

Jeff Civins in Bloomberg Law: 'EPA to Rule on Texas Fracking Wastewater Plan Before Trump Exit'

December 29, 2020 Jeff Civins

PRACTICES Environmental

Bloomberg Law quoted Haynes Boone Senior Counsel [Jeff Civins](#) in an article about the Environmental Protection Agency (EPA) deciding the fate of a Texas oil and gas wastewater discharge program in the last days of the Trump administration.

Here is an excerpt:

The state asked the EPA in October to delegate authority of the program to the Texas Commission on Environmental Quality, or TCEQ, allowing the agency to administer a program governing the discharge of wastewater from oil and gas exploration and production.

Fracking, or hydraulic fracturing, uses high pressure to inject a liquid mix into rock to drill for oil or gas. Companies dispose of fracking waste by injecting it underground. Environmental groups worry that under Texas's supervision, industry will eventually be allowed to discharge toxic chemicals into surface water, including streams and rivers.

Permits Focus

Haynes Boone LLP, Austin-based attorney Jeff Civins said the delegated authority to the TCEQ would be "beneficial" because that state agency's focus is on environmental protection..

"TCEQ issues discharge permits for every other industrial sector in Texas; it makes sense for them to issue permits for the oil and gas extraction sector as well," Civins said in a phone interview.

Texas must apply EPA effluent limitations and other federal requirements, while the federal agency retains oversight, he said. "So, I'm not sure what incentive the Biden administration would have for undoing that delegation or what justification they might assert to do so," Civins said.

To read the full article, click [here](#).