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Natural

OUTLOOK

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



Eye of the Storm

**The TCEQ answers the
challenge of Hurricane Ike**



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Natural OUTLOOK

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Exploring environmental issues and challenges in Texas

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A few months into the job as executive director, Mark Vickery shares some thoughts about his new role as the agency's chief administrator.

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As Hurricane Ike roared onshore, the TCEQ and other first responders were preparing to enter devastated areas as soon as possible. Agency staff spent weeks in the hardest-hit areas, evaluating environmental problems and helping to restore vital services.



Photo by FEMA

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Two voluntary programs administered by the TCEQ are achieving significant reductions in harmful emissions.

on the back

Web Redesign Debuts

Changes to the TCEQ Web site make it easier to find information about environmental programs.

COVER: As seen from the International Space Station, photos taken in September 2008 showed the immensity of Hurricane Ike as it approached the Texas Gulf Coast. The massive storm inflicted widespread damage over a 10-county area, with Galveston taking the strongest blows.

Photo by NASA

The Environment Knows No Borders

By Chairman Buddy Garcia

Several months ago, I was privileged to give closing remarks on behalf of Gov. Rick Perry at the 26th Border Governor's Conference in Los Angeles.

The annual meeting draws officials from the four U.S. and six Mexican states that share the international border. Together, these states host 42 ports of entry, representing some of the world's busiest border crossings, and they have a long list of mutual concerns, including environmental protection, agriculture, trade, economic development, tourism, and public health.

I reminded conference attendees that 19 years earlier Texas Gov. Bill Clements addressed the same conference and made the observation: "We are linked not only by common land but by common goals and by people whose roots in both our nations bind and strengthen us. We are united by history and by a vision of hope for our families."

I feel those sentiments are as true today as they were then. That is why—in my almost two years as TCEQ chairman—we have made a concerted effort to strengthen ties with our counterparts south of the border.

To share knowledge and maintain important relationships, we have also participated in an energy trade mission to Mexico City and attended the Border 2012 conference in Juárez to celebrate the 25th anniversary of the La Paz Agreement, which empowered federal authorities in the U.S. and Mexico to

undertake cooperative initiatives that benefit the environment.

Border 2012, which is an outgrowth of that historic agreement, works to bring together representatives of all 10 border states and to create working partnerships that address timely issues. For example, Texas is working with officials from New Mexico and Chihuahua to examine water quality and availability in the area of Juárez and El Paso. And a joint effort by Eagle Pass and Piedras

Negras, Coahuila, succeeded in properly disposing of more than 237,000 scrap tires. Texas has also joined the states of Coahuila, Nuevo León, and Tamaulipas to work on improving water quality in the Rio Grande, managing hazardous waste, and developing water and wastewater treatment plants.

Additionally, I was a speaker at the 15th annual Border Energy Forum in Monterrey, Nuevo León, in October. There I spoke of our continual efforts in Texas to improve air quality through energy efficiency measures and how our counterparts can do the same throughout Mexico.

There are plenty of challenges along the U.S.-Mexico border, and TCEQ staff actively participates in work groups and



Juárez Mayor José Reyes Ferriz and TCEQ Chairman Buddy Garcia (right) observed the 25th anniversary of the La Paz Agreement at a conference in Juárez.

joint projects that aim to improve air and water quality and to better manage waste. We must face all challenges head on and pledge our collective resolve to find more solutions.

Look for the TCEQ to maintain a sharp focus on issues that involve our neighbors. By working through bi-national partnerships, we will continue to see tremendous strides made in environmental protection throughout the border region.

I am reminded of a truism once spoken by a former president of Mexico. He said that "one's own well-being is more lasting when it is accompanied by the well-being of others." With mutual respect and common effort, we can develop a joint policy to better protect natural resources along the border. 🇺🇸

Rising through the Ranks

Mark Vickery ascends to top post at the TCEQ



One month into his new job as executive director, Mark Vickery was mired in briefings on Hurricane Dolly, which was bearing down on Brownsville.

This particular day in July 2008 was filled with back-to-back meetings and phone calls to state officials, TCEQ regional staff in Harlingen, and members of the agency's Emergency Response Strike Team as they headed to South Texas.

Vickery kept only one other appointment on his calendar: a meeting on drought.

"It just goes to show the nature of this job," he chuckled later. "One part of the state is about to be hit by a hurricane while another is feeling the effects of a drought. In the field of natural resources, you can swing from

one end of the spectrum to the other, even in a single day."

Vickery, 48, has learned to stay light on his feet to confront the many complex issues within the jurisdiction of the TCEQ, mostly air and water quality and waste management. In fact, he has seen firsthand how far the state has come in dealing with such issues during the two decades he has worked in environmental protection.

The Texas Tech graduate, who majored in geology, has worked 21 years at the TCEQ or its predecessors. He started at the Texas Water Commission in 1987 as a coordinator in the Industrial and Hazardous Waste Enforcement Unit. A few years later, the TWC was merged with all or parts of several other agencies to form the Texas Natural Resource Conservation Commission, now the TCEQ.

One of Vickery's early duties at the blended agency was to manage a program overseeing the disposal of surplus tires. As his career progressed, he went on to direct the TCEQ's 16 regional offices and to serve as deputy director over the Office of Compliance and Enforcement and the Office of Permitting, Remediation and Registration.

Before the commission voted in June to make him top agency administrator, Vickery was deputy executive director for four years under then-Executive Director Glenn Shankle, who retired.

This series of advancements provided Vickery with exposure to a wide range of environmental programs, and gave him a perspective on similar operations in other parts of the country.

"We are the biggest state environmental agency, and I'm convinced we're the best at what we do," he says.

As for the challenges ahead, Vickery acknowledges that complying with tougher reductions in ozone levels is foremost. A new requirement issued by the Environmental Protection Agency will cause more counties in Texas to be declared in nonattainment of the federal 8-hour ozone standard. Limits to the amount of ozone allowed in the air will lower the maximum allowable concentration from 0.08 parts per million to 0.075 ppm.

Air quality specialists spent the summer holding briefings on the new standard for local officials and the public in El Paso, Houston, Beaumont-Port Arthur, San Antonio, Dallas-Fort Worth, Austin, and Tyler-Longview-Marshall.

Despite the steep climb ahead to reach attainment, Vickery says he is convinced the state can make it.

"We have two metropolitan areas—Houston and Dallas-Fort Worth—where we have spent tons of resources, time, and effort. This has resulted in huge successes. Yes, there's still a lot to do, but we will clean up the air. There's no question in my mind that, when we

“We are the biggest state environmental agency, and I’m convinced we’re the best at what we do.”

bring all of this agency’s resources and technology to bear, we will clean it up.”

Vickery has a different take on water—whether existing supplies can keep up with a fast-growing population and an expanding industrial base.

“When friends ask me what environmental field their children should go into 20 years from now, I say: water. That’s because water is a finite resource, and with the huge growth in this state the demand is significant. Unlike air quality, this issue is one that technology doesn’t necessarily solve.”

To better coordinate agency programs dealing with water, Vickery has created the Water Quality Planning Division within the Chief Engineer’s Office. That is one of several changes he plans for the coming year.

In fact, the new executive director has been urging staff to “embrace change.” He even invited Art Acevedo, Austin’s new police chief, to talk to staff and managers about the changes being instituted to raise the performance of the police force.

“Change is the one concept I see people struggle with most,” says Vickery, “but we must become comfortable with change. Change brings opportunities and opens doors. You don’t progress as an organization without it.”

Vickery points out that by accepting the changes and advancements produced by science and technology, the TCEQ has created programs that are regarded as national models.

“Texas has become a leader by implementing some of the most innovative and progressive measures to protect

the environment,” he says, adding: “We just need to maintain the attitude that anything is possible.” 🌱

In Brief

Mark R. Vickery, P.G.

Education

Texas Tech University, B.S.
1984

Career

Geologist
1984-1987

Texas Water Commission
1987-1992

Enforcement coordinator

**Head, Industrial and Hazardous
Waste Enforcement Unit**

TCEQ
1992-2008

**Manager, Municipal Solid Waste
Section, Compliance and Enforcement**

Manager, Waste Tire Program

Director, Field Operations Division

**Deputy director, Office of Compliance
and Enforcement**

**Deputy director, Office of Permitting,
Remediation and Registration**

Deputy executive director



When not at work at the TCEQ, Mark Vickery tends to his pride and joy—the family homestead in rural Bastrop County. Vickery built the house himself, mostly on weekends, over several years. Vickery says rural living suits him and the family dog, who stands guard.

Emergency and Disaster Recovery

The TCEQ mustered all resources to respond to Hurricane Ike

On the evening of Sept. 12, as Hurricane Ike unleashed its fury on Galveston and nearby coastal communities, the TCEQ Emergency Response Strike Team packed supplies in preparation for storm duty.

The 16 senior investigators assembled with hundreds of other state and federal responders at a former Air

Force base in San Antonio, which served as the staging area for the state's unified response to one of the worst hurricanes to ever hit Texas.

The next morning, a convoy of 520 trucks and assorted vehicles left San Antonio and headed into what remained of the storm. The TCEQ Strike Team was assigned to the first quadrant of the convoy because the





The TCEQ oversaw 175 waste collection sites in and around Houston, Galveston, and Beaumont. These temporary staging areas proved to be the most efficient way to get Ike debris removed from streets and yards, and segregated for recycling and landfilling. Contractors sorted the refuse by trees, construction materials, appliances, and household hazardous waste. In the 10 counties affected by the hurricane, cleanup resulted in some 25 million cubic yards of waste.



agency's mobile command post is a highly valued asset, having radio and satellite equipment capable of providing emergency communications to an area that has no other means of reaching the outside.

Isolation and devastation is what awaited the Strike Team and their counterparts from the Texas Department of Public Safety, the Governor's Division of Emergency Management, the Environmental Protection Agency (EPA), and various military units.

As the convoy made its way through flooded Houston and reached the causeway leading to Galveston Island, the landscape was littered with storm wreckage—downed billboards and trees, random chunks of houses and buildings, and piles of beached boats.

With Galveston's streets under water, the TCEQ team operated for a few days out of the parking lot of Ball High School. At night, the pitch dark of the evacuated city was punctuated by sporadic house fires. During the day, team members paired up with members of the EPA or the Texas National Guard's 6th Civil Support Team (CST) to conduct inspections across the area. Doing so meant weaving around debris

and washed-out roads, stopping to fix flats, and on one occasion dodging a disgruntled alligator.

A 12-foot storm surge, combined with 110-mile-an-hour winds, had left a large number of the island's structures flooded or flattened.

"In 20 years, I had not seen a disaster in Texas of this magnitude," described Jeff Lewellin, leader of the Strike Team. "The surge was so big that it made Ike a regional disaster, covering a larger area and causing more damage than we'd seen from other hurricanes.

"But we were well prepared and well supported," he added. "Our team integrated well with the other groups of first responders, thanks to our response-and-recovery training and our experience."

Agencywide Approach

The Strike Team was backed by a broad-based effort at the TCEQ, which supported not only staff assigned to Galveston



As storm recovery got under way in Galveston, piles of debris lined the usually scenic Seawall Boulevard. In back, the 97-year-old Hotel Galvez stands vigil.

but the agency's regional offices in Houston and Beaumont. Both offices struggled initially to recover from storm damage and begin assessing the environmental effects of the storm. About 45 employees from other TCEQ regions from around the state converged to lend a helping hand.

The Houston regional office, with 215 employees, and the Beaumont office, with 65, were without power for about a week. Still, within a few days of the storm, available staff members were striking out to evaluate damage. Both offices were aided by various military units that rotated in.

"Just a few days after Ike, the Nebraska CST arrived," said Donna Phillips, director of the Houston region. "These guys saved the regional office. They set up a tent in our parking lot with Internet access and phone service. That enabled our folks to begin making the contacts we needed."

In Beaumont, the New Mexico CST provided similar support services. With the city under emergency evacuation orders for the first week, it was mostly



At 44 feet long, the TCEQ's mobile command center houses computers, communications gear, and other supplies needed to respond to a disaster. Equipment includes two-way radios, satellite telephones, an Internet link, and a two-way satellite transmitter and receiver.

a small contingent of TCEQ staff and the military that conducted initial environmental assessments, according to Georgie Volz, regional director.

Ike was the second major hurricane in recent years to sweep the Beaumont-Port Arthur area and close the agency's office. Volz recalled that Hurricane Rita in 2005 also forced staff to operate in makeshift conditions for some time.

On the Front Lines

In the wake of a major storm, the TCEQ has a number of major responsibilities. One of the first is to quickly ascertain whether hazardous chemicals have spilled from any industrial facilities

or are leaking from containers or storage tanks swept from their original sites. These "orphan" containers are sometimes found miles from their home base.

"When we got out there after Ike, we were finding everything from propane tanks from backyard barbecues to large storage tanks from industrial facilities," said Phillips.

In fact, the Strike Team discovered a 12,000-gallon fuel tank in Galveston that had floated away from a small airport miles away.

Before approaching an orphan container, staff uses mobile monitors to test for leaking vapors. Once the container is determined to be secure, GPS coordinates are recorded for later pickup and proper disposal by a contractor.

Storms can leave behind massive amounts of debris, so the TCEQ is also responsible for setting up temporary staging areas where the debris can be delivered and sorted. The Houston, Galveston, and Beaumont areas required 175 temporary sites. It was the TCEQ's job to visit the sites regularly to assess whether debris was properly segregated. Generally, debris is separated into trees and branches, construction and treated lumber, "white goods" like refrigerators and other appliances, and household hazardous waste.

TCEQ Storm Duty

The following is a summary of agency activities in the aftermath of Hurricane Ike in the 10-county area encompassing Houston, Galveston, and Beaumont.

- Contained and recovered more than 18,000 orphaned containers and tanks (5 gallons or more in size), with the assistance of EPA contractors.
- Assessed operational status and damage to 1,384 public water systems and 734 wastewater treatment plants.
- Tracked almost 1,200 boil water notices.
- Evaluated debris management at 175 temporary sites.
- Assessed damage at 13 refineries and 47 chemical facilities, all of which shut down operations before the storm.

In addition, the agency conducted air monitoring, sampled sediment and surface water, and evaluated potential emergencies resulting from oil and chemical releases. The agency's Web site was updated regularly with hurricane response and cleanup information aimed at the general public and regulated entities.

Another primary duty is assessing the operational status of public drinking water facilities and wastewater treatment plants. After Ike, TCEQ staff at the Austin headquarters joined in contacting hundreds of facilities to determine which ones had been left inoperable by the storm. Sites that could not be reached by phone were visited by TCEQ regional staff. The agency assisted local operators in locating generators or replacing damaged equipment.

Along that line, the TCEQ also tracks the boil water notices issued in communities where service has been interrupted or contaminants have been found in the water. Later, communities are notified when water becomes safe to use straight from the tap.

Other responsibilities this fall included issuing burn authorization letters to officials in affected counties and advising on the removal and disposal of livestock carcasses.

In the first week after Hurricane Ike, regional staff in the affected areas had to work in somewhat primitive conditions. So TCEQ headquarters took orders for office supplies and cell phones, dispatching a truck twice a week with the needed supplies.

Food was another essential item. Supplies from Austin included ice chests full of sandwiches and snack foods assembled by central office staff.

“Right after the storm, there were few eating establishments open,” Phillips recalled. “These shipments made it possible for us to send investigators out to the field with food for the day.”

Aftermath

TCEQ field operations began to return to normal about eight weeks after Ike slammed much of the area, taking lives



After a major storm, one of the TCEQ’s main duties is to locate stray drums and determine whether the contents are hazardous. Often these containers float off or are blown away from refineries or chemical facilities. After Hurricane Ike, the TCEQ joined EPA and military support teams to comb storm-damaged areas for “orphan” drums. About 18,000 such containers were logged by GPS coordinates for pickup and disposal. Above, TCEQ contractors use an air boat to round up containers that washed ashore. At right, a TCEQ investigator and a New Mexico National Guardsman identify a container of toxic material found at a demolished boat dock.

Photo by FEMA



and destroying homes and commercial properties.

Kelly Cook, homeland security coordinator for the TCEQ, said agency participation will probably continue into early 2009, wrapping up various aspects of cleanup and recovery.

The event was a costly one for all agencies involved, but federal reimbursements will help. Cook said the Federal Emergency Management Agency has agreed to provide \$25 million toward the orphan drum and container recovery that EPA and contractors performed for the TCEQ. Of the remaining \$5 million in costs incurred by the TCEQ, a portion of that may also be eligible for federal funds, he said.

Cook noted that the 2008 hurricane season kept the TCEQ on the move. In July, Hurricane Dolly swamped the Lower

Rio Grande Valley. Then staff quickly mobilized for Tropical Storm Edouard, which ended up skirting Texas. And before Ike, portions of Hurricane Gustav brought some flooding to East Texas.

“All this has been a testament to the necessity of thorough preparation, the fact that we responded to the scale of what occurred and that we did so quickly,” Cook said.

“We always take lessons learned from one hurricane and apply it to the next one,” he added. “We learned a whole lot from Rita. Now we’ll take lessons from Ike and apply those to the future. We are so much wiser now, and we plan to keep improving.”

Incentives Help Pave the Way to Cleaner Air

The TCEQ has two voluntary programs that have proved to be among the most successful in reducing emissions that contribute to ozone. The incentives offered by both are in high demand. In this issue, *Natural Outlook* takes a look at the accomplishments of each program.

Lowering Diesel Emissions

Since 2002, the Texas Emissions Reduction Plan (TERP) has awarded grants and rebates to obtain voluntary reductions in nitrogen oxide (NO_x) emissions in older heavy-duty vehicles and equipment. Because NO_x is a leading contributor to the formation of ground-level ozone, lowering these emissions is key to achieving compliance with the federal Clean Air Act.

The TERP has largely focused on the ozone nonattainment areas of Dallas-Fort Worth and Houston, but funding has also been awarded to projects in San Antonio, Beaumont-Port

Arthur, Austin, Corpus Christi, and Tyler-Longview-Marshall.

Through August 2008, the agency had issued \$541.5 million under the TERP, for a total of 3,407 projects, or 7,875 individual vehicles or pieces of equipment. That represents an overall reduction of an estimated 126,963 tons of NO_x since 2002, or 57.09 tons on a daily basis.

TERP projects must be diesel powered. These include:

- Purchase or lease of new, lower-emission equipment.
- Replacement of old vehicles and equipment with newer, more efficient models.
- Retrofits and add-ons that reduce emissions from vehicles, equipment, and stationary sources.
- Infrastructure to support electrification, qualifying fuels, or reduced idling time.
- Rail relocation and improvement.

The TERP received a major infusion of funding in 2007. The legislative appropriation of \$337.8 million was an increase of almost \$81 million over the previous biennium.

The TERP emissions reduction incentive grants offset the incremental costs associated with reducing emissions of NO_x from high-emitting internal combustion engines.

Rebate grants are also available but only for diesel on-road and nonroad replacement and repower projects (a portion of these funds are reserved for small businesses). Applications for rebates are reviewed and processed on a first-come, first-served basis.

TERP funds are available to individuals, businesses, nonprofits, school districts, and government agencies that own and operate heavy-duty vehicles or equipment in the eligible areas.

The primary revenue source is the vehicle title transfer fee and a 2 percent fee on sales and leases of diesel equipment.

The newest round of TERP applications began Dec. 1, 2008. See www.terpgrants.org.

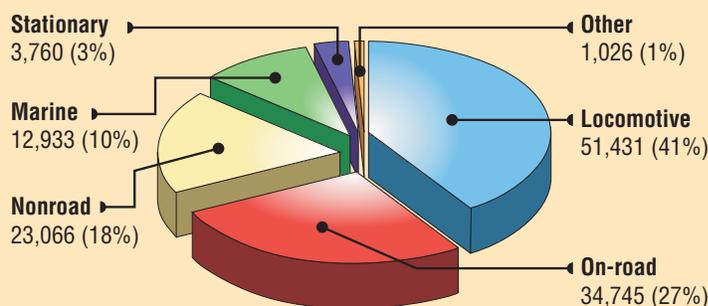
Incentives to Replace Clunkers

With the debut of AirCheckTexas Drive a Clean Machine in late 2007, about 1.9 million households in 16 counties found themselves potentially in the running for vouchers to help replace their older cars or trucks. The program targets the areas of Houston, Dallas-Fort Worth, and Austin, all of which conduct annual tests of vehicle emissions.

Backed by a \$90 million appropriation for the biennium, Drive a Clean Machine was formed to remove older, heavy-polluting vehicles from the road. Driving a new car, or a qualifying used

TERP Grants, 2002 to August 2008

Over the life of the Texas Emissions Reduction Plan, grants and rebates have funded an overall reduction of 126,963 tons of nitrogen oxides (NO_x), a component of ozone. These NO_x reductions—in tons—were from the following emission sources.



Note: Numbers are rounded.

car, is better for air quality than driving a vehicle that is 10 years or older. Today's new, low-emission vehicles can be up to 98 percent cleaner than those made a decade ago.

To be replaced, a vehicle must be gasoline-powered, at least 10 years old or have failed an emissions test, and be registered in the participating county at least 12 months before the application is submitted. It must have passed the state safety and emissions inspection within 15 months of the application. The new vehicle cannot cost more than \$25,000.

Under Drive a Clean Machine, motorists must fall within certain income categories to qualify for vouchers. The vouchers provide:

- \$3,000 for a car, current model year or up to three model years old
- \$3,000 for a truck, current model year or up to two model years old
- \$3,500 for a hybrid vehicle of the current or previous model year

When the program went public in December 2007, the response was so great that local program administrators had to add telephone lines and hire additional staff. By October 2008, the program had removed and scrapped more than 15,400 older, polluting vehicles in the 16 participating counties. With the state-funded incentives, total removal could top 30,000 by September 2009.

AirCheckTexas also includes assistance to help repair cars and trucks that fail the annual emissions test. By issuing vouchers in amounts up to \$600, AirCheckTexas has helped correct emission problems on more than 38,000 vehicles since 2002.

Operated by the Texas Department of Public Safety, in conjunction with the TCEQ, the repair program relies on

privately owned inspection stations to test gasoline-powered cars and trucks that are 2 to 24 years old.

The repair and replacement assistance program was first offered to counties that take part in annual vehicle emissions testing. Of the 17 counties

conducting annual emissions testing, all but El Paso participate. Funds are administered through grant contracts with each of the 16 participating counties.

See www.driveacleanmachine.org for requirements, including eligible income qualifications. 

Vehicle Emissions Testing

In the 17 counties participating in vehicle emissions testing as part of the annual state vehicle safety inspections, the overall passing rate has steadily improved—from 90.2 percent when the program started in 2002 to the current 94.2 percent.

FY 2008 (Sept. 2007 to Aug. 2008)

Number of vehicles tested	7.2 million
Passing rate	94.2%
Number of stations	4,105
Number of inspectors	16,072
Recognized emissions repair facilities	527

AirCheckTexas

More than 15,400 cleaner vehicles have been purchased with the aid of vouchers from Drive a Clean Machine. That means an equivalent number of “clunkers” were permanently retired. Recently, vouchers have also helped with repairs so that more than 3,400 vehicles could meet state emission requirements.



Sept. 1, 2007, to Oct. 23, 2008

Replacements	
Number of vehicles	15,449
Average cost	\$3,002
Total cost	\$46.4 million
Emission repairs	
Number of vehicles	3,464
Average cost	\$500
Total cost	\$1.7 million

Web Redesign Debuts

The TCEQ Web site is sporting a new design that makes it easier for users to find the information they need. The organization of pages was reworked so that online visitors can get to topics with fewer clicks of the mouse.

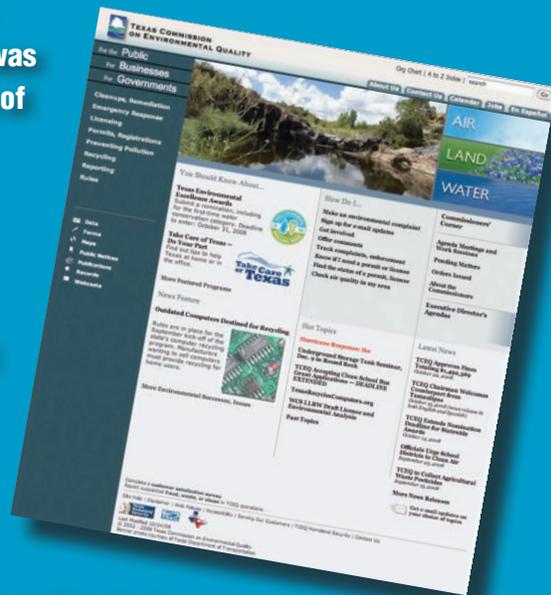
One new feature on the home page groups major topics by audience: "For the Public," "For Businesses," and "For Governments." Another feature clusters environmental programs under the headings of "Air," "Land," and "Water."

These new tools allow users to more quickly locate information, be it educational materials, a permit renewal form, or the status of an action pending before the commissioners.

www.tceq.state.tx.us

The home page retains several popular features, such as hot topics, news releases, and a recent article from *Natural Outlook*.

Before arriving at the current design, TCEQ staff invited more than 100 people to test different versions of the Web site and provide comments. The resulting changes also make the Web site more accessible for users with disabilities, which is an ongoing effort by the agency. ★



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