

Texas Presence
National Bench
International Reach



Applying decades of experience, our Texas team helps clients manage environmental issues, develop new projects, mitigate risk, defend their interests, and maintain successful operations. Our lawyers know the landscape for business in Texas and offer focused expertise and personalized, efficient service. Clients also benefit from flexible fee options and seamless access to a nationwide team of over 90 additional environmental practitioners that provides complete coverage for matters large and small.

Environmental Regulatory, Compliance, and Enforcement Advice

Companies from a wide range of industries rely on our Texas office for strategic environmental regulatory counsel as well as day-to-day operating and compliance advice on air, water, and waste requirements. We monitor and participate in environmental program developments and agency initiatives, assist with rulemaking comments and advocacy, and support audit, due diligence, and compliance functions. We also help companies respond to enforcement actions. Our Texas team includes former Texas Natural Resource Conservation Commission and former TCEQ staff attorneys.

Citizen Suits, Contested Case Hearings, and Litigation

Dovetailing with our extensive firmwide environmental litigation practice, we represent clients in federal and state courts in Texas on virtually all types of environmental disputes. We also advise clients in every phase of the contested permitting process for all media – air, water, and waste (including hazardous waste, municipal solid waste, and nuclear waste) – from the agency’s review of the application, through the administrative hearing, and on appeal in state court.

Risk Management and Insurance Recovery

Our firm exclusively represents policyholders in coverage disputes with insurance companies. We have recovered hundreds of millions of insurance dollars for business clients facing environmental, toxic tort, product, employment, and financial liability claims as well as other losses, including business interruption. We also advise clients on the sufficiency of their insurance and risk management programs.

Latin American Environmental Counseling

Our Latin American Region (LAR) practice, based in our Austin office, helps multinational clients navigate the dynamic and evolving landscape of Latin American environmental law so they can do business successfully in the region. Our core LAR practitioners are fluent in either Spanish or Portuguese, have studied, lived, or worked in the field of environmental law in Latin America, and have written articles or co-authored treatises in this area of law. We also maintain close working relationships with leading in-country environmental counsel and consulting firms with specialties in Latin America.

AT A GLANCE

Air permitting, policy and compliance

Water quality permitting

Solid industrial and hazardous waste permitting

State and federal site remediation and Superfund

Global product and supply chain counseling

Administrative proceedings and contested case hearings

EPA and TCEQ enforcement defense

Auditing and due diligence

State and federal court litigation

Insurance recovery

Latin American environmental counseling

Effective representation before TCEQ, EPA Region 6, DOI, DOJ, and other agencies

ABOUT BEVERIDGE & DIAMOND, P.C.

Beveridge & Diamond focuses on environmental and natural resource law and regulation as they apply to business strategy, regulatory compliance transactions and project development, litigation, and alternative dispute resolution. We help clients around the world resolve critical environmental and sustainability issues relating to their facilities, products, and operations. Our team includes former in-house lawyers from the U.S. Environmental Protection Agency, U.S. Department of Justice, U.S. Department of the Interior, U.S. Department of State, and other federal and state resource and environmental agencies.

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ADVISING AND REPRESENTING A WIDE RANGE OF INDUSTRIES:

- chemical manufacturing
- electronics
- gas and liquids pipelines
- general manufacturing
- municipal water, wastewater and solid waste handling
- oil and natural gas exploration and production
- pesticides
- petroleum refining
- pharmaceuticals
- power generation

Representative Matters

- **Clean Air Act counseling and enforcement.** We counsel clients in the energy and manufacturing sectors on the full range of air issues, including: state and federal NSR and Title V permitting, deviation and emissions event reporting, federal Risk Management Plans, NSPS and NESHAP compliance, and enforcement matters including EPA flaring Initiatives.
- **Landfill expansion permitting.** We help owners and operators of municipal solid waste facilities throughout Texas to develop and expand their facilities.
- **Latin American environmental strategy.** For a Fortune 50 company, we provide in-depth legal research, analysis, and strategic counseling on the end-of-life management of waste electronic and electrical equipment under the environmental laws of Argentina, Brazil, Chile, Colombia, Costa Rica, Ecuador, Mexico and Peru.
- **Electronic waste and product stewardship.** For a major electronics trade association, we track key product stewardship and waste initiatives pending in national legislatures and environmental agencies worldwide.
- **Plant expansion.** We help a leading energy company secure the traditional air pollutant and greenhouse gas emissions permits necessary to expand a plant located in the Houston ozone nonattainment area.
- **EPA stormwater enforcement.** We represent a number of municipal and regional water systems nationwide on stormwater and wastewater matters, as well as other Clean Water Act enforcement and permitting issues. The Firm assisted the San Antonio Water System with negotiating a consent decree involving \$1 billion in sewer collection system improvements to address sewer overflows (SSOs).
- **Clean Water Act counseling for electric utilities.** We defend a wastewater permit for an existing cooling water intake structure for an electric utility in Texas, including counseling the utility on the applicable CWA requirements.
- **Environmental auditing and compliance.** For a major vehicle manufacturer and clients in the chemical and manufacturing sectors, we review environmental, health, and safety audits, conduct compliance audits, and develop compliance programs.
- **Agency enforcement and citizen suits.** We represent clients in administrative proceedings and enforcement actions before agencies including U.S. EPA, TCEQ, the Texas Parks and Wildlife Department, and the Railroad Commission of Texas. We also represent clients in citizen suits arising under nearly every major federal environmental program.