



31ST ANNUAL



TEXAS ENVIRONMENTAL SUPERCONFERENCE

Thursday - Friday ★ August 1-2, 2019 ★ Four Seasons Hotel ★ Austin, TX

"THE GREATEST SUPERCONFERENCE ON EARTH"



Wednesday Program, July 31, 2019
"WALKING A TIGHTROPE"
Sponsored by Langan Engineering

Wednesday Evening Program
Sponsored by Langan Engineering
Please register online at www.texenrls.org
Non-Government..... \$160.00
Government..... \$110.00
Student..... \$25.00

CLE: The State Bar of Texas Committee on MCLE has approved 2 credit hours for the Wednesday evening session. We have also received approval from the Texas Board of Legal Specialization for 2 credit hours for the Wednesday evening session for lawyers and legal assistants in the following specialty fields: Administrative Law; Civil Trial Law; Civil Appellate Law; Oil, Gas and Mineral Law; and Real Estate Law

6:00 – 6:05 **OPENING REMARKS** — Mary Mendoza, Haynes and Boone, LLP

OUR ETHICS PANELIST/COMMENTATORS
Kevin Dubose, Alexander Dubose Jefferson & Townsend
Beverly Godbey, Amy Stewart Law
Robert Prentice, McCombs School of Business University of Texas
Jonathan E. Smaby, Texas Center for Legal Ethics

6:05 – 7:00 **YOUR BRAIN ON ETHICS**
— HOW THAT THING BETWEEN YOUR EARS CAN LEAD YOU ASTRAY

7:00 – 8:00 **ETHICS AND THE ENVIRONMENTAL LAWYER**

OUR ETHICS PLAYERS
Daniel Pope, Bracewell LLP
Kathryn Schroeder, TCEQ
Andrew Van Osselaer, Haynes and Boone, LLP

THURSDAY, AUGUST 1, 2019

8:00 – 8:35 **REGISTRATION/CONTINENTAL BREAKFAST** – "Welcome Children of All Ages"

8:35 – 9:00 **OPENING REMARKS** – "Sending in the Clowns"
Jeff Civins, Texas Environmental Superconference
Steve McMillen, Environmental and Natural Resources Law Section, State Bar of Texas
Kevin Smith, Air & Waste Management Association, Southwest Section
Julie Nahrgang, Water Environment Association of Texas
Rebecca Luman, The Environmental Health and Safety Audit Center of the IIA
Alison Suarato, Texas Association of Environmental Professionals
Danny Worrell, ABA Section of Environment, Energy & Resources
Bruce Fogerty, EarthX

★★★★★
Moderator: Chris Smith, Smith, Jolin LLP

9:00 – 9:30 **LEGISLATIVE UPDATE** – "A Three Ring Circus"
Martha Landwehr, TCEQ

9:30 – 10:00 **CASE LAW UPDATE** – "A Menagerie"
Erika Garcia, Winstead PC

10:00 – 10:30 **WATERS OF US / GROUND WATER DISCHARGES** – "Water for Elephants"
David Ross, Assistant Administrator, Office of Water, EPA DC

10:30 – 10:45 **BREAK** – sponsored by Golder
★★★★★
Moderator: Debra Baker, Baker Wotring LLP

10:45 – 11:30 **COASTAL ISSUES** – "The Greatest Flow on Earth"
James Murphy, Attorney, Texas Parks & Wildlife Department
Bob Stokes, President, Galveston Bay Foundation

11:30 – Noon **THE STRUGGLE FOR SUSTAINABLE ELECTRICITY** – "Eating Fire"
Tom McGarity, Professor, University of Texas School of Law

12:00 – 1:00 **LUNCH** – Intermission – sponsored by RPS Group
★★★★★
Moderator: Cindy Smiley, Smiley Law Firm

1:00 – 2:00 **AIR QUALITY** – "Under the Big Top"
Shannon S. Broome, Hunton Andrews Kurth LLP
Jeffrey Clay, Assistant Regional Counsel, EPA Region 6
Jean Flores, Guida, Slavich & Flores, P.C.
Peter Wahl, Jackson Walker

2:00 – 2:30 **CLIMATE CHANGE** – "Cirque du Soleil"
Pam Giblin, Climate Leadership Council

2:30 – 3:30 **ADMINISTRATIVE CHALLENGES AND APPEALS (Panel Discussion)** – "Sword Swallowing"
The Honorable Jeff Rose, Chief Justice, Third Court of Appeals
Daniel Wiseman, Assistant Attorney General of Texas
Adam Sencenbaugh, Haynes and Boone, LLP

3:30 – 3:45 **BREAK** – sponsored by Geosyntec
★★★★★
Moderator: Jeff Saitas, Saitas and Seales

3:45 – 4:15 **PATAGONIA'S ENVIRONMENTAL ADVOCACY** – "Human Cannonball"
Avi Garbow, Environmental Advocate, Patagonia

4:15 – 5:15 **ENFORCEMENT** – "Globe of Death"
Deloris "Bobbie" Prince, Former Port Arthur Mayor
Lily Chinn, Katten Muchin Rosenman LLP
Nathan Vassar, Lloyd Gosselink
Josh Van Eaton, Beveridge & Diamond, PC

5:15 – 6:00 **RECEPTION** – "A Swinging Time" – sponsored by Ensafe

FRIDAY, AUGUST 2, 2019

8:00 – 8:25 **CONTINENTAL BREAKFAST**

8:25 – 8:30 **OPENING REMARKS** – "Hurry Hurry, Step Right Up"
★★★★★
Moderator: Cindy Bishop, C Bishop Law PC

8:30 – 9:00 **ENVIRONMENTAL, SOCIAL, AND GOVERNANCE ("ESG") REPORTING—LEGAL RISKS** – "A Disappearing Act"
Laura Whiting, Foley Gardere

9:00 – 9:30 **CERCLA ISSUES** – "Elephants on Parade"
Steven Cook, Deputy Assistant Administrator, Office of Land and Emergency Management, EPA DC

9:30 – 10:30 **OIL & GAS ENVIRONMENTAL ISSUES** – "Taming Tigers"
Scott Janoe, Baker Botts
Ann Navaro, Bracewell
Patrick Hughes, Sr. VP Strategy and Business Development, Next Decade Corporation

10:30 – 10:45 **BREAK** – sponsored by Ramboll
★★★★★

Moderator: Peter Gregg, DuBois, Bryant & Campbell L.L.P.
10:45 – 11:15 **RECONCILING ENERGY DEVELOPMENT WITH ENVIRONMENTAL PROTECTION IN THE BIG BEND AREA** – "A Balancing Act"
Melinda Taylor, University of Texas

11:15 – Noon **REGION 6/TCEQ/OKLAHOMA – ENVIRONMENTAL DEVELOPMENTS IN ENERGY DEVELOPMENT** – "Ring Masters"

David Gray, Acting Regional Administrator, EPA Region 6
Emily Lindley, Commissioner, TCEQ
Kenneth Wagner, Secretary of Oklahoma Energy & Environment

Noon – 1:00 **LUNCH** – Intermission – sponsored by Terracon

1:00 – 1:15 **Texas Environmental & Natural Resources Law Section Meeting** – "At the Midway"
★★★★★

Moderator: Tucker Henson, Assistant Regional Counsel, EPA Region 6
1:15 – 1:45 **HOT LEGAL ISSUES** – Matt Leopold, General Counsel, EPA DC
"Keeping Spinning Plates in the Air"

1:45 – 2:30 **TRANSACTIONS – ENVIRONMENTAL DEAL KILLERS** – "Throwing Knives"
Ty Meka Reeves, Sobers, Kirkland & Ellis
Matt Dobbins, Vinson & Elkins

2:30 – 3:30 **ETHICS – EVOLVING ISSUES** – "A High Wire Act"
Claude E. Ducloux, Attorney at Law
Amanda Halter, Pillsbury
Jim Smith, Crain Caton & James

3:30 **ADJOURN** – "Flipping Out"
SUNDAES – "A Cool Attraction" – sponsored by Targus

SPONSORS

The Texas Environmental Superconference recognizes its sponsors for their generous support of the conference and the programs of the Environmental and Natural Resources.



CONSULTANTS



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INFORMATION

CLE: The State Bar of Texas Committee on MCLE has approved 12.25 total credit hours for the Superconference, of which 1 credit hour will apply to legal ethics/professional responsibility credit, and 2 credit hours for the Wednesday evening session. We have also received approval from the Texas Board of Legal Specialization for 12 credit hours for the Superconference and 2 credit hours for the Wednesday evening session for lawyers and legal assistants in the following specialty fields: Administrative Law; Civil Trial Law; Civil Appellate Law; Oil, Gas and Mineral Law; and Real Estate Law.

PARKING: Conference attendees receive a discounted self-parking rate of \$16/day in the Four Seasons Hotel garage, but parking is very limited. Information on parking alternatives can be found at www.texenrls.org. Overnight parking for hotel guests is an additional charge.

DRESS: Casual (It's Austin!)

HOTEL: A limited block of rooms has been reserved at the Four Seasons Hotel at a special group rate of \$265/night for a city view or \$305/night for lake view. Rates are effective through the weekend. Reservations must be made no later than July 10, 2019; the deadline for changing and canceling reservations without penalty is July 24. In past years the room block has sold out well in advance of the deadline for registering. Once the room block is filled, the rate will be higher. For reservations and to request these special rates, please contact the hotel directly by phone at 512.685.8100 or online at www.fourseasons.com, using as a code:

Group Name: Texas Environmental Superconference 2019
Block Rate Code: 190731TEX

FOUR SEASONS HOTEL: 98 San Jacinto Blvd., Austin, Texas 78701

2019 PLANNING COMMITTEE

Jeff Civins, Chair

Haynes and Boone, L.L.P.

Carolyn Ahrens

Booth, Ahrens & Werkenthin

Debra Tsuchiyama Baker

Baker • Wotring L.L.P.

Cindy Bishop

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Jeff Hembree

AT&T

Tucker Henson

EPA Region 6

David Klein

Lloyd Gosselink Rochelle & Townsend, P.C.

Martha Kathleen Landwehr

TCEQ

SUPERCONFERENCE REGISTRATION INFORMATION

REGISTRATION IS ONLINE AT WWW.TEXENRLS.ORG

Payment may be made by credit card online or by check, payable to the State Bar of Texas – Texas Environmental Superconference, 600 Congress Avenue, Suite 1300, Austin, TX 78701. If paying by check, you must first register online and select the “pay by check” option and follow the directions on the website for mailing in a payment.

CHECK PAYMENTS: Must be received by July 12, 2019 or your registration will be cancelled. We accept Purchase orders from Texas State Agencies and from the United States Environmental Protection Agency. Purchase Order must be provided to the Superconference prior to July 12, 2019 for early registration pricing, and no later than July 19, 2019, to avoid the cancellation of your registration(s). If you have questions regarding the vouchers or purchase orders, please email superconference@texenrls.org.

ALL ONLINE REGISTRANTS: Will receive a confirmation email. Please bring the confirmation email with you to the conference. If you do not receive an email within 24 hours of online registration, please contact Superconference as you may not be registered.

REGISTRATION DEADLINE: Register early! Don't be left out! Registration is limited to 500 attendees and is on a first come, first served basis. Registration received after July 12, 2019, if still open, will be an additional \$35.00.

CANCELLATION POLICY: Registrants will receive a full refund if cancellation notice is received by July 12, 2019. After this date, a \$150 cancellation fee will be assessed. Cancellations after July 19, 2019 will not receive a refund, but you may substitute an attendee by notifying Superconference prior to July 26, 2019.

REGISTRATION OPTIONS: All Registrants will receive meals, as noted on program, and an electronic version of the course materials. Registrants may opt for printed materials as well – at an extra charge of \$75.00.

Non-Government without printed course materials	\$ 530.00
Government without printed course materials	\$ 220.00
Full time Student without printed course materials	\$ 135.00

For those not attending but who wish to purchase course materials, course materials can be purchased for \$175.00.

If you have any questions, please contact:

The Superconference at superconference@texenrls.org. For further information concerning the Environmental and Natural Resources Law Section of the State Bar of Texas, please visit: www.texenrls.org

THE SUPERCONFERENCE WILL NOT ACCEPT ANY WALK-IN OR ONSITE REGISTRATIONS – PLEASE REGISTER ONLINE. REGISTER NOW!

Edward Lewis

Norton Rose Fulbright L.L.P.

Steve McMillen

Texas Instruments, Inc.

Arnoldo Medina

Valero

Mary Mendoza

Haynes and Boone, L.L.P.

Tammy Mitchell

TCEQ

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Julie Nahrgang

Water Environment Association

Michael Nasi

Jackson Walker, L.L.P.

Jeffrey Saitas

Saitas and Seales

Paul Seals

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Smiley Law Firm, P.C.

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PRESENTED BY:

State Bar of Texas Environmental & Natural Resources Law Section

Air & Waste Management Association, Southwest Section

Water Environment Association of Texas

Texas Association of Environmental Professionals

American Bar Association Section of Environment, Energy & Resources

SUPPORTED BY: EarthX