bdlaw.com

Lydia G. Gromatzky

lgromatzky@bdlaw.com

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

If you do not wish to
receive future Texas
Environmental Updates
please send an e-mail to:
jmilitano@bdlaw.com.

**DHS Publishes Final List of Chemicals to Implement
Chemical Plant Security Rule**

On November 20, 2007, the Department of Homeland Security (DHS) published a final version of Appendix A of the Chemical Plant Security Rule, 6 CFR Part 27, listing chemicals of interest and corresponding screening threshold quantities that may trigger regulation under the Chemical Plant Security Rule.

Corpus Christi 8-Hour Ozone Flex Plan Approved

The U.S. Environmental Protection Agency and the Texas Commission on Environmental Quality have approved a voluntary eight-hour ozone flex plan for the Corpus Christi metropolitan region.

**TCEQ Proposes 2.5PM Exceptional-Event Flags for Public
Review**

TCEQ recently proposed for public comment "exceptional-event" flags for Texas PM 2.5 data for years 2004-2006. The Commission is requesting that EPA exclude the data from these events from consideration for determination of compliance with the federal Clean Air Act National Ambient Air Quality Standards.

Beaumont/Port Arthur Nonattainment Status Rule Proposal

A proposed rule published in the October 30, 2007 Federal Register would amend 40 CFR Part 81 to reflect that the Beaumont/Port Arthur marginal eight-hour ozone nonattainment area has not attained the eight-hour ozone NAAQS by the applicable attainment deadline of June 15, 2007.

**Texas Proposals for Transport SIP & Regional Haze SIP
Revisions**

On November 7, 2007, the TCEQ Commissioners approved the proposal of a Texas state implementation plan ("SIP") revision to address EPA's finding in 2005 that the Texas SIP does not address interstate transport of air pollution with respect to the eight-hour ozone national ambient air quality standards ("NAAQS") and the fine particulate matter ("PM2.5") NAAQS.

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

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