

35th Annual Texas Environmental Superconference

"It's a Beach!"



Thursday – Friday • August 3 – 4, 2023
Four Seasons Hotel • Austin, Texas

PRESENTED BY:

Environmental & Natural Resources Law Section of the State Bar of Texas

Air & Waste Management Association, Southwest Section

Water Environment Association of Texas

American Bar Association Section of Environment, Energy, and Resources

SUPPORTED BY:

EarthX

THURSDAY AUGUST 3, 2023

7:30 am to 8:15 am

CHECK IN/CONTINENTAL BREAKFAST

Ebb and Flow

Sponsored by Trinity Consultants

8:15 am to 8:45 am

OPENING REMARKS

From Sea to Shining Sea

Jeff Civins, *Chair*, Texas Environmental Superconference

Trammell S. Crow, *Founder*, EarthX

Sally Mills Perry, *Chair*, Air & Waste Management Association,
Southwest Section

Julie Nahrgang, *Executive Director*, Water Environment
Association of Texas

Danny G. Worrell, *ABA Section of Environment, Energy & Resources*

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Peter Wahl, *Chair*, Environmental & Natural Resources Law
Section, State Bar of Texas

MODERATOR: Carolyn Ahrens, *Counsel*, Booth & Associates

8:45 am to 9:15 am

CASE LAW UPDATE

Deep Sea Dive

Jason Hill, *Counsel*, Hunton Andrews Kurth LLP

9:15 am to 10:15 am

NEW WATER FOR TEXAS

Water Water Anywhere

Debra Tsuchiyama Baker, *Managing Partner*, Baker Wotring LLP

L'Oréal Stepney, P.E., *Board Member*, Texas Water Development
Board

Sarah Kirkle, *Director of Policy and Legislative Affairs*, Texas Water
Conservation Association

10:15 am to 10:30 am

BREAK

Sponsored by Ramboll US Consulting, Inc.

10:30 am to 11:30 am

AIR QUALITY/CLIMATE CHANGE

Red Sky at Morning

Jacob Gallegos, *Senior Assistant Regional Counsel*, EPA Region 6

Aaron Vargas, *Assistant Regional Counsel*, Multimedia Counseling
Division, EPA Region 6

Harrison Reback, *Senior Associate*, Baker Botts L.L. P.

Jacqueline Gelb, *Vice President Energy and Environmental Affairs*,
American Trucking Associations

11:30 am to 12:00 am

TCEQ TOXICOLOGIST

A Red Tide

Sabine Lange, Ph.D., *Chief Toxicologist*, TCEQ

12:00 pm to 1:15 am

LUNCH

Jimmy Buffet

Sponsored by Terracon Consultants, Inc.

MODERATOR: Phillip Goodwin, *Regulatory Compliance Director*,
Houston Public Works, City of Houston

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- 1:15 pm to 1:45 pm **LEGISLATION/SUNSET REVIEW**
Swimming in Red Tape
Tina O'Jibway, *Legislative Director and General Counsel*, State
Senator Robert Nichols
- 1:45 pm to 2:30 pm **EPA & TCEQ**
Amper Sand
Stacey Dwyer, *Deputy Regional Administrator*, EPA Region 6
Erin E. Chancellor, *Interim Executive Director*, TCEQ
- 2:30 pm to 3:30 pm **CONTESTED CASE HEARING UPDATE**
Sink or Swim
Marisa Perales, *Partner*, Perales, Allmon & Ice, P.C.
Jamie L. Mauldin, *Principal*, Lloyd Gosslink
Hon. Linda Horng Brite, *Administrative Law Judge*, State Office of
Administrative Hearings
- 3:30 pm to 3:45 pm **BREAK**
Sponsored by Edge Engineering and Science, LLC
- 3:45 pm to 4:15 pm **THE ROLE OF ENVIRONMENTAL JUSTICE IN PERMITTING AND
ENFORCEMENT**
Turning the Tide
Cheryl Seager, *Deputy Regional Counsel for Enforcement*, EPA
Region 6
Anne Idsal Austin, *Partner*, Pillsbury Winthrop Shaw Pittman LLP
- 4:15 pm to 5:00 pm **FALLOUT FROM THE OHIO TRAIN DERAILMENT**
Weathering the Storm
Steven Cook, *Of Counsel*, Bracewell LLP
Devin Sprinkle, *AVP Environment, Hazardous Materials and
Climate Change*, Association of American Railroads
- 5:00 pm to 5:05 pm **CLOSING REMARKS**
All Ashore
- 5:05 pm to 6:00 pm **RECEPTION**
Margaritaville
Sponsored by Langan Engineering & Environmental Services, Inc.

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FRIDAY AUGUST 4, 2023

7:30 am to 8:15 am

CONTINENTAL BREAKFAST

Bay Gulls

Sponsored by GSI Environmental Inc.

8:15 am to 8:30 am

OPENING REMARKS

Wading In

MODERATOR: Pam Giblin, *Senior Policy Advisor*, Climate Leadership Council

8:30 am to 9:30 am

NATURAL RESOURCE DAMAGES

A Seal of Approval

Scottie Aplin, *Staff Attorney*, Texas General Land Office

Jeffrey R. Wakefield Ph. D., *Technical Director of Economics*, SWCA Environmental Consultants

William "Bill" J. Jackson, *Partner*, Kelley Drye & Warren LLP

9:30 am to 10:15 am

ENERGY OVERVIEW

A Rising Tide Raises All Ships

Scott Tinker, *Director*, Bureau of Economic Geology

10:15 am to 10:30 am

BREAK

Sponsored by Braun Intertec Corporation

10:30am to 12:00 pm

PATHWAYS TO NET ZERO

Heat Wave

- **NUCLEAR**

Martin O'Neill – *Associate General Counsel*, Nuclear Energy Institute

- **GEOHERMAL**

Dr. Kenneth Wisian, *Associate Director -Environmental Division*, Bureau of Economic Geology, The University of Austin Texas

- **HYDROGEN**

Michael C. Lewis, *Senior Engineering Scientist*, Center for Electromechanics, The University of Austin Texas

- **CCS AND DIRECT CARBON CAPTURE**

James "Jim" Dolphin, III, *Partner*, Kirkland & Ellis LLP

- **RENEWABLES--WIND AND SOLAR**

Christine Fernandez Owen, *Partner*, Norton Rose Fulbright US LLP

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- 12:00 pm to 1:00 pm **LUNCH**
"See" Food
Sponsored by EnSafe, Inc.
- 1:00 pm to 1:15 pm **TENRLS MEETING**
Tidal Reports
- 1:15 pm to 2:15 pm **MODERATOR:** Cindy Bishop, *President*, C Bishop Law, PC
- 1:15 pm to 2:15 pm **DEVELOPING AND PRESENTING TECHNICAL EVIDENCE**
For All Practical Porpoises
- Rudy Johnson, Ph.D., *Principal*, Forense LLC
- Adam Sencenbaugh, *Partner*, Haynes and Boone LLP
- Craig R. Bennett, *Partner*, Jackson Walker LLP
- 2:15 pm to 3:15 pm **ETHICS**
Between the Devil and the Deep Blue Sea
- Michael S. Truesdale, *Counsel*, Enoch Kever PLLC
- F. Witcher McCullough, *Attorney-Mediator & Arbitrator*
- Patricia Peterson, *Vice President of Claims & Risk Management*,
Texas Lawyers' Insurance Exchange (TLIE)
- 3:15 pm-3:20 pm **CLOSING REMARKS**
La Fin
- ICE CREAM SUNDAES**
An Ice Breaker
Sponsored by Geosyntec Consultants Inc.

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Wednesday • August 2, 2023
Four Seasons Hotel • Austin, Texas

WHITE COLLAR ENVIRONMENTAL CRIME “Sharks in the Water”

WEDNESDAY AUGUST 2, 2023

3:45 pm to 4:25 pm	CHECK IN
4:25 pm to 4:30 pm	Welcome: Mary Simmons Mendoza, <i>Partner</i> , Haynes and Boone LLP
4:30pm to 5:00 PM	Opening Remarks and Overview of Criminal Enforcement in Environmental Law: John Cruden, <i>Principal</i> , Beveridge Diamond PC MODERATOR: John Cruden, <i>Principal</i> , Beveridge Diamond PC
5:00pm to 6:30 PM	Current Developments in Criminal Enforcement of Environmental Law <i>Topics to be discussed include current DOJ policies regarding corporate criminal defendants, managing parallel criminal and civil proceedings, representing the company or the employee – identifying the client, and protecting privilege issues in the aftermath of an investigation.</i> Nadira Clarke, <i>Partner</i> , Baker Botts, L.L.P. Kevin D. Collins, <i>Partner</i> , Bracewell LLP

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Jim Noble, *Assistant US Attorney*, Tyler Division, Eastern District of Texas

Kristena Glenn, *Assistant District Attorney*, Harris County District Attorney's Office

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CONFERENCE PLANNING COMMITTEE

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PC

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Foley & Lardner LLP

Timothy A. Wilkins
Bracewell LLP

Suzanne Wilson
H-E-B, LP

Danny G. Worrell
Baker Botts L.L.P.

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PERTINENT INFORMATION

REGISTRATION: Registration is online only and is at <https://www.texenrls.org/>. Pricing and cancellation policy is online.

CLE:

Wednesday’s Program: This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 2.00 hours of CLE credit, all of which can be applied to the legal ethics/professional responsibility requirement. We have applied to the Texas Board of Legal Specialization for approval for the following specialty fields: Administrative Law; Civil Trial Law; Civil Appellate Law; Oil, Gas and Mineral Law; and Real Estate Law.

Thursday and Friday’s Programs: This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 11.75 hours of CLE credit, of which 1.00 hour can be applied to the ethics requirement. We have applied to the Texas Board of Legal Specialization For approval for the following specialty fields: Administrative Law; Civil Trial Law; Civil Appellate Law; Oil, Gas and Mineral Law; and Real Estate Law

COURSE MATERIALS: Course materials are online. The online materials may be downloaded one week prior to the conference at the section’s website, <https://www.texenrls.org/superconference-materials/>. A QR code of the website link is printed on your Superconference folder, scan for direct link to the materials.

PARKING: Conference attendees receive a discounted self-parking rate of \$ 20/day in the Four Seasons Hotel garage, but parking is very limited. Daily Valet Parking is \$22 and Overnight Parking is \$50. 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! It’s summer! Given our beach theme, feel free to wear your favorite Hawaiian shirt.)

HOTEL: We’ve arranged a limited hotel block with discounted rates at the FOUR SEASONS HOTEL: 98 San Jacinto Blvd., Austin, Texas 78701. To book a room, please contact the Four Seasons—by phone (512-478-4500) or online www.fourseasons.com. Discounted rates for our hotel block are: City View – \$315/night and Lake View – \$365/night.

Group Name: Texas Environmental Supercon

Block Rate Code: Code **230801TESC**

QUESTIONS: If you have any questions, please contact: The Superconference at Superconference@haynesboone.com . For further information concerning the Environmental and Natural Resources Law Section of the State Bar of Texas, please visit: www.texenrls.org.